



Council Business Meeting Agenda

ASHLAND CITY COUNCIL BUSINESS MEETING AGENDA

Tuesday, June 3, 2025

Council Chambers, 1175 E Main Street

Live stream via RVTV Prime at rvtv.sou.edu or broadcast on Spectrum 180 & 181.

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 Flag Week Proclamation

V. APPROVAL OF MINUTES

- a. Minutes of the May 19, 2025 – Study Session Meeting
- b. Minutes of the May 20, 2025 - Business Meeting

VI. CONSENT AGENDA

- a. Approval of Liquor License for Little Tokyo, Live at the Armory, and Tacos Libertad
- b. Resolution No. 2025-14 - A Resolution Relating to Solid Waste Management Service Rate and Repealing Resolution 2024-11.
- c. Contingency Draw for Fire Department
- d. Water Rate Resolution-Approval of 2025-2027 Biennium Water Rates
- e. Approval of Goods & Services Contract – Water Quality Temperature Trading Program Partnership (2025-2031); Phase 3A Stewardship & Monitoring
- f. A Resolution Allocating BN23-25 Transient Lodging Tax Funds to the Oregon Shakespeare Festival
- g. Approval of Personal Services Contract - Ashland Chamber of Commerce (DBA Travel Ashland) Destination Marketing Activities

VII. SPECIAL PRESENTATIONS

- a. ODFW Special Presentation

VIII. PUBLIC FORUM

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

IX. PUBLIC HEARING

- a. Biennium Budget Adoption and Approval of Other Related Budget Resolutions
- b. Public Hearing and First Reading of Ordinance 3264 Creating Section 13.40 of the Ashland Municipal Code Establishing Recreational Immunity Protections
- c. Public Hearing and First Reading of Ordinance 3265, adopting the 2025 Economic Opportunities Analysis as a technical support document to the Economic Element of the City of Ashland



Council Business Meeting Agenda

Comprehensive Plan

X. ORDINANCES, RESOLUTIONS AND CONTRACTS

- a. Second Reading of Ordinances 3249, 3250, 3251, and 3263 to implement the Climate Friendly Area Overlay & Written Findings Adoption

XI. UNFINISHED BUSINESS

- a. Assistance Program - Adoption

XII. NEW BUSINESS

- a. Voting and Appointment of Council Member

XIII. CITY MANAGER REPORT

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

XV. ADJOURNMENT

If you need special assistance to participate in this meeting, please contact Alissa Kolodzinski at recorder@ashlandoregon.gov or 541.488.5307 (TTY phone number 1.800.735.2900). Notification at least three business days before the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting in compliance with the Americans with Disabilities Act.

* 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.



**ASHLAND CITY COUNCIL
STUDY SESSION MINUTES
Monday, May 19, 2025**

Mayor Graham called the meeting to order at 5:30 p.m.

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

Council Absent: none

Staff Present:

Sabrina Cotta	City Manager
Alissa Kolodzinski	City Recorder
Johan Pietila	City Attorney
Brandon Goldman	Community Development Director
Derek Severson	Planning Manager
Marianne Berry	Finance Director

Request to add an item to the agenda to discuss the voting process for the Council vacancy.
The Item was added to the end of the agenda.

I. Public Input

A citizen spoke of their concern regarding the night lawn including the enforcement of rules, expulsions, dog control, and complimented the new judge and court staff.

II. Recology PI (Proposed Increase)

Eric Ahnmark, Community Affairs Manager, Robert Long, Assistant General Manager, and Chris Carey, General Manager with Recology provided a presentation (see agenda packet).

- The presentation included an overview of the organization, programs, and services.
- The proposed 5.75% rate increase will result in an increase of \$1.43 a month per bill (or ten cents more than Medford/Phoenix) which would provide for modernization and keep up with the increasing cost of personnel.
- Recology is looking to pilot a drop-off food composting program and is exploring composting units. Material would be processed at the Ashland Recycling Center or the Transfer Station depending on the unit that is acquired, with drop-off at each location.
- There is strong interest in curbside composting but that will require a regional facility large enough to handle the expected volume of waste, which is why the pilot comes first.
- There will be a waste characterization study from June 16-20, 2025, that will look at samples of the residential and commercial waste stream with volunteer help.
- The pricing structure is allocated across Recology's service area, as the same equipment is used throughout its three jurisdictions (Ashland, Talent, and County).

III. Walkable Design Standards (CFEC) Code Amendments

Goldman and Severson introduced the topic. The proposed code amendments support the City's livability goals through a grant from the Department of Land Conservation and Development (DLCD) to meet the State's Climate Friendly and Equitable Communities (CFEC) rules. These standards are a requirement of the CFEC rules and must be adopted before or in tandem with Transportation System Plan (TSP) updates. The goal is to gather feedback from Council before formal public hearings. Pauline Ruegg and Jamin Kimmell of Cascadia Partners, which were contracted for this project, provided a presentation (see agenda packet).

- This project is focused on auditing Ashland's zoning regulations for consistency with CFEC rules that require jurisdictions to regulate land use to "support compact, pedestrian friendly, mixed-use land use development patterns".
- Severson served on the technical advisory committee as Cascadia Partners assisted the DLCD to develop its Walkable Design Standards Guidebook and Model Code.
- Initial concepts, developed from the code audit, were presented to the Planning Commission in February. Feedback from that meeting, community and stakeholder engagement, and staff input have been incorporated in the draft code amendments.
- The Council requested a copy of the feedback from the groups that engaged the process.
- CFEC rules apply to all zones in the urban growth boundary, including within CFA's (Climate Friendly Areas), except areas of industrial and rural character.
- The draft ordinance in the packet includes the required changes needed to comply with State rules and proposed/optional changes to bring Ashland in line with the Model Code. Staff will return with an outline of the differences between what is required and what is proposed.
- Four walkable design code concepts were presented for consideration:
 1. Apply more design standards to single family/duplex use
 - Focus on sociable development patterns.
 - Code audit found Title 18 is missing standards requiring entrances to face or orient towards the street (must have).
 - Additional transparency standards (minimum windows - nice to have).

Council discussed the potential impacts of additional standards on development costs and how exemptions would be considered. Council directed staff not to add additional transparency standards.

2. Reduce visual prominence of garages
 - Apply design standards in residential zones that emphasize living spaces over vehicle serving areas and improve pedestrian safety.
 - Code audit found Title 18 is missing standards a) limiting the width of garages as a proportion of overall building façade, and b) requiring garages to be flush or setback from the front façade (must have).
 - Adding standards could require more than two contiguous garage entrances to be setback (nice to have).

Council discussed and directed staff to not to add the additional setback requirement for garages.

3. A minimum of 50% of dwelling units on the ground floor abutting a street lot line shall have a main entrance that is accessed from a public sidewalk, faces a courtyard, or opens onto a covered porch. Main entrances shall be set back at a minimum of five feet and a maximum of ten feet from the street lot line and provide at least two design treatments to provide a transition (nice to have).

- Exceptions for commercial-ready spaces in CFA overlay

Council discussed potential impacts on development costs compared to potential benefits and directed staff to bring back more information on costs if implemented.

4. Require more windows/weather protection for commercial uses (nice to have).
 - Code audit found the Title 18 transparency and weather protection standards could be enhanced (currently 20% is required for transparency, and weather protection is mostly about entry).
 - Increase requirements for non-residential uses in the Basic and/or Detailed Site Overlay to improved pedestrian orientation.
 - A minimum of 40-50% of the area of the ground-level, street-facing façade between 2 and 8 feet above sidewalk grade shall be transparent. Weather protection providing shelter from the rain or sun, shall be provided along 50% of the length of the ground level façade.

Council discussed potential impacts on development costs compared to potential benefits and directed staff to bring back more information on costs if implemented. Kimmell clarified these CFEC rules resulted from executive action of the Governor rather than from legislation.

Five-minute recess taken.

IV. Third Quarter Financial Update

Berry provided the presentation (see agenda packet).

- Discussion on the WIFIA loan - in final stages and expected to close mid-June. Six draws are expected in total with the first draw occurring in 2026. The bulk of draws are expected to occur in 2027-28. Actual draws on the loan will depend on other potential funding options. Debt service will not begin until after any draw has been taken and only on the interest of what is drawn.
- Clarification and discussion of the appropriate ways to draw from the Reserve Fund in accordance with Resolutions 2010-18, 2020-26, and 2020-09
- Discussion of options on how to alternatively appropriate funds for the Childcare Grants approved by the Citizen Budget Committee (CBC).
- Direction given to staff to reallocate \$35K from social service grants, \$100K from homeless services, and \$100K from the general fund (made available by the Parks fee) to the Childcare Grants for a total of \$235K.

- Council discussed tourism funds and directed staff to provide \$100K to the Oregon Shakespeare Festival for marketing this fiscal year.

V. Voting process for Council Vacancy

The council discussed various voting options to determine which applicant will fill the council vacancy. Options were narrowed down to either a ranked choice voting or an elimination process method. Councilors will provide staff with information on the two options to be included in the next Study Session packet for discussion.

Adjournment of Study Session

The meeting was adjourned at 8:58 p.m.

City Recorder Alissa Kolodzinski

Mayor Tonya Graham

**ASHLAND CITY COUNCIL
BUSINESS MEETING MINUTES
Tuesday, May 20, 2025**

I. 5:30 P.M. Executive Session

Mayor Graham and Councilors DuQuenne, Bloom, Dahle, Kaplan, and Hansen were present. City Manager Sabrina Cotta, City Attorney Johan Pietila, Assistant City Attorney Carmel Zahran, Human Resources Director Molly Taylor, and City Recorder Alissa Kolodzinski, were present. From the media Morgan Rothborne of Ashland.news.

- a. To conduct deliberations with persons designated by the governing body to carry on labor negotiations pursuant to ORS 192.660 (2)(d).

6:00 PM Business Meeting

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

Council Absent: None

Staff Present:

Sabrina Cotta	City Manager
Johan Pietila	City Attorney
Alissa Kolodzinski	City Recorder
Tighe O'Meara	Police Chief
Marianne Berry	Finance Director
Molly Taylor	Human Resources Director
Brandon Goldman	Community Development Director
Rocky Houston	Ashland Parks and Recreation Director

II. CALL TO ORDER

Mayor Graham called the meeting to order at 6:02 p.m.

- a. Land Acknowledgement**

Councilor DuQuenne read the land acknowledgement.

III. PLEDGE OF ALLEGIANCE

Councilor Dahle led the pledge of allegiance.

IV. ROLL CALL

V. MAYOR'S/ CHAIR OF THE COUNCIL ANNOUNCEMENT

Graham read the proclamations for the record.

- a. Bike Safety Month Proclamation
- b. Building Safety Month Proclamation

VI. APPROVAL OF MINUTES

- a. Minutes of the May 5, 2025 - Study Session Meeting
- b. Minutes of the May 6, 2025 - Business Meeting

Motion made to approve the Study Session and Business Meeting Minutes of May 5 and May 6.

Motion: Bloom Second: Hansen

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

VII. CONSENT AGENDA

Citizen spoke of their concern regarding the budget and the proposed fees.

Request to remove item e from the consent agenda.

- a. Contract for East and West Forks Project – Bridge Replacement
- b. Resolution Adopting Corrections to the 2023–2025 Biennial Budget
- c. Resolution Adopting a Supplemental Budget and Budget Adjustments for SN 2023–25
- d. Historic Preservation Advisory Committee Appointment
- e. Resolution Adopting Miscellaneous Fees for Fiscal Year 2026

Motion made to approve the consent agenda letters a through d, as is.

Motion: Hansen

Second: Bloom

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

Consent agenda item e:

Request made to make a change to the miscellaneous fee schedule. After discussion, the following motion was adopted.

Motion made to modify page 39, the subsection entitled "Field Usage" in the section "Field Usage and Calle Seating" of the City of Ashland FY26 'Miscellaneous Fees and Charges' that is effective July 1st, 2025 and is referenced as Exhibit A in Resolution 2025–09 as follows:

Delete the line "Per hour/per field charge"

Add an additional subsection entitled "Facility Usage"

And add the following lines under the subsection "Facility Usage":

1 Day per week per season (each organization) \$300 for 2025/2026

2 Days per week per season (each organization) \$450 for 2025/2026

3–4 Days per week per season (each organization) \$600 for 2025/2026

5–7 Days per week per season (each organization) \$750 for 2025/2026

Motion: Dahle

Second: Bloom

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

Discussion: Council discussed the rest of the miscellaneous fee schedule. Concern was expressed about the increased rental and cleaning fees outlined for the Community Center and Pioneer Hall, and the public records request fee. Staff spoke that anticipated utility and cleaning costs and a study of comparable regional rates were considered when calculating the fees.

Decision:

After discussion and amendments, the following motion was adopted:

Motion made to direct staff to delete the increases for all fees associated with Pioneer Hall and the Community Center and bring back a revised fee structure that takes into account affordability and possible lower rates for cleaning, shared cleaning, and potential longer use, reviewed by the Parks Commission, as soon as possible.

Motion: Kaplan

Second: Bloom

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

Motion made to approve the Resolution No. 2025-09 titled, "A Resolution Adopting Miscellaneous Fees & Charges Schedule and Repealing Prior Fee Resolution 2024-14 as amended.

Motion: Bloom

Second: Kaplan

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

Motion made to add an item to the agenda regarding the Hearts from our Sister City of Guanajuato.

Motion: DuQuenne

Second: Kaplan

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

Item added to the end of the agenda under New Business.

VIII. SPECIAL PRESENTATIONS

a. Proposed Changes to Enhanced Law Enforcement Area (ELEA) Process

Presentation made by O'Meara (see agenda packet).

- Failure to have a dog license is not a qualifying violation for the ELEA, however violations regarding dog control will remain a qualifying violation.
- Discussion regarding ELEA expulsion order notification and appeal process was initiated but pushed to a study session.

Public comment - Citizens spoke about their concerns regarding the ELEA proposal for repeat offenders and expulsion process, the fee related to the appeal process, need for an outreach court, how to petition the Judge, and concern about the rights of citizens.

Council provided direction for staff to bring back an updated ordinance for discussion at the next study session to include clarification about dog control versus dog license, legal guidance from City Attorney, statistics that would inform suggested actions, and a potential separate discussion of an outreach court.

Five-minute recess taken.

b. Comp and Class Study Results

Taylor provided background information on this topic including the request for this study to be conducted and the goal to ensure positions are competitive and equitable throughout the organization. Victoria McGrath, CEO of McGrath Resources Group who was contracted by the City for this study, provided a presentation (see attached).

- The methodology used for the study included interviews with administration and department leaders, review of the City's current compensation system and job descriptions, position questionnaires from all positions including union and non-union positions, and a comparison with other public organizations.
- Workforce demographics were reviewed and compared with other organizations. 'Comp ratio' is defined as a comparison ratio where 50% means the position is at market average with an acceptable comp ratio range of 45% and above.
- Minimum salary analysis yielded 58% of positions were under and 42% aligned with market rate. Midpoint salary analysis yielded 75% of positions were under and 25% aligned with market rate. Maximum salary analysis yielded 69% of positions do not have the same earning capacity

as other organizations. Incumbent salary analysis, referred to as most reflective of the current market, yielded that 79% of positions were under and 23% aligned with market rate.

- Current salary systems include 11 different salary schedules with 3 to 16 pay grades, 3 to 5 Steps ranging from 2%-15% apart, and without a consistent numbering system.
- The recommended salary schedule integrates all into a single schedule with a market average compensation philosophy that aligns positions for internal equity, external market, and minimized compression within the hierarchy of positions. The recommended step system includes eight steps for all pay grades with 3% between each step and Step 4 representing the average market rate for the position. Separate groups may be needed depending on union representation, and Electric has a significant difference that may require it to remain separate.
- Placement on the salary schedule considered external market, internal comparability, position analysis and compression considerations along with staff feedback prior to finalization.
- Best practices for moving forward with this study include an annual look at the salary schedule with a consistent economic indicator such as CPIU to adjust for inflation with a market re-analysis every three to five years and minor course corrections along the way.

IX. PUBLIC FORUM – citizen spoke requesting a softening with officer discretion regarding the rules of the night lawn, lack of beds for the unhoused, and an upcoming tour with OHRA (Opportunities for Housing, Resources, & Assistance).

X. PUBLIC HEARING

- a. Public Hearing and First Reading of ORD 3261; An Ordinance Amending the Officially Adopted Physical and Environmental Constraints Map Removing the Locally Adopted Ashland Modified Floodplain from Hamilton Creek (Planning Action #PA-T3-2025-000012)

Per AMC 2.04.040 Section I 1 "Public hearings shall conclude at 8:00 p.m. and be continued to a future date to be set by the Council"

Motion made to table the first reading of Ordinance #3261 "Amending the officially adopted Physical and Environmental Constraints Map removing the locally adopted Ashland Modified Floodplain from Hamilton Creek" and schedule the first reading to July 15, 2025.

Motion: Dahle **Second:** Kaplan

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

Five-minute recess taken.

XI. ORDINANCES, RESOLUTIONS AND CONTRACTS

XII. UNFINISHED BUSINESS

- a. Water Cost of Service and Rate Study Final Draft Update

Fleury provided background information on the request from Council for updated information on the water rate study to include extending the shoulder seasons to May through October, decreasing the rate for the first 500 cubic feet of water, and increasing the rate of upper-end tier differential. Josiah Close of HDR Engineering Inc. provided a presentation on this analysis (see agenda packet). All

alternatives use a peak season of May through October with November through April as off-peak and reaching the same financial result by year five.

- Base Case – Same approach as Alternative 2 presented in March Council meeting
- Alternative 1 – Increase tier differential with lower initial tier cost
- Alternative 2 – transition rate increase starting with minimal increase and increasing regularly
- Alternative 3 – increase Tier 1 to 500 cubic feet (from 300 cubic feet)
- Alternative 3A – alternative 3 with increase tier differential like alternative 1

Discussion:

Councilors discussed alternatives and how to achieve the lowest water rate increase for the lowest two tiers of water users.

Decision:

Motion made to accept the Water Cost of Service Study utilizing Alternative 1 for the preferred rate structure.

Motion: Kaplan Second: Hansen

Roll Call Vote: Councilor Kaplan and Hansen: YES. DuQuenne, Dahle, Bloom: No. Motion failed.

Motion made to accept the Water Cost of Service Study utilizing the rate structure alternative 3A.

Motion: Dahle Second: Bloom

Roll Call Vote: Councilor Dahle, Bloom and Hansen: YES. DuQuenne, Kaplan No. Motion Passed.

b. Resolution Adopting a Parks Fee for BN 25-27

Cotta introduced the item as requested from May 7, 2025, joint City Council and APRC (Ashland Parks and Recreation Commission) meeting to bring a \$5 per electric meter Parks Fee resolution to Council.

Public comment - Citizens spoke on the importance of Ashland's Parks (especially Lithia Park and the Ice Rink), in support of this fee, in support of private-public partnerships, and to find secure funding for Parks moving forward through alternative measures such as clarified restaurant tax provisions for Parks operations.

Discussion:

- Mayor Graham polled councilors regarding interest in limiting the Parks fee to two years: Hansen and Kaplan will support the fee regardless of time limit or not. Bloom and Dahle will only support the fee with a time limit. DuQuenne supports a time limit but does not support the fee overall.

Decision:

Motion made to approve Resolution 2025-13 approving a Parks Fee of \$5.00 per electric meter to take effect on July 1, 2025, until June 30, 2027, after which it will automatically expire unless renewed by the City Council.

Motion: Dahle Second: Bloom

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

XIII. NEW BUSINESS

a. Guanajuato Heart Public Art

Graham spoke that she has been in conversation with the Mayor of Guanajuato about a recommitment ceremony to reaffirm their Sister City relationship and will both be traveling to each other's cities this year.

Cassie Preskenis, Chair of the Public Arts Advisory Committee (PAAC) spoke about the topic. The artist has heart sculptures around the City of Guanajuato and was supported in their business plan through Southern Oregon University's (SOU) School of Business and SOU students. The artist offered to make and donate two hearts at no cost to Ashland. PAAC found an in-kind donation for lodging for the artist and is asking for \$3,600 of funding for the paint and some materials (\$600), shipping (\$2,000), and travel for the artist (\$1,000). The unveiling is proposed for July 4, 2025, at the already identified SOU instillation site on Churchill Lawn near Siskiyou Blvd. The second heart location would then be selected and is in conversation with Ashland Parks and Recreation and require some additional funds for concrete at the time of installation. Councilors discussed the value of the Sister City relationship with Guanajuato and accepting this donation.

Motion made to approve the \$4,600 for the gift and the art of the two Guanajuato hearts.

Motion: DuQuenne

Second: Bloom

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

XIV. CITY MANAGER REPORT

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

XVI. ADJOURNMENT

The meeting was adjourned at 9:30 p.m.

City Recorder Alissa Kolodzinski

Mayor Tonya Graham



Classification and Compensation Study

May 20, 2025



About Us

- Interviews with Administration and Department leaders.
- Review of data from current Compensation Systems, current Job Descriptions, and current Policies.
- All positions requested to complete a Position Questionnaire (PQ). At least one (1) PQ was required per position.
- Solicited compensation data from public organizations (Minimum, Midpoint, Maximum, and Incumbent Salary).
- Human Resources reviewed the compensation system with Department Directors
- Collected information on benefits

About Us

Celebrating 25 Years

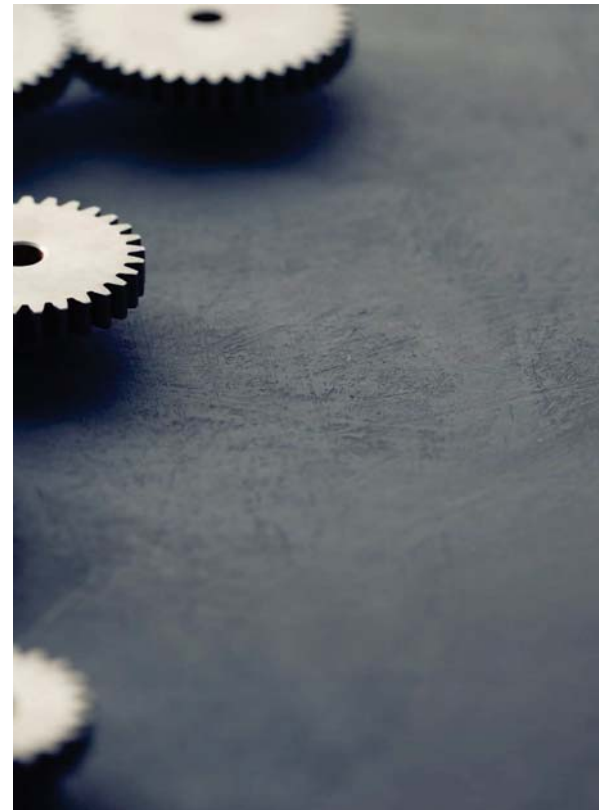


- McGrath Consulting Established in 2000
 - Sept 2012 – McGrath Human Resources Group
 - 620 Client Projects in 41 States Companywide
- Public Sector Consultants
 - Human Resources
 - Public Safety (Police, Fire, EMS, Dispatch)
- Specialize In
 - Compensation Studies
 - Performance Management
 - Development of Policies and Procedures/Handbooks

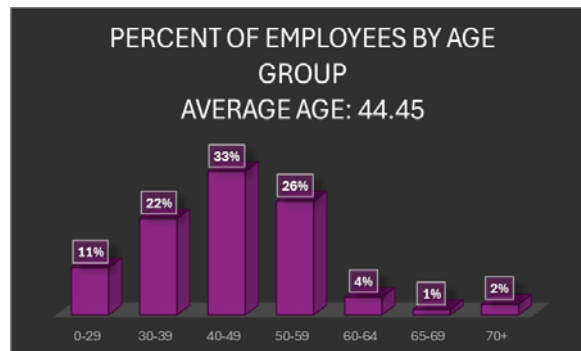
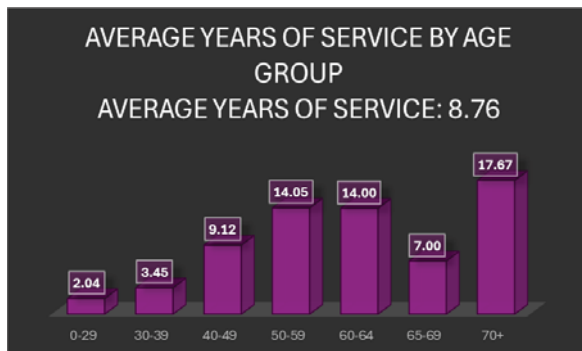


Methodology

- Interviews with Administration and Department leaders.
- Review of data from current Compensation System, current job descriptions, and current policies.
- All positions requested to complete a Position Questionnaire (PQ). At least one (1) PQ was required per position.
- Solicited compensation data from public organizations (Minimum, Midpoint, Maximum, and Incumbent Salary).
- Human Resources reviewed the compensation system with Department Directors
- Collected information on benefits



Demographics



33% of workforce under age 40 (mobile workforce)
 59% of workforce are within the 40-59 age group – more stable workforce
 34% of workforce are age 50 and above
 Recruitment and Retention Focus

Public Comparable Organizations

Approved Comps	
City McMinnville	Electric - Additional Comps
City of Central Point	Canby Utility Board
City of Corvallis	City of Canby
City of Eugene	City of Monmouth
City of Forest Grove	Forest Grove Light & Power
City of Grants Pass	McMinnville Water and Light
City of Hermiston	Fire - Additional Comps
City of Klamath Falls	City of Newberg*
City of Lake Oswego	City of Redmond
City of Lebanon	City of Wilsonville
City of Medford, City	Jackson County Fire District
City of Milwaukie	Redmond Fire & Rescue
City of Roseburg	Tualatin Valley Fire & Rescue District
City of Sherwood	Park - Additional Comps
City of Wilsonville	Bend Parks & Recreation
Jackson County	PW - Additional Comps
Josephine County	Medford Water Commission

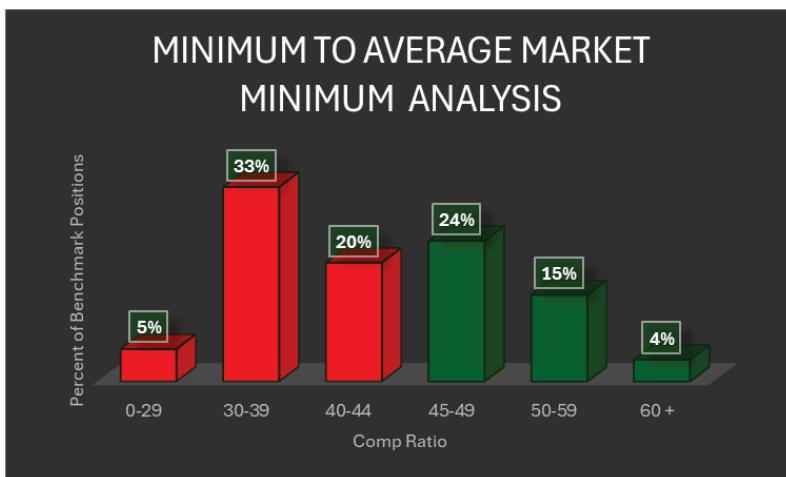
* Did not participate

Market Analysis

Comp Ratio

- A comparison of the City's Salary Range and/or salaries to the "Market"
- Average Market Rate: 50%
- Acceptable Comp Ratio Range: 45% +

Minimum Salary Analysis

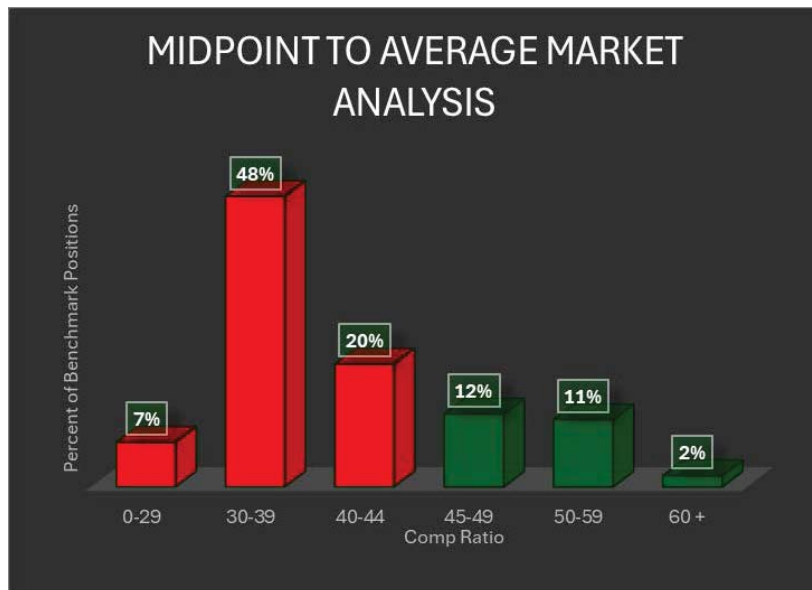


58% under Market

42% aligned with
Market

Rounding may not result in 100%

Midpoint Salary Analysis



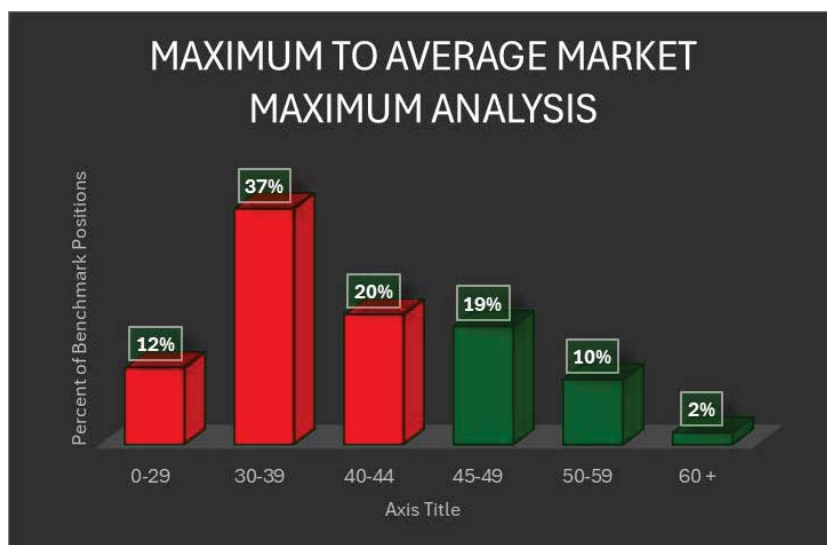
Rounding may not result in 100%

75% under Market

25% aligned with Market

Traditional schedules reach the midpoint 4-7 years

Maximum Salary Analysis

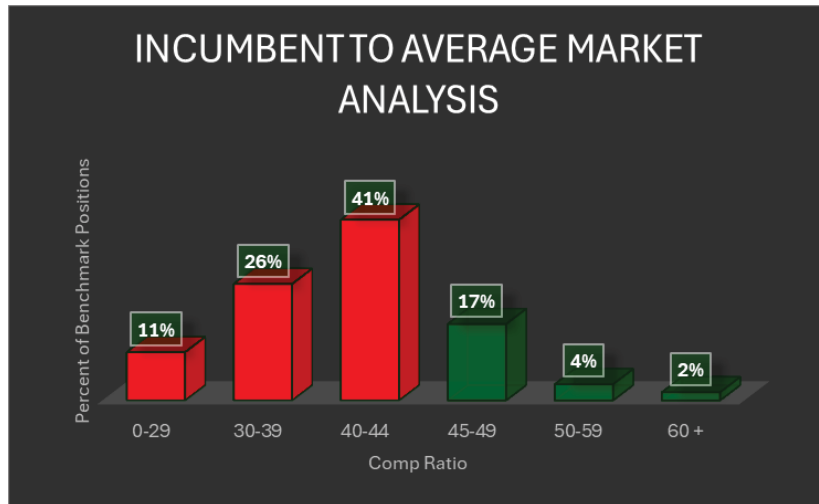


Rounding may not result in 100%

69% of positions do not have the same earning capacity as other organizations

Incumbent Salary Analysis

Is most reflective of current market



79% under Market

23% aligned with Market

Considerations:
Time in position and
performance are typical
factors

Rounding may not result in 100%

McGrath Human Resources Group

11

Current Salary Systems

11 Different Salary Schedules

- 3 – 16 different pay grades
- 3 – 5 Steps that range from 2% - 15% apart
- No consistent numbering system
- Integrated all schedules into one
 - Considerable overlap of pay grades
 - Compression between positions in different pay ranges
 - Difficult to determine the hierarchy of positions due to different pay ranges
 - No methodology to place positions
- Major issue within the compensation study

McGrath Human Resources Group

12

Constructing the New Salary Schedule

Compensation Philosophy

An organization's commitment of compensation for its employees. The goal of a compensation philosophy (and practice) is to attract, retain, and motivate qualified people. A consistent philosophy sets the direction for determining the compensation package to offer employees and should align with the overall Mission of the organization.

- ❖ **Lead** the local market for competitive recruitment/retention by setting the ranges over average market. *Can the City afford to lead the market?*
- ❖ **Meet** the local market by aligning the ranges to the average market. *Most organizations strive for average.*
- ❖ **Follow** the local market by not reaching average. *This typically only happens for financial purposes, and fiscal resources will then be allocated to recruitment and turnover.*

Recommended Salary Schedule

Compensation Philosophy set to **market average**

Created one salary schedule for all positions within the City

- Aligned all positions for internal equity
- Aligned all positions to the external market
- Minimized compression within the hierarchy of positions

Step System

- 8 steps for all pay grades
- 3% between each step (reduction in the percentage)
- Step 4 represents the average market rate
- Will not reach the maximum too quickly – stagnate increases
 - Provides ability to hire above step one; retention incentive with more steps

May need to break out schedule by represented groups

- If separated – try to maintain same percentage increase to schedule – minimize compression
- Electric has a very different schedule – may need to keep separate

Position Placement

Utilization of several factors used to place positions:



All position placements discussed with the City to provide feedback prior to finalization.

Employee Placement

- **Step Placement**
 - Placed on the Step closest to current pay – WITHOUT a decrease
 - Does not take into account years in the position
 - In-range compression can occur
- **Average Increase – 3%**
 - 28 employees = 0%
 - 179 employees = 1 – 4% increase
 - 35 employees = 5% or greater



Managing the Structure

- Annual increase to the salary schedule
- Step movement



Other Considerations

- **Compensation Considerations**
 - Incentive pay
 - Fire – added 2 tiers within the pay grade
 - Police – consider a limit on the incentive pay
- **Benefit Considerations**
 - Health insurance
 - Time off benefits
 - Holiday
 - Vacation Sick leave
 - Four-day work week



Questions



Council Business Meeting

Date: June 3, 2025

Agenda Item	Approval of Liquor License for Little Tokyo, Live at the Armory, and Tacos Libertad
Department	City Recorder
From	Alissa Kolodzinski, City Recorder

TIME ESTIMATE

CATEGORY

Action Needed - Motion to approve an action

SUMMARY

This is a request for approval of liquor license applications for Annie's Kitchen Inc. DBA Little Tokyo located at 29 N. Main Street; 208 Oak Street Enterprises DBA Live at the Armory located at 208 Oak Street; Tacos Libertad located at 340 A Street.

POLICIES, PLANS & GOALS SUPPORTED

AMC Chapter 6.32 Liquor License Review

City Recorder is to make a recommendation and place the license on the consent agenda at the next regular council meeting.

BACKGROUND AND ADDITIONAL INFORMATION

These applications are for the following:

Little Tokyo – New License /Full On-Premises

Live at the Armory – New License /Full On-Premises

Tacos Libertad – New License/Limited On-Premises

FISCAL IMPACTS

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

The businesses comply with the City's land use requirements and have a Business License.

The Planning, Police, and Fire departments have reviewed the applications and recommend liquor license approval.

REFERENCES & ATTACHMENTS

1. OLCC new license - Little Tokyo_Redacted
2. OLCC New License - Live at the Armory_Redacted
3. OLCC new license - Tacos Libertad_Redacted



OREGON LIQUOR & CANNABIS COMMISSION
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): Annie's Kitchen Inc

Proposed Trade Name: Little Toyko

Premises Address: 29 N. Main Street

Unit:

City: Ashland

County: Jackson

Zip: 97520

Application Type: ☒ New License Application ☐ Change of Ownership ☐ Change of Location

License Type: Full On-Premises, Commercial

☒ Additional Location for an Existing License

Application Contact Information

Contact Name: Sam Fung

Phone: [REDACTED]

Mailing Address: [REDACTED]

City: Talent

State: OR

Zip: 97540

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): Annie's Kitchen Inc

Proposed Trade Name: Little Toyko

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: 4/24/2025

Received by: Kerrick Sooden

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.



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: After completing 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

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).

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- 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): 208 Oak Street Enterprises

Proposed Trade Name: Live at the Armory

Premises Address: 208 Oak Street

Unit:

City: Ashland

County: Jackson

Zip: 97520

Application Type: ☒ New License Application ☐ Change of Ownership ☐ Change of LocationLicense Type: Full On-Premises Sales - Other Public Locations ☒ Additional Location for an Existing License

Application Contact Information

Contact Name: Jack Stull

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): 208 Oak Street Enterprises

Proposed Trade Name: Live at the Armory

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: 5.20.2025

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.



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.

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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): Jade A Bockus

Proposed Trade Name: Tacos Libertad

Premises Address: 340 A Street

Unit:

City: Ashland

County: Jackson

Zip: 97520

Application Type: ☒ New License Application ☐ Change of Ownership ☐ Change of LocationLicense Type: Limited On-Premises Sales ☐ Additional Location for an Existing License

Application Contact Information

Contact Name: Jade Bockus

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): Jade A Bockus

Proposed Trade Name: Tacos Libertad

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: 5.7.2025

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.



Council Business Meeting

Date: June 3, 2025

Agenda Item	Resolution No. 2025-14 - A Resolution Relating to Solid Waste Management Service Rate and Repealing Resolution 2024-11.
Department	City Manager's Office
From	Sabrina Cotta, Carmel Zahran, Assistant City Attorney

TIME ESTIMATE

15 minutes

CATEGORY

Action Needed - Motion to approve an action

SUMMARY

The City of Ashland entered into a Franchise Agreement with Recology on October 1, 2013. Alongside this Agreement, the City adopted Ashland Municipal Code Chapter 9.50, which details the scope, expectations, termination conditions, and fees—collectively referred to as the “Agreement.” One specific provision is that the City Council conducts annual reviews of rates. Additionally, in 2024, the Agreement was renewed for another seven-year term.

POLICIES, PLANS & GOALS SUPPORTED

Waste collection is an essential service for the health and welfare of the community. Recology has the advanced infrastructure and personnel necessary to efficiently collect waste, something the City of Ashland is not equipped to handle. It is in the City’s best interest to fulfill our contractual obligations—and to honor the spirit of the Agreement—by working with a reliable business partner.

BACKGROUND AND ADDITIONAL INFORMATION

Relevant Sections of the AMC 9.50:

H. *Establishment and Modification of Service Rates and Fees.* Except as set forth herein, the City Council may review and set rates on an annual basis by Council resolution that considers the following goals:

1. Rates shall be established to the greatest extent practicable on a cost-of-service basis based on the ordinance-established cost allocation methodology.
2. Rates shall be adjusted annually by Council resolution equal to the percentage change in the January-to-January Consumer Price Index for Pacific Division (CPI – Pacific) but not to exceed the twelve percent (12%) operating margin cap. The City Manager or the City Manager’s designee shall certify the CPI – Pacific rate in writing to franchisee by March 1 of each year to initiate the rate resolution.
3. Rates shall be adequate to provide an operating margin equal to ten percent (10%) of franchise-wide gross revenues; however, the City shall not be required to change rates if the expected operating margin in the next future year falls between eight (8%) and twelve percent (12%) of gross revenues. The ten percent (10%) target return on gross revenues is considered sufficient to reflect the level of business risk assumed by the franchisee, to allow investment in equipment, and to ensure quality collection service.

“...If the franchisee notifies the City in writing that they believe a material change outside the franchisee’s control has occurred, and the change will have an adverse effect on operating margins, such that the next future year operating margins will be less than eight percent (8%), a material change will be deemed to have occurred...”

FISCAL IMPACTS

This has no direct fiscal impact to the City. The adjustment amounts to an increase of \$1.43 per month for the typical residential customer. Rate adjustments are allowable under the current franchise agreement and A.M.C code.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS



Council Business Meeting

Staff suggest the motion below be adopted.
"I move to approve Resolution No. 2025-14."

REFERENCES & ATTACHMENTS

1. 2025-14 Recology Rate increase
2. Attachment 1_2013-335 Franchise Agrmt - Recology
3. Attachment 2_Chapter 9.50 AMC (1)
4. Attachment 3_2024-11 Relating to Solid Waste Management Service Rates and Repealing Resolution 2023-04
5. Attachment 4 Rate Notification_Ashland_2025



1 RESOLUTION NO. 2025-14

2 A RESOLUTION RELATING TO SOLID WASTE MANAGEMENT SERVICE RATES
3 AND REPEALING RESOLUTION NO. 2024-11

4 RECITALS:

- 5 A. The Franchise Agreement for Solid Waste Management and Collection and Ashland
6 Municipal Code, Chapter 9.50, provide a methodology for the establishment and
7 modification of annual service rates and fees for solid waste management and collection;
8 and
- 9 B. The City concurs with the documentation provided by Recology Ashland (Franchisee)
10 that a service rate increase of 5.75% is appropriate, which is based on (i) the Consumer
11 Price Index for Pacific Division for All Urban Consumers, as determined by the U.S.
Bureau of Labor Statistics, and (ii) material changes outside the Franchisee's control.

12 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ASHLAND, OREGON,
13 RESOLVES AS FOLLOWS:

14 SECTION 1. Solid Waste Management Service rates and fees are hereby increased by 5.75%.

15 SECTION 2. Resolution No. 2024-11 is hereby repealed in its entirety.

16 SECTION 3. This resolution is effective July 1, 2025.

17 ADOPTED by the City Council this _____ day of _____, 2025.

18 ATTEST:

19
20
21
22 _____
Alissa Kolodzinski City Recorder

23
24 SIGNED and APPROVED this _____ day of _____, 2025.

25
26
27 _____
Tonya Graham, Mayor

28 Reviewed as to form:

29
30 
Carmel S. Zahran, Assistant City Attorney

FRANCHISE AGREEMENT FOR SOLID WASTE MANAGEMENT AND COLLECTION WITHIN THE CITY OF ASHLAND

Date: October 7, 2013

Parties: Franchisor City of Ashland ("City")

Franchisee Recology Ashland Sanitary Services, Inc. ("Recology")

Recitals

- A. The Ashland City Council enacted as of October 1, 2013 Ordinance 2013-3090, titled "An Ordinance Creating a Franchise Agreement for Solid Waste Management & Collection within the City of Ashland and Repealing Ordinances 2829, 2582 Relating to Previous Solid Waste Franchise Agreements and Terms," and has approved related Administrative Operations Standards and Rules and rate structures and rate provisions (hereinafter "City-Approved Solid Waste Management and Collection Documents").
- B. Recology has been selected to be the provider of such services in the City and wishes to provide such services.

NOW, THEREFORE, upon the mutual consideration described by this Agreement, including the covenants and promises contained in the City-Approved Solid Waste Management and Collection Documents, the receipt and sufficiency of which is acknowledged by the Parties, the City and Recology agree as follows:

Agreement

1. Recology will perform solid waste management collection services for the City in accordance with the terms, standards, rules, and rates set forth in the City-Approved Solid Waste Management and Collection Documents.
2. Recology will be compensated for providing the aforesaid services as allowed in the City-Approved Solid Waste Management and Collection Documents.
3. The initial term of this Agreement shall extend from December 1, 2013 through November 30, 2023, except in the event of termination in accordance with Section 8 of Ordinance 2013-3090. Each year after the initial term, the Agreement shall renew automatically for the following period of seven years without further action by either party, except in the event of termination in accordance with Section 8 of Ordinance 2013-3090.
4. This Agreement and the documents referenced herein constitute the entire agreement and supersede all prior agreements and understandings, oral and written, between the parties hereto with respect to the subject matter of this Agreement. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement.
5. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless it is written and is executed by the party or parties against whom it is asserted. Such a waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of either party to enforce any provision of this Agreement shall not constitute a waiver by that party of that or any other provision or a modification of its right to a remedy for a subsequent breach of this Agreement.

6. This Agreement has been entered into in the State of Oregon. The parties agree that the laws of the State of Oregon shall be used in construing this Agreement and enforcing the rights and remedies of the parties.

7. The effective date of this Agreement shall be December 1, 2013.

FRANCHISOR:

City of Ashland, an Oregon municipal corporation

By: *Dave Kanner*
Dave Kanner,
City Administrator

FRANCHISEE:

Recology Ashland Sanitary Services, Inc., an Oregon corporation

By: *Michael J. Ryan*
Its PRESIDENT & CEO

State of Oregon)
)
County of Jackson)

October 8, 2013

I certify that I know or have satisfactory evidence that Dave Kanner signed this instrument, on both, stated that he was authorized to execute the instrument and acknowledged it as the City Administrator of the City of Ashland to be free and voluntary act of such party for the uses and purposes mentioned in the instrument.



Diana R. Shiplet
Notary Public -- State of Oregon
My Commission Expires: November 28, 2014

State of Oregon)
)
County of Jackson)

October _____, 2013

I certify that I know or have satisfactory evidence that *Michael J. Ryan* signed this instrument, on both, stated that he or she was authorized to execute the instrument and acknowledged it as the _____ of Recology Ashland Sanitary Services, Inc. to be free and voluntary act of such party for the uses and purposes mentioned in the instrument.

APPROVED AS TO FORM
Dave Kanner
Ashland City Attorney
Date 10-2-13

Notary Public -- State of Oregon
My Commission Expires: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Francisco }

On Oct 24 2013 before me,

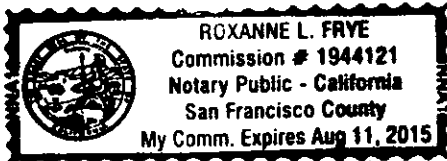
before me,

Roxanne L Frye Notary Public
Here Insert Name and Title of the Officer

personally appeared

Michael J Sangiacomo
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Roxanne L Frye
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

Franchise agreement for Solid Waste Management
Collection within the City of Ashland

Document Date:

Oct 1, 2013

Number of Pages:

2

Signer(s) Other Than Named Above:

Alane Kanner City Administrator

Capacity(ies) Claimed by Signer(s)

Signer's Name:

☐ Individual

☒ Corporate Officer — Title(s):

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer Is Representing:

Recology Ashland
Sanitary Service

Signer's Name: _____

☐ Individual

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer Is Representing: _____

Chapter 9.50

SOLID WASTE MANAGEMENT FRANCHISE ORDINANCE

Sections:

9.50.010	Title
9.50.020	Purpose
9.50.030	Scope
9.50.040	Definitions
9.50.050	Franchise Agreement
9.50.060	Franchise Reporting Requirements
9.50.070	Franchise Responsibilities and Requirements
9.50.080	Enforcement, Suspension, or Termination of Franchise

9.50.010 Title

This chapter shall be titled and referred to as the “Solid Waste Management Franchise Ordinance.” (Ord. 3172 § 1, added, 02/05/2019)

9.50.020 Purpose

It is the policy and purpose of the City of Ashland to protect the health, safety and welfare of the citizens and physical environment of Ashland through the regulation of solid waste management. This regulation will:

- A. Ensure safe, economical, efficient and comprehensive solid waste management services (SWMS) as further defined in this chapter;
- B. Assist the community in reaching and surpassing recycling and waste diversion rates of the Jackson County watershed;
- C. Ensure fair and equitable service rates and charges across all customer classes to achieve safe and efficient collection, transportation and recovery of solid waste, recyclables and compostable materials;
- D. Meet or exceed all applicable ORS [459](#) regulations relating to solid waste management prescribed to local jurisdictions and their authorized franchisee; and
- E. Ensure consistent and responsive service and communication with citizens regarding solid waste management operations, education and requirements including waste prevention, product life cycle impacts, waste diversion opportunities, recycling best practices and standards and general watershed stewardship. (Ord. 3172 § 2, added, 02/05/2019)

9.50.030 Scope

Services defined, regulated and authorized in this chapter are applicable only within the City limits of the City of Ashland and all future urban growth boundary annexations occurring during the term of the ordinance codified in this chapter. (Ord. 3172 § 3, added, 02/05/2019)

9.50.040 Definitions

Except where the context clearly indicates a different meaning, or where a term is defined below, definitions contained within ORS [459.005](#) at the time of adoption or as further amended in the future, and regulations promulgated under state law, are applicable to this chapter.

Administrative Operations Standards and Rules mean all standards and rules approved by resolution of Council defining specific operating rules and procedures that support and ensure compliance with this chapter.

Affiliated Company means any company which shares expenses and/or revenues with the franchisee with respect to the services under the franchise and is: (1) the parent company (corporation, partnership or limited liability company) of franchisee; or (2) any subsidiary of such parent company; or (3) any company of which thirty percent (30%) or more of the common stock or control is owned or controlled by franchisee or franchisee's shareholders; examples of such shared costs include, but are not limited to: labor, equipment, vehicles, insurance, or administrative costs.

Allowable Expenses mean those expenses incurred by franchisee in the performance of this franchise that are allowed by the City as reimbursable by the ratepayer as enumerated below. Allowable expenses are allowable only to the extent that such expenses are known and measurable, calculated according to generally accepted accounting principles (GAAP) on an accrual basis, and comply with the cost allocation methodology contained within this chapter to the franchisee's operations within the City, do not exceed the fair market value of comparable goods or services, and are commercially reasonable and prudently incurred by the franchisee solely in the course of performing its obligations under the franchise. Allowable expenses shall include but not be limited to the following:

1. The costs of complying with all laws, regulations or orders applicable to the obligations of franchisees under federal, state or local law, including this chapter, as well as costs for financial reporting, accounting and regulatory processes associated with or required by this franchise or under law, as now or hereafter amended;
2. Disposal costs;
3. Labor costs, including operational and supervisory labor, payroll taxes, workers' compensation, and benefits, as well as third party transportation costs;
4. Vehicle and equipment expenses, including vehicle registration fees, motor fuel, oil, tires, rental charges and/or operating lease payments and repairs and maintenance;

5. Expenses of maintaining other capital assets, including rental charges and/or operating lease payments and repair and maintenance, to include container maintenance and repair costs;
6. Performance bonds and insurance in at least the amounts and coverages required by the City;
7. All administrative and management costs and expenses reasonably allocated for the services required under this franchise, including, but not limited to, compensation, management fees, and benefits for officers and employees, payroll taxes, data processing, billing, equipment or facility rental or lease costs, supplies, finance and accounting, administration, human resource and labor management, rate analysis, and regulatory compliance;
8. Utilities;
9. Training, worker safety and employee development expenses;
10. Promotion and public education costs;
11. Depreciation and amortization of capital assets, including any necessary standby or backup equipment used on a regular and ongoing basis in the provision of services under this franchise over the standardized economic useful lives of the various assets;
12. Outside professional fees and costs, limited to two (2) percentage points of revenue, unless an extraordinary circumstance exists;
13. Interest expense, other than interest paid with respect to route or franchise acquisition, that is not in excess of market rates ordinarily charged for the various types of financing required for purchases or leases;
14. All surcharges, taxes or fees, other than state or federal income taxes or franchise fees, which are imposed upon the franchisee or levied by federal, state or local government in connection with franchisee's provision of collection services under this franchise;
15. Direct write-off charges for bad debts; and
16. Franchise fees assessed by the City.

Allowable expenses as defined above shall be reasonable if they are comparable with the expenses incurred by similarly situated solid waste and recycling collection companies on the west coast of the United States.

Automated Collection System means a type of collection system that utilizes standardized roll carts and mechanically assisted collection equipment designed to minimize direct human handling of customer waste set out for collection.

Bulky Wastes mean large items of solid waste such as appliances, furniture, large auto parts, trees, branches greater than four (4) inches in diameter and thirty-six (36) inches in length, stumps and other oversized wastes whose large size precludes or complicates their handling by normal collection, processing or disposal methods.

City means the existing City limits and future annexations of the City of Ashland, Oregon.

City Council or Council means the City Council of the City of Ashland.

Commercial means stores; offices, including manufacturing and industrial offices; restaurants; warehouses; schools; colleges, universities; hospitals; and other nonmanufacturing entities; manufacturing entities, but not including multifamily or residential condominium complexes.

Container means a receptacle used to store solid waste or recyclable materials that is designed for on-site unloading into a closed-bodied collection vehicle in which the contents of the receptacle are mixed with the contents of other similar receptacles.

Construction and Demolition Debris means used or discarded construction materials removed from a premises during construction, demolition or renovation of a structure.

Cost Allocation. The following allocation methodology shall be used to determine expenses attributable to services rendered for City of Ashland solid waste management services franchise operations:

1. *Residential and Commercial Labor Hours.* The franchisee will perform two (2) annual surveys to estimate the time spent in each jurisdiction by residential and commercial route. Total annual hours will be estimated by jurisdiction for residential and commercial routes based on the two (2) annual surveys. The annual total hours will be used to allocate labor and benefits, fuel, oil, maintenance, vehicle and container leases, vehicle licenses, and route costs by jurisdiction for residential and commercial services.
2. *Debris Box Labor Hours.* The franchisee will estimate the average time spent per load by jurisdiction. This average will be applied to the actual annual load count by jurisdiction to calculate an annual total for each jurisdiction. The annual total hours will be used to allocate labor and benefits, fuel, oil, maintenance, vehicle and debris box leases, vehicle licenses, and route costs by jurisdiction for debris box.
3. *Yardage.* Yardage by jurisdiction will be estimated by subscribed volumes for residential and commercial services and by box size for debris box service. This yardage will be used to allocate disposal costs by jurisdiction.
4. *Residential and Commercial Weekly Lifts.* The franchisee will use two (2) surveys to estimate the number of weekly services by jurisdiction. This measure will be used to allocate all other costs by jurisdiction.
5. *Direct Cost.* Franchise fees and other costs directly related to a specific jurisdiction will be applied to the appropriate jurisdiction.

Curbside/Roadside means a location within three (3) feet of public right-of-way. This does not allow the garbage or recycling receptacle to be placed on the inside of a fence or enclosure even if the receptacle is within three (3) feet of said road or roads. For residences on flag lots, private roads or driveways, curbside/roadside shall be the point where the private road or driveway intersects a City road, public access road, state road or federal road.

Customer means individuals, groups, businesses, corporations or other recognized entity receiving solid waste management services from the franchisee within the City of Ashland.

Customer Classification means list and definition of the different groupings utilized for rate making; i.e., residential, commercial, municipal, etc.

Depot means a facility for transferring containerized solid waste, recyclable materials or yard debris from one (1) mode of transportation to another. The term also refers to a place for receiving source-separated recyclable materials.

Disabled Customer means a subscription customer in which all adult household members possess a DMV-issued handicapped parking sticker/placard.

Disposal Site means land and facilities used for the disposal, handling or transfer of, or resource recovery from solid wastes, including but not limited to dumps, landfills, sludge lagoons, sludge treatment facilities, disposal sites for septic tank pumping or cesspool cleaning service, transfer stations, resource recovery facilities, incinerators for solid waste delivered by the public or by a solid waste collection service, composting plants and land and facilities previously used for solid waste disposal at a land disposal site. Disposal site does not include the following: a facility authorized by a permit issued under ORS [466.005](#) to [466.385](#) to store, treat or dispose of both hazardous waste and solid waste; a facility subject to permit requirements of ORS [468B.050](#) or [468B.053](#); a landfill site which is used by the owner or person in control of the premises to dispose of soil, rock, concrete or other similar nondecomposable material, unless the site is used by the public either directly or through a solid waste collection service; or a site operated by a wrecker issued a certificate under ORS [822.110](#).

Drop Box means a single receptacle used to store solid waste or recyclable materials that is designed to be removed from the generator's site on the back of a roll-off truck for unloading at a disposal site, material recovery facility, or other storage or processing facility. The contents of the receptacle are not mixed with the contents of other similar receptacles until delivery to a disposal site.

Force Majeure means acts of God, fire, landslides, lightning, storms, floods, freezing, earthquakes, epidemics, volcanic eruptions, public riots, civil disturbances, acts of the public enemy, wars, blockades, embargoes, or acts of civil or military authority, breakage, explosions or accident to machines or other materials, pipelines or materials, governmental restraint, unavailability of a disposal site and any other event which could not with reasonable diligence be controlled or prevented by the party affected by the event.

Franchise means a contract with the City allowing the use of public right-of-way to collect and transport solid waste.

Franchisee means a person, persons, business or corporation who has been granted a franchise to operate within the City of Ashland pursuant to this chapter.

Generator means a person, who by virtue of ownership, management or control, is responsible for causing or allowing to be caused the creation of solid waste or recyclable materials.

Gross Revenue for any period shall mean:

1. Gross accrual-based billings by the franchisee to customers for services provided under the franchise;

2. The allocated gain on the sale of fixed assets, the depreciation or amortization from which was an allowable expense under the terms of this chapter, and refunds, sales proceeds or other reimbursements for any other expense that was an allowable expense under this chapter; and
3. The accrual-based proceeds from the sales of recycled material collected within the franchise.

Hazardous Waste means solid waste or waste that may, by itself or in combination with other waste, be explosive, poisonous, caustic or toxic, or otherwise dangerous or injurious to human, plant or animal life, as defined by ORS [466.005](#).

Household Hazardous Waste means any discarded, useless or unwanted chemical, material, substance, or product that is or may be hazardous or toxic to the public or the environment and is commonly used in or around households. Household hazardous waste includes, but is not limited to, some cleaners, solvents, pesticides, and automotive and paint products.

Infectious Waste means biological waste, cultures and stocks, pathological waste, and sharps, as defined in ORS [459.386](#).

Material Recovery means any process of obtaining from solid waste, by presegregation or otherwise, materials that still have useful physical or chemical properties and can be reused or recycled for some purpose.

Material Recovery Facility means a solid waste management facility that separates or stores materials for the purposes of recycling from incoming, nonputrescible solid waste by using manual and/or mechanical methods. It also means a facility that primarily accepts previously separated recyclables.

Multifamily means any multi-dwelling building or group of buildings that (1) contain(s) five (5) or more dwelling units on a single lot, such as apartments, condominiums, and mobile home parks, and (2) receives services on a per-lot or per-building basis, as opposed to a per-unit basis. Multifamily complex also includes certified or licensed residential care housing, such as adult foster care homes, and group homes. Multifamily accounts are determined to be a residential waste stream.

Operating Margin means gross revenues minus allowable expenses within a given period.

Organic Waste means materials that can be biologically synthesized by plants or animals from simpler substances, are no longer suited for their intended purpose, and are readily broken down by biological processes into soil constituents. Examples include, but are not limited to, food waste, yard debris, contaminated paper, and putrescible materials that are generally a source of food for bacteria.

Putrescible Waste means solid waste containing organic material that can be rapidly decomposed by microorganisms, and which may give rise to foul-smelling, offensive products during such decomposition or which is capable of attracting or providing food for birds and potential disease vectors such as rodents and flies.

Receptacle means a can, cart, container, drop box, compactor or recycling bin or any other means of containment of solid waste or waste or recyclable materials.

Recyclable Material, Recyclable, Recyclables mean material that has or retains useful physical, chemical, or biological properties after serving its original purpose(s) or function(s), and is separated from solid waste by the generator or at a material recovery facility.

Recycling means any process by which waste materials are transformed into new products in such a manner that the original products may lose their identity.

Residence, Residential means any dwelling unit where at least fifty percent (50%) of the use of the entire building is for home use.

Self-Haul means collection and transportation of solid waste from a commercial, multifamily, or residential entity by the generator, owner or occupant of the property, rather than by a third party hired to perform this function.

Senior Discount Rate means a discounted collection rate provided to customers that meet the discounted utility rate provision of Resolution No. 92-22 or future related amendments.

Solid Waste or Waste. The terms “solid waste” and “waste” are interchangeable. Solid waste shall include all putrescible and nonputrescible waste, including, but not limited to, garbage; compost; organic waste; yard debris; brush and branches; land-clearing debris; sewer sludge; residential, commercial and industrial building demolition or construction waste; discarded residential, commercial and industrial appliances, equipment and furniture; discarded, inoperable or abandoned vehicles or vehicle parts and vehicle tires; manure; feces; vegetable or animal solid and semi-solid waste and dead animals; and infectious waste. “Waste” shall mean useless, unwanted or discarded materials. The fact that materials, which would otherwise come within the definition of solid waste, may, from time to time, have value and thus be utilized shall not remove them from the definition. The terms “solid waste” or “waste” do not include:

1. Recyclable materials or yard debris separated from solid waste and properly prepared for collection;
2. Hazardous wastes as defined in ORS [466.005](#);
3. Materials used for fertilizer or for other productive purposes on land in agricultural operations in the growing and harvesting of crops or the raising of fowl or animals;
4. Septic tank and cesspool pumping or chemical toilet waste;
5. Source-separated, principal recyclable materials, as defined in ORS [459A](#) and the rules promulgated thereunder and under this chapter, which have been purchased or exchanged for fair market value, unless the City declares a site of uncollected principal recyclable materials to be a public nuisance;
6. Applications of industrial sludges or industrial waste byproducts authorized through a Land Use Compatibility Statement or Management Plan approval and that have been applied to agricultural lands according to accepted agronomic practices or accepted method approved by the Land Use Compatibility Statement or Management Plan, but not to exceed one hundred (100) dry tons per acre annually; and

7. Stabilized municipal sewage sludge applied for accepted beneficial uses on land in agricultural, nonagricultural, or silvicultural operations. Sludge-derived products applied for beneficial uses on land in landscaping projects.

Solid Waste Management and Collection Services mean prevention, reduction, management of the storage, collection, transportation, treatment, utilization, processing and final disposal of solid waste; or recycling, reuse and material recovery from solid waste; and facilities necessary or convenient to such activities.

Source-Separated Materials mean recyclable materials that have been separated by type of recyclable material and removed from the solid waste stream by the person who last used the recyclable materials.

Transfer Station means a fixed or mobile facility, other than a transportation vehicle, where solid waste is deposited temporarily after being removed from the site of generation but before being transported to a final disposal location.

Unallowable Expenses shall include the following:

1. All charitable and political contributions;
2. Fines and penalties, including without limitation judgments for violation of applicable laws, incurred by a licensee;
3. Payments for services provided by individuals related by blood or marriage or by affiliated companies to a licensee to the extent that such payments exceed the reasonable cost that would be charged by an independent third party to provide the substantially equivalent service;
4. Accruals for future unknown regulatory changes;
5. Costs associated with purchase of other companies including, but not limited to, employee stock ownership plan payments, goodwill, amortization of goodwill and premiums on key-person life insurance policies;
6. Principal or interest payments on the acquisition of solid waste, recyclable materials and yard debris collection routes; the purchase of equipment and/or facilities to the extent that the price includes goodwill or a premium in excess of fair market value at the time of acquisition; state and federal income taxes;
7. Fees paid to a franchisee's board of directors;
8. Attorney's fees and related expenses resulting from:
 - a. Any judicial proceeding in which the City and a franchisee are adverse parties, unless the franchisee is the prevailing party;
 - b. Any judicial proceeding in which a franchisee is ruled to be liable due to willful misconduct or gross negligence or in violation of law or regulation, excluding judicial proceedings involving traffic accidents;

9. Operation of a community access recycling depot not physically located or operated in conjunction with the franchisee's transfer station;
10. Recycling operations expenses already calculated and incorporated into franchisee's tipping fees;
11. Any other expenses defined as "unallowable" and approved by mutual consent of the franchisee and the Council.

Utilization. The terms "utilize," "utilization," or "utilization of solid waste or waste" shall mean productive use through recycling, reuse, salvage, resource recovery, energy recovery, or land filling for reclamation, habitation, or rehabilitation of land.

Waste Evaluation means an evaluation completed by the City or a franchisee of a commercial entity's waste management practices, for the purpose of providing guidance to a multifamily or commercial customer on effective means to reduce waste, increase recycling, and purchase recycled products.

Yard Debris means grass clippings, leaves, tree and shrub prunings of no greater than four (4) inches in diameter or similar yard and garden vegetation. Yard debris does not include such items as: dirt, sod, stumps, logs, tree and shrub prunings greater than four (4) inches in diameter, rocks, plastic, animal waste or manure, cat litter, potting soil, prepared food wastes or nonputrescible material. (Ord. 3172 § 4, added, 02/05/2019)

9.50.050 Franchise Agreement

A. *Franchise Award.* No person shall do business in the collection and transport of solid waste generated within the City without a current, valid City franchise. A franchise to provide solid waste management and collection services, including recyclable materials and yard debris in the service area of the City, shall be granted only after a determination of need for the service.

The determination of need is the responsibility of the City Council, which will seek the best balance of the following objectives:

1. To ensure safe, efficient, economical, equitable and comprehensive solid waste service;
2. To avoid duplication of service that will cause inefficiency, excessive use of fuel, increased traffic, and greater wear on streets;
3. To provide service in areas of marginal return;
4. To promote and encourage recycling and resource recovery;
5. To improve the likelihood of the franchise holder making a reasonable profit and thereby encourage investment in modern equipment;
6. To cooperate with other governmental bodies by recognizing their service arrangements; and

7. To otherwise provide for the service in a manner appropriate to the public interest.

B. *Renewal of Franchises.*

1. In granting a franchise renewal, the Council may, in addition to the above, consider the following:
 - a. Volumes of solid waste collection and disposal;
 - b. Volumes of recyclable materials and rate of participation in recycling;
 - c. Customer satisfaction, including but not limited to customer complaints;
 - d. Analysis of solid waste collection and recycling programs in other cities as compared to those of the City, including but not limited to program costs, funding mechanisms and overall rates of participation in recycling;
 - e. Franchisee performance of its obligations under the franchise, including a franchisee's technical and financial capabilities;
 - f. Franchisee ability to provide evidence of required insurance; and
 - g. Franchisee responsiveness to customer or City complaints.
2. Franchises granted by the City shall be nonexclusive; however, it is understood that during the term of franchises granted under this chapter, the City shall not grant any other person a franchise for solid waste management services unless there is a showing by the applicant of the need for such additional service in the proposed service area. As to such application(s) the existing franchisee shall have first right of refusal to provide such services.
3. In evaluating whether a need exists for additional service, the City Council may consider, among any other criteria deemed relevant by the City Council, the following items:
 - a. An increase in the population of the City;
 - b. An extension of the boundaries of the City;
 - c. Intensive residential, commercial or industrial development within the boundaries of the City;
 - d. Changes in solid waste technology and/or recycling collection technology that could substantially improve collection service or reduce collection costs to residents of the City;
 - e. The effect that an additional franchise would have on each existing franchisee's ability to meet the City's service standards and maintain a fair return on its investment;
 - f. Changes in federal or state laws, rules or regulations that substantially affect solid waste or recycling collection requirements;
 - g. The franchisee cannot or will not perform or subcontract the proposed service.

This chapter does not prohibit any person from self-hauling solid waste and/or recyclables. A generator may self-haul his or her own material, and a generator's contractor may haul materials that are generated as a direct result of the service provider's activity. For example, landscapers, roofers, and remodelers may self-haul materials, but may not contract with third parties other than franchisees for collection and transport.

C. *Franchise Terms.* A franchise to provide solid waste management and collection services shall be granted for a period of ten (10) years, beginning December 1, 2013, with subsequent seven (7) year terms renewing annually, unless prior notice of request to terminate is submitted by either the City or the franchisee a minimum of ninety (90) days prior to the renewal date.

D. *Franchise Fee.*

1. *Annual Fee.* In consideration of the rights and benefits of the terms of the franchise, franchisee shall pay to the City each year during the life of the franchise beginning November 1, 2013, an annual fee derived from revenue received by that franchisee from solid waste management and collection service boundaries of the City. The franchise fee shall be five percent (5%) of gross revenues.

2. *Quarterly Payments.* The franchise fee required in subsection [D.1](#) above shall be paid quarterly, and shall be due and payable within thirty (30) days of the end of the calendar quarter. Accompanying the payments described above, franchisee shall file with the City Manager or the City Manager's designee a statement showing the amount of the gross revenues received by that company within the City for the calendar quarter immediately preceding the calendar quarter in which such statement is filed. There will be a reconciliation of final gross revenues on the quarterly report ending September 30 of each year for the prior fiscal period, which is October 1 through September 30.

3. *Review of Records – Annual Audit.* Franchisee shall make available for inspection, copying and review by the City Manager or the City Manager's designee at any time during normal work hours all records in the franchisee's possession that the City Manager or the City Manager's designee deems relevant to verifying the accuracy of fees paid to the City, to regulating rates or to carrying out any responsibility that the franchisee or the City has under this chapter. No more often than once during any twelve (12) month period, City may request an audit of the books, records and accounts of franchisee by a certified public accountant or such other professional chosen by the City to verify accuracy of fees paid to the City, subject to the approval of the audited franchisee; provided, however, that such approval shall not be unreasonably withheld. Franchisee agrees to have their books, records and accounts audited and further agrees to pay for such auditing services. The report of the certified public accountant or other professional shall be conclusive and final. In the event such audit report discloses any difference of payment due either to the City or franchisee through error or otherwise, such payment shall be due and payable within thirty (30) days of discovery or determination of the error. If payment is owed by the City to franchisee, the City shall reimburse the franchisee for payment for the portion of the services attributable to the audit of the franchisee receiving such payment from the City. If payment is owed by franchisee to the City, and the difference of payment due is more than the greater of \$500.00 or two and one-half percent (2½%) of the franchisee franchise fee, or if the franchisee is found to have violated any other term or condition of the franchise, then, notwithstanding any other provision of this section or the franchise, the City may request an additional audit during the next twelve (12) month period with all expenses of such additional audit paid by such franchisee.

4. *Late Payments – Interest.* Should franchisee fail or neglect, for thirty (30) days after any quarterly payment shall become due and payable, to make the quarterly payment, the City shall provide written notice of failure of payment to franchisee. Upon notification of failure to pay, franchisee will have thirty (30) days to remit payment to the City. If franchisee fails to pay within said thirty (30) day period, the City may charge interest retroactive to the due date, at a rate of nine percent (9%) per annum, and may at its option either continue the franchise in force and proceed by suit or action to collect the payment, or declare a forfeiture of the franchise because of the failure to make payment, but without waiving its right to collect earned franchise payments and interest.

E. *Franchise Administrative Operations Standards and Rules.* The solid waste management and collections franchisee will operate within operations standards set by resolution of the City Council. Standards and rules will be developed across all customer classifications including, but not limited to, the following:

1. *Service Rates and Fees.* Rate and fee schedule for all collection services, programs by customer classification.
2. *Collections.*
 - a. Regular, holiday and hazardous weather schedules.
 - b. Procedures for missed, bulky waste, vacation hold, etc., collections.
 - c. Collection receptacle standards and requirements.
 - d. Receptacle location requirements for pick-up.
 - e. Private property access rights and limitations.
 - f. Responsibilities of the customer.
 - g. Vehicle minimum equipment, maintenance standards, identification/signage and standards.
3. *Customer Service and Communications.*
 - a. Billing standards and frequency.
 - b. Billing/collection procedures for past due/nonpay accounts.
 - c. Descriptions, objectives and targets for all services provided across all customer classifications.
 - d. Solid waste related programs, education and event promotion.
 - e. Complaint/dispute resolution procedures.
 - f. Community communications and outreach plan coordination with City outlining roles and responsibilities of City and franchisee.
4. *Reporting (in Addition to Chapter-Required Reporting).*

- a. Efficiency analysis reports for routes, billing/collections, etc.
- b. Revenue and subscription volume reports by solid waste category (trash, recycle, yard waste) for various customer classifications (residential and commercial). Debris box volumes will be measured by dump and return and/or pull activities.
- c. Customer counts and trends over time for residential and commercial customer classifications. Debris box load counts will be reported in lieu of debris box customer counts.

F. *Subcontracting Services.* A franchisee may contract with another person to provide specific components of solid waste management and collection services within the franchisee's service area with the written approval of the City Manager or the City Manager's designee; provided, that the subcontract does not amount to a transfer of the collection franchise and the subcontracting party agrees to:

1. Abide by the conditions of this chapter and associated resolutions; and
2. In written application to the City, show how they will meet the criteria applying to the current franchise.

G. *Transfer of Franchise.*

1. A proposed assignment or transfer of a franchise must be requested by the franchisee if the following occur, but shall not be limited to:
 - a. A sale, exchange or other transfer of fifty percent (50%) or more of franchisee's assets dedicated to service in the City;
 - b. A sale, exchange, or other transfer of fifty percent (50%) or more of the outstanding common stock of a franchisee;
 - c. Any reorganization, consolidation, merger, recapitalization, voting trust, pooling agreement, escrow arrangement, liquidation or other transaction to which franchisee or any of its shareholders is a party which results in a change of ownership or control of fifty percent (50%) or more of the value or voting rights in the stock of the franchisee; and
 - d. Any combination of the foregoing that has the effect of a transfer or change of ownership and control.
2. The franchisee shall provide no less than ninety (90) days' advance written notice to the City of any proposed transfer or assignment. Except as specifically authorized by the City, the franchisee shall not assign any of its rights or delegate or otherwise transfer any of its obligations to any other person without the prior consent of the City Council. Any such assignment without the consent of City Council shall be void and any such attempted assignment shall constitute default and grounds for termination of the franchise.
3. If a franchisee requests the City's consent to transfer the franchise, the City shall act on such request within sixty (60) days of the receipt of the franchisee's written request together with all information, as set forth below, required for the City's action on the request. The City and franchisee may consent in writing to

additional time for the City to review and approve the consent to transfer the franchise. The City shall not unreasonably refuse to consent to an assignment of the franchise to a proposed assignee that has sufficient knowledge, experience, and financial resources so as to be able to meet, to the satisfaction of the City Council, in its sole discretion, all obligations of the franchisee hereunder. An application to the City to consider a sale or other transfer of a franchise shall include the following:

- a. A nonrefundable application fee of \$2,000.00 payable at the time of application to the City in advance to defray the City's anticipated expenses and costs resulting from the franchisee's request;
- b. Financial statements audited or reviewed by a certified public accountant of the proposed assignee's operations for the three (3) immediately preceding operating years together with any additional evidence of financial ability to perform its franchise obligations; and
- c. A showing that the proposed assignee meets all City criteria for the grant of a franchise as enumerated in this chapter.

H. *Establishment and Modification of Service Rates and Fees.* Except as set forth herein, the City Council may review and set rates on an annual basis by Council resolution that considers the following goals:

1. Rates shall be established to the greatest extent practicable on a cost-of-service basis based on the ordinance-established cost allocation methodology.
2. Rates shall be adjusted annually by Council resolution equal to the percentage change in the January-to-January Consumer Price Index for Pacific Division (CPI – Pacific) but not to exceed the twelve percent (12%) operating margin cap. The City Manager or the City Manager's designee shall certify the CPI – Pacific rate in writing to franchisee by March 1 of each year to initiate the rate resolution.
3. Rates shall be adequate to provide an operating margin equal to ten percent (10%) of franchise-wide gross revenues; however, the City shall not be required to change rates if the expected operating margin in the next future year falls between eight (8%) and twelve percent (12%) of gross revenues. The ten percent (10%) target return on gross revenues is considered sufficient to reflect the level of business risk assumed by the franchisee, to allow investment in equipment, and to ensure quality collection service.

Accordingly, the City shall have the authority to commission audits, reviews, or analyses of franchisee annual reports to validate submissions. The expected operating margin in a future year would incorporate expected inflation factors, and the effect of known or expected increases or decreases in expenses or revenues. The rates charged by franchisees shall conform to the most current Council resolution. Prior to implementation, the Council must approve any interim rate for services not included in the current resolution. If the franchisee notifies the City in writing that they believe a material change outside the franchisee's control has occurred, and the change will have an adverse effect on operating margins, such that the next future year operating margins will be less than eight percent (8%), a material change will be deemed to have occurred. At that time, the City may undertake any type of review it finds necessary to validate the existence of the material change and estimate its effect on the operating margin. If the results of the review are such that no rate adjustment is warranted, persons requesting the review shall reimburse the City for reasonable costs incurred during the investigation at the time the next payment of franchise fees is due.

If the City believes that a material change has occurred that will result in next future year operating margins falling under eight percent (8%) or over twelve percent (12%), the City may undertake an abbreviated rate review at its own expense. (Ord. 3192 § 86, amended, 11/17/2020; Ord. 3172 § 5, added, 02/05/2019)

9.50.060 Franchise Reporting Requirements

A. *Informational Reports.* Each franchisee shall provide the City Manager or designee by the last day of each quarter for the previous quarter:

1. A quarterly report listing the quantities of solid waste, yard waste and recyclable materials by customer classification collected within the City during the previous calendar quarter, the locations to which these materials were delivered, the number of customer accounts, and other information requested by the City Manager or designee and mutually agreed upon with franchisee.
2. A quarterly report listing the names and addresses of multifamily and commercial customers that received waste evaluations during the reported quarter.
3. A summary of communication, marketing and educational outreach conducted by franchisee during the reported quarter.

B. *Quarterly Franchise Fee Reports.* Franchisee shall complete and remit to the City a quarterly franchise fee report not later than the last day of the month immediately following the end of the quarter. At the time of payment of the quarterly franchise fees, the franchisee shall file with the City Manager or the City Manager's designee a verified statement of quarterly gross revenues for the period covered by the tendered fee. Such statements shall be public records. Franchisee shall maintain books and records disclosing the gross receipts derived from business conducted within the City, which shall be open at reasonable times for audit by the City Manager or the City Manager's designee. Misrepresentation of gross revenue shall be deemed material and a breach of the franchise contract and shall be cause to initiate the process to terminate the franchise.

C. *Annual Franchise Reports.* Franchisees shall report revenues and expenses (allowable and unallowable), in an income statement format, and provide a variety of information about customer counts, service levels, disposal volumes, and recycling activities for all customer classifications and for all programs identified in the Administrative Operations Standards and Rules resolution adopted by Council. Franchisees shall report totals for all operations necessary to adequately verify compliance with the cost allocation methodology as defined in this chapter for expenses that share significant operational, management, and administrative expenses with the City of Ashland franchise. Resources allocated from regional or corporate offices or affiliates shall be distributed to appropriate expense line items, and shall also be disclosed in a schedule describing total allocations and their distribution to individual expense line items. All allocations from affiliated companies must be described and must be equal to or less than the fair market value of similar goods and services purchased from a nonaffiliated company. The report will also include a synopsis of the operating year, a description of the measures each franchisee has taken in the preceding year to make its operation more efficient, a listing of the efficiency measures which each franchisee proposes to take in the next year, a composite table showing the type and number of customer service complaints and a description of the measures that the franchisee has taken or is planning to

take to correct the cause of commonly reported complaints, and such other information as requested by the City Manager or the City Manager's designee. The report shall also describe and quantify communication, outreach and educational activities as described in the Administrative Operations Standards and Rules resolution. Franchisees may identify specific information submitted to the City in the annual report as confidential. The City shall treat any information marked "Confidential" as such, and shall not subject the confidential information to public disclosure except as required by law. If the City receives a request for disclosure of confidential information, the City Manager or the City Manager's designee shall notify the franchisee within a reasonable time after receiving the request so as to allow the franchisee a reasonable opportunity to defend against the requested disclosure through the appropriate legal process. (Ord. 3192 § 87, amended, 11/17/2020; Ord. 3172 § 6, added, 02/05/2019)

9.50.070 Franchise Responsibilities and Requirements

A. *Access for Inspections and Delivery of Notices.* Franchisees shall make all company premises, facilities and records related to their solid waste, recyclable materials and yard debris collection services (including, but not limited to: offices, storage areas, financial records, nonfinancial records, records pertaining to the origin of any solid waste collected by the franchisee, receipts for sale or delivery of collected recyclable materials, customer lists, and all records related to vehicle maintenance and safety which are required under ODOT motor carrier requirements and regulations and ORS Chapter [767](#)) available for inspection by the City Manager or the City Manager's designee within twenty-four (24) hours of notice by registered mail. Such inspections are only for purposes of enforcing this chapter and are restricted to normal business hours. During normal business hours, the franchisee shall make all company premises and facilities accessible to City employees for delivery of any written notices. Collection vehicles must be accessible for inspection during the normal operating hours for collection, in addition to normal business hours. Where receptacles are stored in the public right-of-way or when the City is inspecting a situation where the franchisee is allegedly commingling recyclable materials or yard debris with solid waste, the need for twenty-four (24) hour notice does not apply to inspection of receptacles or vehicles.

B. *Indemnification, Bond, and Insurance.*

1. A franchisee shall pay, save harmless and indemnify the City from any loss, damage, penalty or claim against the City on account of or in connection with any activity of the franchisee in the operation of the franchisee's solid waste collection business, including activity by any approved subcontractor providing solid waste management collections and services. If such suit shall be filed against the City either independently or jointly with the franchisee or its subcontractor to recover for any claim or damages, the franchisee upon notice to it by the City shall defend the City against the action, and in the event of a final judgment being obtained against the City, either independently or jointly with the franchisee or its subcontractor, the franchisee will pay said judgment and all costs and hold the City harmless therefrom.

2. A franchisee shall furnish a performance bond, in a form approved by the City Attorney, by an acceptable surety company in the amount of \$25,000.00, but may, in lieu of a bond, furnish an irrevocable letter of credit or assign a savings account or deposit in any federally insured financial institution in the amount of \$25,000.00 on a form approved by the City Attorney. The security shall guarantee faithful performance of all

the obligations contained herein with the premium for such bond or cost of such assignment to be paid by the franchisee furnishing the bond, letter of credit or making the assignment.

3. A franchisee shall maintain commercial general liability insurance on an occurrence basis in such forms and with such companies as shall be approved by the City Attorney, which will cover the franchisee's business operation, including each vehicle operated by it. The insurance coverage shall include not less than \$2,000,000.00 for one (1) person, nor less than \$5,000,000.00 for bodily injury due to each occurrence, and not less than \$2,000,000.00 for damage to property due to each occurrence and coverage of at least \$5,000,000.00 in the aggregate per occurrence. All such insurance coverage shall provide a thirty (30) day notice to the City Manager or the City Manager's designee in the event of material alteration or cancellation of any coverage afforded in the policies prior to the date the material alteration or cancellation shall become effective. Copies of all policies required hereunder shall be furnished to and filed with the City Manager or the City Manager's designee prior to the commencement of operations or the expiration of prior policies, as the case may be. The franchisee shall furnish proof annually to the City Manager or the City Manager's designee that the insurance remains in effect.

4. The provisions of this section, any bonds accepted by the City pursuant thereto, and any damage recovered by the City hereunder shall not be construed to excuse unfaithful performance by the franchisee or limit the liability of the franchisee under this chapter or the franchisee for damages, either to the full amount of the bond, or otherwise. (Ord. 3192 § 88, amended, 11/17/2020; Ord. 3172 § 7, added, 02/05/2019)

9.50.080 Enforcement, Suspension, or Termination of Franchise

A. *Responsibility of City.* Franchisees are subject to the exercise of the police power of the City and to such regulations as the City may provide by resolution, ordinance, rule or regulation.

B. *Enforcement of Standards.* The City Manager or the City Manager's designee shall administer and enforce this chapter and pursue remedies for noncompliance as laid out within this chapter. The City Manager or the City Manager's designee shall also administer and enforce any administrative operations standards and rules as adopted by the City Council. These standards and rules shall be enforceable with penalties allowed in AMC [1.08](#). Upon recommendation by the City Manager or the City Manager's designee, the City Council may declare a franchisee who fails to abide by the rules to be in default.

C. *Initiation of Enforcement Actions.* In addition to enforcement under state law, the City may prosecute any infraction as defined in this chapter or the rules issued hereunder, based on any information coming to the City, in Ashland Municipal Court. The burden of proof is on the City to prove an infraction by a preponderance of the evidence.

D. *Penalties for Infractions.* Each franchise provision, including rules adopted hereunder, is subject to penalties as described in AMC [1.08](#) for each day from the initial citation of the offense that the offense continues to violate the terms of this chapter or associated resolutions.

E. *Termination of Franchise for Default.* In addition to default for accrued penalties, upon recommendation by the City Manager or the City Manager's designee, the City Council may terminate a franchise for the franchise holder's default in performing any material term or condition of the franchise. An event of default also shall include, but not be limited to, entry of a judgment against the franchise holder for material misrepresentation or deceit committed against the City or a customer, or entry of a judgment of conviction (including conviction on a plea of no contest) against the franchise holder or any principal of same for a crime involving dishonesty. Notice to a franchisee of default shall be delivered to the franchisee by certified mail requiring the franchisee to show cause in a public hearing before the City Council at a place and time to be stated in the notice, but no earlier than fourteen (14) days from the date the notice is mailed, why the franchise should not be terminated. At the hearing the franchisee shall demonstrate the measures it has taken or commenced to cure the default.

F. *Service Interruption.*

1. Except for the right to refuse service for nonpayment or if customer has attempted to improperly dispose of hazardous waste in violation of the City's standards and rules as set forth in this chapter, franchisees shall not interrupt service unless:
 - a. Access, roads, streets and highways necessary for collection operations are unusable or unsafe and there are no alternative routes. Franchisees shall resume service within twenty-four (24) hours after access is restored.
 - b. A force majeure event occurs.
2. Upon the occurrence of a force majeure event that prevents or impairs a franchisee's ability to perform any of its franchise obligations, the franchisee shall:
 - a. Provide immediate notice, either verbal or written, to the City Manager or the City Manager's designee of the nature of the event and extent and anticipated duration of franchisee's inability to perform any obligation under this franchise. If verbal notice is given, then written notice must be delivered to the City within twenty-four (24) hours of such verbal notice;
 - b. Commence immediately to develop, in communication and cooperation with the City, an interim plan for the restoration of full performance; and
 - c. Take all such other reasonable actions requested by the City to assist the City in protecting the public health and safety and to restore service as soon as practicable.
3. Labor unrest, including, but not limited to, strike, work stoppage or slowdown, sick-out, picketing, or other concerted job action conducted by franchisee employees or directed at the franchisee, is not an event of force majeure, and the franchisee shall be obligated to continue to provide service notwithstanding the occurrence of any or all such events.

G. *City's Right to Perform Service.* Except as provided under subsection [F](#) of this section, in the event that a franchisee, for any reason whatsoever, fails, refuses or is unable to collect or transport any or all solid waste for a period of more than forty-eight (48) hours, and, if, as a result thereof, solid waste or recyclable materials should

accumulate in the City to such an extent that the City finds that such accumulation endangers the public health, safety, or welfare, then the City shall have the right, but not the obligation, upon twenty-four (24) hours' prior written notice to the franchisee, to perform or cause to be performed collection services with its own or other personnel at the franchisee's expense. This right shall be in addition to and not in lieu of any other remedy available to the City. If necessary, the City may take temporary possession of, and a franchisee shall peacefully surrender, any or all of the franchisee's land, equipment, and other property used or useful in the collection of solid waste or recyclable materials until such time as the emergency is resolved. If such possession occurs, the City assumes all responsibility and liability for the equipment and land used to perform such temporary collection services.

H. *Dispute Resolution with Customers.* Upon receipt of any notice of dispute from a customer about any bill, charge, or service, the franchisee shall thoroughly investigate the matter and promptly report the results of its investigation to the customer. Except in the event a customer has attempted to improperly dispose of hazardous waste in violation of the City's standards and rules, a franchisee shall not refuse service to any customer during a time of dispute. If the franchisee is not able to resolve a dispute with the customer, the customer may contact the City Manager or the City Manager's designee who will act as an informal arbitrator in an attempt to resolve the matter. Should the dispute remain unresolved, the franchisee or customer may then pursue the matter in any court with jurisdiction.

I. *Dispute Resolution with City.* During all disputes arising under the franchise, the City and franchisee shall continue performance of their respective obligations under the franchise unless and until the franchisee is terminated for default, in which case the franchisee's obligation to pay a franchise fee based on cash receipts generated from services provided under the franchise during said dispute shall survive such termination. In addition to and without waiving any rights and remedies under civil or common law, in the event of a dispute under the franchise, the parties shall mutually agree to arbitration. Within fifteen (15) days after agreement to arbitration has been reached, each party shall submit the name of its own arbitrator, selected from the American Arbitration Association, and the two (2) arbitrators shall select a third arbitrator selected from such panel within fifteen (15) days, or in case of a disagreement concerning the appointment of the third arbitrator, the third arbitrator shall be appointed from such panel by the presiding judge for the Circuit Court of the State of Oregon for Jackson County. During such time that the arbitrators are being selected or appointed, the parties shall continue to negotiate in good faith to resolve their dispute in a cooperative manner. The decision of the arbitrators in the matter shall be final and binding on the parties, and any judgment upon the award rendered pursuant to such arbitration may be entered in any court having jurisdiction thereof. (Ord. 3192 § 89, amended, 11/17/2020; Ord. 3172 § 8, added, 02/05/2019)

The Ashland Municipal Code is current through Ordinance 3259, passed April 15, 2025.

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.](#)

RESOLUTION NO. 2024-11

A RESOLUTION RELATING TO SOLID WASTE MANAGEMENT SERVICE RATES AND REPEALING RESOLUTION NO. 2023-04

RECITALS:

- A. The Franchise Agreement for Solid Waste Management and Collection Services was adopted by the City Council as Ordinance No. 3090 in 2013 and the associated Administrative Operations Standards and Rules most recently adopted by Resolution No. 2014-23 (the “Agreement”);
- B. Section 5.3 Franchise Term of the Agreement provides:
“A franchise to provide solid waste management and collection services shall be granted for a period of ten (10) years, beginning December 1, 2013 with subsequent seven year terms renewing annually, unless prior notice of request to terminate is submitted by either the City or the Franchisee a minimum of 90 days prior to the renewal date;”
- C. Neither the City nor Franchisee, Recology Ashland, has provided notice of request to terminate the Agreement by December 1, 2023;
- D. The Agreement provides a methodology for annual service rates and fees adjustments for solid waste management and collection; and
- E. The City concurs with the documentation provided by Recology Ashland (Franchisee) that the service rates modification provisions of Ordinance No. 3090 and Resolution No. 2014-23 mandate the approval of a service rate increase of 3.8% based on the Consumer Price Index for All Urban Consumers, as determined by the U.S. Bureau of Labor Statistics.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ASHLAND, OREGON, RESOLVES AS FOLLOWS:

SECTION 1. Having not been terminated, the Franchise Agreement term continues as of December 1, 2023, and the Agreement is to remain in effect for an additional seven-year term to be renewed annually, unless prior notice of request to terminate is submitted by either the City or the Franchisee a minimum of 90 days prior to the renewal date.

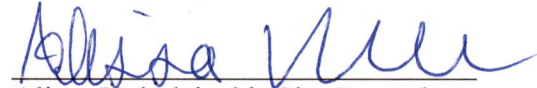
SECTION 2. Solid Waste Management Service rates and fees are hereby increased by 3.8% as detailed in the rate table attached hereto as “Exhibit A” and incorporated herein by this reference.

SECTION 2: Resolution No 2023-04 is hereby repealed in its entirety.

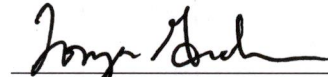
SECTION 3. This Resolution, 2024-11, is effective June 4, 2024.

Adopted by the City Council this 4th day of June, 2024.

ATTEST:


Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this 4th day of June, 2024.


Tonya Graham, Mayor

Reviewed as to form:


Carmel Zahran, Assistant City Attorney

Recology Ashland
City of Ashland Rates
Effective April 1, 2024 [CPI = 3.8%]

Residential Rates	April 1, 2024
32 Gallon Cart	\$ 24.90
Add'l 32 Gallon Trash Cart	\$ 28.38
32 Gallon Bear Cart	\$ 31.36
64 Gallon Cart	\$ 51.98
64 Gallon Bear Cart	\$ 58.44
96 Gallon Cart	\$ 79.05
32 Gallon Trash On-Call per Setout	\$ 11.32
96 Gallon Green Waste Cart	\$ 9.56
Additional Green Waste Cart	\$ 2.72
32 Gallon Recycle Only Cart	\$ 6.82
64 Gallon Recycle Only Cart	\$ 6.82
96 Gallon Recycle Only Cart	\$ 8.17
Recycling On-Call per Setout	\$ 5.41
Additional Recycling Cart	\$ 2.72
Not on Service 1st Can	\$ 18.47
Additional No-Service Can	\$ 8.21
Extra - 1 Can/Large Bag Each	\$ 8.21
Extra - 1 Small Bag Each	\$ 4.10
Extra Service - Green Waste Cart	\$ 6.00

Go-in Rates	
Off curb up to 40 Yards	\$ 8.17
40 yards to 1/2 mile	\$ 21.97
1/2 Mile to 1 Mile	\$ 43.92
Beyond 1 Mile	\$ 73.12

Container Rates	April 1, 2024
1 Yard 1 x Week	\$ 136.24
1 Yard 2 x Week	\$ 238.80
1 Yard 3 x Week	\$ 342.20
1 Yard 4 x Week	\$ 444.35
1 Yard 5 x Week	\$ 546.28
1 Yard 6 x Week	\$ 647.40
1.5 Yard 1 x Week	\$ 177.80
1.5 Yard 2 x Week	\$ 309.16
1.5 Yard 3 x Week	\$ 441.55
1.5 Yard 4 x Week	\$ 576.10
1.5 Yard 5 x Week	\$ 702.98
1.5 Yard 6 x Week	\$ 832.53
2 Yard 1 x Week	\$ 222.05
2 Yard 2 x Week	\$ 387.92
2 Yard 3 x Week	\$ 574.93
2 Yard 4 x Week	\$ 709.19
2 Yard 5 x Week	\$ 870.35
2 Yard 6 x Week	\$ 1,030.13
3 Yard 1 x Week	\$ 303.32
3 Yard 2 x Week	\$ 565.07
3 Yard 3 x Week	\$ 741.90
3 Yard 4 x Week	\$ 959.51
3 Yard 5 x Week	\$ 1,176.70
3 Yard 6 x Week	\$ 1,392.20
4 Yard 1 x Week	\$ 386.66
4 Yard 2 x Week	\$ 662.95
4 Yard 3 x Week	\$ 941.35
4 Yard 4 x Week	\$ 1,216.61
4 Yard 5 x Week	\$ 1,491.33
4 Yard 6 x Week	\$ 1,763.95
5 Yard 1 x Week	\$ 472.60
5 Yard 2 x Week	\$ 808.70
5 Yard 3 x Week	\$ 1,147.42
5 Yard 4 x Week	\$ 1,482.20
5 Yard 5 x Week	\$ 1,816.31
5 Yard 6 x Week	\$ 2,147.80
6 Yard 1 x Week	\$ 561.80
6 Yard 2 x Week	\$ 960.12
6 Yard 3 x Week	\$ 1,361.71
6 Yard 4 x Week	\$ 1,758.38
6 Yard 5 x Week	\$ 2,154.24
6 Yard 6 x Week	\$ 2,546.83

Extra Service 1 Yard Container	\$ 45.49
Extra Service 1.5 Yard Container	\$ 49.89
Extra Service 2 Yard Container	\$ 62.95
Extra Service 3 Yard Container	\$ 119.31
Extra Service 4 Yard Container	\$ 159.08
Extra Service 5 Yard Container	\$ 198.85
Extra Service 6 Yard Container	\$ 238.34

2 - 96 Gallon Carts Equal to 1 Yard Container	\$ 136.24
3 - 96 Gallon Carts Equal to 1.5 Yard Container	\$ 177.80
4 - 96 Gallon Carts Equal to 2 Yard Container	\$ 222.05

Exhibit A

Recology Ashland City of Ashland Rates Effective April 1, 2024 [CPI = 3.8%]

Residential Rates	April 1, 2024
32 Gallon Cart	\$ 24.90
Add'l 32 Gallon Trash Cart	\$ 28.38
32 Gallon Bear Cart	\$ 31.36
64 Gallon Cart	\$ 51.98
64 Gallon Bear Cart	\$ 58.44
96 Gallon Cart	\$ 79.05
32 Gallon Trash On-Call per Setout	\$ 11.32
96 Gallon Green Waste Cart	\$ 9.56
Additional Green Waste Cart	\$ 2.72
32 Gallon Recycle Only Cart	\$ 6.82
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96 Gallon Recycle Only Cart	\$ 8.17
Recycling On-Call per Setout	\$ 5.41
Additional Recycling Cart	\$ 2.72
Not on Service 1st Can	\$ 18.47
Additional No-Service Can	\$ 8.21
Extra - 1 Can/Large Bag Each	\$ 8.21
Extra - 1 Small Bag Each	\$ 4.10
Extra Service - Green Waste Cart	\$ 6.00
Go-in Rates	
Off curb up to 40 Yards	\$ 8.17
40 yards to 1/2 mile	\$ 21.97
1/2 Mile to 1 Mile	\$ 43.92
Beyond 1 Mile	\$ 73.12

Commercial Cart Rates	April 1, 2024
32 Gallon 1 x Week	\$ 24.90
32 Gallon 2 x Week	\$ 51.98
32 Gallon 3 x Week	\$ 79.05
32 Gallon 4 x Week	\$ 106.16
32 Gallon 5 x Week	\$ 133.23
32 Gallon 6 x Week	\$ 160.30
64 Gallon 1 x Week	\$ 51.98
64 Gallon 2 x Week	\$ 106.16
64 Gallon 3 x Week	\$ 160.30
64 Gallon 4 x Week	\$ 214.45
64 Gallon 5 x Week	\$ 268.62
64 Gallon 6 x Week	\$ 322.77
96 Gallon 1 x Week	\$ 79.05
96 Gallon 2 x Week	\$ 160.30
96 Gallon 3 x Week	\$ 241.53
96 Gallon 4 x Week	\$ 322.77
96 Gallon 5 x Week	\$ 404.00
96 Gallon 6 x Week	\$ 485.23
32 Gallon Commerical Organics Cart	\$ 9.56
96 Gallon Green Waste Cart	\$ 9.56
32 Gallon Recycle Only Cart 1 x Week	\$ 6.82
32 Gallon Recycle Only Cart 2 x Week	\$ 13.64
32 Gallon Recycle Only Cart 3 x Week	\$ 20.46
64 Gallon Recycle Only Cart 1 x Week	\$ 6.82
64 Gallon Recycle Only Cart 2 x Week	\$ 13.64
64 Gallon Recycle Only Cart 3 x Week	\$ 20.46
96 Gallon Recycle Only Cart 1 x Week	\$ 8.17
96 Gallon Recycle Only Cart 2 x Week	\$ 16.37
96 Gallon Recycle Only Cart 3 x Week	\$ 24.55

Container Rates	April 1, 2024
1 Yard 1 x Week	\$ 136.24
1 Yard 2 x Week	\$ 238.80
1 Yard 3 x Week	\$ 342.20
1 Yard 4 x Week	\$ 444.35
1 Yard 5 x Week	\$ 546.28
1 Yard 6 x Week	\$ 647.40
1.5 Yard 1 x Week	\$ 177.80
1.5 Yard 2 x Week	\$ 309.16
1.5 Yard 3 x Week	\$ 441.55
1.5 Yard 4 x Week	\$ 576.10
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2 Yard 1 x Week	\$ 222.05
2 Yard 2 x Week	\$ 387.92
2 Yard 3 x Week	\$ 574.93
2 Yard 4 x Week	\$ 709.19
2 Yard 5 x Week	\$ 870.35
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Extra Service 4 Yard Container	\$ 159.08
Extra Service 5 Yard Container	\$ 198.85
Extra Service 6 Yard Container	\$ 238.34

2 - 96 Gallon Carts Equal to 1 Yard Container	\$ 136.24
3 - 96 Gallon Carts Equal to 1.5 Yard Container	\$ 177.80
4 - 96 Gallon Carts Equal to 2 Yard Container	\$ 222.05

Debris Box Rates	April 1, 2024
7 Yard per Load	\$ 224.12
10 Yard per Load	\$ 278.46
25 Yard per Load	\$ 466.72
40 Yard per Load	\$ 746.63
DB Haul Fee 10yd (non-trash)*	\$ 153.99
DB Haul Fee 25yd (non-trash)*	\$ 283.30
*fee may be reduced depending on value of commodity	
Daily Rent <1 Year	\$ 19.13
Monthly Rent 10yd box (> 1 year)	\$ 106.74
Monthly Rent 25yd box (> 1 year)	\$ 142.32
DB Direct Haul to landfill - haul fee only. Disposal extra	\$ 308.29

Compactor per Pickup Rates	April 1, 2024
1 Yard per Load	\$ 44.16
2 Yard per Load	\$ 88.29
3 Yard per Load	\$ 132.43
4 Yard per Load	\$ 176.57
8 Yard per Load	\$ 353.13
15 Yard per Load	\$ 529.13
20 Yard per Load	\$ 653.90
25 Yard per Load	\$ 778.70
30 Yard per Load	\$ 903.53

Medical Waste Rates	April 1, 2024
1 Gallon Medical Waste	\$ 31.37
2 Gallon Medical Waste	\$ 38.19
15 Gallon Medical Waste	\$ 40.92
34 Gallon Medical Waste	\$ 75.04

Fees & Other Charges	April 1, 2024
Restart Fee (after suspend)	\$ 15.00
Cart re-delivery fee	\$ 20.00
Go Back Fee	\$ 20.00
Bulky Item pickup first two items each (plus disposal)	\$ 19.14
Bulky Item pickup greater than two items each (plus disp.)	\$ 9.56
Standing Time Fee per minute	\$ 3.08
Recycle Center Surcharge	\$ 1.60



Sabrina Cotta, City Manager
City of Ashland
20 East Main Street
Ashland, OR 97520

March 19, 2025

Dear Sabrina,

We are formally submitting our request for a rate increase of 5.75%, to be applied equally across all rate structures. Our proposed rate sheet and accompanying financial statement and projections for 2025 are enclosed with this letter. Though we are not aligning with CPI for this increase, we have still included a copy of the CPI-U (Pacific Cities, all Urban Consumers, December 2024) for reference.

This adjustment is based principally in response to a 6% increase in disposal at Dry Creek Landfill in 2024 (with an anticipated 4% increase in July this year), as well as some anticipated investments and modernizations we have made – and are looking to make – across our own operations.

Please note the increase has an effective date of July 1, 2025. This differs from our usual April 1 effective date for CPI increases since we want to take the opportunity to host councilors at the Valley View Transfer Station later this month and present to Council on April 14.

This adjustment amounts to an increase of \$1.43 per month for the typical residential customer. The following haven't been adjusted and remain the same, consistent with prior years: Restart Fee, Cart re-delivery fee, Go Back fee and Recycle Center Surcharge

Please let me know if you have any questions, and we look forward to meeting with councilors.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Robert Long', written over a light blue circular stamp.

Robert Long
Assistant General Manager



Council Business Meeting

Date: June 3, 2025

Agenda Item	Contingency Draw for Fire Department
Department	Fire and Safety
From	Marshall Rasor, Deputy Chief- Operations, Mariane Berry, Finance Director

TIME ESTIMATE

5 minutes

CATEGORY

Ordinance/Resolution - a motion is needed to adopt the ORD. or RESO.

SUMMARY

The Ashland Fire & Rescue Department requests contingency funds to cover its budgetary needs for Fiscal Year 2025.

POLICIES, PLANS & GOALS SUPPORTED

Vision Statements for Success

Organization

Excellence in governance and city services

Public safety, including emergency preparedness for climate change risk

BACKGROUND AND ADDITIONAL INFORMATION

Summary

Staff is presenting a request to draw from the General Fund's contingency funds to cover budgetary needs for the Fire Department.

The two primary reasons for this are:

- An increase in personnel costs due to overtime, which has been higher than normal since the inception of Paid Leave Oregon in 2023.
- A critical and immediate need for Fire Station Alerting System Replacement

Personnel costs

As discussed in previous study sessions and financial updates, Paid Leave Oregon, the state program created to provide eligible employees up to 12 weeks of paid leave during the year in addition to all the City's leave benefits, has resulted in AFR's overtime. AFR's mandated minimum staffing and Paid Leave Oregon has created a situation that has pushed overtime over budget by approximately \$498K to-date. A draw from Contingency of \$550K is requested to cover Overtime overages for the remainder of the year.

Fire Station Alerting System Replacement:

Please see attached memo. A draw of \$150,000 is being requested.

Due to the BN 25-27 budget process, the Contingency line was reduced to estimate the General Fund carry forward with this draw in mind. As such, there is sufficient funds from General Fund Contingency for this request. Staff requests a total draw of \$700,000 from Contingency to the Fire Department's budget to cover the above requirements and ensure budgetary compliance.

FISCAL IMPACTS



Council Business Meeting

Budgetary transfer from the Contingency line in the General Fund to the Fire Department's budget.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

I move to approve Resolution #2025-16 that will transfer \$700,000 from the General Fund's Contingency line to the Fire Department's budget.

REFERENCES & ATTACHMENTS

1. Resolution 2025-16 Approving Budget Transfer - Fire Contingency
2. Back-up: Overtime Report
3. Back-up: FSA Contingency Fund Request



RESOLUTION NO. 2025-16

A RESOLUTION APPROVING BUDGET APPROPRIATION ADJUSTMENTS FOR THE 2023-2025 BIENNIAL BUDGET PERIOD BEGINNING JULY 1, 2023.

RECITALS:

A. The City of Ashland 2023-25 Biennium Budget was adopted on June 6, 2023, for the period of July 1, 2023, through June 30, 2025.

THE CITY OF ASHLAND HEREBY RESOLVES AS FOLLOWS:

SECTION 1.

1. The following proposed budget adjustments are authorized by ORS 294.463(1) and ORS 294.463(2) to transfer Contingency to appropriation categories or programs within the same fund. Proposed budget transfers of Contingency are less than 15% of total appropriations within the fund, so a supplemental budget is not necessary.

	<u>Increase Appropriation</u>	<u>Decrease Appropriation</u>
<u>General Fund</u>		
Fire and Rescue Department	700,000	
Contingency		700,000
	<u>700,000</u>	<u>700,000</u>

General Fund: Reduce Contingency and increase expenditures appropriations by \$700,000 for the Fire and Rescue Department due to an increase in personnel costs due to overtime and a need to replace the Fire Station Alerting System.

SECTION 2. This resolution is effective upon adoption.

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this 3rd day of June 2025.

Tonya Graham, Mayor

Reviewed as to form:

Johan Pietila, City Attorney

YEAR-TO-DATE BUDGET REPORT

FOR 2025 13

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
0110 General Fund							
09 Administration							
070900 Fire & Rescue - Administration							
500 Personnel Services							
070900 510310 scheduled overtime	0	-1,043	1,260.74	.00	.00	-2,303.76	-120.9%
12 Operations							
071200 Fire & Rescue - Operations							
500 Personnel Services							
071200 510310 scheduled overtime	350,000	148,868	578,743.66	.00	.00	-429,875.22	388.8%
29 Forest Interface							
072900 Fire & Rescue - Forest Int							
500 Personnel Services							
072900 510310 scheduled overtime	0	-5,656	1,425.87	.00	.00	-7,082.12	-25.2%
51 Fire and Life Safety							
075100 Fire & Rescue - Life Safety							
500 Personnel Services							

YEAR-TO-DATE BUDGET REPORT

FOR 2025 13

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
075100 510310 scheduled Overtime	0	-5,265	3,618.69	.00	.00	-8,883.92	-68.7%
85 Emergency Medical Transport							
078500 Fire & Rescue - Emerg Medic Tr							
500 Personnel Services							
078500 510310 scheduled Overtime	0	-7,480	42,650.32	.00	.00	-50,130.54	-570.2%
TOTAL General Fund	350,000	129,424	627,699.28	.00	.00	-498,275.56	485.0%
TOTAL EXPENSES	350,000	129,424	627,699.28	.00	.00	-498,275.56	
GRAND TOTAL	350,000	129,424	627,699.28	.00	.00	-498,275.56	485.0%

** END OF REPORT - Generated by Mariane Berry **

For the Biennium to date, the overtime for Fire = \$498K

Request contingency draw of \$550K for remainder of year



Memo

To: Mariane Berry - Finance Director

From: Marshall Rasor – Interim Fire Chief

Date: May 21, 2025

Subject: Request for Contingency Funds – Fire Station Alerting System Upgrade (Stations 1 & 2), \$150,000

Ashland Fire & Rescue is requesting contingency funds to support the purchase and installation of new Fire Station Alerting (FSA) systems at Stations 1 and 2. This upgrade is essential and time-sensitive due to multiple operational and technological challenges with the current alerting infrastructure.

Key Issues:

- 1. End-of-Life Equipment**
The current FSA system is over 10 years old and no longer supported by the manufacturer. Replacement parts and software support are unavailable, significantly increasing the risk of system failure.
- 2. Aging Server Infrastructure**
The server currently operating the FSA system is over six years old and lacks redundancy features. A failure would result in a complete loss of alerting functionality, disrupting emergency response operations.
- 3. Impending Software Obsolescence**
The system runs on Windows Server 2016, which reaches end-of-life in October 2025. Continued use beyond that date will expose the system to security vulnerabilities and a lack of technical support.
- 4. Incompatibility with the Regional Radio System**
The existing system is not compatible with the region's new radio infrastructure, impairing communication and timely alerting—ultimately affecting firefighter response times.
- 5. Risk of Total System Failure**
A failure of the server would leave the current system completely inoperable until a new system is installed.

As directed by Fire Users, ECSO has adopted the US Digital Designs (USDD) FSA platform as the regional standard. While ECSO provides centralized technical service support—funded annually by Ashland Fire & Rescue—the costs associated

ASHLAND FIRE & RESCUE

455 Siskiyou Blvd
Ashland, Oregon 97520
ashland.or.us

Tel: 541.482.2770
Fax: 541.488.5318
TTY: 800.735.2900

marshall.rasor@ashland.or.us





Memo

with purchasing and installing station-specific hardware (e.g., speakers, lights, control panels) remain the responsibility of each agency.

Given the critical nature of this system for public safety, the department seeks contingency funding to complete this infrastructure upgrade and ensure continuity of emergency alerting capabilities.

Requested Action:

Approval of contingency funding for implementation of the USDD FSA system at Fire Stations 1 and 2.

ASHLAND FIRE & RESCUE

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Fax: 541.488.5318
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marshall.rasor@ashland.or.us





Council Business Meeting

Date: June 3, 2025

Agenda Item	Water Rate Resolution-Approval of 2025-2027 Biennium Water Rates
Department	Public Works
From	Scott Fleury, Director

TIME ESTIMATE

5 minutes

CATEGORY

Action Needed - Motion to approve an action

SUMMARY

The City Council is being asked to approve the authorizing resolution #2025-12 for water rate increases for the 2025-2027 budget biennium. The water rate structure was formally detailed in the 2025 Water Cost of Service Study approved by Council at the May 20, 2025 Business Meeting.

The update accounts for the projected debt required to construct the new Water Treatment Plant using the Environmental Protection Agency (EPA) Water Innovation and Infrastructure Financing Act (WIFIA) funding mechanism. The update also incorporates other capital projects adopted by the City Council along with the necessary overhead for people, materials and service components of the water fund in total (Supply, Treatment, Distribution & Conservation).

POLICIES, PLANS & GOALS SUPPORTED

VISION STATEMENTS for Success:

- *Ashland is a resilient, sustainable community that maintains the distinctive quality of place for which it is known*
- *We will continue to be a unique and caring city that stresses environmental conservation, fosters artistic expression, and is open to new ideas and innovation*
- *We will plan and direct our efforts to fulfill this Vision for the long term with a constant view toward being an open, welcoming community for all with a positive economic future*

VALUE STATEMENTS for Success that Support the Vision:
COMMUNITY

- Environmental resilience, including addressing climate change and ecosystem conservation

ORGANIZATION

- Quality infrastructure and facilities through timely maintenance and community investment

BACKGROUND AND ADDITIONAL INFORMATION

PREVIOUS COUNCIL ACTION

The City Council previously received presentation on the Water Cost of Service Study at the December 2nd, 2024 Study Session, March 18th, 2025 Study Session and the May 20th, 2025 Business Meeting. The Cost of Service Study outlined the necessary rate structure to appropriately fund water system needs.

BACKGROUND AND ADDITIONAL INFORMATION

As outlined in the Cost of Service Study, Water rates are developed to account for the cost of providing water to





Council Business Meeting

customers and are based on the cost of; operating and maintaining the water system; providing customer service; constructing and replacing water facilities; complying with regulatory standards; and paying debt service. Water rates developed as part of the new Cost of Service study provide for sufficient funding to meet the personnel, operational, capital and policy limits for the water utility in the short term.

At the May 20th, 2025 Business Meeting the City Council authorized moving forward with alternative 3A of the updated rate analysis as the basis for the Cost of Service/Rate Study. Staff has developed a single Legal Department approved resolution that establishes rates for fiscal year 2026 (July 1, 2025-June 30, 2026) and fiscal year 2027 (July 1, 2026-June 30, 2027). The customer charge, meter charge and commodity charges in Exhibit A & B of the resolution align with alternative 3A.

The Talent Irrigation District (TID) Fee increase aligns with previous inflationary projections recommended by Hansford Economic Consulting.

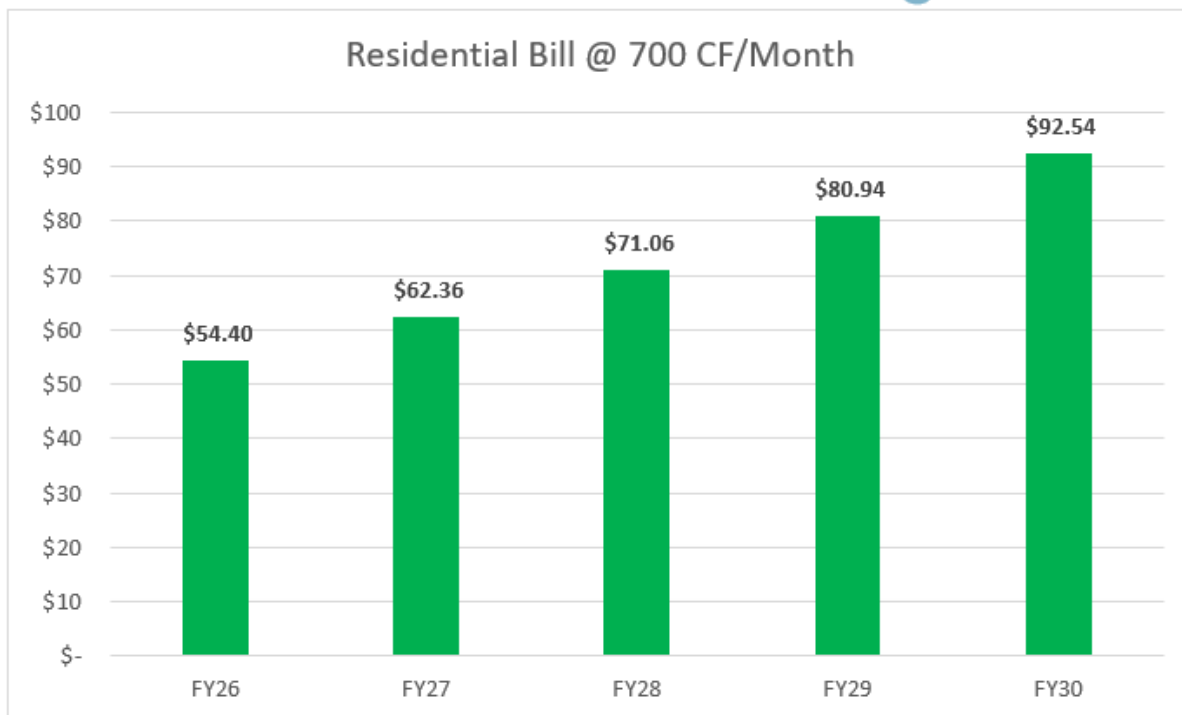
As a reminder staff has always recommended updating the rate analysis as part of the biennial budget process and make adjustments as necessary considering actual expenditures and revenues during the biennium time period along with projected expenses proposed within the future biennium's budget.

FISCAL IMPACTS

The 2025-2027 Biennial Budget was developed with the proposed rate increases outlined in the Cost of Service Study (13.5% net revenue increase). The proposed rate increases are tied to the needed revenues that offset projected expenditures (people, materials/services, capital), cover debt service requirements and water fund policy requirements. Should the Council not approve the rate increases, offsetting reductions in expenditures must be made.

Figure 1 below shows the project residential bill impact through fiscal year 2030 utilizing the 3A alternative option recommended by the City Council.

Figure 1: Projected Residential Bill





Council Business Meeting

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

I move to approve resolution number 2025-12, A resolution revising rates for water service pursuant to Ashland Municipal Code section 14.04.030 and repeal resolution 2019-10.

I move to amend resolution 2025-12 (insert amendment) and repeal resolution 2019-10.

REFERENCES & ATTACHMENTS

1. Water Rate Resolution 2025-12
2. 2019-10 Revising Rates for Water Service



RESOLUTION NO. 2025-12

A RESOLUTION REVISING RATES FOR WATER SERVICE PURSUANT TO ASHLAND MUNICIPAL CODE SECTION 14.04.030 AND REPEALING RESOLUTION 2019-10.

THE CITY OF ASHLAND HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The “Water Rate Schedule” marked as “Exhibit A” for July 1, 2025 thru June 30, 2026 and “Exhibit B” for July 1, 2026 thru June 30, 2027 attached to this Resolution, shall be effective for actual or estimated consumption on or after July 1, 2025.

Prorated calculations are permitted for any bills prepared for a partial month or billing period that overlaps the effective date of this Resolution.

Miscellaneous Charges and Connection Fees established by previous resolutions remain in effect until revised by separate Council Action.

SECTION 2. Copies of this resolution shall be maintained in the Office of the City Recorder.

SECTION 3. Classification of the fee. The fees specified in Section 1 and Section 2 of this resolution are classified as not subject to the limits of Section 11b of Article XI of the Oregon Constitution (Ballot Measure 5).

SECTION 4. Resolution 2019-10 is repealed on the effective date of this resolution.

This resolution was duly PASSED and ADOPTED this _____ day of _____, 2025, 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:

Johan Pietila, City Attorney

City of Ashland, Oregon
EXHIBIT A - WATER RATE SCHEDULE – July 1, 2025-June 30, 2026



All water service provided by the City of Ashland shall be in accordance with Chapter 14.04 of the Ashland Municipal Code.

Billing:

The minimum monthly charge shall be the sum of the Customer Charge; Meter Charge; plus Quantity Charge, if applicable; and Miscellaneous Charges, if applicable. Billing shall occur monthly with charges due and payable upon receipt.

Customer Charge:

A single customer charge is applied to each water account regardless of the number of metered water services.

Customer Charge, per account	July 2019	July 2025
Per month	\$ 13.33	\$ 16.50

Meter Charge:

The meter charge applies to all metered water services and does not include any water consumption.

Meter Charge, per meter	July 2019	July 2025
0.75" and Fire Guard meters	\$ 15.62	\$ 15.95
1" meter	\$ 16.29	\$ 18.63
1.5" meter	\$ 74.52	\$ 71.50
2" meter	\$ 118.41	\$ 113.73
3" meter	\$ 237.45	\$ 225.87
4" meter	\$ 376.59	\$ 360.81
6" meter	\$ 741.01	\$ 711.65
8" meter	\$ 1,174.75	\$ 1,129.78

Quantity Charge:

All customers will be charged the following rates per cubic foot of water used.

Residential, per dwelling unit November - April	July 2019	July 2025
0-500 cf per cycle	\$ 0.0280	\$ 0.0285
501 to 1,000 cf per cycle	\$ 0.0348	\$ 0.0385
1,001 to 2,500 cf per cycle	\$ 0.0472	\$ 0.0560
Over 2,500 cf per cycle	\$ 0.0609	\$ 0.0860
Residential, per dwelling unit May - October		
0-500 cf per cycle	\$ 0.0280	\$ 0.0285
501 to 1,000 cf per cycle	\$ 0.0348	\$ 0.0385
1,001 to 2,500 cf per cycle	\$ 0.0472	\$ 0.0560
2,501 to 3,600 cf per cycle	\$ 0.0609	\$ 0.0860
Over 3,600 cf per cycle	\$ 0.0784	\$ 0.1365

Residential Irrigation November – April	July 2019	July 2025
0-1000 cf per cycle	\$ 0.0348	\$ 0.0385
1,001-2500 cf per cycle	\$ 0.0472	\$ 0.0560
over 2,500 cf per cycle	\$ 0.0609	\$ 0.0860
Residential Irrigation May - October		
0 to 1,000 cf per cycle	\$ 0.0348	\$ 0.0385
1,001 to 2,500 cf per cycle	\$ 0.0472	\$ 0.0560
2,501 to 3,600 cf per cycle	\$ 0.0609	\$ 0.0860
Over 3,600 cf per cycle	\$ 0.0784	\$ 0.1365

Commercial, less than 2" meter	July 2019	July 2025
0-2,500 cf per cycle	\$ 0.0348	\$ 0.0385
> 2,500 cf per cycle	\$ 0.0472	\$ 0.0560
Commercial, 2" or larger meter		
0-15,000 cf per cycle	\$ 0.0348	\$ 0.0385
> 15,000 cf per cycle	\$ 0.0472	\$ 0.0560

Institutional (governmental and municipal)	July 2019	July 2025
Per cubic foot	\$ 0.0334	\$ 0.0412

Commercial and Institutional Irrigation	July 2019	July 2025
November to April	\$ 0.0376	\$ 0.0356
May to October	\$ 0.0510	\$ 0.0597

Miscellaneous Charges:

TID Irrigation:

TID, unmetered service	July 2019	July 2025
Per season, per acre or portion of acre	\$ 241.18	\$ 284.16
TID, metered service		
Meter Replacement Charge*, by meter size		
0.75" meter	\$ 1.34	\$ 1.37
1" meter	\$ 2.01	\$ 2.26
1.5" meter	\$ 3.17	\$ 3.04
2" meter	\$ 4.27	\$ 4.09
3" meter	\$ 9.15	\$ 8.68
4" meter	\$ 19.88	\$ 19.01
6" meter	\$ 27.57	\$ 26.43
8" meter	\$ 33.25	\$ 31.93
Quantity Charge	\$ 0.0025	\$ 0.0030

*Meter replacement charge is assessed each month, regardless of consumption.

Fire Protection Service:

Fire Protection Service	July 2019	July 2025
Customer Charge, if applicable	\$ 13.33	\$ 16.50
Meter Replacement Charge	\$ 1.34	\$ 1.37
Meter Charge	\$ 15.62	\$ 15.95
Quantity Charge	\$ 0.0384	\$ 0.0385
Unmetered Fire Protection Service	\$ 15.62	\$ 15.95

Bulk Water:

For water provided on a temporary basis through a bulk meter on a fire hydrant, the following charges apply:

Bulk Water	July 2019	July 2025
Deposit*	\$ 2,111.60	\$ 2,494.50
Basic Fee	\$ 266.62	\$ 314.96
Quantity Charge	\$ 0.0384	\$ 0.0389

*Deposit is refundable less basic fee, quantity charge, and any damage to the city meter, valve, wrench, and/or hydrant.

Outside City Limits:

All rates and charges for water service provided outside the city limits will be 1.5 times the rates for water service provided within the city limits.

All water service provided by the City of Ashland shall be in accordance with Chapter 14.04 of the Ashland Municipal Code.

Billing:

The minimum monthly charge shall be the sum of the Customer Charge; Meter Charge; plus Quantity Charge, if applicable; and Miscellaneous Charges, if applicable. Billing shall occur monthly with charges due and payable upon receipt.

Customer Charge:

A single customer charge is applied to each water account regardless of the number of metered water services.

Customer Charge, per account	July 2025	July 2026
Per month	\$ 16.50	\$ 19.25

Meter Charge:

The meter charge applies to all metered water services and does not include any water consumption.

Meter Charge, per meter	July 2025	July 2026
0.75" and Fire Guard meters	\$ 15.95	\$ 18.15
1" meter	\$ 18.63	\$ 23.48
1.5" meter	\$ 71.50	\$ 76.13
2" meter	\$ 113.73	\$ 121.25
3" meter	\$ 225.87	\$ 238.15
4" meter	\$ 360.81	\$ 383.58
6" meter	\$ 711.65	\$ 758.60
8" meter	\$ 1,129.78	\$ 1,206.19

Quantity Charge:

All customers will be charged the following rates per cubic foot of water used.

Residential, per dwelling unit November - April	July 2025	July 2026
0-500 cf per cycle	\$ 0.0285	\$ 0.0324
501 to 1,000 cf per cycle	\$ 0.0385	\$ 0.0438
1,001 to 2,500 cf per cycle	\$ 0.0560	\$ 0.0637
Over 2,500 cf per cycle	\$ 0.0860	\$ 0.0979
Residential, per dwelling unit May – October		
0-300 cf per cycle	\$ 0.0285	\$ 0.0324
301 to 1,000 cf per cycle	\$ 0.0385	\$ 0.0438
1,001 to 2,500 cf per cycle	\$ 0.0560	\$ 0.0637
2,501 to 3,600 cf per cycle	\$ 0.0860	\$ 0.0979
Over 3,600 cf per cycle	\$ 0.1365	\$ 0.1553

Residential Irrigation November – April	July 2025	July 2026
0-1000 cf per cycle	\$ 0.0385	\$ 0.0438
1,001-2500 cf per cycle	\$ 0.0560	\$ 0.0637
over 2,500 cf per cycle	\$ 0.0860	\$ 0.0979
Residential Irrigation May – October		
0 to 1,000 cf per cycle	\$ 0.0385	\$ 0.0438
1,001 to 2,500 cf per cycle	\$ 0.0560	\$ 0.0637
2,501 to 3,600 cf per cycle	\$ 0.0860	\$ 0.0979
Over 3,600 cf per cycle	\$ 0.1365	\$ 0.1553

Commercial, less than 2" meter	July 2025	July 2026
0-2,500 cf per cycle	\$ 0.0385	\$ 0.0438
> 2,500 cf per cycle	\$ 0.0560	\$ 0.0637
Commercial, 2" or larger meter		
0-15,000 cf per cycle	\$ 0.0385	\$ 0.0438
> 15,000 cf per cycle	\$ 0.0560	\$ 0.0637

Institutional (governmental and municipal)	July 2025	July 2026
Per cubic foot	\$ 0.0412	\$ 0.0469

Commercial and Institutional Irrigation	July 2025	July 2026
November to April	\$ 0.0356	\$ 0.0405
May to October	\$ 0.0597	\$ 0.0679

Miscellaneous Charges:

TID Irrigation:

TID, unmetered service	July 2025	July 2026
Per season, per acre or portion of acre	\$ 284.16	\$ 293.82
TID, metered service		
Meter Replacement Charge*, by meter size		
0.75" meter	\$ 1.37	\$ 1.53
1" meter	\$ 2.26	\$ 2.72
1.5" meter	\$ 3.04	\$ 3.22
2" meter	\$ 4.09	\$ 4.33
3" meter	\$ 8.68	\$ 9.10
4" meter	\$ 19.01	\$ 20.09
6" meter	\$ 26.43	\$ 28.00
8" meter	\$ 31.93	\$ 33.87
Quantity Charge	\$ 0.0030	\$ 0.0031

*Meter replacement charge is assessed each month, regardless of consumption.

Fire Protection Service:

Fire Protection Service	July 2025	July 2026
Customer Charge, if applicable	\$ 16.50	\$ 19.25
Meter Replacement Charge	\$ 1.37	\$ 1.53
Meter Charge	\$ 15.95	\$ 18.10
Quantity Charge	\$ 0.0385	\$ 0.0438
Unmetered Fire Protection Service	\$ 15.95	\$ 19.25

Bulk Water:

For water provided on a temporary basis through a bulk meter on a fire hydrant, the following charges apply:

Bulk Water	July 2025	July 2026
Deposit*	\$ 2,494.50	\$ 2,494.50
Basic Fee	\$ 314.96	\$ 314.96
Quantity Charge	\$ 0.0389	\$ 0.0389

*Deposit is refundable less basic fee, quantity charge, and any damage to the city meter, valve, wrench, and/or hydrant.

Outside City Limits:

All rates and charges for water service provided outside the city limits will be 1.5 times the rates for water service provided within the city limits.

RESOLUTION NO. 2019-10

**A RESOLUTION REVISING RATES FOR WATER SERVICE PURSUANT
TO ASHLAND MUNICIPAL CODE SECTION 14.04.030 AND
REPEALING RESOLUTION 2018-12.**

THE CITY OF ASHLAND RESOLVES AS FOLLOWS:

SECTION 1. The "Water Rate Schedule" marked as "Exhibit A" and attached to this Resolution, shall be effective for actual or estimated consumption on or after July 1, 2019.

Prorated calculations are permitted for any bills prepared for a partial month or billing period that overlaps the effective date of this Resolution.

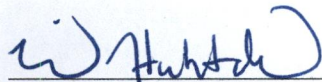
Miscellaneous Charges and Connection Fees established by previous resolutions remain in effect until revised by separate Council Action.

SECTION 2. Copies of this resolution shall be maintained in the Office of the City Recorder.

SECTION 3. Classification of the fee. The fees specified in Section 1 and Section 2 of this resolution are classified as not subject to the limits of Section 11b of Article XI of the Oregon Constitution (Ballot Measure 5).

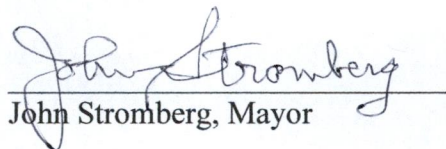
SECTION 4. Resolution 2018-12 is repealed.

This resolution was duly PASSED and ADOPTED this 4th day of June, 2019, and the effective date is July 1, 2019, upon signing by the Mayor.

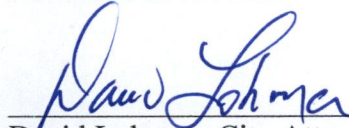


Melissa Huhtala, City Recorder

SIGNED and APPROVED this 5th day of June, 2019.


John Stromberg, Mayor

Reviewed as to form:



David Lohman, City Attorney

City of Ashland, Oregon
WATER RATE SCHEDULE

CITY OF
ASHLAND

All water service provided by the City of Ashland shall be in accordance with Chapter 14.04 of the Ashland Municipal Code.

Billing:

The minimum monthly charge shall be the sum of the Customer Charge; Meter Charge; plus Quantity Charge, if applicable; and Miscellaneous Charges, if applicable. Billing shall occur monthly with charges due and payable upon receipt.

Customer Charge:

A single customer charge is applied to each water account regardless of the number of metered water services.

Customer Charge, per account	July 2018	July 2019
Per month	\$ 12.82	\$ 13.33

Meter Charge:

The meter charge applies to all metered water services and does not include any water consumption.

Meter Charge, per meter	July 2018	July 2019
0.75" and Fire Guard meters	\$ 15.02	\$ 15.62
1" meter	\$ 15.66	\$ 16.29
1.5" meter	\$ 71.65	\$ 74.52
2" meter	\$ 113.86	\$ 118.41
3" meter	\$ 228.32	\$ 237.45
4" meter	\$ 362.11	\$ 376.59
6" meter	\$ 712.51	\$ 741.01
8" meter	\$ 1,129.57	\$ 1,174.75

Quantity Charge:

All customers will be charged the following rates per cubic foot of water used.

Residential, per dwelling unit	July 2018	July 2019
October - May		
0-300 cf per cycle	\$ 0.0269	\$ 0.0280
301 to 1,000 cf per cycle	\$ 0.0335	\$ 0.0348
1,001 to 2,500 cf per cycle	\$ 0.0454	\$ 0.0472
Over 2,500 cf per cycle	\$ 0.0586	\$ 0.0609
Residential, per dwelling unit		
June - September		
0-300 cf per cycle	\$ 0.0269	\$ 0.0280
301 to 1,000 cf per cycle	\$ 0.0335	\$ 0.0348
1,001 to 2,500 cf per cycle	\$ 0.0454	\$ 0.0472
2,501 to 3,600 cf per cycle	\$ 0.0586	\$ 0.0609
Over 3,600 cf per cycle	\$ 0.0754	\$ 0.0784

Residential Irrigation	July 2018	July 2019
October - May		
0-1000 cf per cycle	\$ 0.0335	\$ 0.0348
1,001-2500 cf per cycle	\$ 0.0454	\$ 0.0472
over 2,500 cf per cycle	\$ 0.0586	\$ 0.0609
Residential Irrigation		
June - September		
0 to 1,000 cf per cycle	\$ 0.0335	\$ 0.0348
1,001 to 2,500 cf per cycle	\$ 0.0454	\$ 0.0472
2,501 to 3,600 cf per cycle	\$ 0.0586	\$ 0.0609
Over 3,600 cf per cycle	\$ 0.0754	\$ 0.0784

City of Ashland, Oregon
WATER RATE SCHEDULE

CITY OF
ASHLAND

Commercial, less than 2" meter	July 2018	July 2019
0-2,500 cf per cycle	\$ 0.0335	\$ 0.0348
> 2,500 cf per cycle	\$ 0.0454	\$ 0.0472
Commercial, 2" or larger meter		
0-15,000 cf per cycle	\$ 0.0335	\$ 0.0348
> 15,000 cf per cycle	\$ 0.0454	\$ 0.0472

Institutional (governmental and municipal)	July 2018	July 2019
Per cubic foot	\$ 0.0321	\$ 0.0334

Commercial and Institutional Irrigation	July 2018	July 2019
October to May	\$ 0.0362	\$ 0.0376
June to September	\$ 0.0490	\$ 0.0510

Miscellaneous Charges:

TID Irrigation:

TID, unmetered service	July 2018	July 2019
Per season, per acre or portion of acre	\$ 211.81	\$ 241.18
TID, metered service		
Meter Replacement Charge*, by meter size		
0.75" meter	\$ 1.29	\$ 1.34
1" meter	\$ 1.93	\$ 2.01
1.5" meter	\$ 3.05	\$ 3.17
2" meter	\$ 4.11	\$ 4.27
3" meter	\$ 8.80	\$ 9.15
4" meter	\$ 19.12	\$ 19.88
6" meter	\$ 26.51	\$ 27.57
8" meter	\$ 31.97	\$ 33.25
Quantity Charge	\$ 0.0024	\$ 0.0025

**Meter replacement charge is assessed each month, regardless of consumption.*

Fire Protection Service:

Fire Protection Service	July 2018	July 2019
Customer Charge, if applicable	\$ 12.82	\$ 13.33
Meter Replacement Charge	\$ 1.29	\$ 1.34
Meter Charge	\$ 15.02	\$ 15.62
Quantity Charge	\$ 0.0369	\$ 0.0384
Unmetered Fire Protection Service	\$ 15.02	\$ 15.62

Bulk Water:

For water provided on a temporary basis through a bulk meter on a fire hydrant, the following charges apply:

Bulk Water	July 2018	July 2019
Deposit*	\$ 2,030.38	\$ 2,111.60
Basic Fee	\$ 256.37	\$ 266.62
Quantity Charge	\$ 0.0369	\$ 0.0384

**Deposit is refundable less basic fee, quantity charge, and any damage to the city meter, valve, wrench, and/or hydrant.*

Outside City Limits:

All rates and charges for water service provided outside the city limits will be 1.5 times the rates for water service provided within the city limits.

EXHIBIT A

Council June 2019





Council Business Meeting

Date: June 3, 2025

Agenda Item	Approval of Goods & Services Contract – Water Quality Temperature Trading Program Partnership (2025-2031); Phase 3A Stewardship & Monitoring
Department	Public Works
From	Scott Fleury, Director

TIME ESTIMATE

5 minutes

CATEGORY

Action Needed - Motion to approve an action

SUMMARY

The City Council is being asked to approve a new goods and services contract with The Freshwater Trust (TFT) for the third phase of the City's Département of Environmental Quality (DEQ) Water Quality Trading Program. The overall program ensures temperature compliance under the National Pollution Discharge Elimination System Permit (NPDES) for City's wastewater effluent that outfalls into Bear Creek.

The phase 3A contract for the Water Quality Temperature Trading Program Partnership (2025-31), will complete six (6) years of stewardship and monitoring of all the riparian restoration sites developed and credited in phase 2. The stewardship and monitoring program is consistent with the DEQ accepted water quality trading plan, reference attachment #2.

POLICIES, PLANS & GOALS SUPPORTED

VISION STATEMENTS for Success:

- *Ashland is a resilient, sustainable community that maintains the distinctive quality of place for which it is known*
- *We will continue to be a unique and caring city that stresses environmental conservation, fosters artistic expression, and is open to new ideas and innovation*
- *We will plan and direct our efforts to fulfill this Vision for the long term with a constant view toward being an open, welcoming community for all with a positive economic future*

VALUE STATEMENTS for Success that Support the Vision:

COMMUNITY

- Environmental resilience, including addressing climate change and ecosystem conservation

ORGANIZATION

- Quality infrastructure and facilities through timely maintenance and community investment

BACKGROUND AND ADDITIONAL INFORMATION

PREVIOUS COUNCIL ACTION

At the September 4, 2018 business meeting the City Council approved a personal services contract with The Freshwater Trust for phase 1 professional services to develop and begin implementation of a water quality trading program.

At the July 19, 2019 business meeting the City Council approved a goods and services contract for phase 2, implementation over six (6) years of Water Quality Trading projects to generate credits for wastewater effluent



Council Business Meeting

temperature compliance.

BACKGROUND AND ADDITIONAL INFORMATION

As outlined in the City's National Pollution Discharge Elimination System Permit (NPDES) and Water Quality Trading Plan for the Wastewater Treatment Plant effluent, the City was required to develop, implement and monitor water quality trading (shading) projects to offset wastewater effluent temperatures in the watershed surrounding the outfall. To date the City has completed phase 1, development of the water quality trading plan and associated shading project costs to meet credit obligations and phase 2, implementation of thermal credit projects along with monitoring and verification.

In order to maintain NPDES permit compliance and follow the monitoring and stewardship requirements outlined in the water quality trading plan a phase 3A scope and contract are before the Council for approval.

The scope of work is for the first six years of Phase 3 of the program for continued stewardship, monitoring, and reporting necessary to ensure the ongoing validity of the Thermal Credits and maintain compliance with the City's temperature obligations in its NPDES Permit. Under this Scope of Work (Phase 3A), TFT will continue to serve as the Credit Program Manager (CPM), taking all actions necessary to continue stewarding the projects and maintain the resulting Thermal Credits.

Water Quality Trading Plan

A water quality trading plan must include a do and include for the following:

- Provide for monitoring and stewardship for the 20-year credit life
- Proposed methods and frequency of how water quality benefits generated by a trading project will be monitored." In addition, an entity that engages in trading must submit an annual report that includes all of the elements described in OAR 340-039-0017(3).
- The monitoring schedule should be consistent with the Willamette Partnership's February 2016 riparian addendum to its General Crediting Protocol. Consistent with that protocol, a specific combination of the following three types of monitoring approaches will be applied throughout the life of each riparian restoration project to ensure that the project continues to function as expected as it relates to the performance metrics identified in the document.

1) **Quantitative monitoring:** project developer implements vegetation monitoring protocol by sampling random plots on site; implements repeat photo monitoring at full set of on-the-ground camera points; reports on full suite of performance standards.

2) **Qualitative monitoring:** on-site, rapid, but standardized, qualitative review of site condition and progress toward performance metrics accompanied by subset of repeat photos from on-the-ground camera points used in quantitative years. The same set of camera points will be repeated in all qualitative monitoring years.

3) **Remote monitoring:** remote sensing information to provide visual evidence that site still exists; e.g., a current year aerial image or LiDAR taken during growing season to document site persistence.





Council Business Meeting

1 Site: Monitoring Approach	Completed Growing Seasons After Planting and Initial Verification										
	Y0	Y1	Y2	Y3	Y4	Y5	Y6	Y7	Y8	Y9	Y10
Quantitative Monitoring	✓	✓		✓		✓					✓
Qualitative Monitoring			✓		✓		✓		✓		
Remote Monitoring ⁷²								✓		✓	
Continued	Completed Growing Seasons After Planting and Initial Verification										
	Y11	Y12	Y13	Y14	Y15	Y16	Y17	Y18	Y19	Y20	
Quantitative Monitoring					✓						✓
Qualitative Monitoring		✓					✓				
Remote Monitoring	✓		✓	✓		✓		✓	✓		

FISCAL IMPACTS

The Freshwater Trust estimates the contractual cost for the 2025-2027 Biennium will be \$475k of the projected \$1.2 million overall project cost (2025-2031). Staff has requested appropriations in the 2025-2027 budget to cover the anticipated stewardship and monitoring contract costs. Wastewater fees and system development charges will cover the cost of phase 3A as the Department of Environmental Quality State Revolving Fund loan process does not cover continuing maintenance. DEQ did support the development and implementation of the program under a state revolving fund loan previously approved by Council.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

I move to approve the execution of a goods and services contract with The Freshwater Trust for the Water Quality Temperature Trading Program Partnership; Phase 3A.

REFERENCES & ATTACHMENTS

1. GOODS AND SERVICES AGREEMENT - Phase 3A TFT 5.27.2025
2. Water Quality Trading Plan-Approved



GOODS AND SERVICES AGREEMENT (GREATER THAN \$35,000)

CITY OF ASHLAND

20 East Main Street
Ashland, Oregon 97520
Telephone: 541/488-5587
Fax: 541/488-6006

CONTRACTOR: The Freshwater Trust

CONTACT: Tim Wigington

ADDRESS: PO Box 9205
Portland, OR 97207

PHONE: 503-222-9091

EMAIL: Tim@thefreshwatertrust.org

This Goods and Services Agreement (hereinafter "Agreement") is entered into by and between the City of Ashland, an Oregon municipal corporation (hereinafter "City") and The Freshwater Trust, an Oregon nonprofit corporation (hereinafter "Contractor"), for Water Quality Temperature Trading Program Partnership Phase 3A (2025-2031).

1. CONTRACTOR'S OBLIGATIONS

- 1.1 Provide Water Quality Temperature Trading Program Partnership: Phase 3A (2025-2031) as set forth in the Scope of Work ("Exhibit B"). The Scope of Work and other "SUPPORTING DOCUMENTS" are attached hereto and, by this reference, incorporated herein. Contractor expressly acknowledges that time is of the essence of any completion date set forth in the SUPPORTING DOCUMENTS, and that no waiver or extension of such deadline may be authorized except in the same manner as herein provided for authority to exceed the maximum compensation. The goods and services defined and described in the Scope of Work shall hereinafter be collectively referred to as "Work."
- 1.2 Contractor shall obtain and maintain during the term of this Agreement and until City's final acceptance of all Work received hereunder, a policy or policies of liability insurance including commercial general liability insurance with a combined single limit, or the equivalent, of not less than \$2,000,000 (two million dollars) per occurrence for Bodily Injury and Property Damage.
 - 1.2.1 The insurance required in this Article shall include the following coverages:
 - Comprehensive General or Commercial General Liability, including personal injury, contractual liability, and products/completed operations coverage;
 - Automobile Liability; and
 - Workers' Compensation.
 - 1.2.2 Each policy of such insurance shall be on an "occurrence" and not a "claims made" form, and shall:
 - Name as additional insured "the City of Ashland, Oregon, its officers, agents and employees" with respect to claims arising out of the provision of Work under this Agreement;
 - Apply to each named and additional named insured as though a separate policy had been issued to each, provided that the policy limits shall not be increased thereby;

- Apply as primary coverage for each additional named insured except to the extent that two or more such policies are intended to "layer" coverage and, taken together, they provide total coverage from the first dollar of liability;
 - Contractor shall immediately notify the City of any change in insurance coverage;
 - Contractor shall supply an endorsement naming the City, its officers, employees and agents as additional insureds by the Effective Date of this Agreement; and
 - Be evidenced by a certificate or certificates of such insurance approved by the City.
- 1.3 Contractor shall, at its own expense, maintain Worker's Compensation Insurance in compliance with ORS 656.017, which requires subject employers to provide workers' compensation coverage for all of its subject workers. As evidence of the insurance required by this Agreement, the Contractor shall furnish an acceptable insurance certificate prior to commencing any Work.
- 1.4 Contractor agrees that no person shall, on the grounds of race, color, religion, creed, sex, marital status, familial status or domestic partnership, national origin, age, mental or physical disability, sexual orientation, gender identity or source of income, suffer discrimination in the performance of this Agreement when employed by Contractor. Contractor agrees to comply with all applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations. Further, Contractor agrees not to discriminate against a disadvantaged business enterprise, minority-owned business, woman-owned business, a business that a service-disabled veteran owns or an emerging small business enterprise certified under ORS 200.055, in awarding subcontracts as required by ORS 279A.110.
- 1.5 In all solicitations either by competitive bidding or negotiation made by Contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractors of the Contractor's obligations under this Agreement and Title VI of the Civil Rights Act of 1964 and other federal nondiscrimination laws.
- 1.6 **Living Wage Requirements:** If the amount of this Agreement is \$25,335.05 or more, Contractor is required to comply with Chapter 3.12 of the Ashland Municipal Code by paying a living wage, as defined in that chapter, to all employees performing Work under this Agreement and to any Subcontractor who performs 50% or more of the Work under this Agreement. Contractor is also required to post the notice attached hereto as "Exhibit A" predominantly in areas where it will be seen by all employees.

2. CITY'S OBLIGATIONS

- 2.1 City shall pay Contractor the sum of \$1,298,737 (the "Contract Sum") as provided herein as full compensation for the Work as specified in the SUPPORTING DOCUMENTS. Any subtotals out of this Contract sum associated with future biennia are contingent upon City budgeting and appropriations approval in that biennium.
- 2.1.1 At least eight (8) months prior to the start of a new City biennium, Contractor will provide the City with an updated budget forecast for the next City biennium budgeting and appropriations cycle. Contractor's budget forecast may include a 15% contingency to be released by the City at the end of each biennium if sufficiently justified by Contractor.
- 2.1.2 Contractor will adjust its rates on a biannual basis to account for inflation. These adjustments will be based on the Consumer Price Index-All Urban Consumers (CPI-U) for the West Region. There will be no decrease in Contractor's rates in the case of deflation.

2.1.3 If expenses during a biennium exceed the appropriated amount for that biennium due to inflation, as measured by the CPI-U for the West Region, Contractor will provide notice to the City of necessary adjustments to the Contract. The City will negotiate a Change Order or Scope of Work adjustment to provide appropriate compensation.

- 2.2 Except as provided in Article 2.1, in no event shall Contractor's total of all compensation and reimbursement under this Agreement exceed the sum of \$1,298,737 without express, written approval from the City official whose signature appears below, or such official's successor in office. Contractor expressly acknowledges that no other person has authority to order or authorize additional Work which would cause this maximum sum to be exceeded and that any authorization from the responsible official must be in writing. Contractor further acknowledges that any Work delivered or expenses incurred without authorization as provided herein is done at Contractor's own risk and as a volunteer without expectation of compensation or reimbursement.
- 2.3 Contractor will invoice the City for Work performed according to the rates listed in Exhibit F, which may be adjusted according to Article 2.1, and for direct and subcontract costs incurred. The City shall pay all invoices within sixty (60) calendar days of the date of any invoice received from Contractor. Contractor shall not submit more than one (1) invoice to the City in any thirty (30) day period.

3. GENERAL PROVISIONS

- 3.1 This is a non-exclusive Agreement. City is not obligated to procure any specific amount of Work from Contractor and is free to procure similar types of goods and services from other Contractors in its sole discretion.
- 3.2 Contractor is an independent contractor and not an employee or agent of the City for any purpose.
- 3.3 Contractor is not entitled to, and expressly waives all claims to City benefits such as health and disability insurance, paid leave, and retirement.
- 3.4 Contractor shall be fully responsible for the acts or omissions of any assigns or subcontractors and of all persons employed by them, and any assignment or subcontract shall not create any contractual relation between the assignee or subcontractor and the City.
- 3.5 This Agreement embodies the full and complete understanding of the parties respecting the subject matter hereof. It supersedes all prior agreements, negotiations, and representations between the parties, whether written or oral.
- 3.6 This Agreement may be amended only by written instrument executed with the same formalities as this Agreement.
- 3.7 The following laws of the State of Oregon are hereby incorporated by reference into this Agreement: ORS 279B.220, 279B.230 and 279B.235.
- 3.8 This Agreement shall be governed by the laws of the State of Oregon without regard to conflict of laws principles. Exclusive venue for litigation of any action arising under this Agreement shall be in the Circuit Court of the State of Oregon for Jackson County unless exclusive jurisdiction is in federal court, in which case exclusive venue shall be in the federal district court for the district of Oregon. Each party expressly waives any and all rights to maintain an action under this Agreement in any other venue, and expressly consents that, upon motion of the other party, any case may be dismissed or its venue transferred, as appropriate, so as to effectuate this choice of venue.

- 3.9 Contractor shall defend, save, hold harmless and indemnify the City and its officers, employees and agents from and against any and all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from, arising out of, or relating to the activities of Contractor or its officers, employees, contractors, or agents under this Agreement. Nothing herein shall be construed to obligate Contractor to indemnify the City against any claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature attributable to the City's sole negligence or willful misconduct.
- 3.10 To the fullest extent provided by law, including but not limited to the Oregon Tort Claims Act, the City shall defend, save, hold harmless and indemnify Contractor and its officers, employees and agents from and against any and all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from, arising out of, or relating to the negligence or willful misconduct of the City or its officers, employees, contractors, or agents under this Agreement. Nothing herein shall be construed to obligate the City to indemnify Contractor against any claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature attributable to the Contractor's sole negligence or willful misconduct.
- 3.11 Neither party to this Agreement shall hold the other responsible for damages or delay in performance caused by acts of God, strikes, lockouts, accidents, or other events beyond the control of the other or the other's officers, employees or agents (collectively, Force Majeure). If a Force Majeure event occurs that causes or may cause delay or nonperformance, Contractor shall, within 30 days, notify the City in writing of the case, anticipated duration or the delay or non-performance and the measures that have been or will be taken to end or minimize the delay or non-performance. Contractor shall not be liable for the loss of Thermal Credits caused by a Force Majeure event beyond the contributed performance of Work to the degree practicable, and such schedule will be extended for a period reasonably equivalent to the time lost because of the Force Majeure event. The decision to extend any deadline because of a Force Majeure event shall be determined by Contractor in its reasonable discretion, and Contractor will cooperate in good faith with the City when determining if such an extension is necessary.
- 3.12 If any provision of this Agreement is found by a court of competent jurisdiction to be unenforceable, such provision shall not affect the other provisions, but such unenforceable provision shall be deemed modified to the extent necessary to render it enforceable, preserving to the fullest extent permitted the intent of Contractor and the City set forth in this Agreement.
- 3.13 Deliveries will be F.O.B destination. Contractor shall pay all transportation and handling charges for the Goods. Contractor is responsible and liable for loss or damage until final inspection and acceptance of the Goods by the City. Contractor remains liable for latent defects, fraud, and warranties.
- 3.14 The City may inspect and test the Goods. The City may reject non-conforming Goods and require Contractor to correct them without charge or deliver them at a reduced price, as negotiated. If Contractor does not cure any defects within a reasonable time, the City may reject the Goods and cancel this Agreement in whole or in part. This paragraph does not affect or limit the City's rights, including its rights under the Uniform Commercial Code, ORS Chapter 72 (UCC).
- 3.15 Contractor represents and warrants that the Goods are new, current, and fully warranted by the manufacturer. Delivered Goods will comply with SUPPORTING DOCUMENTS and be free from defects in labor, material and manufacture. Contractor shall transfer all warranties to the City. Contractor makes no other representation and grants no other warranties, express or implied, and specifically disclaims all representations and warranties of any type not set forth in this Agreement.

3.16 For purposes of this Agreement “Confidential Information” shall include, but is not limited to (i) information concerning the Disclosing Party’s business methods and practices, personnel, customers, prospective partners, customers, and suppliers; (ii) information concerning inventions, processes, methods, products, know-how, patents, patent applications, intellectual property, and other proprietary rights; (iii) specifications, drawings, models, samples, tools, computer programs, technical information, presentations, and related materials; and (iv) all prepared notes, documents and materials which reflect, interpret, evaluate, include or are derived from Confidential Information. The City and Contractor have shared and will continue to share Confidential Information. The City is subject to public disclosure requirements of ORS 192.410 to 192.505. Confidential Information may only be shared when required to comply with Oregon law and in accordance with the following process:

- 3.16.1 In the event the City receives a request for any Confidential Information under Oregon law, the City shall provide Contractor with written notice of the request within two (2) business days of the receipt of the request.
- 3.16.2 If Contractor does not object to the disclosure of the requested Confidential Information within ten (10) business days of receiving the notice, the City may disclose the Confidential Information without reservation or condition and without any liability to Contractor.
- 3.16.3 If Contractor objects to the disclosure of the requested Confidential Information within ten (10) business days of receiving the notice, the City shall assert a trade secret exemption and shall not disclose any information subject to the exemption.

4. SUPPORTING DOCUMENTS

4.1 The following documents are, by this reference, expressly incorporated in this Agreement, and are collectively referred to in this Agreement as the "SUPPORTING DOCUMENTS:"

- Contractor’s complete written Third Scope of Work for the City of Ashland for “Water Quality Temperature Trading Program – Phase 3A” dated May, 2025 (Exhibit B)
- Contractor’s complete written Second Scope of Work for the City of Ashland for “Water Quality Temperature Trading Program – Phase II” dated July 29, 2019 (Exhibit C)
- Contractor’s complete written Scope of Work for the City of Ashland for “Water Quality Temperature Trading Program Partnership” dated August 21, 2018 (Exhibit D)
- The City of Ashland Water Quality Trading Plan (Exhibit E)
- Contractor’s 2025-2026 Billing Rate Sheet (Exhibit F)

4.2 This Agreement and the SUPPORTING DOCUMENTS shall be construed to be mutually complimentary and supplementary wherever possible. In the event of a conflict which cannot be so resolved, the provisions of this Agreement itself shall control over any conflicting provisions in any of the SUPPORTING DOCUMENTS. In the event of conflict between provisions of two of the SUPPORTING DOCUMENTS, the several supporting documents shall be given precedence in the order listed in Article 4.1.

5. REMEDIES

- 5.1 In the event Contractor is in default of this Agreement, City may, at its option, pursue any or all of the remedies available to it under this Agreement and at law or in equity, including, but not limited to:
 - 5.1.1 Termination of this Agreement;
 - 5.1.2 Withholding all monies due for the Work that Contractor has failed to deliver within any scheduled completion dates or any Work that have been delivered inadequately or defectively;
 - 5.1.3 Initiation of an action or proceeding for damages, specific performance, or declaratory or injunctive relief;

5.1.4 These remedies are cumulative to the extent the remedies are not inconsistent, and City may pursue any remedy or remedies singly, collectively, successively or in any order whatsoever.

5.2 In no event shall City be liable to Contractor for any expenses related to termination of this Agreement or for anticipated profits. If previous amounts paid to Contractor exceed the amount due, Contractor shall pay immediately any excess to City upon written demand provided.

6. TERM AND TERMINATION

6.1 Term. This Agreement shall be effective from the date of execution on behalf of the City as set forth below (the “Effective Date”), and shall continue in full force and effect until June 30, 2031, unless sooner terminated as provided in Article 6.2.

6.2 Termination

6.2.1 The City and Contractor may terminate this Agreement by mutual agreement at any time.

6.2.2 The City may, upon not less than one hundred and eighty (180) days’ prior written notice, terminate this Agreement for any reason deemed appropriate in its sole discretion.

6.2.3 Either party may terminate this Agreement, with cause, by not less than fourteen (14) days’ prior written notice if the cause is not cured within that fourteen (14) day period after written notice. Such termination is in addition to and not in lieu of any other remedy at law or equity.

6.2.4 Contractor may terminate this Agreement if the Work is stopped for a period of ninety (90) consecutive days through no act or fault of Contractor or a subcontractor, sub-subcontractor or their agents or employees or other persons or entities performing portions of the Work under direct or indirect contract with Contractor, for any of the following reasons:

- (i) Issuance of an order of a court or other public authority having jurisdiction that requires all Work to be stopped;
- (ii) An act of government, such as a declaration of national emergency that requires all Work to be stopped; or
- (iii) Because the City has not made a payment within the time provided in this Agreement.

6.3 If this Agreement is terminated under Article 6.2, Contractor may recover from City payment for Work performed and any costs incurred by reason of such termination.

7. NOTICE

Whenever notice is required or permitted to be given under this Agreement, such notice shall be given in writing to the other party by personal delivery, by sending via a reputable commercial overnight courier, or by mailing using registered or certified United States mail, return receipt requested, postage prepaid, to the address set forth below:

If to the City:

City of Ashland – Public Works Department
Attn: Scott Fleury PE, Public Works Director
20 E. Main Street
Ashland, Oregon 97520
Phone: (541) 488-5347

With a copy to:

City of Ashland – Legal Department
20 E. Main Street
Ashland, Oregon 97520
Phone: (541) 488-5350

If to Contractor:

The Freshwater Trust
Attn: Vice President of People & Operations
PO Box 9205
Portland, OR 97207

8. WAIVER OF BREACH

One or more waivers or failures to object by either party to the other's breach of any provision, term, condition, or covenant contained in this Agreement shall not be construed as a waiver of any subsequent breach, whether or not of the same nature.

9. CONTRACTOR'S COMPLIANCE WITH TAX LAWS

9.1 Contractor represents and warrants to the City that:

9.1.1 Contractor shall, throughout the term of this Agreement, including any extensions hereof, comply with:

- (i) All tax laws of the State of Oregon, including but not limited to ORS 305.620 and ORS chapters 316, 317, and 318;
- (ii) Any tax provisions imposed by a political subdivision of the State of Oregon applicable to Contractor; and
- (iii) Any rules, regulations, charter provisions, or ordinances that implement or enforce any of the foregoing tax laws or provisions.

9.1.2 Contractor further certifies that contractor is not in violation of any Oregon tax laws referenced in ORS 305.380(4).

9.2 Contractor's failure to comply with the tax laws of the State of Oregon and all applicable tax laws of any political subdivision of the State of Oregon shall constitute a material breach of this Agreement. Further, any violation of Contractor's warranty, as set forth in this Article 9, shall constitute a material breach of this Agreement. Any material breach of this Agreement shall entitle the City to terminate this Agreement and to seek damages and any other relief available under this Agreement, at law, or in equity.

IN WITNESS WHEREOF the parties have caused this Agreement to be signed in their respective names by their duly authorized representatives as of the dates set forth below.

CITY OF ASHLAND:

By: _____
Sabrina Cotta, City Manager

Printed Name

Date

The Freshwater Trust (CONTRACTOR):

By: _____
Signature

Printed Name

Title

Date

Purchase Order No. _____

(W-9 is to be submitted with this signed Agreement)

APPROVED AS TO FORM:

City Attorney

Date

EXHIBIT A

CITY OF ASHLAND, OREGON

City of Ashland LIVING WAGE

ALL employers described below must comply with City of Ashland laws regulating payment of a living wage.



\$18.92 per hour, effective June 30, 2024.

The Living Wage is adjusted annually every June 30 by the Consumer Price Index.

Employees must be paid a living wage:

- For all hours worked under a service contract between their employer and the City of Ashland if the contract exceeds **\$26,429.65** or more.
- For all hours worked in a month, if the employee spends 50% or more of the employee's time in that month working on a project or

portion of the business of their employer, if the employer has ten or more employees, and has received financial assistance for the project or business from the City of Ashland over **\$26,429.65**;

- If their employer is the City of Ashland, including the Parks and Recreation Department.
- In calculating the living wage, employers may add the value

of health care, retirement, 401K, and IRS eligible cafeteria plans (including childcare) benefits to the employee's amount of wages.

- **Note:** For temporary and part-time employees, the Living Wage does **not** apply to the first 1040 hours worked in any calendar year. For more details, please see Ashland Municipal Code Section 3.12.020.

For additional information:

Call the Ashland City Manager's office at 541-488-6002 or write to the City Manager, City Hall, 20 East Main Street, Ashland, OR 97520, or visit the City's website at www.ashland.or.us.

Notice to Employers: This notice must be posted in areas where it can be seen by all employees.



Exhibit B

Exhibit B

City of Ashland – Water Quality Temperature Trading Program

Scope of Work: Phase 3A– Stewardship & Reporting

Credit Program Management Services for the City of Ashland 2025-2031

May, 2025

Background

The City of Ashland (the City) selected The Freshwater Trust (TFT) as its partner to develop and implement a water quality trading (WQT) program for temperature compliance with the Clean Water Act. The City's Water Quality Trading Plan (WQT Plan), which was accepted by the Oregon Department of Environmental Quality (DEQ) as consistent with Oregon's Water Quality Trading Rule, relies on implementing riparian revegetation projects to generate credits (Thermal Credits) to satisfy the City's anticipated temperature obligations. TFT has previously completed two phases of work for the City's WQT program.

In the Phase 1 planning phase, TFT estimated the cost to implement the full program the City's Thermal Credit requirements (the City originally projected needing 130M Thermal Credits, which was increased to 135M Thermal Credits in the WQT Plan). This total covers the entire projected 25-year program period.¹ To align with the City's capital improvement project planning process, the City originally requested that TFT break this 25-year program into three periods: (1) Phase 2 – the first six program years, which aligned with the City's Public Works CIP "capital" planning phase and where the majority of State Revolving Fund (SRF) loan-eligible capital expenses would be incurred; (2) Phase 3 – the remaining fourteen years of the City's 20-year capital planning period; and (3) Phase 4 – the five anticipated program years that will fall outside of the City's 20-year capital planning period.

Phase 2 covered the initial six program years, from September 2019 to June 2025. In Phase 2 TFT implemented the Thermal Credit Projects (identified in the table in Section (C)) and completed all the required monitoring and reporting for those Projects.

This Scope of Work is for the first six years of Phase 3 of the program (the remaining fourteen years of the City's 20-year capital planning period), the continued stewardship, monitoring, and reporting necessary to ensure the ongoing validity of the Thermal Credits and maintain compliance with the City's temperature obligations in its NPDES Permit. Under this Scope of Work (Phase 3A), TFT will continue to serve as the Credit Program Manager (CPM), taking all actions necessary to continue stewarding the projects and maintain the resulting Thermal Credits.

¹ The City's Thermal Credits have a 20-year compliance lifetime. In addition, TFT projected a 5-year Thermal Credit Project implementation (i.e., planting and plant establishment) window, resulting in a 25-year program.



Definitions

1. Credit Program Manager (CPM) – The entity selected by the City of Ashland to deliver and steward Thermal Credits under this Agreement and in accordance with the DEQ-approved Water Quality Trading Plan for the City of Ashland’s Thermal Credit Program.
2. DEQ – Oregon Department of Environmental Quality.
3. NPDES Permit – National Pollution Discharge Elimination System permit issued by DEQ pursuant to Section 402 of the federal Clean Water Act and Oregon’s implementing regulations.
4. Parties – Collectively, the City of Ashland and TFT.
5. State Revolving Fund (SRF) – State clean water funding program that supports clean water infrastructure projects. The City used SRF for supporting project implementation (i.e., the first five years of a project), but this funding cannot be used for long-term operations and monitoring expenses.
6. Thermal Credit – One (1) kilocalorie (kcal) per day of avoided solar loading calculated as a rolling seven day average for May 14th using protocols accepted by DEQ. The Thermal Credits can be used for achieving compliance with the NPDES Permit. Modeled kilocalorie reductions became Thermal Credits once they were independently certified for use on the City of Ashland’s compliance ledger. All Thermal Credits generated under the Phase 2 Scope of Work became the property of the City.
7. Thermal Credit Projects – Riparian shade projects implemented by the CPM from 2019-2024 to generate Thermal Credits in conformance with City of Ashland’s NPDES permit and the associated WQT Plan.
8. The Freshwater Trust (TFT) – An Oregon nonprofit corporation that has been contracted by the City of Ashland to serve as its CPM.
9. Water Quality Trading Plan (WQT Plan) – A program summary incorporated into the City of Ashland’s NPDES permit by reference following formal regulatory approval by DEQ.

Proposed Scope of Work: Credit Program Stewardship
July 1, 2025 – June 30, 2031

TFT will act as the CPM for the ten Thermal Credit Projects implemented during Phase 2 (2019-2025) of the Water Quality Temperature Trading Program Partnership, as listed below. TFT will complete the following activities for all sites in the City of Ashland's WQT program from July 1, 2025, through June 30, 2031, including:

1. Project Stewardship. TFT or its sub-consultants will complete all necessary stewardship to maintain the ten Thermal Credit Projects consistent with the WQT Plan. TFT will perform stewardship, monitoring and tracking activities on these projects in accordance with the performance standards outlined in the WQT Plan.
2. Credit Cycle Management. TFT will ensure all proper third-party verification and credit cycle documentation is completed and remains valid for the duration of the Agreement. Each Thermal Credit shall be certified by an independent third-party and registered on a publicly accessible credit registry according to the specifications included in the City of Ashland's WQT Plan. TFT shall ensure that the Thermal Credits remain validly certified and registered for duration of the Agreement.
3. Program Management. TFT will manage the City of Ashland WQT program in accordance with the WQT Plan including communication and outreach with landowners, stakeholders and governmental entities active in the Bear Creek watershed.
4. Reporting.
 - a. Quarterly Reporting: TFT will provide the City of Ashland with quarterly project update reports to appraise the City of Ashland of the status of both individual projects and the entire WQT program.
 - b. Annual Reporting: TFT will provide the City of Ashland with annual project monitoring and performance and monitoring reports by April 30 of each calendar year. TFT will also provide information upon request to support the City of Ashland's WQT compliance reporting.

City of Ashland Thermal Credit Project Sites				
Project name	As-built verification year	SRF Bundle	Thermal Credits (kcal/day; May 14 modeling date)	Forecasted Cost Estimate (2025 – 2031)
1. Bear Creek RM24.05	2020	1	2,360,802	\$ 31,704
2. Bear Creek RM23.5	2020	1	22,378,196	\$ 74,250
3. Bear Creek RM18.8	2021	2	12,627,601	\$ 155,053
4. Bear Creek RM24.8	2021	2	13,470,103	\$ 113,390
5. Ashland Creek RM0.2	2022	2	12,720,207	\$ 121,682

6. Bear Creek RM22.9	2022	3	1,809,042	\$ 144,337
7. Bear Creek RM24.1	2022	3	13,005,133	\$ 40,201
8. Bear Creek RM16.6	2023	4	21,723,493	\$ 143,956
9. Bear Creek RM14.1	2023	4	12,408,560	\$ 280,114
10. Bear Creek RM6.6	2024	5	27,100,787	\$ 194,0436
TOTAL			139,603,924	\$ 1,298,737

Task estimate: \$1,298,737

Deliverables

1. Credit Validity. TFT will complete all stewardship, monitoring, and third-party verification necessary to maintain the validity of the City of Ashland's Thermal Credits in accordance with the City of Ashland's WQT Plan.
2. Reporting. TFT will submit reports to the City of Ashland according to the following schedule:
 - a. Quarterly Reports: For the duration of this Scope of Work, TFT will submit quarterly reports documenting activities undertaken in the previous quarter no later than January 30th, April 30th, July 30th, and October 30th.
 - b. Annual Monitoring Reports: For the duration of this Scope of Work, TFT will submit annual monitoring reports no later than March 31st.

Invoicing

1. Invoicing Requirements.
 - a. Invoice Contents. TFT will invoice the City of Ashland for stewardship, credit cycle and reporting activities. Expenses will be provided to the City of Ashland for each State Revolving Fund loan and designated as loan-eligible or City-funded. Updates to the format of the invoice will be made upon the mutual agreement of the Parties.
 - b. Invoice Timing. TFT will submit invoices to the City of Ashland quarterly, within 30 days of the quarter's close.
 - c. General Requirements. TFT shall submit billings to the attention of:

Scott Fleury, P.E. Public Works Director
City of Ashland, Public Works
20 East Main Street
Ashland, OR 97520
scott.fleury@ashland.or.us

Exhibit C



The Freshwater Trust®

Changing the course
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The Freshwater Trust is a
501(c)(3) not-for-profit organization
that actively works to preserve
and restore our freshwater ecosystems.

Water Quality Temperature Trading Program – Phase II

Second Scope of Work for the City of Ashland

July 29, 2019

Introduction:

The City of Ashland (the City) selected The Freshwater Trust (TFT) as its partner to develop and implement a water quality trading (WQT) program for temperature compliance with the Clean Water Act. The City's Water Quality Trading Plan, which has been accepted by the Oregon Department of Environmental Quality (DEQ) as consistent with Oregon's Water Quality Trading Rule, will focus on implementing riparian revegetation projects to generate credits (Thermal Credits¹) to satisfy the City's expected upcoming temperature obligation (Full WQT Program). Originally, TFT anticipated that this program would consist of three contract phases: 1) program design (Phase I), 2) research/demonstration project implementation (Phase II), and 3) full program implementation (Phase III). After working through Phase I activities, and in consideration of new information learned during this period, TFT and the City have adjusted their approach for later phases.

As part of its Phase I deliverables, TFT projected an overall program cost for the City's Full WQT Program, which the City estimates will require approximately 130 million Thermal Credits. This total covers the entire projected 25-year program period (all credits have a 20-year compliance lifetime and TFT projects a 5-year implementation (planting and plant establishment) window, which results in a 25-year program). To align with the City's capital improvement project (CIP) planning process, the City requested that TFT break this total into three periods: (1) the first six program years, which aligns with the City's Public Works CIP "capital" planning phase and where the majority of State Revolving Fund (SRF) loan-eligible capital expenses will be incurred; (2) the remaining fourteen years of the City's 20-year capital planning period; and (3) the five anticipated program years that will fall outside of the City's 20-year capital planning period.

TFT projected a total program cost for the Full WQT Program of \$4,584,962 (2019 \$), with \$2,605,342 in the first 6-year program period, \$1,717,006 in the next 14-year period, and \$262,614 over the final 5-year period. This second scope of work covers the first 6-year period, which will afford the City and TFT an opportunity to assess progress and actual costs incurred prior to initiating the second 14-year period. In addition, because this scope covers the full anticipated implementation window, it will not force TFT to arbitrarily estimate what projects will be implemented when. Through use of its prioritization and optimization tools, TFT hopes to deliver the

¹ Each Thermal Credit individually represents one (1) negative kilocalorie per day (kcal/day) of thermal input. Thermal Credits shall be calculated using protocols accepted by DEQ. All Thermal Credits generated under this Second Scope of Work shall become the property of the City.

program for less than the estimated total, but proposes to establish contractual not to exceed amounts associated with the more conservative estimate.

Phase 2: Riparian Research Project Implementation

Up to 6 years after commencement of Phase 2

A. WQT project site recruitment, implementation, stewardship & credit cycle:

1. Site recruitment: TFT will select, recruit, and secure site protection agreements from private landowners within the Bear Creek watershed. TFT shall execute contractual agreements with landowners conveying interests in real property to TFT, or otherwise protecting the real property from uses incompatible with the generation and maintenance of Thermal Credits, for a term no less than twenty (20) years from the date of certification of the Thermal Credits generated on the landowner's property. In doing so, TFT will pursue projects that produce comparatively cost-effective credits, and that align with the City's desire to keep projects as close to the City as possible. TFT will closely coordinate with the City to stay aligned on priorities, understanding that the City's ability to approve projects on City-owned lands will be an important variable in determining how many projects can be implemented within or close to City limits.
2. Site implementation, stewardship & credit cycle management: TFT will prep and implement riparian restoration activities on privately owned sites consistent with the Trading Plan, calculate Thermal Credits, and ensure all proper credit cycle documentation is completed. TFT will perform monitoring and stewardship activities, including plant establishment, on these sites through program year six (6). TFT will also support the City in implementing and stewarding WQT projects on City-owned land. TFT will undertake all of these activities in a way that maximizes SRF funding reimbursement.

Task Estimate: \$2,605,342

- B. Stakeholder outreach: Buy-in from local partners and landowners is key to program success. TFT will coordinate with the City to identify key stakeholders, communicate with those stakeholders, and develop and implement a coordinated outreach strategy for the program.

Task Estimate: \$24,700 (160 hours).

- C. Permit support: TFT will provide technical support to the City for its permit discussions with DEQ. Potential activities include amendments/adjustments to the Trading Plan, proper reference and incorporation of trading detail into the City's NPDES permit, compliance schedule development and justification, and incorporation of pre-permit trading sites into post-permit compliance sites.

Task Estimate: \$37,275 (285 hours).

Deliverables:

1. TFT will recruit, implement, and steward all necessary private land credit projects in the Bear Creek watershed. TFT will implement and manage all mutually agreed aspects of City-owned sites. Volume, timing and location of project sites will be dependent on the number of City-owned sites that move forward and landowner interest. TFT will ensure that all credit project sites have been secured and implemented by the end of Phase 2.
2. Outreach strategy summary.

3.As needed permit support.

Phase 2 Not-to-Exceed Amount: \$2,667,317. This total includes:

- \$2,605,342 for all WQT project expenses over the first six program years
- \$24,700 for stakeholder outreach
- \$37,275 for permit support

Suggested Meetings:

- The exact meeting schedule will be determined after contracting, but TFT proposes participation in an in-person kickoff with the City at the beginning of this Scope of Work.
- The Trust expects to lead conference calls and in-person meetings with the City as needed to adequately resource this innovative and complex partnership.

Anticipated Timeline:

Program Year	Year 1				Year 2				Year 3				Year 4				Year 5				Year 6			
Quarters	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Task A																								
Task B																								
Task C																								

Conclusion:

TFT has proposed this Scope of Work based on its deep experience developing temperature credit trading programs for Clean Water Act compliance in Oregon, and in particular in the Rogue River Basin. At the conclusion of this Scope, all project sites will have been implemented.

Contact for next steps:

TFT looks forward to working with the City. Please direct questions, comments and additions to:

Tim Wigington
Attorney & Finance Director
503-222-9091 x41
tim@thefreshwatertrust.org

Eugene Wier
Habitat Restoration Project Manager
541-708-0934
541-227-9858
eugene@thefreshwatertrust.org



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700 SW Taylor Street
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and restore our freshwater ecosystems.

2019-2020 Billing Rate Sheet

Senior Directors	\$175 per hour
Directors	\$145 per hour
Policy Specialist*	\$135 per hour
Project Manager	\$125 per hour
Ecosystem Services Analyst	\$115 per hour
GIS Analyst	\$105 per hour
Monitoring/Field Staff	\$90 per hour
Communications/Design	\$80 per hour
Field Technician	\$70 per hour
Invoice/Administration	\$60 per hour

*While some of The Freshwater Trust's policy specialists are licensed attorneys, The Freshwater Trust only provides policy analysis and not legal advice to its clients.



The
Freshwater Trust®

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Exhibit D



Water Quality Temperature Trading Program Partnership

PROPOSED Scope of Work for the City of Ashland

August 21, 2018

Introduction:

The City of Ashland (the City) has selected The Freshwater Trust (TFT) as its partner to develop and implement a water quality trading program for temperature compliance with the Clean Water Act. The City's Water Quality Trading Plan, which has been accepted by the Oregon Department of Environmental Quality (DEQ) as consistent with Oregon's Water Quality Trading Rule, will focus on implementing riparian revegetation projects to generate credits to satisfy the City's expected upcoming temperature obligation. Developing this program will consist of three phases: 1) program design (Phase I), 2) research/demonstration project implementation (Phase II), and 3) full program implementation (Phase III). Phase III will commence after the City receives its updated NPDES permit. The project implementation, program administration, and credit cycle activities associated with Phase III will be informed by the lessons learned through Phases I-II. TFT has outlined the subtasks and "not to exceed" cap for the first two phases. While included for illustrative purposes, the City and TFT only intend to contract for Phase I activities at this time.

Phase 1: Trading Program Design

Up to 6 months after project kick-off

- A. **Program planning and prioritization:** Through geospatial analysis and modeling with a geographically-calibrated module of HeatSource named Shade-a-lator, TFT identified credit potential in the Bear Creek trading area in 2016. TFT will refresh these estimates to reflect current conditions. TFT will coordinate with the City to determine which City-owned sites could be good candidates for credit generation, and will identify the privately-owned sites in the trading area that have both high credit generation potential and potentially interested landowners. **Task Estimate:** \$21,150 (175 hours).
- B. **Program cost range:** After obtaining a better understanding of City priorities and potential private land participants, and the likely public-private blend of sites, TFT will run various scenarios in order to provide the City with a likely program cost range. TFT cost scenarios will be based on the site-specific credit and site size information confirmed from (A), as well as current restoration costs experienced by TFT in the Rogue Basin. TFT's cost estimate will have a target accuracy of -20% to +30%, which is consistent with the accuracy range for a "Class 5" cost estimate described by the Association for the Advancement of

Cost Engineering.¹ TFT will further refine this estimate based on the experience obtained through Phase II activities. **Task Estimate:** \$13,800 (100 hours).

- C. **SRF administration:** DEQ has determined that most activities occurring at riparian revegetation sites within five (5) years of implementation can be eligible for SRF reimbursement. TFT will propose an SRF administration approach aimed at maximizing the eligibility of activities for SRF reimbursement within these timelines, and will produce an estimated breakdown of site costs by SRF-eligible and non SRF-eligible expenses. TFT will lead in coordinating with DEQ to finalize any necessary documentation needed to support use of SRF funds in the trading program. **Task Estimate:** \$11,850 (70 hours).
- D. **Long-term stewardship financial approach:** Because trading sites must be actively stewarded for 20 years (longer here because of desire to delay credit life activation until the City receives its updated permit), but SRF reimbursement eligibility only lasts for five years post-implementation, the City will need to ensure that adequate funds are available to cover these long-term stewardship activities. TFT will coordinate with the City to develop a financial strategy for covering these long-term costs in the most cost-effective manner. **Task Estimate:** \$7,000 (40 hours).
- E. **Program tracking and reporting templating:** Over the last decade, TFT has identified the tracking and reporting documentation necessary to efficiently and effectively administer a trading program. To ensure that the City's trading program documentation will remain consistent with its Trading Plan, TFT: 1) will update and customize landowner lease agreements; 2) coordinate with the City to help draft durable and trading-appropriate easement language for City-owned trading sites; 3) recommend a trading program tracking approach that is both consistent with Oregon trading rules and cost-effective for the City; 4) coordinate with the City to develop SRF and other DEQ reporting templates; and 5) develop the overall stewardship and third party verification system as discussed in the Trading Plan. **Task Estimate:** \$25,950 (210 hours).
- F. **Supply chain scaling:** During the pre-permit phase, it will be important to scale up the supply and labor chain so that when the City receives a thermal compliance obligation and compliance schedule, implementation and management of the program can proceed smoothly. TFT will coordinate with the City to identify the likely annual trading program funding availability over the next decade and then recommend a responsive funding and implementation arc to maximize economies of scale in the supply and labor chain. **Task Estimate:** \$27,800 (220 hours).

Deliverables:

1. Updated credit potential analysis for Bear Creek (digitally and in map format with spreadsheet (excel) backup).
2. Summary analysis of best prospects, with initial outreach completed and results documented.
3. Program cost range estimate for full trading program. This includes all three phases – the third phase being the costs of the longer term stewardship activities for full credit life.

¹ "Class 5 estimates are generally prepared based on very limited information, and subsequently have wide accuracy ranges...." AACE, International Recommended Practice No. 10S-90, Cost Engineering Terminology, <http://www.aacei.org/terminology/>. For a Class 5 cost estimate, the AACE expects -20% to -50% in cost variation on the low end of the range, and +30% to +100% on the high end of the range.

4. SRF administration approach aimed at maximizing the eligibility of activities for SRF reimbursement, with estimated breakdown of site costs by SRF-eligible and non SRF-eligible expenses.
5. Financial plan and recommendation for effective long-term stewardship of sites.
6. Customized landowner lease agreement template, which will require City legal approval and City Council approval of the overall lease structure.
7. Durable and trading appropriate easement language for City-owned trading sites.
8. Summary memo articulating trading program tracking approaches and recommendations.
9. SRF and other DEQ reporting templates.
10. Recruitment timing recommendations memo based on likely funding levels and ability to maximize supply chain efficiencies.

Phase 1 Not to Exceed Amount: \$130,988. Includes \$107,050 in projected TFT labor, \$6,853 in projected direct expenses, and a 15% contingency.

Phase 2: Riparian Research Project Implementation

Up to 2 years after project kick-off

- A. **Private site implementation:** TFT will select, recruit, and secure site protection agreements from the first set of private landowners within the Bear Creek watershed. TFT will prep and implement the sites consistent with the Trading Plan, calculate credits, and ensure all proper credit cycle documentation is completed. TFT will perform monitoring and stewardship activities. Stewardship activities include planting establishment. TFT will also test the SRF funding reimbursement approach. **Task Estimate:** \$572,465 (largely comprised of supply/material purchases and subcontractor costs, but also includes TFT labor and direct expenses). The estimated private site costs cover the first 24-months of expected costs at those sites, not the full project site costs that will accrue over the project life (approximately 50% of project site costs are expected to occur in the first two years). Because all sites produce credits differently, these estimated Y1-Y2 project costs are based on what TFT expects it will cost to secure and implement enough sites to fulfill approximately 1/3 of Ashland's estimated credit need (not a particular number of sites; for example, one site could produce 40 million credits, or three could). Once TFT has completed Phase I of this scope and has actual sites recruited/prioritized, the cost and credit return from these sites will be fully known.
- B. **Public site implementation support and leadership:** TFT will support the City in selecting and implementing at least one City-owned demonstration project. TFT will coordinate with the City to identify the roles and responsibilities each partner (City, TFT, implementation contractors) will take with respect to implementing and managing the site. **Task Estimate:** \$54,900 (400 hours), with up to \$34,800 (240 hours) available as contingency that the City may authorize. For this task, TFT has only estimated the costs associated with supporting the City in selecting/managing public demonstration project(s), not implementation costs. Once both parties better understand roles and responsibilities, and specific City site preferences are known, TFT will be able to provide implementation cost estimates for these site(s).

- C. **Lessons learned and approach comparison:** TFT will analyze the lessons learned from each approach, including a cost comparison, and identification of if/where cost categories differ between the two approaches. **Task Estimate:** \$22,325 (160 hours).
- D. **Stakeholder outreach:** Buy-in from local partners and landowners is key to program success. Often, recruitment hinges on finding and persuading the right influencers. TFT will coordinate with the City to identify key stakeholders, communicate with those stakeholders, and ultimately develop and implement a coordinated outreach strategy for the program. **Task Estimate:** \$24,700 (160 hours).
- E. **Permit support:** TFT will support the City in its permit negotiations with DEQ. Potential activities include amendments/adjustments to the trading plan, proper reference and incorporation of trading into the City's NPDES permit, compliance schedule development and justification, and incorporation of pre-permit trading sites into post-permit compliance sites. **Task Estimate:** \$37,275 (285 hours).

Deliverables:

1. TFT will implement and manage all mutually agreed aspects of the public land demonstration site(s).
2. TFT will complete private land credit-ready riparian restoration projects in the Bear Creek watershed. Volume of project sites will be dependent on City funding availability and timing.
3. TFT will draft, in coordination with City staff, a lessons learned and cost comparison document articulating the primary differences and cost impacts associated with the two approaches.
4. Outreach strategy summary.
5. As needed permit support.
6. Develop and implement first stages of the verification process while still preserving maximum credit life for the City's compliance period, and gain DEQ approval of the process.

Phase 2 Not to Exceed Amount: \$753,515. Includes \$572,465 for private site implementation and early establishment costs through the first two years (including all TFT costs); \$174,000 in projected TFT labor (with \$34,800 in Phase 2(B) contingent upon City approval); and \$7,050 in projected direct expenses.

Suggested Meetings:

- The exact meeting schedule will be determined after contracting, but TFT proposes participation in a project team kick-off with the City at the beginning of this Scope of Work.
- The Trust expects to schedule and lead monthly conference calls and quarterly in-person meetings with the City to adequately resource this innovative and complex partnership.

Timeline:

Months	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Phase 1																								
Phase 2*																								

**Phase 2 may start as early as Month 4, but could start as late as Month 7.*

Conclusion:

TFT has proposed this Scope of Work based on its deep experience developing temperature credit trading programs for Clean Water Act compliance in Oregon. At the conclusion of this Scope, all program design steps will have been completed, the City will have several project sites completed, and TFT and the City will have identified the respective roles, responsibilities, costs and implications of further implementing sites on both publicly- and privately-owned land.

Contact for next steps:

TFT looks forward to working with the City. Please direct questions, comments and additions to:

Tim Wigington
Attorney, Finance Director
503-222-9091 x41
tim@thefreshwatertrust.org

Denis Reich
Southern Oregon Programs Director
503-222-9091 x49
503-213-0692
denis@thefreshwatertrust.org



2017-2018 Billing Rate Sheet

Senior Directors	\$175 per hour
Directors	\$140 per hour
Policy Specialist*	\$130 per hour
Project Manager	\$120 per hour
Legal Analyst	\$110 per hour
Ecosystem Services Analyst	\$100 per hour
GIS Analyst	\$90 per hour
Monitoring/Field Staff	\$85 per hour
Communications/Design	\$75 per hour
Field Technician	\$65 per hour
Invoice/Administration	\$55 per hour

*While some of The Freshwater Trust's policy specialists are licensed attorneys, The Freshwater Trust only provides policy analysis and not legal advice to its clients.



Exhibit E

2025 Billing Rate Sheet

President/Vice President	\$280 per hour
Senior Director	\$220 per hour
Director	\$190 per hour
Policy Specialist*	\$175 per hour
Project Manager	\$160 per hour
Senior Analyst	\$160 per hour
Analyst	\$150 per hour
Field Ecologist	\$140 per hour
GIS Analyst	\$135 per hour
Monitoring/Field Staff	\$120 per hour
Communications/Design	\$115 per hour
Field Technician	\$110 per hour
Invoice/Administration	\$80 per hour

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CITY OF ASHLAND WATER QUALITY TRADING PLAN

Regulatory Background Supporting Trading in Oregon

Over the last fifteen years, Oregon has led other states in utilizing innovative methods such as water quality trading to comply with the Clean Water Act (CWA). In 2001, the Oregon Legislature directed the Oregon Department of Environmental Quality (DEQ) to develop a water quality trading program in the Willamette River.¹ In 2003, the U.S. Environmental Protection Agency (EPA) also published its water quality trading policy (2003 EPA Trading Policy), which describes how point and nonpoint sources can participate in market-based approaches to meet water quality standards at a reduced cost. This policy supports water quality trading as a flexible approach to achieving water quality and environmental benefits that would otherwise not be attained under traditional regulatory approaches. The 2003 EPA Trading Policy explicitly endorsed trading for nutrients and sediment loads, and noted that other constituents can likely be traded if the trades have “the potential to improve water quality and achieve ancillary environmental benefits.”²

Following the 2003 EPA Trading Policy, in 2004, DEQ issued a permit to Clean Water Services (CWS) that allowed for trading of thermal credits generated from riparian shade projects to assist two publicly owned treatment works (POTWs) in achieving NPDES permit compliance, and that allowed for the POTWs to generate thermal credits by releasing cold water from an upstream reservoir in order to satisfy the permittee’s thermal obligation. Based on this applied experience, in 2007 and again in 2009, DEQ developed an Internal Management Directive (IMD) meant to help agency staff structure trades in NPDES permits. This expanded guidance coincided with additional guidance from EPA, including a 2007 toolkit for permit writers. In 2011, DEQ issued a permit to the City of Medford that allows for thermal trading between Medford’s POTW and nonpoint sources that create thermal credits through riparian shade projects.

After ten years of experience with trading in the state, DEQ sought to formalize the lessons learned on trading. In 2013, EPA Region 10 joined water quality staff from Oregon, Idaho, and Washington, as well as other stakeholders, in a series of interagency workshops to study the existing water quality trading policies, practices, and programs from across the nation. The ultimate goal of this “Joint Regional Recommendations on Water Quality Trading” (JRR) undertaking was to build on lessons from other trading programs and make recommendations that would ensure future trading programs had “the quality, credibility, and transparency necessary to be consistent with the Clean Water Act.” The end result of this endeavor was a non-binding recommendations document meant to help foster the efficient and consistent development of robust trading programs in the region.³ This effort was then taken to the national level through the “National Network on Water Quality Trading”, which ultimately produced an “Options and Considerations” document outlining the major items to consider when developing a trading program.⁴

Based in large part on the knowledge gained from these experiences, Oregon began crafting water quality trading regulations in 2014. In December 2015, after a year of comprehensive deliberation and stakeholder engagement, the Oregon Environmental Quality Commission (EQC) unanimously approved water quality trading rules (OAR 340 Division 039), which clarified the basic requirements of a viable trading program in Oregon. In March 2016, shortly after the EQC adopted the water quality trading rules, DEQ updated its IMD to complement the management directive and the changes brought about by the new rules. The following trading plan proposal for the City of Ashland is consistent with the rules and the intent of the updated 2016 water quality trading IMD.

¹ OR. REV. STAT. § 468B.555

² U.S. EPA, Water Quality Trading Policy, 68 Fed. Reg. 1608, 1610 (Jan. 13, 2003), *available at* <https://www.gpo.gov/fdsys/pkg/FR-2003-01-13/html/03-620.htm>.

³ Willamette Partnership & The Freshwater Trust, Draft Regional Recommendations for the Pacific Northwest on Water Quality Trading (2014), *available at* <http://willamettepartnership.org/our-stories/regional-recommendations-water-quality-trading/>.

⁴ National Network on Water Quality Trading, Building a Water Quality Trading Program: Options and Considerations (2015), *available at* <http://willamettepartnership.org/wp-content/uploads/2015/06/BuildingaWQTPProgram-NNWQT.pdf>.

Consistency with Water Quality Trading Purpose and Policy

OAD 340-039-0001: PURPOSE AND POLICY

“(1) Purpose. This rule implements ORS 468B.555 to allow entities regulated under the Clean Water Act to meet pollution control requirements through water quality trading. This rule establishes the requirements for water quality trading in Oregon. (2) Policy. The Oregon Department of Environmental Quality may approve water quality trading only if it promotes one or more of the following Environmental Quality Commission policies: (a) Achieves pollutant reductions and progress towards meeting water quality standards; (b) Reduces the cost of implementing Total Maximum Daily Loads (TMDLs); (c) Establishes incentives for voluntary pollutant reductions from point and nonpoint sources within a watershed; (d) Offsets new or increased discharges resulting from growth; (e) Secures long-term improvement in water quality; or (f) Results in demonstrable benefits to water quality or designated uses the water quality standards are intended to protect.”

Ashland’s water quality trading plan is consistent with several EQC policies articulated in the rule. Ashland’s trading plan helps to establish voluntary incentives for nonpoint sources to reduce thermal loading within the Bear Creek watershed.⁵ In addition, unlike traditional technological solutions for treatment facilities, the restoration investment underlying Ashland’s water quality trading program will appreciate over time into a self-sustaining solution,⁶ which helps secure long-term improvements in water quality. Moreover, in addition to creating cooler, shaded spaces in the river for fish, Ashland’s trading solution will directly advantage beneficial uses in the watershed by supporting the recruitment of large wood that supports salmonid spawning, rearing and migration habitat.⁷ In addition to these benefits, Ashland’s trading plan is also likely to improve functional habitat for macro-invertebrate life, provide year-round shading of the waterbody (beyond the time periods when the restored ecosystem will provide shade credits), help minimize nutrient inputs, result in some floodplain restoration, and help control erosion.⁸

In addition to promoting several of the EQC policies articulated in the rule, Ashland’s trading solution will likely help to foster a sustainable local economy.⁹ Riparian plantings require a local workforce (excavators, operators, equipment suppliers, contractors, and maintenance and restoration professionals), plant stock and supplies are typically purchased from local nurseries, and project site leases provide an important income stream to local landowners. On average, 62 cents of every dollar spent on restoration has been shown to stay in the local rural economy, and every \$1 million spent on riparian restoration creates approximately 23 jobs.¹⁰ In addition, trading yields energy use savings compared to technological solutions that require energy to operate—which reduces the release of airborne greenhouse gas pollutants and also aligns with Ashland’s climate mitigation and adaptation goals.¹¹

⁵ Ashland expects that some portion of its projects will be installed on private nonpoint source land. Ashland envisions that those landowners will be incentivized to participate in the program through financial mechanisms, including lease payments.

⁶ The solution is “self-sustaining” because, for example, when a mature tree naturally falls (itself an ecosystem-benefiting event), riparian vegetation and/or another tree will naturally grow in its place, thus allowing the solution to function even in the absence of human intervention—something that is not possible for built solutions that require maintenance to function over time.

⁷ Montgomery, D. R., Collins, B. D., Buffington, J. M., & Abbe, T. B. Geomorphic effects of wood in rivers, 37 *Ecology and Management of Wood in World Rivers*, 21–47 (2003).

⁸ See M.D. Tomer & M.A. Locke, *The Challenge of Documenting Water Quality Benefits of Conservation Practices: A Review of USDA-ARS’s Conservation Effects Assessment Project Watershed Studies*, 64 *WATER SCIENCE & TECHNOLOGY* 300, 303 (2011) (noting nutrient and erosion benefits of buffers); Scott W. Miller et al., *Quantifying Macroinvertebrate Responses to In-Stream Habitat Restoration: Applications of Meta-Analysis to River Restoration*, 18 *RESTORATION ECOLOGY* 8, 8 (2010) (noting benefits of heterogeneous riparian habitat).

⁹ CITY OF ASHLAND, CLIMATE & ENERGY ACTION PLAN (Jan. 2017).

¹⁰ Nielsen-Pincus, M., & Moseley, C. The Economic and Employment Impacts of Forest and Watershed Restoration. 21(2) *Restoration Ecology*, 207–214, 212 (2013).

¹¹ CITY OF ASHLAND, CLIMATE & ENERGY ACTION PLAN (Jan. 2017). In addition to reducing greenhouse gas emissions, restoration advances the City’s goals of becoming carbon neutral and increasing the local ecosystem’s resiliency to climate change. See also CITY OF ASHLAND, FINAL COMPREHENSIVE WATER MASTER PLAN (Apr. 2012).

Consistency with Water Quality Trading Objectives

ORAR 340-039-0003: WATER QUALITY TRADING OBJECTIVES

"Water quality trading authorized under this rule must: (1) Be consistent with anti-degradation policies; (2) Not cause or contribute to an exceedance of water quality standards; (3) Be consistent with local, state, and federal water quality laws; (4) Be designed to result in a net reduction of pollutants from participating sources in the trading area; (5) Be designed to assist the state in attaining or maintaining water quality standards; (6) Be designed to assist in implementing TMDLs when applicable; (7) Be based on transparent and practical Best Management Practices (BMPs) quality standards to ensure that water quality benefits and credits are generated as planned; and (8) Not create localized adverse impacts on water quality and existing and designated beneficial uses."

(1, 2, 4) Anti-degradation & Net Reduction in Pollutant Loading: Oregon's anti-degradation policy is found in ORAR 340-041-0004. As stated in the 2016 Oregon water quality trading IMD, Oregon's anti-degradation policy generally prohibits the lowering of existing water quality.¹² In the 2003 EPA Trading Policy, EPA states that it "does not believe that trades and trading programs will result in 'lower water quality' as that term is used in 40 CFR § 131.12(a)(2) ... when the trades or trading programs achieve a no net increase of the pollutant traded and do not result in any impairment of designated uses."¹³ In line with the 2003 EPA Trading Policy, the 2016 water quality trading IMD instructs DEQ staff to ensure that trades are designed to result in a net reduction of pollutants in the trading area as required in ORAR 340-039-0003(4). In addition to ensuring this outcome, as described in the next subsection, it will be necessary to avoid localized impacts to designated uses.

(8) Avoidance of Localized Impacts on Fish: The cold water protection criteria in the Oregon water quality standards restricts the amount of warming above ambient conditions during spawning use periods. Because threatened salmonid species inhabit Bear Creek and the water body is designated as critical habitat, the cold water protection criteria in ORAR 340-041-0028(11) apply. According to the 2008 DEQ Temperature Water Quality Standard Implementation IMD, the cold water protection criteria must be met at the location of the nearest physical spawning habitat downstream of the outfall, not at the edge of the mixing zone.¹⁴ With the proposed relocated outfall into Bear Creek, complete mixing with the receiving stream flow is expected before the thermal plume reaches downstream spawning areas.¹⁵

Moreover, DEQ can only approve Ashland's potential trading program¹⁶ if Ashland's discharge does not cause thermal plume impacts on salmonids prohibited under ORAR 340-041-0053(2)(d).¹⁷ According to draft analysis completed by CH2M Hill, Ashland's discharge has the reasonable potential to violate the spawning impairment portion of the thermal plume regulations.¹⁸ Even with the proposed outfall relocation, CH2M determined that there is a reasonable potential for Ashland's discharge to still exceed the spawning impairment thermal plume

¹² Or. Dep't of Env'tl. Quality, Water Quality Trading Internal Management Directive, at 9 (updated Mar. 31, 2016), *available at* <http://www.deq.state.or.us/wq/pubs/imds/WQTradingIMD.pdf>.

¹³ Trading IMD, at 9 (quoting U.S. EPA, Water Quality Trading Policy, 68 Fed. Reg. at 1611).

¹⁴ Or. Dep't of Env'tl. Quality, Temperature Water Quality Standard Implementation – A DEQ Internal Management Directive, § 3.8 (2008), *available at* <http://www.deq.state.or.us/wq/pubs/imds/Temperature.pdf>.

¹⁵ CH2M Hill, Ashland WWTP Outfall Relocation Study, Section 4.4.3 (August 2017).

¹⁶ See OR. ADMIN. RULES 340-039-0003(5)-(6).

¹⁷ "Temperature mixing zones and effluent limits authorized under 340-041-0028(12)(b) will be established to prevent or minimize the following adverse effects to salmonids inside the mixing zone: (A) Impairment of an active salmonid spawning area where spawning redds are located or likely to be located. This adverse effect is prevented or minimized by limiting potential fish exposure to temperatures of 13 degrees Celsius (55.4 Fahrenheit) or more for salmon and steelhead, and 9 degrees Celsius (48 degrees Fahrenheit) or more for bull trout; (B) Acute impairment or instantaneous lethality is prevented or minimized by limiting potential fish exposure to temperatures of 32.0 degrees Celsius (89.6 degrees Fahrenheit) or more to less than 2 seconds; (C) Thermal shock caused by a sudden increase in water temperature is prevented or minimized by limiting potential fish exposure to temperatures of 25.0 degrees Celsius (77.0 degrees Fahrenheit) or more to less than 5 percent of the cross section of 100 percent of the 7Q10 low flow of the water body; the Department may develop additional exposure timing restrictions to prevent thermal shock; and (D) Unless the ambient temperature is 21.0 degrees of greater, migration blockage is prevented or minimized by limiting potential fish exposure to temperatures of 21.0 degrees Celsius (69.8 degrees Fahrenheit) or more to less than 25 percent of the cross section of 100 percent of the 7Q10 low flow of the water body."

¹⁸ CH2M Hill, Ashland WWTP Outfall Relocation Study, Section 4.4.3 (August 2017).

regulation at the beginning and end of spawning period under current operations.¹⁹ As such, in order to comply with these regulations and as a prerequisite for engaging in temperature trading as part of its compliance portfolio, Ashland must address this potential projected near-field thermal exceedance through either direct effluent cooling or effluent flow diversion away from the receiving stream. Ashland has evaluated a wide range of options for meeting expected temperature limits in its next NPDES permit, including relocation of the City's WWTP outfall from Ashland Creek to Bear Creek, treatment wetlands, time-appropriate cold water reservoir releases, and effluent dispersion. Ashland intends to utilize some combination of these near-field actions to satisfy the anticipated thermal plume regulations and can then use riparian shade projects to fulfill the portion of its permit obligation remaining after completing near-field improvements.²⁰

(3) Consistent with local, state, and federal water quality laws: The proposed trading program is consistent with Oregon's anti-degradation policy, localized impact regulations, the Bear Creek watershed temperature TMDL, baseline regulations (described in detail later in this proposal), and the Oregon trading rule. In addition, all project work will be completed in accordance with applicable local, state, tribal and federal permit requirements. When the trading plan is incorporated into Ashland's NPDES permit, the expectation is that it will be done so consistent with the Clean Water Act.

(5,6) Designed to Assist State in Attaining Water Quality Standards and Implementing a TMDL: The 2007 Bear Creek watershed temperature TMDL allocated Ashland a wasteload allocation (WLA) of 0.1°C above the applicable criteria in Ashland Creek as well as at the point of maximum impact.²¹ Ashland expects its discharge to exceed its thermal WLA (as well as its thermal load limit, once it has a thermal limit in a renewed NPDES permit). Ashland plans to rely on trading, among several other solutions, to address its thermal WLA exceedance. Therefore, trading is designed to assist Oregon in implementing the Bear Creek temperature TMDL, which outlines the informational pathway to attaining temperature water quality standards.²²

(7) Based on transparent and practical BMPs quality standards: The proposed BMP quality standards are described later in this proposed trading plan.

¹⁹ CH2M Hill, Ashland WWTP Outfall Relocation Study, Section 4.4.3 (August 2017).

²⁰ Pre-permit shade projects will in no way violate cold water criteria or thermal plume regulations. Therefore, this regulatory cluster will not apply to the City until Ashland receives a thermal limit in its NPDES permit, and the trading plan is incorporated into its permit.

²¹ Or. Dep't of Env'tl. Quality, Bear Creek Watershed Total Maximum Daily Load, Section 2, Temperature TMDL, at 46 (2007).

²² TMDLs are "primarily informational tools" that "serve as a link in an implementation chain that includes federally regulated point source controls, state or local plans for point and nonpoint source pollutant reduction, and assessment of the impact of such measures on water quality, all to the end of attaining water quality goals for the nation's waters." *Pronsolino v. Nastri*, 291 F.3d 1123, 1129 (9th Cir. 2002).

Eligibility

OAR 340-039-0015: ELIGIBILITY

Ashland is eligible to trade as a NPDES permit holder.²³ As described in the following trading plan section, Ashland's proposed temperature trade is eligible.²⁴ The Bear Creek watershed is water quality limited for temperature issues related to the salmonid life cycle,²⁵ and so is an eligible waterbody where trading may occur. As described in the Proposed Trading Plan section of this document, the BMP proposed by Ashland for credit generation is quantifiable and have BMP quality standards.²⁶

Proposed Trading Plan

The following subsections describe how Ashland's proposed trading plan aligns with each of the required components of a trading plan, as described in OAR 340-039-0025(5). To better assist in explaining how these components fit together, this proposal describes some of the -0025(5) requirements out of order.

OAR 340-039-0025(5)(A): TEMPERATURE TRADING

Pursuant to the trading rule, a trading plan must identify "the parameter for which water quality trading is proposed." The trading rule authorizes trading for temperature.²⁷ Ashland's trading plan is designed to help meet its temperature reduction obligation.

OAR 340-039-0025(5)(C): TRADING AREA

Pursuant to the trading rule, a trading plan must include a "description of the trading area including identification of the location of the discharge to be offset, its downstream point of impact, if applicable, where trading projects are expected to be implemented, and the relationship of the trading projects to beneficial uses in the trading area." Trades should occur within the same watershed or area covered by a TMDL to ensure that the benefits of trades affect the same waterbody where the discharge is occurring.²⁸ A trading area must encompass "a watershed or other hydrologically-connected geographic area, as defined within a water quality management plan adopted for a TMDL, trading framework or trading plan. A trading area must encompass the location of the discharge to be offset, or its downstream point of impact, if applicable, and the trading project to be implemented."²⁹ Trading areas must also be consistent with TMDL water quality management plans (WQMP), where they exist.³⁰ Trading areas may be established in water quality trading frameworks.³¹

In summary, Oregon rules require that a trading area: 1) identify the location of discharge to be offset, 2) identify a downstream point of impact (if applicable), and 3) describe the relationship between trading projects and beneficial uses. In addition, the trading area 4) must encompass a watershed or other hydrologically-connected geographic area, as defined within a water quality management plan adopted for a TMDL, trading framework or trading plan, and 5) must also be consistent with TMDL water quality management plans (WQMP), where they exist. Consistent with these requirements, Ashland proposes a trading area that encompasses the whole Bear Creek watershed, upstream of the confluence with the Rogue River.

Ashland's proposed trading area would encompass Ashland's discharge and the point of maximum impact identified by DEQ in the Bear Creek temperature TMDL.³² The proposed trading area also has a strong relationship between trading projects and beneficial uses in the watershed. Because the Bear Creek watershed

²³ OR. ADMIN. RULES 340-039-0015(1).

²⁴ OR. ADMIN. RULES 340-039-0015(2).

²⁵ Or. Dep't of Env'tl. Quality, Integrated Report (2012), available at <http://www.deq.state.or.us/wq/assessment/rpt2012/results.asp>.

²⁶ See sections in proposed trading plan on OAR 340-039-0025(5)(d), (f).

²⁷ OR. ADMIN. RULES 340-039-0015(2)(a).

²⁸ U.S. EPA, Water Quality Trading Policy, 68 Fed. Reg. at 1610. OAR 340-039-0040(1).

²⁹ OR. ADMIN. RULES 340-039-0005(5).

³⁰ OR. ADMIN. RULES 340-039-0035(2) (trading areas must be consistent with any applicable TMDL water quality management plan).

³¹ OR. ADMIN. RULES 340-039-0035(1).

³² Or. Dep't of Env'tl. Quality, Bear Creek Watershed TMDL, Section II: temperature, at 45, fig. 11 and 12 (2007).

is listed for temperature impairments related to cold-water species life stages,³³ riparian revegetation trading projects such as those proposed by Ashland would be directly linked to improving conditions for temperature-based beneficial uses. The trading area covers the watershed/hydrologically connected area covered by the current Oregon temperature TMDL for the Bear Creek subbasin. This proposed trading area is also consistent with the Bear Creek TMDL water quality management plan (WQMP): the Bear Creek TMDL WQMP³⁴ speaks to better management of riparian areas, as well as habitat improvement for salmonids—both of which will be affirmatively addressed in Ashland’s trading plan.

OAR 340-039-0025(5)(D): BMPS

Pursuant to the trading rule, a trading plan must include a “description of the water quality benefits that will be generated, the BMPs that will be used to generate water quality benefits, and applicable BMP quality standards.” A BMP is defined as “in-water or land-based conservation, enhancement or restoration actions that will reduce pollutant loading or create other water quality benefits. BMPs include, but are not limited to, structural and nonstructural controls and practices and flow augmentation.”³⁵ A BMP quality standard must include “specifications for the design, implementation, maintenance and performance tracking of a particular BMP that ensure the estimated water quality benefits of a trading project are achieved, and that allow for verification that the BMP is performing as described in an approved trading plan.”³⁶

The BMP that will be used to generate water quality benefits under Ashland’s trading plan is riparian restoration in the Bear Creek watershed trading area. Riparian restoration will block thermal loading into the Bear Creek watershed (see next subsection on Credits for more detail on the calculation methodology). The BMP quality standard proposed by Ashland for riparian restoration projects will include the following components:

- Sites will be designed, implemented, monitored, verified and tracked consistent with Willamette Partnership February 16, 2016 Performance Standards for Riparian Revegetation (Exhibit A to this proposed trading plan).³⁷ Sites will be legally protected for the duration of the credit project life (e.g., private leases, or appropriate encumbrances if on publicly owned land).
- In accordance with maintenance plans developed at the outset of credit projects, sites will be visited regularly for maintenance, especially in early “establishment” years. During site establishment, minimum maintenance on most sites will usually include one spring ring spray, one summer mow or cut and one fall spot spray. In irrigated riparian areas, with water rights, irrigation may be an appropriate option during the first several years. Inter-planting may also be needed. Once a site has become established, maintenance activities will continue, but will likely occur at less frequent intervals.
- Details on the performance tracking and verification aspects of Ashland’s proposed BMP quality standards are described below in the subsections corresponding with OAR 340-039-0025(5)(G) verification, and (H) tracking/reporting.

OAR 340-039-0025(5)(F): CREDITS

Pursuant to the trading rule, a trading plan must include a “description of the credits needed to meet water quality-based requirements of an NPDES permit or 401 water quality certification, including: (A) Quantity and timing: The number of credits needed and any credit generation milestones, including a schedule for credit generation; (B) Methods used: How credits will be quantified, including the assumptions and inputs used to

³³ The proposed outfall location in Bear Creek are designated for year-round salmon and trout migration and rearing use per OAR 340-041-0028(4)(c), Figure 271A, and are designated for spawning use during October 15 through May 15 per OAR 340-041-0028(4)(a), Figure 271B.

³⁴ OR. ADMIN. RULES 340-039-0035(2) (noting that trading areas must be consistent with any applicable TMDL water quality management plan). Or. Dep’t of Env’tl. Quality, Bear Creek Watershed Total Maximum Daily Load, ch. II, Water Quality Management Plan (2007), available at <http://www.deq.state.or.us/WQ/TMDLs/docs/roguebasin/middlerogue/bearcreek/tmdlchp2wqmp.pdf>.

³⁵ OR. ADMIN. RULES 340-039-0005(1).

³⁶ OR. ADMIN. RULES 340-039-0005(2).

³⁷ Willamette Partnership, Performance Standards for Riparian Vegetation (2016), available at http://willamettepartnership.org/wp-content/uploads/2014/06/Performance-Stds-for-Rip-Reveg_2016-02-16.pdf.

derive the number of credits; and (C) Duration of credits: A description of the length of time credits are expected to be used.

Quantity and Timing: The calculation of Ashland's likely credit need and timing is a three-step process: 1) calculate maximum projected thermal load exceedances for each period of concern in a year; 2) determine which portion of those exceedances will be addressed via trading; and 3) apply programmatic ratios.

First, Ashland must identify its maximum projected excess thermal load exceedance(s) throughout the year. A facility's thermal exceedance is equal to: $(\text{Facility Excess Thermal Load}) - (\text{Excess Thermal Load Limit})$, or $\text{ETL} - \text{ETLL}$, where:

- $\text{ETL} = (\text{Flow}_{\text{effluent}} \text{ (cfs)}) \times (\text{°C}_{\text{effluent}} - \text{°C}_{\text{Temperature Criteria}}^{38}) \times (\text{Conversion Factor})$
- $\text{ETLL} = (\text{Flow}_{\text{river}} \text{ (cfs)} + \text{Flow}_{\text{effluent}} \text{ (cfs)}) \times (\text{HUA}^{39}) \times (\text{Conversion Factor})$

Ashland has calculated monthly exceedance values to ensure that the thermal benefits produced in that maximum projected exceedance time period are largely representative of benefits that might be generated during other lesser exceedance periods.

Second, Ashland must determine what portion of those monthly exceedances are going to be addressed by trading. Ashland is evaluating multiple potential changes to facility operations to address both near- and far-field thermal impacts. Ashland's Outfall Relocation Study has evaluated the current and projected future thermal loads discharged from the Ashland WWTP as well as other potential options available to address projected excess thermal loads throughout the year.⁴⁰ Based on observed water temperature and flows in Bear Creek (representing monthly critical conditions), the biologically based numeric criteria, and its wasteload allocation, Ashland calculated the ETL exceedances for different time periods throughout the year based on projected 2040 facility design flows.⁴¹

A portion of these projected monthly exceedances will be addressed through near-field upgrades at or near the facility's discharge. The Outfall Relocation Study analysis has identified actions necessary to address the facility's near-field thermal impacts, and how dealing with those near-field impacts will change the amount of excess far-field thermal loads that need to be met via trading. Based on this evaluation, expected changes necessary to address the near-field limitations will reduce projected maximum ETL exceedances during the May 1 – May 14 and October 15 – November 14 periods (these changes to the maximum ETL excesses are noted in Table 1).

³⁸ In *Northwest Environmental Advocates v. EPA (NWEA II)*, the Oregon federal district court set aside NCC as a standard, holding that it unlawfully supplanted the BBNC in violation of 40 C.F.R. § 131.11(b)(2). *Nw. Envtl. Advocates v. U.S. Envtl. Protection Agency*, 855 F.Supp.2d 1199, 1217 (D. Or. 2012). Removal of the NCC from Oregon regulations leaves Oregon with the biologically based numeric criteria (BBNC) temperature standard. Therefore, the BBNC temperature criteria applicable to Bear Creek must be used to calculate Ashland's ETL.

³⁹ OR. ADMIN. RULES 340-041-0028(12)(b)(B). DEQ regulations allow for a human use allowance (HUA) in setting temperature permit limits, providing that insignificant additions of heat are authorized by DEQ in waters that exceed the applicable temperature criteria. This addition is known as the "human use allowance" (HUA). The calculation of a HUA differs depending on whether a TMDL exists for a waterbody. The court in *NWEA II* explicitly upheld the legality of the HUA provision. 855 F.Supp.2d at 1218, note 8.

⁴⁰ CH2M Hill, Ashland WWTP Outfall Relocation Study, Section 4 (August 2017).

⁴¹ CH2M Hill, Ashland WWTP Outfall Relocation Study, Section 4, Table 4-12 (August 2017).

Table 1. Projected maximum excess thermal loads (ETL) and ETL exceedances under monthly critical conditions using 2040 design flows. The values presented in the table have been taken from the Ashland WWTP Outfall Relocation Study (Table 4-12) and adjusted based on direction from Ashland where noted to reflect the impact of the changes to effluent characteristics as a result of adjustment to meet the facility's near-field requirements.

Period	Biological Temperature Criteria (°C)	Maximum ETL (million kcal/day)	Maximum ETL Excess (million kcal/day) ⁴²
Jan 15 – Feb 14	13	0.3	N/A
Feb 15 – Mar 14	13	17.9	13.5
Mar 15 – Apr 14	13	22.0	18.1
Apr 15 – Apr 30	13	72.5	65.2*
May 1 – May 14	13	72.5	28.8**
May 15 – Jun 14	18	31.8	24.6
Jun 15 – Jul 14	18	56.4	50.7
Jul 15 – Aug 14	18	67.4	59.5
Aug 15 – Sep 14	18	68.2	65.0
Sep 15 – Oct 14	18	49.9	48.2
Oct 15 – Nov 14	13	63.0	8.4 ***
Nov 15 – Dec 14	13	44.2	41.5
Dec 15 – Jan 14	13	13.6	9.7

* Apr 15 – May 14 period split into two periods. No changes were made to the maximum ETL excess values, however, it is expected that measures used to address near-field impacts will also be used to reduce the maximum ETL excess during this period.

** Maximum projected ETL for this split period was reduced to reflect measures that will be implemented to meet near-field requirements.

*** Maximum projected ETL for this period reduced to reflect measures that will be implemented to meet near-field requirements.

As noted in Table 1, there are two periods where the largest maximum ETL excesses are projected to occur: April 15 to May 14 and August 15 to September 14—both have ETL excesses of approximately 65 million kcal/day. During the April to May period, the discharge from the facility has an associated near-field impact, in addition to a far-field ETL excess. Ashland's expected near-field actions are expected to reduce the remaining far-field ETL excess during mid-April to mid-May. The Outfall Relocation Study quantifies the reduction in the May 1-14 ETL excess (which is expected to be 28.8 million kcal/day after accounting for near-field changes), but at this time, the change to the April 15-30 ETL excess has not been quantified. Given the expected reductions in the maximum ETL excess from April 15 to May 14, and the fact that the variability in thermal benefits from riparian shade from mid-April to mid-October is low (which means that selection of one period will not significantly over- or under-represent other exceedance periods in terms of shade potential),⁴³ the period with the greatest maximum ETL excess that must be addressed through riparian shade is from August 15 to September 14 (Table

⁴² The projected maximum ETL excess shown accounts for the HUA and the direct reductions in ETL required at the point of discharge to address near-field effects. Some portion of these maximum ETL exceedances will be addressed through extending the periods of operation for measures used to address near-field impacts, such as reservoir cold water releases and effluent cooling using constructed wetlands, through additional periods needed to complement the riparian shade ETL contributions. Similar to riparian shade, the thermal benefits from these measures vary throughout the year. Accordingly, Ashland will ensure that the ETL exceedances are addressed at all times using a portfolio of solutions.

⁴³ The thermal benefits that can be generated by riparian shade varies throughout the year. As such, it is important to ensure that the thermal benefits modeled from planting projects will be generated at the same time as potential thermal impacts caused by the facility discharge. In this instance, the variability in thermal benefits from riparian shade from mid-April to mid-October is low. Based on work completed by The Freshwater Trust for Ashland, the potential thermal benefits available in the Bear Creek watershed from April 15 to May 14 are only 17% lower than in the August 15 to September 14 period. In addition, as noted in the table, Ashland expects that some or all of its projected April/May exceedance will be addressed via the actions taken to address near-field impacts.

1). As such, this represents the likely exceedance that will be addressed via Ashland's trading plan, as well as the period for which thermal benefit values will be quantified and measured against.

Third, programmatic ratios must be applied to the maximum projected exceedance so as to identify the total credit need for that period. In this instance, 65 million kcal/day of need from riparian shade projects has been identified for the August 15 – September 14 period. As discussed below, Ashland proposes applying a temporal lag ratio to this "base" exceedance.

Methods Used: Ashland will estimate thermal benefits⁴⁴ from riparian restoration projects using version 8 of DEQ's Shade-a-lator model. Shade-a-lator is a module of the Heat Source model,⁴⁵ a stream assessment tool used by DEQ. Heat Source was developed in 1996 as a Master's Thesis at Oregon State University in the Departments of Bioresource Engineering and Civil Engineering. DEQ currently maintains the Heat Source methodology and software. Ashland will use an additional tool to complete the modeling: TTools. TTools is an ArcGIS extension that is also used and maintained by DEQ. TTools is used to sample geospatial data and assemble high-resolution inputs necessary to run the Heat Source model.

To determine the potential reduction in solar loading (e.g., thermal benefits) that result from riparian planting projects, Ashland will compare current site conditions⁴⁶ (the solar load that reaches the surface of the stream under current conditions) to a future conditions scenario that assumes vegetation conditions (tree height and canopy density) at maturity (described later in this subsection). The difference in the incoming solar load (expressed in kilocalories per day) between the two scenarios represents the net thermal benefits generated from a riparian revegetation project.

The modeling process for each scenario at a site will include multiple physical characteristics of the credit site, including: the upstream and downstream boundaries of the modeled stream reach, water surface area (based on the wetted width of the stream), local topography, bank slope, stream orientation, and geographic location (latitude and longitude). All of the parameters representing these physical characteristics of sites will be assumed to be the same in the current condition and future condition scenarios.

The future conditions scenario incorporates the vegetation conditions (tree height and canopy density) expected under the post-implementation conditions. Based on available information, Ashland will apply a future condition scenario for Shade-a-lator modeling to reflect the anticipated future vegetation conditions.⁴⁷ Planting plans are expected to include a high diversity of native trees and shrubs that will contribute to riparian ecological function and stream health. Ashland will base the vegetation parameters of the future conditions scenario on other

⁴⁴ The term *thermal benefit* refers to the reduction in thermal loading. In this analysis, thermal benefit is due to a reduction in incoming solar radiation that results from the implementation of a revegetation project. Thermal benefits represent the expected environmental benefits from implementing an action. The environmental benefit provided by a project serves as the foundation of a water quality credit; however, the environmental benefits are not always fully "usable" as water quality credits. That is, not all of the water quality benefits from an action can necessarily be claimed as offset credits to meet compliance obligations. This is because there may be uncertainty about the underperformance or failure of a restoration project, or other uncertain factors in the watershed. As a result, trading policies typically set aside some portion of a project's measured or modeled water quality benefits to account for uncertainty in the form of a ratio or discount factor. See National Network on Water Quality Trading, Building a Water Quality Trading Program: Options and Considerations (2015), available at <http://willamettepartnership.org/wp-content/uploads/2015/06/BuildingaWQTPProgram-NNWQT.pdf>.

⁴⁵ Boyd & Kasper, Analytical Methods for Dynamic Open Channel Heat and Mass Transfer: Methodology for the Heat Source Model Version 7.0 (2003), available at <http://www.deq.state.or.us/wq/TMDLs/tools.htm>. DEQ has posted this document on its website as a resource for generally describing the math and assumptions used in Heat Source. While the document explicitly covers Heat Source version 7 (and therefore Shade-a-lator version 7), the math and assumptions in version 7 are mostly the same as version 8, and so DEQ considers this document appropriate for summarizing both versions 7 and 8.

⁴⁶ Multiple input datasets are used to characterize the current conditions at a potential project site. Aerial photography or light detection and ranging (LiDAR) data will be used to establish current conditions and to highlight the potential riparian areas available for project implementation. This process involves digitizing the areas of interest, evaluating the current vegetation conditions, and then modeling the current, pre-project incoming thermal load. These conditions are incorporated into a modeling scenario that quantifies the incoming solar load that reaches the surface of the stream given the current vegetation conditions.

⁴⁷ The characteristics of the future conditions that are represented by the model parameters are the future vegetation height and future canopy density. In the Shade-a-lator model, the canopy density parameter represents the lateral attenuation of solar radiation as it passes through the riparian canopy.

trading planting projects in the Rogue River Basin and reference site surveys, including the riparian revegetation projects implemented for the City of Medford's water quality trading program in the Rogue River Basin. Some overstory species planted at riparian revegetation trading projects in the Rogue River watershed have included: big leaf maple (*Acer macrophyllum*), black cottonwood (*Populus trichocarpa*), ponderosa pine (*Pinus ponderosa*), and white alder (*Alnus rhombifolia*). Therefore, if a project includes this species mix, the future conditions Shade-a-lator parameters would use mature tree heights for these species and associated density values based on system potential vegetation for the Bear Creek watershed identified in the Bear Creek temperature TMDL modeling.⁴⁸ Depending on the species mix at a particular site, the specific Shade-a-lator parameters might be different, but in all instances, those parameters will be consistent with the system potential vegetation characteristics associated with the species planted at a site.

For both scenarios, the model then calculates the sun angle every 25 meters (these calculation points are referred to as "nodes") along the center of the modeled stream reach for every model time step (once per minute). At each node, the model calculates the total load of incoming solar radiation by considering the physical characteristics surrounding the node and the characteristics of the vegetation present on the streambanks (Figure 1). The difference in the incoming solar load (expressed in kilocalories per day) between the two scenarios represents the net thermal benefits generated from a riparian revegetation project.

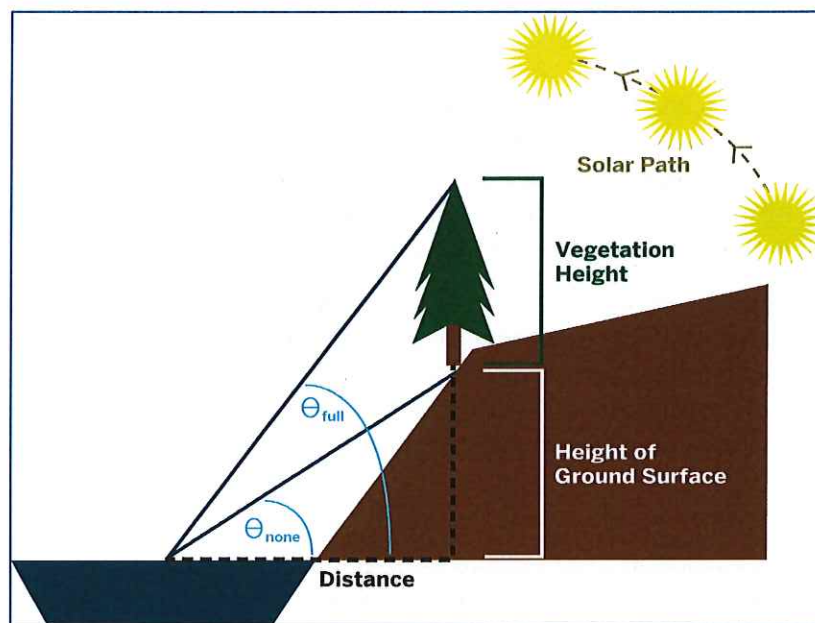


Figure 1: A cross-section schematic of the physical characteristics included in Shade-a-lator modeling. When the sun angle is less than θ_{none} all incoming solar radiation is blocked by the local topography. When the sun angle is greater than θ_{full} all incoming solar radiation reaches the surface of the stream. When the sun angle is between θ_{none} and θ_{full} the vegetation present attenuates a portion of the incoming solar radiation.

As Figure 1 shows, the sun angle is a key parameter in the Shade-a-lator model. As such, the time of the year also affects the sun angle and the associated incoming solar radiation that reaches the surface of the stream. The time of the year also affects the length of the day, and thus the overall total potential incoming solar

⁴⁸ Or. Dep't of Env'tl. Quality, Bear Creek Watershed TMDL, Chapter 1, at 34 (2007) (discussing the relevant tree species associated with system potential vegetation). Height and density model parameters are described in Appendix A to the temperature TMDL. Or. Dep't of Env'tl. Quality, Bear Creek Watershed TMDL, Appendix A: Bear Creek Watershed Temperature Assessment, at 16-18 (2007). Ashland proposes to use a density value of 75% for the time periods within the growing season, from May 15 to October 14, to reflect a full tree canopy. A reduced density value of 50% is appropriate to represent the canopy conditions in the spring (April 15 to May 14) before full leaf-out and in the fall (October 15 to November 14) before full leaf-drop. A density value of 10% is appropriate to model winter conditions when riparian shade is primarily provided by evergreen species.

radiation. Due to these two factors, the modeling time period is a key model parameter. As described above, the period with the greatest maximum ETL excess that must be addressed through riparian shade is from August 15 to September 14 (Table 1), and so Ashland proposes calculating thermal benefits from projects during this period so that the timing of a facility's potential excess thermal load aligns with the period of benefit from a riparian revegetation project.

Credit Duration: Credit duration, commonly known as credit life, refers to the “length of time credits are expected to be used.”⁴⁹ This refers to the period between when a credit becomes usable as an offset and when the credit is no longer valid. Credits are considered valid for use after the restoration action has been implemented and verified as functioning. Because Ashland’s proposed water quality trading program will be implemented using actions that take time to realize full benefits, restoration projects must be as effective and durable as alternative technology solutions. Therefore, verification and ongoing monitoring and maintenance of project sites are integral parts of any credible trading program. The 2003 EPA Trading Policy provides that “credits may be generated as long as the pollution controls or management practices are functioning as expected” and may be used to comply with an annual, seasonal, or monthly NPDES permit limit once they have been generated.⁵⁰ Oregon rules also require that the trading plan detail how credits are quantified, taking into account the underlying assumptions and inputs used to derive the credit quantities.⁵¹ In addition, the Oregon rule definition of a credit identifies the need to specify the period of time over which water quality benefits will be generated.⁵²

For the purposes of this proposal, Ashland suggests both a minimum credit life consistent with the rules, and the appropriate start date for the credit life. With respect to a minimum credit life, the City of Medford program uses an average 20-year credit life, protected by long-term leasehold interests in the nonpoint source properties where the restoration occurs.⁵³ Clean Water Services likewise uses a minimum 20-year credit life in its temperature management plan.⁵⁴ Consistent with the 2003 EPA Trading Policy and these previous program precedents in Oregon, Ashland proposes that the credits it produces from riparian vegetation projects have a minimum 20-year credit life, with the option to extend those credits beyond the minimum life for as long as the shade sites continue to function as expected. This approach is consistent with the minimum period for which these projects are expected to function,⁵⁵ and the 2003 EPA Trading Policy. With respect to an appropriate start date, because credit life defines how long credits can be “used” and Ashland will not need to use credits for compliance until it has a new permit, Ashland proposes that the credit life of any pre-permit projects begin on the date Ashland receives its renewed NPDES permit. The proposed minimum 20-year credit life would not start when the project is implemented or initially verified, but rather when Ashland gets a permit, and starts using the credits from those sites to comply with thermal load limits in its permit. For projects implemented after Ashland receives its new thermal load permit limit, the project life and credit life would both start on the date of initial project verification.

⁴⁹ OR. ADMIN. RULES 340-039-0025(5)(f)(C).

⁵⁰ U.S. EPA, Water Quality Trading Policy, 68 Fed. Reg. at 1612.

⁵¹ OR. ADMIN. RULES § 340-039-0025(5)(f)(B).

⁵² OR. ADMIN. RULES § 340-039-0005(3) (“Credit: A measured or estimated unit of trade for a specific pollutant that represents the water quality benefit a water quality trading project generates at a location *over a specified period of time*, above baseline requirements and after applying trade ratios or any other adjustments.”) (emphasis added).

⁵³ See Or. Dep’t of Env’tl. Quality, City of Medford National Pollutant Discharge Elimination System Waste Discharge Permit, No. 100985 (Dec. 13, 2011); City of Medford, Medford Regional Water Reclamation Facility Thermal Credit Trading Program Plan, at 9 (2011), available at <http://www.deq.state.or.us/wq/trading/docs/MedfordThermalTrading.pdf>.

⁵⁴ Clean Water Services, Thermal Load Management Plan, available at <https://www.cleanwaterservices.org/media/1479/temperature-management-plan.pdf>, PDF (February 28, 2005).

⁵⁵ A twenty year credit life is likely under-representative of the lifetime and values expected from a healthy, diverse, functional riparian forest. See Philip Roni, et al., A Review of Stream Restoration Techniques and a Hierarchical Strategy for Prioritizing Restoration in Pacific Northwest Watersheds, 22 NORTH AMERICAN JOURNAL OF FISHERIES MGMT. 1, Tbl. 6 (2002) (noting that while it usually takes 5-20 years for riparian restoration to achieve response, the benefits of riparian replanting are expected to extend 10-50+ years, with a medium to high probability of success). Unlike most investments, the restoration investment underlying Ashland’s water quality trading program will appreciate over time into a self-sustaining solution, and so the site will likely continue to function beyond the 20-year credit life.

OAR 340-039-0025(5)(B): BASELINE

Pursuant to the trading rule, a “trading plan must identify any applicable regulatory requirements from OAR 340-039-0030(1) that apply within the trading area and that must be implemented to achieve baseline requirements.” Credits can only be generated from best management practices (BMPs) that result in water quality benefits above trading baseline requirements. Baseline is included within the trading rule to ensure that credits are not used to meet a regulatory obligation by more than one entity at any given time.⁵⁶ The 2003 U.S. EPA Trading Policy states that “pollutant reductions [should be] greater than those required by a regulatory requirement or established under a TMDL.”⁵⁷ In developing its rule, Oregon went one step further and specifically defined “trading baseline” as the “pollutant load reductions, BMP requirements, or site conditions that must be met under regulatory requirements in place *at the time of trading project initiation*.”⁵⁸ Regulatory requirements that are potentially applicable to trading projects include requirements stemming from NPDES permits, Oregon Department of Agriculture agricultural water quality management area rules, Oregon Board of Forestry rules, federal management plans or agreements between the state and a federal agency, CWA section 401 certifications, local ordinances, tribal laws or rules, compensatory mitigation projects, or any requirements derived from a TMDL by designated management agencies responsible for TMDL implementation.⁵⁹

Therefore, when Ashland initiates a new trading project, it will assess and document whether any of the baseline requirements described in the rule affirmatively apply to sites, and explain how these potential Rogue-specific baseline requirements apply (or not) to each individual site. If affirmative requirements do apply to BMP sites, baseline BMPs can be installed or deductions to site thermal benefit totals can be made to ensure that credit is not being taken for actions that otherwise are already required by these regulatory requirements. If no baseline obligations exist at the proposed trading project, the baseline obligation at these sites would be equal to current conditions. As part of credit verification, Ashland will evaluate each site to ensure that site-specific baseline requirements have been identified and considered in credit calculation. Below is a current overview of how the current potential sources of baseline listed in the trading rule might apply in the proposed trading area:

OAR 340-039-0030(1)	BASELINE REQUIREMENT
(a) NPDES permit requirements	Ashland’s permit does not require riparian restoration. There are no federal or state temperature technology-based effluent limits (TBELs).
(b) Rules issued by Oregon Department of Agriculture for an agricultural water quality management area under OAR chapter 603 division 095	Inland Rogue Agricultural Water Quality Management Program Rules, OAR 603-095-1400 et seq. OAR 603-095-1440(3)(a): “(a) Agricultural management of riparian areas shall not impede the development and maintenance of adequate riparian vegetation to control water pollution, provide stream channel stability, moderate solar heating, and filter nutrients and sediment from runoff. (b) This condition is not intended to prohibit riparian grazing where it can be done while managing for riparian vegetation required in OAR 603-095-1440(3)(a).” In addition, landowners must avoid excessive soil erosion (OAR 603-095-1440(2)), unnecessary returns from surface irrigation return flows (OAR 603-095-1440(4)) and discharge waste (OAR 603-095-1440(5)). If a potential site is actively impeding the development and maintenance of adequate riparian vegetation, or associated with any of the other prohibited conditions, such a practice would need to be stopped before credit could be generated from that site.

⁵⁶ OR. ADMIN. RULES 340-039-0040(2)-(3).

⁵⁷ U.S. EPA, Water Quality Trading Policy, 68 Fed. Reg. at 1610.

⁵⁸ OR. ADMIN. RULES 340-039-0005(6) (emphasis added).

⁵⁹ OR. ADMIN. RULES 340-039-0030.

(c) Rules issued by Oregon Board of Forestry under OAR chapter 629 divisions 610-680	Will be applied if/when forestry-zoned sites are considered for implementation.
(d) Requirements of a federal land management plan, or an agreement between a federal agency and the state	These will be considered on a case-by-case basis. Would not apply unless recruited site is federally or state owned.
(e) Requirements established in a Clean Water Act Section 401 water quality certification	Would only apply if Ashland is purchasing credits from land managed by an entity subject to a 401 certification. If such an entity is engaged as a potential seller of credits, Ashland will review the entity's 401 certification to ensure that the thermal benefits are not required by the certification.
(f) Local ordinances	Jackson County. Land Dev. Ord. § 8.6.4(A) (2015) ⁶⁰ : existing vegetation and tree cover "will be retained" on land within 75 feet of the top of the Rogue River bank and within 50 feet of any Class 1 or 2 streams, except in certain narrowly prescribed, regulator-approved situations, including where non-native vegetation may be removed if being replaced with native vegetation. The City of Ashland's land use ordinance includes similar requirements to protect riparian areas, but does not affirmatively require restoration except when offsetting construction activities in protection zones. City of Ashland Land Use Ord. § 18.3.11 (2017). ⁶¹ Similar provisions exist in the Phoenix, Oregon Land Dev. Code § 3.7.2 (2017). ⁶²
(g) Tribal laws, rules, or permits	None that Ashland is aware of as a general matter, but will confirm on site-by-site basis.
(h) Other applicable rules affecting nonpoint source requirements	None that Ashland is aware of as a general matter, but will confirm on site-by-site basis.
(i) Projects completed as part of compensatory mitigation, or projects required under a permit or approval issued pursuant to Clean Water Act section 404, or a supplemental environmental project used to settle a civil penalty imposed under OAR chapter 340 division 012 or the Clean Water Act	Ashland will be acting pursuant to its NPDES permit obligations, not a supplemental environmental project (SEP) or settlement. If a potential project site is already hosting a CWA 404 or SEP project, Ashland will have the burden to demonstrate the proportion of the CWA 402 trading site that is additional.
(j) Regulatory requirements a designated management agency establishes to comply with a DEQ-issued TMDL, water quality management plan or another water pollution control plan adopted by rule or issued by order under ORS 468B.015 or 468B.110.	INLAND ROGUE BASIN LOCAL ADVISORY COMM. & OR. DEP'T OF AGRIC., INLAND ROGUE AGRICULTURAL WATER QUALITY MANAGEMENT AREA PLAN 12 (May 2010) ⁶³ ("Agricultural activities that eliminate the possibility of natural regeneration of trees and shrubs along waterways are not allowed. ... [N]ear-stream riparian management [is limited] to seasons and practices that enhance growth of grasses, shrubs, and trees canopy....").

⁶⁰ This document can be found here: <https://jacksoncountyor.org/ds/PDFs?EntryId=37627>.

⁶¹ This document can be found here: <http://www.codepublishing.com/OR/Ashland/#!/LandUse/18.3.11.html#18.3.11.110>.

⁶² This document can be found here:

<http://www.phoenixoregon.gov/sites/default/files/fileattachments/building/planning/page/354/pldc.pdf>.

⁶³ This document can be found here:

<http://www.oregon.gov/ODA/shared/Documents/Publications/NaturalResources/InlandRogueAWQMAreaPlan.pdf>.

OAR 340-039-0025(5)(E): TRADING RATIOS

Pursuant to the trading rule, a trading plan must include a “description of applicable trading ratios, the basis for each applicable trading ratio, including underlying assumptions for the ratio, and a statement indicating whether those ratios increase or decrease the size of a credit obligation or the number of credits generated from an individual trading project.” The Oregon trading rule requires the use of at least one ratio in a trading plan, and a description of the assumptions underlying the ratio decisions.⁶⁴ Trading ratios are “a numeric value used to adjust the number of credits generated from a trading project, or to adjust the number of credits that a credit user needs to obtain.”⁶⁵ The 2007 EPA trading toolkit suggests that ratios may be necessary to address a number of factors such as delivery, location, equivalency, uncertainty, and retirement.⁶⁶ Oregon’s water quality trading rule notes that trading ratios may be used to account for attenuation of water quality benefits, BMP uncertainties, other types of risk, time lag, priority area incentives, or credit retirements.

Depending on the BMP(s) implemented, the applicable ratio(s) will change. To date, in Oregon riparian shade restoration trading programs, DEQ has approved a 2:1 trading ratio to account for the time lag.⁶⁷ Based on the 20-year credit life associated with these projects, this ratio is meant to account for the temporal lag in thermal benefits between planting (Year 0) and when the planted trees reach full shade-producing heights (Year 20). The logic supporting this ratio is meant to track riparian vegetation growth curves. For example, a growth curve⁶⁸ for Black Cottonwood (*Populus trichocarpa*)—a native species regularly planted by riparian restoration practitioners in Oregon that has a growth pattern representative of riparian plantings in the area—shows that with average regional conditions, Black Cottonwoods have grown to 9 feet tall after just one year; 23 feet tall after five years; 43 feet tall after ten years; and 81 feet tall after twenty years.⁶⁹ So by year 10, approximately half of the anticipated future thermal benefits will have been achieved at the site, which supports use of a 2:1 ratio. The mix of species and height classes at a particular site makes identification of an exact ratio difficult, and so the 2:1 ratio attempts to generally convert overall growth trends and timelines into an administrative mechanism.

Ashland proposes the use of a trading ratio for time lag in its trading plan. Specifically, for the pre-permit period, Ashland proposes use of the typical 2:1 time lag ratio, but requests reevaluation of the ratio applicable to these pre-permit sites when its permit is being renewed. Many of Ashland’s potential project sites are on narrow stream reaches, meaning that a few years of successful growth could result in meaningful shade production much earlier than on wider streams. The 2016 water quality trading IMD contemplates potential ratio reductions associated with taking early action: “[L]ower ratios are appropriate if the permittee is implementing BMPs well in advance of the anticipated compliance obligation or if water quality benefit is delivered in advance of when the credit is needed.”⁷⁰ Accordingly, at the time of permit renewal, Ashland requests that DEQ consider a lower time lag ratio for these pre-permit sites based on the actual performance of those sites.

In addition, Ashland’s projects may be located in priority areas, as identified in OAR 340-039-0043(2)(g). As such, at the time of permit renewal, Ashland may also propose ratio considerations related to priority area site implementation.

⁶⁴ OR. ADMIN. RULES 340-039-0025(5)(e).

⁶⁵ OR. ADMIN. RULES 340-039-0005(10).

⁶⁶ U.S. EPA, Water Quality Trading Toolkit for Permit Writers, 30–32, EPA 833-R-07-004 (Aug. 2007, updated June 2009) (“There is not set limit for how high a trading ratio can be. Trading ratios depend on the specific circumstances in the watershed”).

⁶⁷ See Or. Dep’t of Env’tl. Quality, City of Medford National pollutant Discharge Elimination System Waste Discharge Permit, No. 100985 (Dec. 13, 2011), available at <http://www.deq.state.or.us/wq/trading/docs/MedfordNpdesPermit.pdf>; Or. Dep’t of Env’tl. Quality, Clean Water Services National Pollutant Discharge Elimination System Watershed-based Waste Discharge Permit, Nos. 101141, 101142, 101143, 101144 and MS4 (draft Apr. 2016).

⁶⁸ Growth curves (a.k.a. site index curves) are established through observation and measurement of species growth, over time, given specific site conditions. See U.S. Forest Service Pacific Northwest Research Station, PNW-RN-533, Site Index Equations and Mean Annual Increment Equations for Pacific Northwest Research Station Forest Inventory and Analysis Inventories, 1985-2001 (2002).

⁶⁹ E.B. Peterson et al., B.C. Ministry of Forests, Black Cottonwood and Balsam Poplar Managers’ Handbook for British Columbia, Forestry Canada, at 46 (1996), available at <http://www.for.gov.bc.ca/hfd/pubs/docs/Frr/Frr250.htm>.

⁷⁰ Or. Dep’t of Env’tl. Quality, Trading IMD at 20.

OAR 340-039-0025(5)(G): MONITORING

Pursuant to the trading rule, a trading plan must include a “description of the following: (A) Proposed methods and frequency of trading project BMP monitoring; and (B) Proposed methods and frequency of how water quality benefits generated by a trading project will be monitored.” In addition, an entity that engages in trading must submit an annual report that includes all of the elements described in OAR 340-039-0017(3).

Ashland will submit an annual report that includes all of the elements described in OAR 340-039-0017(3). In addition to submitting that annual monitoring report, Ashland proposes a monitoring schedule that is consistent with the Willamette Partnership’s February 2016 riparian addendum to its General Crediting Protocol (document described in detail in section on BMP Quality Standards).⁷¹ Consistent with that protocol, a specific combination of the following three types of monitoring approaches will be applied throughout the life of each riparian restoration project to ensure that the project continues to function as expected as it relates to the performance metrics identified in the document:

- 1) **Quantitative monitoring:** project developer implements vegetation monitoring protocol by sampling random plots on site; implements repeat photo monitoring at full set of on-the-ground camera points; reports on full suite of performance standards.
- 2) **Qualitative monitoring:** on-site, rapid, but standardized, qualitative review of site condition and progress toward performance metrics accompanied by subset of repeat photos from on-the-ground camera points used in quantitative years. The same set of camera points will be repeated in all qualitative monitoring years.
- 3) **Remote monitoring:** remote sensing information to provide visual evidence that site still exists; e.g., a current year aerial image or LiDAR taken during growing season to document site persistence.

To remain consistent with Willamette Partnership approaches, Ashland proposes to monitor sites according to the schedule in Table 3:

Table 3. Dispersal of monitoring and reporting approaches over the life of a project.

1 Site: Monitoring Approach	Completed Growing Seasons After Planting and Initial Verification										
	Y0	Y1	Y2	Y3	Y4	Y5	Y6	Y7	Y8	Y9	Y10
Quantitative Monitoring	✓	✓		✓		✓					✓
Qualitative Monitoring			✓		✓		✓		✓		
Remote Monitoring ⁷²								✓		✓	
Continued	Completed Growing Seasons After Planting and Initial Verification										
	Y11	Y12	Y13	Y14	Y15	Y16	Y17	Y18	Y19	Y20	
Quantitative Monitoring					✓					✓	
Qualitative Monitoring		✓					✓				
Remote Monitoring	✓		✓	✓		✓		✓	✓		

In addition to this standard proposed site monitoring, if projects are damaged by causes beyond the reasonable control of the City (e.g., wildlife, flood, vandalism), Ashland proposes that it will report that damage to DEQ. Ashland proposes reporting such incidents to DEQ within 90 days of learning of the damage, and that such a report would include: 1) a description of the event, including an assessment of the damage; 2) a plan for addressing the damage (natural restoration and/or active replanting of the site would be allowed if continued maintenance of the site is expected to provide a reasonable potential for the long term restoration of the shading function of the site in an ecologically appropriate manner; replacement with an alternative site or sites

⁷¹ Willamette Partnership, Performance Standards for Riparian Vegetation (2016), available at http://willamettepartnership.org/wp-content/uploads/2014/06/Performance-Stds-for-Rip-Reveg_2016-02-16.pdf.

⁷² In the event that remote information is not available for a monitoring year designated for remote monitoring, the qualitative monitoring approach can instead be used for that year. If this occurs, a later year designated as qualitative monitoring may be monitored remotely so long as that change does not result in more than two consecutive years of only remote monitoring.

could also be pursued); and 3) a schedule for implementing the remediation plan. If this trading plan is later incorporated into Ashland's NPDES permit, Ashland proposes that damage to a project due a cause beyond the reasonable control of the City should not in and of itself be considered a violation of its permit, and that credits from damaged project sites should remain valid so long as Ashland demonstrates to DEQ that the sites will be restored or alternative solutions will be implemented within a reasonable timeframe. This suggested approach is consistent with the approach outlined in the City of Medford's permit.⁷³

OAR 340-039-0025(5)(H): TRADING PLAN PERFORMANCE VERIFICATION

Pursuant to the trading rule, a trading plan must include a "description of how the entity will verify and document for each trading project that BMPs are conforming to applicable quality standards and credits are generated as planned."

The Oregon trading rules require that an entity using trading verify and document that BMPs conform to quality standards, and that the credits are tracked and made available for the public.⁷⁴ To be consistent with the Oregon water quality trading rule, Ashland will pursue a verification approach consistent with the Willamette Partnership's standards for verification.⁷⁵

Specifically, after a site has been implemented, a third-party verifier will conduct a full verification review, including administrative review of the site's eligibility, technical review of credit calculation, and confirmation via a site visit that a project has been implemented consistent with the BMP quality standards included in this trading plan. Until a site is "established" (around project Year 5), verifiers will review monitoring reports and attest that the site does not appear at risk of failure. At later milestones in the project (specifically Years 5, 10 and 15), a third party verifier will confirm that the site is continuing to mature and develop on a trajectory that is materially consistent with the as built site and quality standards. In the years between these milestone verifications, verifiers will continue to review annual monitoring reports and provide attestation that the site does not appear at risk of failure. At the close of a project's full life, a third-party verifier will conduct a final verification, including a review of originally estimated credit calculation versus a final credit calculation, a comparison of predicted Year 20 site conditions versus actual Year 20 site conditions, and an on-site visit to confirm that Year 20 quality standards have been met.

OAR 340-039-0025(5)(I): TRACKING AND REPORTING

Pursuant to the trading rule, a trading plan must include a "description of how credit generation, acquisition and usage will be tracked and how this information will be made available to the public."

Transparency is critical to a credible trading program. Therefore, in addition to completing monitoring (as described above), submitting annual compliance reports and completing performance verification, Ashland will post credit information on a publicly accessible website, registry, or tracking tool in order to disclose project site- and program-level content and project successes. As evidenced by other ecosystem service program tracking tools around the country,⁷⁶ there are several models for hosting this information, including use of a

⁷³ Or. Dep't of Env'tl. Quality, City of Medford National Pollutant Discharge Elimination System Waste Discharge Permit, No. 100985, Schedule D(7)(b)(v) (Dec. 13, 2011).

⁷⁴ "Credits may be used for compliance with NPDES permit requirements ... once implementation of BMPs has been verified as consistent with applicable BMP quality standards according to OR. ADMIN. RULES 340-039-0025(5)(h)." OR. ADMIN. RULES 340-039-0040(5)."

⁷⁵ Willamette Partnership, Ecosystem Credit Accounting System Third Party Verification Protocol Version 1.0 (2009), *available at* <http://willamettepartnership.org/publications/>.

⁷⁶ Environmental credit trading programs have used several approaches to track program progress, MarkIt, an environmental credit registry, is one such portal for project information. The Electric Power Research Institute (EPRI) tracks the Ohio River Basin Nutrient Trading Program through MarkIt (<https://mer.markit.com/brreg/public/orb/index.jsp?s=cp>), as does The City of Medford with its temperature compliance program managed by The Freshwater Trust (https://products.markit.com/brreg/public/index.jsp?entity=holding&name=&standardId=&unitClass=&sort=account_name&dir=ASC&start=450). The California Air Resources Board (CARB) uses a password-protected market tracking system called Compliance Instrument Tracking System Service (CITSS) to track and manage GHG credits (<http://www.arb.ca.gov/cc/capandtrade/markettrackingsystem/markettrackingsystem.htm>). SO_x and NO_x trades completed pursuant to the federal Clean Air Act must be registered in an EPA-managed database that serializes credits. EPA, Air Markets Program Data,

third-party registry, registration on agency website, or a hosted registry/tracking tool. For programs that involve restoration actions that last decades, a single location that serves as a clearinghouse for site-specific information—including project design documents, annual photo points, monitoring reports, and project performance information—is useful for both DEQ and external members of the public. Ashland will ensure that: 1) individual thermal benefits and transactions are accounted for and can be tracked, 2) program implementation progress can be tracked, and 3) sufficient information is provided related to individual project site trajectory (i.e., annual monitoring reports).

OAR 340-039-0025(6): ADAPTIVE MANAGEMENT

Pursuant to the trading rule, a trading plan must include a “description of how monitoring and other information may be used over time to adjust trading projects and under what circumstances.” Significant program amendments may require public review and comment, but other small changes will fall under the scope of adaptive management.⁷⁷

Ashland recognizes the importance of long-term maintenance and monitoring of projects in order to ensure overall trading program, specific project success and ecological improvement in program areas. The three-tiered monitoring approach described above will allow for programmatic tracking and evaluation of progress toward thermal benefit needs. The multi-decadal timeframe of the anticipated trading program necessitates the ability to adapt implementation, maintenance, monitoring, and performance tracking practices to reflect new knowledge, technology and information as it emerges. As technologies, BMP implementation, and monitoring practices evolve, it is expected that more efficient approaches or better knowledge about sources and methods to achieve program goals will also develop.

To adapt and improve the program over time, Ashland therefore proposes a five-year adaptive management cycle. A five-year review cycle provides a regular opportunity to review available data from the previous years of implementation, maintenance, and monitoring, and to incorporate new technologies and lessons learned through previous implementation cycles into BMP quality standards and guidelines, as well as monitoring, maintenance, and performance tracking protocols. Periodic review also affords transparency and quality control. A review period of five years is recommended to allow enough time to properly evaluate: 1) progress toward overall programmatic goals, as well as 2) the effectiveness of maintenance approaches and monitoring protocols. Data on restoration projects, while limited, also suggests that there is the potential for substantial time lag in measuring the ecological effectiveness of watershed restoration, and so a five-year window provides more flexibility to appropriately collect and analyze these data.

<http://ampd.epa.gov/ampd/>. The MWMC and Medford use Markit to register its SRF pilot program sites—to track and report on progress toward achieving program goals, as well as to confirm that projects are in place and meeting quality standards for implementation.

⁷⁷ In the City of Medford permit, DEQ notes that “significant amendments include changes in trading ratio, types of trades or trading metrics (for example, addition of an activity to a riparian shade restoration program that provides cooling or prevents heating but is not measured using a shading metric), or changes to trading parameters (for example, addition of nutrients to a thermal load credit program).” DEQ notes that “DEQ approval and public review is not required for trading agreements, specific project sites, or minor amendments to the program provided they are consistent with the overall direction and objectives of the permittee’s DEQ-approved credit trading program.” Or. Dep’t of Env’tl. Quality, City of Medford National Pollutant Discharge Elimination System Waste Discharge Permit, No. 100985, Schedule D(7)(a)(i)-(ii) (Dec. 13, 2011).

Use of SRF Funds to Generate Water Quality Trading Credits

OAR 340-039-0040(4): FINANCIAL ADDITIONALITY

Ashland received a Clean Water State Revolving Fund (SRF) Sponsorship Loan from DEQ in 2013. As stated in its application, Ashland intended to use a portion of the SRF funds to implement riparian shade projects to help it comply with its expected thermal load limits. Ashland's intent to use SRF funds to reimburse expenses associated with implementing, stewarding and monitoring temperature credit projects is relevant in two ways: financial additionality,⁷⁸ and project reimbursement eligibility.

Many trading programs, including Oregon's, include restrictions meant to ensure that the environmental benefit secured through the sale of a credit is in addition to what would have occurred without it. The Oregon rule specifically states that "credits generated under an approved trading plan may not include water quality benefits obtained with public conservation funds."⁷⁹ Therefore, the type of money used to purchase or develop credits does matter. Fortunately, the Oregon rule explicitly defines SRF loan funds as not being "public conservation funds"⁸⁰, meaning that trading projects funded by Ashland with these funds do not run the risk of violating Oregon's financial additionality obligations.⁸¹

⁷⁸ To be additional, thermal benefits used to meet Ashland's thermal load exceedance should be generated from BMPs funded by and implemented by, or on behalf of, Ashland. BMPs that are currently funded by another source of "public conservation funds" are not considered financially "additional" because they are already occurring. Because these actions would have occurred in the absence of an Ashland trading program, Ashland could not track any of these benefits to count as offsets against its thermal load exceedance. Federal, state or local cost-share funds (e.g., "public conservation funds") may be used to supplement BMPs that are being funded by Ashland or to help meet baseline obligations. However, public conservation funds cannot be used to generate thermal benefits that would count toward meeting Ashland's ETL excess. In the event that public conservation funds are used to supplement a thermal benefit-generating restoration project, it would be Ashland's responsibility to demonstrate that no public conservation funds were used to generate thermal benefits

⁷⁹ OR. ADMIN. RULES 340-039-0040(4).

⁸⁰ OR. ADMIN. RULES 340-039-0005(4) ("Public Conservation Funds: Public funds that are targeted to support voluntary natural resource protection or restoration. Examples of public conservation funds include United States Department of Agriculture (USDA) cost share programs, United States Environmental Protection Agency (EPA) section 319 grant funds, United States Fish and Wildlife Service Partners for Fish and Wildlife Program funds, State Wildlife Grants, and Oregon Watershed Enhancement Board restoration grants. Public funds that are not considered public conservation funds include: public loans intended to be used for water quality infrastructure projects, such as Clean Water State Revolving Funds, USDA Rural Development funds, and utility sewer storm water and surface water management fees.") (emphasis added).

⁸¹ EPA regulations are silent on this particular issue. However, the 2014 statutory amendments to the Clean Water SRF program suggested a strong inclination toward green infrastructure. Relevant to green infrastructure investment under the SRF program, the 2014 Water Resources Reform and Development Act (2014 WRRDA), Pub. L. No. 113-121, 128 Stat. 1193 (2014), expanded the list of eligible projects, requires utility recipients of SRF loans to certify that the utility "has selected, to the maximum extent practicable, a project or activity that maximizes the potential for efficient water use, reuse, recapture, and conservation, and energy conservation ..." and updated the SRF definitions to incorporate by reference the definition of "treatment works" to include the acquisition of land "that will be an integral part of the treatment process" and for construction.



Performance Standards for Riparian Revegetation

February 16, 2016

INTRODUCTION

The following is intended to serve as revised performance standards (Section I) and recommendations (Appendix A) for riparian restoration projects generating credits under the Willamette Partnership Ecosystem Credit Accounting System. The original standards were developed through collaboration with riparian restoration experts in the Willamette and Rogue Basins and have since been applied in those watersheds, as well as Oregon's John Day and North Coast watersheds. The standards have continued to evolve between their first application in 2011 and presently in 2016. Through that time, additional input and review was solicited from entities that operate throughout Oregon representing expertise in agricultural production, riparian restoration, and mitigation.

In 2015, Willamette Partnership engaged in robust discussions regarding how to more efficiently achieve a high level of confidence regarding riparian site condition through the use of revised performance standards. The metrics in this performance standard were selected to achieve four key criteria: 1) Science-based and credible; 2) Transparent and replicable; 3) Efficient and practical to apply; and 4) Applicable to a range of environmental conditions.

These revised performance criteria have been informed by reference site data from higher-quality riparian forests in multiple watersheds across Oregon, representing a range of ecoregions and precipitation patterns. Metric selection was also informed by experience monitoring credit-generating riparian revegetation projects in accordance with Willamette Partnership's 2011 draft riparian performance standards, review of relevant literature, and comparison to other riparian revegetation monitoring standards and programs. Documentation for the revisions incorporated herein is available upon request. Alternate criteria will be considered where supported by robust documentation of reference site conditions.

I. PERFORMANCE STANDARDS FOR RIPARIAN REVEGETATION PROJECTS GENERATING CREDITS

A. DEFINITIONS

Canopy Closure¹:

Canopy closure is an upward-looking point estimate of the coverage of a forest canopy, and may be measured in the field with a spherical densiometer (also called a mirror optometer) or by analyzing upward-looking hemispherical photographs.

Cover (or Absolute Cover) ¹ :	Cover is a downward-looking measure of the percentage of the ground surface covered by living plant leaves and stems. Areas not covered by vegetation are counted as unvegetated substrate. Total cover may be greater than 100% if species are present in multiple strata (i.e., tree, shrub and herbaceous layers).
Cover (Canopy):	Absolute cover as viewed from above tree height.
Cover (Native Shrub and Vine):	Absolute cover as viewed from beneath tree height.
Hydrologic zones ² :	Hydrozones, or hydrologic zones, are areas of relatively homogenous flood frequency, water table height, patterns of water transfer, and other hydrological characteristics, particularly those that affect plants.
Invasive Species:	A plant species should automatically be labeled as invasive if it appears on the current Oregon Department of Agriculture Noxious Weed list, plus known problem species including <i>Mentha pulegium</i> (pennyroyal) and <i>Elaeagnus angustifolia</i> (Russian Olive).
Project year:	Project year is measured as the number of completed growing seasons following initial verification, starting at 0. For example, where plantings are installed in the winter, the following fall would be considered the beginning of project year 1, because the plantings have gone through 1 spring and summer growing season.
Sampling:	Data will be collected using a standard random sampling method. Radial plots, rectangular plots, and belt transect methods are acceptable.
Shrub ³ :	A perennial woody plant that is usually multi-stemmed and normally grows to heights of 16 feet or less.
Tree ³ :	A perennial woody plant, usually with a single stem or few stems, that normally grows to a height greater than 16 feet.
Vine ³ :	A twining or climbing plant with relatively long stems. Vines may be herbaceous or woody.

B. PROJECT DESIGN

1. A project area includes the entire area, geospatially delineated, for which the Project Developer seeks shade credit. Project areas must border a river or stream with perennial flow.⁴
2. The Project Developer shall characterize reference sites to support project design.

¹ Jennings, Brown, and Sheil. 1999. Assessing forest canopies and understory illumination: canopy closure, canopy cover, and other measures. *Forestry*, Vol. 71, No. 1, pp-59-73.

² Chen et al. 2010. GIS-based Spatial Hydrological Zoning for Sustainable Water Management of Irrigation Areas. International Environmental Modelling and Software Society (iEMSs) 2010 International Congress on Environmental Modelling and Software Modelling for Environment's Sake, Fifth Biennial Meeting, Ottawa, Canada.

³ Definitions from USDA, http://plants.usda.gov/growth_habits_def.html.

⁴ The ecological value of intermittent systems and their contribution toward watershed health is recognized; however, at this time, Willamette Partnership is not able to reflect the inherent ecological diversity in intermittent stream systems. Furthermore, Willamette Partnership is not aware of a method for developing reference sites for intermittent streams.

a. Reference Site Selection Requirements:

- i. Reference sites must be located within the same Fifth Field HUC (HUC5)⁵ and be within 50% of the elevations of the highest and lowest anticipated project areas.⁶
- ii. As possible, reference sites should be consistent with the soils and/or substrate, hydrology, and geology of the project site.
- iii. Reference sites should support either a naturally regenerating or established appropriate vegetative community within the active riparian area of a river or stream, including the area within 75 feet of the river or stream, or otherwise to best reflect hydrozones at the site.
- iv. The reference site must extend over at least 10,000 contiguous square feet (0.23 acres) and be representative of the typical vegetation and substrate.
- v. Reference site riparian communities must support at least 5 native woody species, and trees must have an average minimum height of at least 10 feet, unless the typical mature plant community for the setting and substrate is documented otherwise.
- vi. Total cover of invasive species should not exceed 20%.
- vii. A minimum of two reference sites is required for each HUC5 in which projects are located.⁷

The Project Developer must detail its reference site search and selection protocol, the process it went through in seeking reference sites consistent with all of these criteria, and note how the best suitable sites were selected.

If the Project Developer is unable to find a reference site consistent with all of these criteria, Willamette Partnership will approve use of alternate criteria where justified and documented.

- b. Reference site data collection:** The Project Developer must collect reference site data and identify site locations, as well as plots or transects where applicable, using GPS or GIS and a representative photo. Data from each survey must be maintained and made available upon request, and summary data should be provided in the Project Design.

Data collected must include the following information for each reference site, at a minimum:

- GPS coordinates and datum;
- data collection date(s);
- collector name;
- percent cover of native shrubs and woody vines, by species;⁸ or stem density of native shrubs and woody vines;
- density of trees;
- percent canopy cover or closure;
- percent cover invasive woody species;
- percent cover invasive herbaceous species;
- woody plant species list; and
- invasive species list and relative abundances.

The *Sample Riparian Revegetation Monitoring Protocol* (Appendix A, Section 3) and an associated *Sample Monitoring Data Collection Form* (available upon request) are provided as examples illustrating appropriate protocols for collecting data on reference conditions. Willamette Partnership understands that monitoring procedures will vary to suit the needs of each project or program. Additional examples of monitoring protocols can be found in the Willamette Partnership *Stewardship and Monitoring Plan Example*, available at <http://willamettepartnership.org/market->

⁵ www.oregon.gov/DSL/PERMITS/docs/huc5.pdf.

⁶ This range is calculated as (lowest elevation – (lowest elevation* 0.5)) through (highest elevation + (highest elevation* 0.5)).

⁷ Reference sites may be used for multiple restoration projects within the same HUC5.

⁸ Including at least all species with cover >5%.

tools-rules/water-quality. If a Project Developer elects to use their own protocol, it should be made available to Willamette Partnership upon request.

3. Planting

- a. **Base plantings on reference site and professional judgment:** Plantings must be based on appropriate plant community determined by local reference sites. It is understood that Project Developers will also take into account conditions and species present at a restoration site and utilize their professional judgment when developing a site-specific planting plan.
- b. **Use local plant stock if available:** Unless otherwise unavailable, the Project Developer should use only woody plant materials grown from seed, cuttings, or other plant materials collected from natural populations growing within either the WWETAC Provisional Seed Zone for Conifer and Shrub Species⁹ or the EPA Level III Ecoregion¹⁰ containing the project area(s). Seed collection at extreme elevation should be avoided.

C. PERFORMANCE STANDARDS

1. **Monitoring:** The Project Developer shall submit monitoring reports that describe site condition, management actions taken, management actions anticipated, and overall progress toward the performance criteria below on an annual basis, or as described in the General Crediting Protocol. Sample monitoring reports are available upon request.
2. **Performance Criteria:** At the end of the 5th, 10th, 15th, and 20th project year, collected data must demonstrate that the project area meets the performance criteria shown in Table 1 below.

Alternate project performance criteria will be considered where supported by robust documentation of reference site conditions. Review and approval of alternate criteria by Willamette Partnership and appropriate experts approved by Willamette Partnership should occur prior to initial project verification.

Table 1. Performance Criteria for Riparian Plantings

Criteria	Performance criteria			
	Year 5	Year 10	Year 15	Year 20
EITHER: 1) Mean stem density of native shrubs and woody vines ¹¹	Meets or exceeds 1600 live native woody stems per acre	80% of the native woody stem density identified at the end of the fifth growing season	70% of the native woody stem density identified at the end of the fifth growing season	Same as performance criteria for year 15
OR 2) Site average for combined native shrub and woody vine cover	Site average for combined native shrub and woody vine cover $\geq 25\%$			
% canopy closure or cover	N/A	N/A	$\geq 25\%$	

⁹ The USDA's Western Wildland Environmental Threat Assessment Center (WWETAC) is in Prineville, Oregon, www.fs.fed.us/wwetac/.

¹⁰ www.epa.gov/wed/pages/ecoregions/level_iii_iv.htm.

¹¹ Mean woody stem density is determined by counting all live woody stems taller than six inches (regardless of vigor) by species within reference sites. Count multi-stem species (e.g., *Symphoricarpos*, *Rosa*) as one stem per square foot (1' x 1').

Native trees/acre	None	(Dry ecoregions) ¹² ≥ 50 trees/acre (Wet ecoregions) ¹³ ≥ 100 trees/acre
Number of native woody species	At least 5 native woody species present	
Invasive woody and herbaceous cover	No greater than 20% cover invasive herbaceous species No greater than 10% cover invasive woody species	
Non-native woody and herbaceous cover	Take and document actions reasonably necessary to evaluate the risk posed to project site by non-native species, where they are problematic (e.g., <i>Phalaris arundinacea</i> (Reed canary grass), <i>Hedera helix</i> (English ivy), <i>Ilex aquifolium</i> (English holly)), taking the steps necessary to control those non-native species such that their presence does not prevent the successful establishment and propagation of native ecosystem characteristics and functions. This includes monitoring and reporting % cover of such species. ¹⁴	

¹² For the purposes of this performance standard, EPA Level III ecoregions in Oregon that are considered to be "dry": Klamath Mountains, Blue Mountains, East Cascades, Columbia Basin, Northern Basin and Range.

¹³ EPA Level III ecoregions in Oregon that are considered to be "wet": West Cascades, Willamette Valley, Coast Range.

¹⁴ In particular, this standard is intended to address *Phalaris arundinacea*. *P. arundinacea* was considered for inclusion as an invasive species; however, given its pervasiveness in western Oregon and the evolving nature of science regarding its role in riparian function, Willamette Partnership has chosen to forego development of a quantitative standard at this time with the intention to reconsider its status within the standards by 2020.

APPENDIX A. VOLUNTARY GUIDANCE AND RECOMMENDATIONS FOR RIPARIAN REVEGETATION

1. CONSIDERATIONS FOR SUCCESSFUL RIPARIAN REVEGETATION

The following recommendations are based on the experience of riparian restoration professionals from Clean Water Services in Oregon's Tualatin River basin.

- A. Hydrology: Consider the frequency and duration of water inundation and groundwater influences. Divide the planting area into hydrologic zones based on elevation and flood period. Most sites include one or more of the following planting zones with respect to hydrology during the growing season: Toe (Wet) - standing or flowing water/nearly constant saturation, anaerobic soils; Bank and Overbank (Moist) - periodically saturated, anaerobic and/or aerobic soils; Transition (Dry) - infrequent inundation/saturation, if any; aerobic soils.
- B. Soils and substrate: Unless soils and/or site substrate is heavily compacted, tilling and disking disturb soils and are generally unnecessary for successful revegetation and may even encourage colonization by invasive species.
- C. Weeds and Site Context: Consider site preparation and future maintenance needs in light of characteristics of current vegetation. Consider the current and potential influences of areas surrounding site (e.g., the introduction of propagules of non-native species) and select boundaries and all-season access points that facilitate maintenance.
- D. Plant Materials: To the extent possible, all plant seed and material should be procured from nurseries that use sustainable practices defined by organizations like Salmon Safe, Food Alliance, NRCS, etc. NRCS Plant Materials Centers¹⁵ provide resources to guide selection of plant materials. One to two-year old bare root seedlings yield excellent results at most sites. Bare root or containerized plants may be used, but the cost of transporting and planting containerized stock is typically higher. Cuttings from native *Salix*, *Populus*, *Cornus*, *Spiraea*, *Lonicera*, and other species can effectively supplement bare root plantings. *Salix*, *Populus*, and *Cornus sericea* will be most appropriate on steep streambanks. Consider genetic diversity amongst cuttings, repeated cuttings from the same individuals may not provide the same benefits in terms of habitat and resilience in the plant community. Native grass and forb seed can help with erosion and weed control. Small-stature native grasses are recommended to prevent excessive competition with planted trees and shrubs for moisture and sunlight. Bare root seedlings should be protected from freezing and drying during transport and planting.
- E. Planting: Planting in curved rows at regular spacing intervals can facilitate maintenance. Planting season with bare root plants typically lasts from late January to mid-March in Western Oregon. Fall and spring plantings are also possible if using containerized stock. Plan to inter-plant at approximately 25 percent of original planting numbers in project year two. When considering plantings in the zones below the ordinary high water and on point bars, take into account the geomorphic processes of the stream or river system, as plantings in this area may disrupt sediment transport processes at the site and downstream. They are also at high risk of loss from scour.
- F. Plant protection: Consider potential for herbivory by beaver, nutria, deer, elk and voles. Select species and orient planting to reduce losses. In grassy areas, consider spring ring spray for vole protection and moisture conservation. Voles will not likely girdle plants unless they are under the cover of grass. In areas with beaver activity, provide sufficient food supplies (willow) near den and slide access areas to concentrate herbivory activity. Consider supplemental plant material stocking during the fall months, when beaver are most active in rebuilding structures. Some professionals choose to protect existing large trees with a min 4' welded wire (or higher if site floods).

¹⁵ <http://www.nrcs.usda.gov/wps/portal/nrcs/main/plantmaterials/pmc/>

- G. Maintenance: Visit site regularly. During site establishment, minimum maintenance on most sites includes one spring ring spray, one summer mow or cut and one fall spot spray. In irrigated riparian areas, with water rights, irrigation may be an appropriate option during the first two years. The need for irrigation can usually be avoided in a typical summer with proper plant selection and placement and good grass control (e.g., moisture conservation ring spray) around plants. In some locations, a 25% inter-plant of lost plants in project year two may be more cost-effective than irrigation.
- H. Woody plant density recommendations: Although woody plant stem densities vary widely among Oregon plant communities, and should be confirmed through reference site data, the recommended range for planting on Willamette Valley riparian areas is between 2,000 and 2,600 stems per acre. Sample formulae for calculating densities are as follows:

Tree stems = square footage of planting area x 0.01

Shrub stems = square footage of planting area x 0.05

These formulae are intended to be used as a guide and stem density should be modified to reflect site conditions, localized reference conditions, restoration objectives, and target plant community types. For example, these values may need to be adjusted downward for low precipitation areas, local conditions may dictate planting density, or planting density may vary within the site.

2. SAMPLE REFERENCE SITE DATA COLLECTION PROTOCOLS

Using the *Reference Site Data Form* (available upon request), collect data using a standard sampling methodology. At a minimum, radial plots, rectangular plots, and belt transect methodologies are acceptable.

- **Radial Plots**: Plots located at random to represent the reference sites. Location of plots should not be intended to maximize or minimize any particular metric. Random plot locations may be generated using GIS or other methods. Plots that fall within a stream or pond may be moved landward in a direction perpendicular to the stream or pond edge. Plot relocations and unique conditions should be noted on the data forms.
- **Rectangular Plots**: Rectangular macroplots with the long end oriented perpendicular to the stream (and crossing all the hydrozones).
- **Belt Transects**: 1m or wider belt transects oriented perpendicular to the stream and covering the entire riparian corridor within reference sites, as described in Roegner, G.C. et al. 2008.¹⁶

Count all live woody stems taller than 6" (regardless of vigor). Count multi-stem species (e.g., *Symphoricarpos*, *Rosa*) as one stem per square foot (1' x 1').

Estimate cover of native woody species, non-native woody species, invasive woody species, native herbaceous species, non-native herbaceous species, invasive herbaceous species, and unvegetated substrate within reference site plots or transects to the nearest 5%. Cover is defined as absolute cover and is measured as the percentage of the ground surface covered by living plant leaves and stems when viewed from above. Areas not covered by vegetation are counted as unvegetated substrate. Cover may be greater than 100% if species are present in multiple strata (i.e., tree, shrub and herbaceous layers). Indicate 'T' for Trace for species that cover less than 5% of the plot.

Reference Site Data Summary

The Project Developer should summarize reference site plot data for each program area or basin. In cases where alternate project performance criteria are being considered, this information will help establish the minimum revegetation standards against which the project(s) will be evaluated by the Verifier at the end of the fifth growing season following planting. The following table provides an example.

¹⁶ Roegner, G.C. et al. 2008. *Protocols for Monitoring Habitat Restoration Projects in the Lower Columbia River and Estuary*. Available at: http://www.pnl.gov/main/publications/external/technical_reports/PNNL-15793.pdf.

Project Developer:		Date:	
Collected by:			
HUC 5 (10 digit):			
Number of reference sites:			
Reference site locations			
	1	2	3
Latitude and longitude or address, attach map			
Elevation:			
Size:			
Number of reference plots or transects:			
Number of native woody species			
Reference site photos: Attach photos			
	Min	Max	Mean
Woody stem density/plot or transect; OR			
Combined native shrub and woody vine cover			
Native trees/acre			
Canopy cover or closure (%)			
Invasive herbaceous species cover (%)			
Invasive woody species cover (%)			

3. SAMPLE RIPARIAN REVEGETATION MONITORING PROTOCOL

The following method, which focuses on methods for measuring native woody stem density and native and invasive species cover, is for informational purposes. Additional examples of monitoring protocols are available in the Willamette Partnership *Stewardship and Monitoring Plan Example*.¹⁷

A. Plot Size and Location

Data will be collected using a standard sampling methodology. At a minimum, radial plots, rectangular plots, and belt transect methodologies are acceptable. Plots will be located randomly. Location of plots should not be intended to maximize or minimize any particular metric. Random plot locations may be generated using GIS or other methods. Plots that fall within a stream or pond may be moved landward in a direction perpendicular to the stream or pond edge. Plot relocations and unique conditions should be noted on the data forms.

- **Radial Plots:** Radial plots located at random to represent the planting area. **Rectangular Plots:** Rectangular macroplots with the long end oriented perpendicular to the stream (and crossing all the hydrozones).
- **Belt Transects:** 1m or wider belt transects oriented perpendicular to the stream and covering the entire riparian corridor within reference sites, as described in Roegner, G.C. et al. 2008.¹⁸

The *Monitoring Data Form* is included as Table 3.

¹⁷ *Stewardship and Monitoring Plan Template* and *Stewardship and Monitoring Plan Example* are available at: <http://willamettepartnership.org/tools-templates>

¹⁸ Roegner, G.C. et al. 2008. *Protocols for Monitoring Habitat Restoration Projects in the Lower Columbia River and Estuary*. Available at: http://www.pnl.gov/main/publications/external/technical_reports/PNNL-15793.pdf.

B. Native Tree, Shrub and Woody Vine Stem Counts

Using the *Monitoring Data Form*, count all live woody stems taller than 6" (regardless of vigor) within plots. Count multi-stem species (e.g., *Symphoricarpos*, *Rosa*) as one stem per square foot (1' x 1'). The count should include both planted and non-planted vegetation. Note significant instances of low vigor, damage from animals and other apparent problems on the data sheet.

C. Native and Non-Native Species Cover

Estimate cover of native woody species, non-native woody species, invasive woody species, native herbaceous species, non-native herbaceous species, invasive herbaceous species, ground substrate within plots to the nearest 5%. Cover is defined as absolute cover and is measured as the percentage of the ground surface covered by live plant leaves and stems when viewed from above. Areas not covered by vegetation are counted as unvegetated substrate. Cover may be greater than 100% if species are present in multiple strata (i.e., tree, shrub and herbaceous layers). Indicate 'T' for Trace if a non-native species covers less than 5% of the plot.

D. Timing of Data Collection

Data collection should occur following the expression of seasonal plant growth and mortality and prior to leaf drop. In most areas this period will include the months of September and October. Data collected outside of this period are subject to additional review.

E. Determining Sample Size

Initial sample size may be determined using the minimum plot number in the table below or by using the sample size workbook available on the Oregon Department of State Lands website.¹⁹

Table 2. Sample summary of sampling plot size relative to site size.

Plot Size	Project Area/Minimum Plot Number ²⁰		
	Up to 2 acres	>2 to 5 acres	>5 acres
11.7' radius (3.57m)	9	17	25

F. Data Analysis and Reporting

Monitoring should yield data that provide 80% confidence that reported values are within ± 10 units of the true population.²¹ Plot or transect data should be summarized in following or similar format and the results compared to the eligibility standards.

¹⁹ www.oregon.gov/DSL/PERMITS/docs/sample_size_workbook.xls in Oregon Department of State Lands' *Routine Monitoring Guidance for Vegetation* (Draft Sept 23, 2009).

²⁰ Where the use of minimum plot number will not yield statistically valid results, additional plot data will be required.

²¹ Oregon Department of State Lands' *Routine Monitoring Guidance for Vegetation* (Draft Sept 23, 2009).

Table 3. Sample Monitoring Data Form

Project Developer:		Project Area Name:		Date:						
HUC 5:										
Plot or Transect#	Number of woody species	Woody stem count per acre	% Native woody cover	% Non-native woody cover	% Invasive woody cover	% Native herbaceous cover	% Non-native herbaceous cover	% Invasive herbaceous cover	% unvegetated substrate	
1										
2										
3...										
Total										
Mean (Clx = Y1-Y2)										
Standard Deviation										
Standard Error										
Low Estimate (Y1)										
High Estimate (Y2)										

CI= Confidence Interval, x = 80% confidence level, Y1 = low estimate, Y2 = high estimate
 Standard Error is calculated as the Standard Deviation divided by the square root of the number of plots (n).
 Y1 and Y2 are calculated as Mean $\pm$ (standard error * t-factor 80%).

4. EXAMPLE PROGRAM DEVELOPMENT CHECKLISTS

Pre-enrollment Checklist

WWETAC Provisional Seed Zones for Conifer and Shrubs	_____
EPA Level III Ecoregion and HUC 5 boundaries	_____
Preliminary program area(s) boundary mapped	_____
Land ownership assessed and mapped	_____
Landowner agreement drafted	_____
Existing and potential nursery capacity evaluated	_____
Existing and potential contractor capacity evaluated	_____
Range of site conditions evaluated	_____
Revegetation limiting factors/risk assessment	_____

Enrollment/Pre-implementation Checklist

Final program area boundary mapped	_____
Preliminary reference sites selected	_____
Preliminary project area(s) identified and mapped	_____
Landowner agreement(s) signed	_____
Reference site plot data collected and summarized	_____
Site prep, planting and maintenance practices established	_____
Monitoring plan developed	_____
Preliminary species list established	_____
Preliminary nursery list established	_____
Nursery stock type(s) selected	_____
Preliminary contractor list established	_____
Nursery (incl. seed) and cold storage contract(s) executed	_____
Revegetation contract(s) executed	_____

Implementation Checklist 1

Final project area(s) identified and mapped	_____
Project prescription(s) developed	_____
Project(s) prepared and inspected	_____
Project(s) planted and inspected	_____
Project(s) maintained and inspected	_____
15% implementation contingency in place for each project	_____

Implementation Checklist 2

Nursery contract(s) evaluated/modified as necessary	_____
Revegetation practices evaluated/modified as necessary	_____
Revegetation contract(s) evaluated/modified as necessary	_____
Monitoring data collected and analyzed	_____
Determination of acceptable progress or contingency plan	_____



Council Business Meeting

Date: June 3, 2025

Agenda Item	A Resolution Allocating BN23-25 Transient Lodging Tax Funds to the Oregon Shakespeare Festival
Department	City Manager's Office
From	Jordan Rooklyn

TIME ESTIMATE

1 minute

CATEGORY

Ordinance/Resolution - a motion is needed to adopt the ORD. or RESO.

SUMMARY

If approved, this resolution will allocate \$100,000 from the Tourism Fund to the Oregon Shakespeare Festival for the purpose of tourism promotion.

POLICIES, PLANS & GOALS SUPPORTED

Council Priority to support Economic Development.

BACKGROUND AND ADDITIONAL INFORMATION

At the May 19, 2025, City Council Study Session, City Council provided direction to staff to allocate \$100,000 of BN23-25 Tourism Fund dollars to the Oregon Shakespeare Festival. These funds must be used to support tourism promotion, pursuant to ORS 320.300.

Tourism promotion means (a) advertising, publicizing or distributing information for the purpose of attracting and welcoming tourists; (b) conducting strategic planning and research necessary to stimulate future tourism development; (c) operating tourism promotions agencies; and (d) marketing special events and festivals designed to attract tourists.

As of April 30, 2025, the Tourism Fund has the following budget/projections:

- Fund balance as of 7/1/24: \$982,117
- FY25 Budgeted Revenues: \$1,083,103
- FY25 Budgeted Expenses: \$1,556,292
- Projected FY25 Actual Revenues: \$938,509
- Projected FY25 Actual Expenses: \$923,493 (excluding \$100,000 allocation to OSF)

FISCAL IMPACTS

If approved, this would allocate \$100,000 in Tourism Funds to the Oregon Shakespeare Festival. The Tourism Fund would remain within budget for FY25.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

Approval via Consent Agenda

REFERENCES & ATTACHMENTS

1. Resolution 2025_15





Council Business Meeting



RESOLUTION NO. 2025-15

A RESOLUTION ALLOCATING BN23-25 TRANSIENT LODGING TAX FUNDS TO THE OREGON SHAKESPEARE FESTIVAL

RECITALS:

- A. The City of Ashland imposes a 10% Transient Lodging Tax on temporary or short-term lodging within Ashland's city limits.
- B. Sixty-nine and four one-thousandths percent (69.04%) of that tax revenue goes into the City of Ashland's General Fund to support services and 30.96% is reinvested into supporting and growing tourism per ORS 320.300.
- C. The Oregon Shakespeare Festival is the biggest driver of tourism in Ashland.
- D. It is the desire of the City Council to provide Transient Lodging Tax funds to the Oregon Shakespeare Festival for the purpose of increasing the number of visitors to the Festival, and thus to Ashland.

THE CITY OF ASHLAND HEREBY RESOLVES AS FOLLOWS:

SECTION 1. One hundred thousand dollars from the Tourism Fund BN23-25 budget will be granted to the Oregon Shakespeare Festival for the purpose of tourism promotion.

SECTION 2. Tourist promotion is defined pursuant to ORS 320.300.

SECTION 3. This resolution is effective upon adoption.

This resolution was duly PASSED and ADOPTED this _____ day of _____, 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:

Johan Pietila, City Attorney



Council Business Meeting

Date: June 3, 2025

Agenda Item	Approval of Personal Services Contract - Ashland Chamber of Commerce (DBA Travel Ashland) Destination Marketing Activities
Department	City Manager's Office
From	Jordan Rooklyn

TIME ESTIMATE

1 minute

CATEGORY

Contract Approval - as the contract board, confirm proper procedure with a motion to approve.

SUMMARY

Approval of a contract for the provision of destination marketing services from the Ashland Chamber of Commerce (DBA Travel Ashland) in the amount of \$450,000 for FY26.

POLICIES, PLANS & GOALS SUPPORTED

- Community Value: Quality of life that underpins the City's economic vibrancy.
- City Council Priority: Economic Development

BACKGROUND AND ADDITIONAL INFORMATION

At the May 6, 2025, City Council Business Meeting, City Council directed staff to contract with Travel Ashland for the provision of destination marketing services at the amount of \$450,000 for one year.

The contract includes:

- One-year contract with the option to renew.
- Limitation that no more than 50% of the funds provided can go towards salaries, fringe benefits, and general officer overhead.
- Governance structure stipulations.
- Reporting requirements.
- The provision of the following services:
 - Tourism promotion activities
 - Visitor Guide development and distribution.
 - Visitor Information Center provision.
 - Business Marketing Program
 - Data, analytics, and research
 - Reporting and documentation

FISCAL IMPACTS

If approved, this contract will direct \$450,000 of FY26 Tourism Fund revenues to Travel Ashland for destination marketing services.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

Approval via Consent Agenda





Council Business Meeting

REFERENCES & ATTACHMENTS

1. Sole Source Procurement_Travel Ashland
2. Personal Services Agreement_Travel Ashland



Memo

To: Sabrina Cotta, City Manager
From: Jordan Rooklyn, Deputy City Manager
Date: May 13, 2025
Re: City Manager Signature Needed for Sole Source Procurement Notice

Background:

On May 6, 2025, City Council directed staff to draft a contract with Travel Ashland for destination marketing activities. As a part of that contract process, we are required to post a sole-source procurement notice on our website.

Council Action:

May 6, 2025, direction to draft a contract with Travel Ashland for destination marketing activities for \$450,000.

Other Relevant Information: N/A

Insurance waived or reduced? No

Who to return to if different from sender? N/A

Are all other signatures required collected? Yes

If no, please collect before sending them to the City Manager.

Are all attachments listed included? Yes

If no, please include all attachments before sending to the City Manager.

X 

SOLE-SOURCE DETERMINATION AND WRITTEN FINDINGS**PERSONAL SERVICES****Greater than \$75,000**

To: Sabrina Cotta, City Manager

From: Jordan Rooklyn, Deputy City Manager

Date: May 13, 2025

Re: **Sole Source Determination and Written Findings for Personal Services**

In accordance with AMC 2.50.090(F), the Department Head shall determine in writing that there is only one provider of a product or service of the quality and type required available.

Estimated total value of contract: \$450,000

Project name: Destination Marketing Activities for BN25-27

Description of project: Destination marketing activities funded by Transient Lodging Tax Revenue

Background:

The City imposes a 10% Transient Lodging Tax (TLT) on temporary short-term lodging within Ashland's city limits. Roughly 70% of that tax revenue goes into the City's General Fund to support services, and roughly 30% is reinvested into supporting and growing tourism.

To help support and grow tourism, the City of Ashland has historically contracted with the Ashland Chamber of Commerce, DBA Travel Ashland, to provide destination marketing activities including tourism promotion, development of the Visitor's Guide, operation of the Visitor Information Center, and data, analytics, and research related to tourism.

Findings:

Market Research Overall finding:

There are two other destination marketing organizations in our region: Travel Medford and Travel Southern Oregon. Travel Medford does not desire to extend their tourism promotion activities to Ashland and Travel Southern Oregon, due to its funding structure, is unable to perform direct marketing activities.

Pursuant to ORS 279B.075 (2)(a): Provide findings supporting your determination that the efficient utilization of existing goods requires the acquisition of compatible goods or services from only one source.

Travel Ashland has been providing Destination Marketing services to the City of Ashland for over a decade. They provide tourism promotion by marketing Ashland to visitors more than 50 miles away, develop the annual Visitor's Guide, operate the Visitor Information Center, and conduct analytics and research related to tourism in Ashland. Continuing to contract with Travel Ashland will allow the efficient and effective utilization of marketing activities that are currently in progress including: brand redevelopment, multi-year marketing plans, and coordination with other tourist-based organizations within Ashland.

PUBLIC NOTICE:

Pursuant to OAR 137-047-0275 (2), a Contracting Agency shall give public notice of the Contract Review Authority's determination that the Goods and Services or class of Goods and Services are available from only one source in a manner similar to the public notice of Competitive Sealed Bids under ORS 279B.055(4) and OAR 137-047-0300. The public notice shall describe the Goods or Services to be acquired by a Sole Source Procurement. The Contracting Agency shall give such public notice at least seven days before Award of the Contract.

After the Sole Source Procurement has been approved by the City Council, the following public notice will be posted on the City's website to allow for the seven (7) day protest period.

Date Public Notice first appeared on www.ashland.or.us – 5/13/2025

PUBLIC NOTICE

Approval of a Sole Source Procurement

First date of publication: 5/13/2025

A request for approval of a Sole Source procurement was presented to and approved by the City Council, acting as the Local Contract Review Board, on 5/6/2025.

It has been determined based on written findings that the following Personal Services are available from only one source.

Local destination marketing activities, Travel Ashland, one-year contract for \$450,000

The contract terms, conditions and specifications may be reviewed upon request by contacting: Jordan Rooklyn, City Manager's Office, 541-552-2103.

An affected person may protest the determination that the personal services are available from only one source in accordance with OAR 137-047-0710. A written protest shall be delivered to the following address: City of Ashland, City Manager's Office, 20 E Main St, Ashland, OR 97520. The seven (7) day protest period will expire at 5:00pm on May 20, 2025.

This public notice is being published on the City's Internet World Wide Web site at least seven days prior to the award of a public contract resulting from this request for approval of a Sole Source procurement.



Personal Services Agreement

City Information

City of Ashland
Attn: Jordan Rooklyn
20 East Main Street
Ashland, Oregon 97520
Phone: 541-552-2103
Email: jordan.rooklyn@ashland.or.us

Consultant Information

Ashland Chamber of Commerce,
Firm Name: DBA Travel Ashland
Contact: Sandra Slattery
Address: 110 E Main St
Ashland, Oregon 97520
Phone: 541-482-3486
Email: sandra@ashlandchamber.com

Contract Summary

Procurement Method: Sole Source
Completion Date: June 30, 2026
Contract Amount: \$450,000
Description of Services: Destination Marketing Activities
Supporting Documents: Exhibit A – Consultant’s Services Dated: May 20, 2025
Exhibit B – Living Wage Dated: May 20, 2025
Exhibit C – Governance Policies & Procedures Dated: May 20, 2025
Exhibit D – Certification/Representation Dated: May 20, 2025

This Personal Services Agreement (hereinafter “Agreement”) is entered into by and between the City of Ashland, an Oregon municipal corporation (hereinafter “City”) and the Consultant listed under Consultant Information above, (“hereinafter “Consultant”), for the services listed under Description of Services and Supporting Documents as noted in the Contract Summary above. In the event of conflict between provisions of the Supporting Documents, the Supporting Documents shall be given precedence in the order listed above.

This Agreement, the Exhibits and the Supporting Documents shall be construed to be mutually complementary and supplementary wherever possible. In the event of a conflict which cannot be so resolved, the provisions of this Agreement itself shall control over any conflicting provisions in any of the exhibits or supporting documents. The Consultant’s initials [] herein signify acknowledgment and agreement to this provision, if applicable, or if not sign “N/A”.

Consultant’s services are collectively referred to in this Agreement as the “Work.”

NOW THEREFORE, in consideration of the mutual covenants contained herein, the City and Consultant hereby agree as follows:

1. Definitions:

- 1.1. "Tourism promotion" means any of the following activities: (a) advertising, publicizing, or distributing information for the purpose of attracting and welcoming tourists; (b) conducting strategic planning and research necessary to stimulate future tourism development; (c) operating tourism promotion agencies; and (d) marketing special events and festivals designed to attract tourists. ORS 320.300(7).
- 1.2. "Tourism" means economic activity resulting from tourists. ORS 320.300(6).
- 1.3. "Tourist" means a person who, for business, pleasure, recreation, or participation in events related to the arts, heritage, or culture, travels from the community in which that person is a resident to a different community of residence, and that trip (a) requires the person to travel more than 50 miles from the community of residence; or (b) includes an overnight stay. ORS 320.300(10).

2. Effective Date and Duration: This Agreement shall become effective on July 1, 2025. It shall remain in effect for one (1) year, ending June 30, 2026, unless sooner terminated as specifically provided herein. There will be an option for renewal for an additional one (1) year ending June 30, 2027. The City must notify the Consultant of renewal at least three (3) months in advance of expiration of agreement.

3. Compensation: City shall pay Consultant the sum listed as the "Contract Amount" under the Contract Summary on page one of this document as full compensation for Consultant's performance of all Work under this Agreement. In no event shall Consultant's total of all compensation and reimbursement under this Agreement exceed the Contract Amount without the express written approval from the appropriate Department Head or City Manager. Payments shall be made within thirty (30) days of the date of receipt by the City of Consultant's invoice. Should this Agreement be terminated prior to completion of all Work, payments will be made for any phase of the Work completed and accepted as of the date of termination.

4. Consultant Obligations:

- 4.1. **Administrative and Management Functions.** The City recognizes that the Consultant is an entity of the Ashland Chamber of Commerce, DBA Travel Ashland. Consultant shall provide day-to-day management activities including the planning and acquisition of services, equipment, supplies and facilities to fulfill the requirements of this agreement. Consultant shall be responsible for maintaining capable and competent staff, including management staff. Consultant executive staff or designee shall attend any City Council meetings as directed by City Council to provide updates, information, or other data on Travel Ashland plans and services. Of the total contract amount of \$450,000.00, no more than \$225,000.00 shall be allocated toward salaries, fringe benefits, rent, utilities, accounting services, and insurance incurred in the performance of this Agreement. The

remaining funds shall be used for marketing activities and related market research, advertising campaigns, content creation, outreach endeavors, and other marketing-related services as specified herein.

4.2. Governance.

4.2.1. The City recognizes that the Consultant has created the Travel Ashland Advisory Committee (TAAC) for the purpose of offering travel & hospitality expertise, support, counsel and direction to Consultant.

4.2.2. The TAAC shall consist of twelve (12) members which shall represent the lodging and other tourism industries with no one industry having a majority membership.

4.2.3. Purpose and Mission, Chair, Duties, and other Membership procedures are to follow those outlined in Exhibit C – Governance Policies & Procedures.

4.2.4. The TACC shall assist in the development of, and review and approve the Travel Ashland annual marketing plan and budget.

4.2.5. The City will provide a liaison to the TAAC to attend monthly meetings and report back to City Council.

4.3. Reporting. The following are agreed upon procedures to determine Consultant's compliance with this agreement.

4.3.1. Budget.

- Consultant shall submit an annual budget to the City for review by May 1 for the fiscal period that will begin on July 1 for each year of the agreement.
- Consultant shall submit a carryover budget allocation report by March 30. The TAAC will review and approve the allocation of carryover funds.
- Consultant must at all times identify a separate bank account from the Ashland Chamber of Commerce to identify receipts and disbursements of funds paid and received under this contract. Any difference in the amounts paid and received shall be noted and explained.

4.3.2. Reporting.

- Consultant shall report the total of all funds disbursed by line item under this agreement and identified in Exhibit A – Consultant's Services and Section 4.1 Administrative and Management Functions by June 1 each year. This total shall be compared to the total amounts received from the City and the differences shall be computed.

- Consultant shall provide its financial statement for each year (ending June 30) to City, with a comparison to the proposed budget in Section 4.3.1 above.
- The actual amounts shall be traced to the Consultant's general ledger, and the budget amounts shall be compared to the proposed budget required by this agreement.
- The actual amounts shall be compared by classification to the total amounts by classification that were examined under Exhibit A – Consultant's Services and Section 4.1 Administrative and Management Functions and compute the difference.
- The funds that were received but were not spent by June 30 of each year shall be incorporated in the budget for the following year.
- Consultant shall report quarterly to the CITY including financial reports provided to TAAC. A Study Session will be scheduled at the discretion of the Council.

4.3.3. **Audit.** Consultant shall provide the City with a certified financial statement audit at the City's request. The City shall provide one-hundred twenty (120) day notice of the request. The audit shall be performed by an accounting firm selected by the City in accordance with professional standards. This firm shall not have a current contractual relationship with the Chamber or be a member of the Chamber. The cost of the audit will be born by the Consultant.

4.3.4. **Access to Records.** Consultant shall maintain for at least six (6) years all books, documents, papers, and records which are pertinent to the services provided under this agreement for purposes of audit, examination, excerpts, and transcripts. The City Manager or their designee may examine during normal business hours the books and accounting records of Consultant after notifications to Consultant. Information regarding the contents of books, paper, and accounting records shall be considered confidential, provided that nothing shall prevent disclosure to other Ashland officials for the purpose of enforcing any provisions of this agreement.

4.4. **Independent Contractor Status.** Consultant is an independent contractor and not an employee of the City for any purpose. Consultant shall have the complete responsibility for the performance of this Agreement. Consultant shall provide workers' compensation coverage as required in ORS Chapter 656 for all persons employed to perform Work pursuant to this Agreement. Consultant is a subject employer that will comply with ORS 656.017.

4.5. **Qualified Work.** Consultant has represented, and by entering into this Agreement now represents, that all personnel assigned to the Work to be performed under this Agreement are fully qualified to perform the services to which they will be assigned in a skilled manner

and, if required to be registered, licensed, or bonded by the State of Oregon, are so registered, licensed, or bonded.

- 4.6. **Work Performance Obligation.** Consultant shall, at its own risk, perform the Work described in the Description of Services and in the Supporting Documents and, unless otherwise specified in this Agreement, furnish all labor, equipment, and materials required for the proper performance of such Work.

5. Insurance: Consultant shall, at its own expense, maintain the following insurance:

- 5.1. **Worker's Compensation.** Worker's Compensation insurance in compliance with ORS 656.017, which requires subject employers to provide Oregon workers' compensation coverage for all their subject workers.
- 5.2. **Professional Liability** insurance with a combined single limit, or the equivalent, of not less than \$2,000,000 (two million dollars) per occurrence. This is to cover any damage caused by error, omission or negligent acts related to the Work to be provided under this Agreement.
- 5.3. **General Liability** insurance with a combined single limit, or the equivalent, of not less than \$2,000,000 (two million dollars) per occurrence for Bodily Injury, Death, and Property Damage.
- 5.4. **Automobile Liability** insurance with a combined single limit, or the equivalent, of not less than \$2,000,000 (two million dollars) for each accident for Bodily Injury and Property Damage, including coverage for owned, hired or non-owned vehicles, as applicable.
- 5.5. **Notice of cancellation or change.** There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without thirty (30) days' prior written notice from the Consultant or its insurer(s) to the City.
- 5.6. **Additional Insured/Certificates of Insurance.** Consultant shall name the City of Ashland, Oregon, and its elected officials, officers and employees as Additional Insureds on any insurance policies, excluding Professional Liability and Workers' Compensation, required herein, but only with respect to Consultant's services to be provided under this Agreement. The consultant's insurance is primary and non-contributory. As evidence of the insurance coverages required by this Agreement, the Consultant shall furnish acceptable insurance certificates prior to commencing the Work under this Agreement. The certificate will specify all of the parties who are Additional Insureds. Insuring companies or entities are subject to the City's acceptance. If requested, complete copies of insurance policies; trust agreements, etc. shall be provided to the City. The Consultant shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

6. Termination:

6.1. **Mutual Consent.** This Agreement may be terminated at any time by the mutual consent of both parties.

6.2. **City's Convenience.** This Agreement may be terminated by City at any time upon not less than thirty (30) days' prior written notice delivered by certified mail or in person.

6.3. **For Cause.** City may terminate or modify this Agreement, in whole or in part, effective upon delivery of written notice to Consultant, or at such later date as may be established by City under any of the following conditions:

- If City funding from federal, state, county or other sources is not obtained and continued at levels sufficient to allow for the purchase of the indicated quantity of services; or
- If federal or state regulations or guidelines are modified, changed, or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this Agreement or are no longer eligible for the funding proposed for payments authorized by this Agreement; or
- If any license or certificate required by law or regulation to be held by Consultant to provide the services required by this Agreement is for any reason denied, revoked, suspended, or not renewed.

6.4. **For Default or Breach.** Either City or Consultant may terminate this Agreement in the event of a breach of the Agreement by the other. Prior to such termination the party seeking termination shall give to the other party written notice of the breach and its intent to terminate. If the party committing the breach has not entirely cured the breach within fifteen (15) days of the date of the notice, or within such other period as the party giving the notice may authorize in writing, then the Agreement may be terminated at any time thereafter by a written notice of termination by the party giving notice.

6.4.1. Default: The Consultant shall be in default of this Agreement if Consultant: commits any material breach or default of any covenant, warranty, certification, or obligation under the Agreement; institutes an action for relief in bankruptcy or has instituted against it an action for insolvency; makes a general assignment for the benefit of creditors; or ceases doing business on a regular basis of the type identified in its obligations under the Agreement; or attempts to assign rights in, or delegate duties under, this Agreement.

6.5. **Obligation/Liability of Parties.** Termination or modification of this Agreement pursuant to subsections 5.1, 5.2, or 5.3 above shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination or modification. However, upon receiving a notice of termination (regardless of whether such notice is given pursuant to subsection 5.1, 5.2, 5.3, or 5.4 of this section, Consultant shall immediately cease all activities under this Agreement, unless expressly directed

otherwise by City in the notice of termination. Further, upon termination, Consultant shall deliver to City all documents, information, works-in-progress and other property that are or would be deliverables had the Agreement been completed. City shall pay Consultant for Work performed prior to the termination date if such Work was performed in accordance with this Agreement.

6.6. The rights and remedies of City provided in this subsection are not exclusive and are in addition to any other rights and remedies provided by law or under this Agreement.

7. **Indemnification:** Consultant hereby agrees to defend, indemnify, save, and hold City, its officers, employees, and agents harmless from any and all losses, claims, actions, costs, expenses, judgments, or other damages resulting from injury to any person (including injury resulting in death), or damage (including loss or destruction) to property, of whatsoever nature arising out of or incident to the performance of this Agreement by Consultant (including but not limited to, Consultant's employees, agents, and others designated by Consultant to perform Work or services attendant to this Agreement). However, Consultant shall not be held responsible for any losses, expenses, claims, costs, judgments, or other damages, caused solely by the gross negligence of City.
8. **Consultant's Compliance with Tax Laws:** Consultant represents and warrants to the City that: Consultant shall comply with all Oregon tax laws, including but not limited to ORS 305.620, ORS 305.380(4), and ORS Chapters 316, 317, 318, in addition to any rules, regulations, charter provisions, or ordinances that implement or enforce any of the foregoing tax laws or provisions and any tax provisions imposed by a political subdivisions of the State of Oregon.
9. **Living Wage Requirements:** If the amount of this Agreement is \$26,429.65 or more, Consultant is required to comply with Chapter 3.12 of the Ashland Municipal Code by paying a living wage, as defined in that chapter, to all employees performing Work under this Agreement and to any Subcontractor who performs 50% or more of the Work under this Agreement. Consultant is also required to post the notice attached hereto as "Exhibit B" predominantly in areas where it will be seen by all employees.
10. **Notice:** Whenever notice is required or permitted to be given under this Agreement, such notice shall be given in writing to the other party by personal delivery, by sending via a reputable commercial overnight courier, by mailing using registered or certified United States mail, return receipt requested, postage prepaid, or by electronically confirmed at the addresses set forth on page one of this agreement with a copy to:

City of Ashland – Legal Department
20 E. Main Street
Ashland, Oregon 97520
Phone: (541) 488-5350

11. General Provisions:

11.1. **Non-appropriations Clause – Funds Available and Authorized:** City has sufficient funds currently available and authorized for expenditure to finance the costs of this Agreement within the City's fiscal year budget. Consultant understands and agrees that City's payment of amounts under this Agreement attributable to Work performed after the last day of the current fiscal year is contingent on City appropriations, or other expenditure authority sufficient to allow City in the exercise of its reasonable administrative discretion, to continue to make payments under this Agreement. In the event City has insufficient appropriations, limitations or other expenditure authority, City may terminate this Agreement without penalty or liability to City, effective upon the delivery of written notice to Consultant, with no further liability to Consultant.

11.2. **Statutory Requirements:** The following laws of the State of Oregon are hereby incorporated by reference into this Agreement: ORS 279B.220, 279B.230 and 279B.235.

11.3. **Nondiscrimination:** Consultant agrees that no person shall, on the grounds of race, color, religion, creed, sex, marital status, familial status or domestic partnership, national origin, age, mental or physical disability, sexual orientation, gender identity or source of income, suffer discrimination in the performance of any Work under this Agreement when employed by Consultant. Consultant agrees to comply with all applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations. Further, Consultant agrees not to discriminate against a disadvantaged business enterprise, minority-owned business, woman-owned business, a business that a service-disabled veteran owns or an emerging small business enterprise certified under ORS 200.055, in awarding subcontracts as required by ORS 279A.110.

11.4. **Governing Law:** This Agreement shall be governed by the laws of the State of Oregon without regard to conflict of laws principles. Exclusive venue for litigation of any action arising under this Agreement shall be in the Circuit Court of the State of Oregon for Jackson County unless exclusive jurisdiction is in federal court, in which case exclusive venue shall be in the federal district court for the district of Oregon. Each party expressly waives any and all rights to maintain an action under this Agreement in any other venue, and expressly consents that, upon motion of the other party, any case may be dismissed, or its venue transferred, as appropriate, so as to effectuate this choice of venue.

12. Merger: This agreement and the attached exhibits constitute the entire understanding and agreement between the parties. No waiver, consent, modification or change of terms of this agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, or representations,

oral or written, not specified herein regarding this agreement. Consultant, by signature of its authorized representative, hereby acknowledges that he/she has read this agreement, understands it, and agrees to be bound by its terms and conditions.

WITNESS WHEREOF, the parties have executed this Agreement in their respective names by their duly authorized representatives as of the dates indicated below. This Agreement may be executed in two counterparts, each of which shall be deemed an original, with equal force and effect as if executed in a single document.

City of Ashland:

By: _____

Sabrina Cotta, City Manager

Date

Purchase Order No.

**Ashland Chamber of Commerce, DBA Travel
Ashland (Consultant):**

By: _____

Signature

Printed Name

Title

Date

(W-9 is to be submitted with this signed Agreement)

APPROVED AS TO FORM:

City Attorney

Date

Exhibit A

Consultant's Services

1. **Tourism Promotion Activities.** Consultant shall promote Ashland as a destination for tourists and visitors. Consultant shall coordinate its Travel Ashland tourism promotion activities, as appropriate, with other organizations such as Travel Southern Oregon, Travel Oregon, Oregon Shakespeare Festival, and other visitor promotion entities.
2. **Visitor Guide.** Consultant shall produce and distribute the Annual Visitor Guide.
3. **Visitor Information Center.** Consultant shall provide information and services for visitors in at least one Visitor Information Center(s) designated and operated by Consultant. This includes daily management, staffing, complete and updated brochures, and information provided in a friendly, attractive atmosphere.
4. **Business Marketing Program.** Consultant shall design and pilot a business marketing program that helps local businesses better market to and attract visitors.
5. **Data, Analytics, and Research.** Consultant shall conduct market research to (a) measure advertising effectiveness, and (b) determine the best use of the transient lodging tax funds paid to Consultant by City through methods such as:
 - a. Geographic data and spending data
 - b. Surveys and visitor profiles collected from users of the visitor center(s)
 - c. Surveys and visitor profiles of attendees and participants at events
 - d. Surveys conducted via Travel Ashland and associated websites

Market research may also be conducted in consultation with Travel Oregon, Travel Southern Oregon, the City of Ashland, the Travel Ashland Advisory Committee, and/or other organizations and entities, as appropriate.

6. **Reporting and Documentation**
 - a. **Quarterly Report.** Consultant shall submit quarterly reports summarizing activities performed in the previous quarter, progress against objectives, and any notable outcomes. Reports must include:
 - i. # Visitor days & trips
 - ii. # Available rooms
 - iii. Occupancy Rate
 - iv. Average Daily Rate
 - v. Dollars spent by commodity category
 - vi. Visitor Demographics



Exhibit A

- b. Annual Report. At the conclusion of each fiscal year, Consultant shall prepare an Annual Performance and Results Report detailing overall accomplishments, insights from research, and recommendations for future efforts. Report must include:
- i. Number of events supported
 - ii. Advertising metrics (impressions/exposure, engagements, website visits)
 - iii. Visitor Guide leads/requests/fulfillment
 - iv. Visitor Information Center interactions (calls, emails, inquiries, traffic, engagement programs, etc.)
 - v. Marketing campaign effectiveness (trips generated, tickets booked, click throughs, etc.)



City of Ashland LIVING WAGE

ALL employers described below must comply with City of Ashland laws regulating payment of a living wage.



\$18.92 per hour, effective June 30, 2024.

The Living Wage is adjusted annually every June 30 by the Consumer Price Index.

Employees must be paid a living wage:

- For all hours worked under a service contract between their employer and the City of Ashland if the contract exceeds \$26,429.65 or more.
- For all hours worked in a month, if the employee spends 50% or more of the employee's time in that month

working on a project or portion of the business of their employer, if the employer has ten or more employees, and has received financial assistance for the project or business from the City of Ashland over \$26,429.65.

- If their employer is the City of Ashland, including the Parks and Recreation Department.
- In calculating the living wage,

employers may add the value of health care, retirement, 401K, and IRS eligible cafeteria plans (including childcare) benefits to the employee's amount of wages.

- **Note:** For temporary and part-time employees, the Living Wage does not apply to the first 1040 hours worked in any calendar year. For more details, please see Ashland Municipal Code Section 3.12.020.

For additional information:

Call the Ashland City Manager's office at 541-488-6002 or write to the City Manager, City Hall, 20 East Main Street, Ashland, OR 97520, or visit the City's website at www.ashland.or.us.

Notice to Employers: This notice must be posted in areas where it can be seen by all employees.



Exhibit C

TRAVEL ASHLAND ADVISORY COMMITTEE POLICIES AND PROCEDURES

PURPOSE AND MISSION

The purpose of the Travel Ashland Advisory Committee (Committee) is to offer travel & hospitality expertise, support, council and direction to Travel Ashland, and the Board of Directors of The Chamber (the "Board"). The mission of the Committee is to increase and create a steady volume of visitation, lodging occupancy and enhance the overall visitor experience by promoting Ashland as an unmatched travel destination, thereby strengthening the local economy. This is an advisory Committee and is not a voting entity. Should there be a recommendation from the Committee to take a specific action, the director will relay that recommendation to the Chamber Board for final approval.

CHAIR

The Chair shall be appointed by the director of Travel Ashland and serve a two (2) year term and up to two (2) terms totaling four (4) years. The two (2) year term of office will be November 1 through October 31st of the next year.

MEMBERSHIP

Committee members will provide input and feedback prior to the director's appointment of new Committee members. The membership of the Committee shall be recommended by the director and Chair of the Committee. The Committee shall consist of twelve (12) members and shall include members representing the lodging industry and other tourism industries, with no single industry having majority representation. Committee member terms shall be three (3) year terms that can be renewed once serving up to six (6) years total. The implementation of these terms will commence July 1st, 2025 with a phased approach to retain institutional industry knowledge.

The City of Ashland will annually provide an appointed City Council Liaison to attend monthly meetings and report back to the City Council. Attendance includes staff that oversees Visitor Information Services and Chamber staff where relevant.

DUTIES

The Committee will meet monthly or more often as needed, to approve minutes, review and monitor the Travel Ashland quarterly financial reports, to accept monthly director, analytic and visitation reports from the director of Travel Ashland and its team and review and monitor the progress of the promotional programs of Travel Ashland. The Committee will provide monthly insight from their respective industries. The director will review the annual Travel Ashland budget with the Committee.

It will be the Travel Ashland director's responsibility to work with the Chair to schedule the monthly meetings and plan the agenda. The Chair will conduct the meetings. The director will represent the Committee before the Chamber Board, the Ashland City Council and other public agencies as may be required to carry out the purpose and mission of Travel Ashland and the committee.

ATTENDANCE

If any Council member is absent for more than six (6) regular meetings during the fiscal year, or is absent for more than four (4) consecutive meetings, the seat of that Council member shall be declared vacant.

Submitted May 2025

Exhibit D

Certifications/Representations: Consultant, by and through its authorized representative, under penalty of perjury, certifies that (a) the number shown on the attached W-9 form is its correct taxpayer ID (or is waiting for the number to be issued to it and (b) Consultant is not subject to backup withholding because: (i) it is exempt from backup withholding, or (ii) it has not been notified by the Internal Revenue Service (IRS) that it is subject to backup withholding as a result of a failure to report all interest or dividends, or (iii) the IRS has notified it that it is no longer subject to backup withholding. Consultant further represents and warrants to City that: (a) it has the power and authority to enter into this Agreement and perform the Work, (b) the Agreement, when executed and delivered, shall be a valid and binding obligation of Consultant enforceable in accordance with its terms, (c) the work under the Agreement shall be performed in accordance with the highest professional standards, and (d) Consultant is qualified, professionally competent, and duly licensed (if applicable) to perform the Work. Consultant also certifies under penalty of perjury that its business is not in violation of any Oregon tax laws, it is an independent contractor as defined in the Agreement, it is authorized to do business in the State of Oregon, and Consultant has checked four or more of the following criteria that apply to its business.

- _____ (1) Consultant carries out the work or services at a location separate from a private residence or is in a specific portion of a private residence, set aside as the location of the business.
- _____ (2) Commercial advertising or business cards or a trade association membership are purchased for the business.
- _____ (3) Telephone listing is used for the business separate from the personal residence listing.
- _____ (4) Labor or services are performed only pursuant to written contracts.
- _____ (5) Labor or services are performed for two or more different persons within a period of one year.
- _____ (6) Consultant assumes financial responsibility for defective workmanship or for service not provided as evidenced by the ownership of performance bonds, warranties, errors and omission (professional liability) insurance or liability insurance relating to the Work or services to be provided.

Consultant's signature

Date



Council Business Meeting

Date: June 3, 2025

Agenda Item	Biennium Budget Adoption and Approval of Other Related Budget Resolutions
Department	Finance
From	Mariane Berry, Finance Director, Sabrina Cotta

TIME ESTIMATE

10-15 minutes

CATEGORY

Ordinance/Resolution - a motion is needed to adopt the ORD. or RESO.

SUMMARY

At its May 14, 2025 meeting, the Citizens' Budget Committee (CBC) recommended approval of the staff budget proposal with the summary of changes below. Per Oregon Budget Law, the City Council is responsible for completing the approval process by adopting the following resolutions after the public hearing.

- Approval of resolution for budget appropriations
- Approval of resolution confirming jurisdictional qualification for state subventions (certifying City of Ashland services)
- Approval of resolution to receiving state funds
- Approval of resolution levying property taxes

POLICIES, PLANS & GOALS SUPPORTED

Vision Statements for Success

Community

- Community affordability, including available housing and childcare

Organization

- Excellence in governance and city services
- Public safety, including emergency preparedness for climate change risk

Council Priorities

- Wildfire risk reduction and CEAP (Climate Energy Action Plan) execution

BACKGROUND AND ADDITIONAL INFORMATION

Each biennium, City Council adopts the biennial budget along with the necessary budget resolutions.

On March 14, 2025, the Citizen's Budget Committee (CBC) approved a Recommended Budget that included two additions from the City Manager's Proposed Budget:





Council Business Meeting

1. Additional \$1.4 million to Ashland Parks and Recreation Department in anticipation of the approval of a \$5 Parks Fee. Parks Fee was approved by Council on May 20, 2025.
2. Additional \$235,000 to Childcare Grants in the General Fund's Administration Budget. Through subsequent Council discussion, funding for this would come from the General Fund that was freed from the Parks Fee (\$100K), from Community Development social service grants (\$35K), and from the Homeless appropriation (\$100K).

The CBC also approved the property tax levy and debt payment. The following budget-related resolutions must also be adopted by Council:

1. Jurisdictional Qualification for State Subventions
2. Receiving State Funds
3. Property tax levy of \$4.2865 per \$1000 of assessed value and the repayment of General Obligation Debt in the amount of \$213,552

Further, the CBC motioned that a meeting be scheduled to reconvene the body to approve the last two meeting minutes. Secondly, there was another motion to set a meeting mid-biennium (potentially, sometime in October 2026) so Staff may return with a mid-biennium budget status and forecast for the next biennium. Staff will reach out to CBC to schedule the approval of the minutes meeting, and the mid-biennium meeting further down the timeline.

FISCAL IMPACTS

Biennial Budget 2025-2027 adoption of appropriations and other related budget items.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

Staff recommends Council adopt the budget resolutions approved by the Citizen's Budget Committee.

I move to approve the following resolutions:

1. Resolution #17 to Adopt the Biennium 2025-2027 Budget and Appropriations
2. Resolution #18 Certifying City of Ashland Services
3. Resolution #19 Declaring the City's Election to Receive State Revenues
4. Resolution #20 to Levy Taxes for the Fiscal Year 2026

A "No" vote of the 2nd & 3rd resolutions above declines to receive state shared revenues. A "No" vote on the last resolution declines setting property tax revenues.

REFERENCES & ATTACHMENTS

1. CBC Approved Budget and Notice (Form LB1)
2. BN 2025-27 Appropriation Resolution #2025-17
3. FY 2025-26 Qualifying for State Subventions Resolution #2025-18
4. FY 2025-26 Election to Receive State Revenues Resolution #2025-19
5. FY 2025-26 Tax Levy Resolution #2025-20



A public meeting of the Ashland City Council will be held on June 3, 2025 at 6:00 pm City of Ashland Council Chambers, 1175 East Main Street, Ashland, Oregon. The purpose of this meeting is to discuss the budget for the fiscal year beginning July 1, 2025 as approved by the Ashland Citizens' Budget Committee. A summary of the budget is presented below. A copy of the budget may be inspected or obtained the Ashland City Hall, 20 East Main St. Ashland, Oregon by appointment by emailing finance@ashlandoregon.gov or online at ashlandoregon.gov. This budget is for a biennial budget period. This budget was prepared on a basis of accounting that is the same as the preceding year.

Contact: Mariane Berry, Finance Director

Telephone: 541-488-5300

Email: finance@ashlandoregon.gov

FINANCIAL SUMMARY - RESOURCES

TOTAL OF ALL FUNDS	Actual Amount 2021-23	Adopted Budget This Year 2023-25	Approved Budget Next Year 2025-27
Beginning Fund Balance/Net Working Capital	57,097,616	75,117,267	81,478,779
Fees, Licenses, Permits, Fines, Assessments & Other Service Charges	117,411,988	116,299,157	120,448,584
Federal, State & all Other Grants, Gifts, Allocations & Donations	14,103,194	21,793,586	11,449,318
Revenue from Bonds and Other Debt	6,918,005	100,976,734	79,781,950
Interfund Transfers / Internal Service Reimbursements	38,012,997	26,098,684	28,595,720
All Other Resources Except Current Year Property Taxes	15,664,109	17,775,563	23,556,686
Current Year Property Taxes Estimated to be Received	25,274,812	27,125,279	28,845,856
Total Resources	274,482,721	385,186,270	374,156,893

FINANCIAL SUMMARY - REQUIREMENTS BY OBJECT CLASSIFICATION

Personnel Services	65,152,967	85,638,525	92,119,793
Materials and Services	88,566,142	101,267,861	93,390,232
Capital Outlay	18,184,760	129,329,148	97,610,239
Debt Service	5,443,006	10,394,649	7,793,382
Interfund Transfers	14,464,871	2,236,174	3,966,658
Contingencies		5,481,763	5,579,845
Special Payments			
Unappropriated Ending Balance and Reserved for Future Expenditure	82,670,975	50,838,150	73,696,744
Total Requirements	274,482,721	385,186,270	374,156,893

FINANCIAL SUMMARY - REQUIREMENTS AND FULL-TIME EQUIVALENT EMPLOYEES (FTE) BY ORGANIZATIONAL UNIT OR PROGRAM *

Name of Organizational Unit or Program FTE for that unit or program			
Administration Department	17,118,420	15,447,998	14,689,529
FTE	15.12	18.07	16
Information Technology Department	6,999,844	12,826,079	9,704,095
FTE	13.45	17.00	11
Finance Department	8,571,997	9,626,628	7,750,011
FTE	16.00	16.00	16
Police Department	13,944,305	18,569,062	19,139,886
FTE	35.00	38.50	38
Fire & Rescue Department	20,283,235	28,552,434	25,241,978
FTE	35.50	42.0	45
Public Works Department	57,039,812	166,342,332	144,188,652
FTE	64.00	66.0	73
Community Development Department	5,015,516	5,700,644	5,737,084
FTE	14.00	14.0	14
Electric Department	32,745,165	37,351,783	42,436,776
FTE	17.50	17.5	20
Parks & Recreation Department	15,628,581	30,149,948	22,025,635
FTE	34.75	35.00	37
Non-departmental	97,135,846	60,619,362	83,243,247
FTE		0.0	
Total Requirements	274,482,721	385,186,270	374,156,893
Total FTE	245.32	264.07	270

STATEMENT OF CHANGES IN ACTIVITIES and SOURCES OF FINANCING *

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PROPERTY TAX LEVIES

	Rate or Amount Imposed 2021-23	Rate or Amount Imposed This Year 2023-25	Rate or Amount Approved Next Year 2025-27
Permanent Rate Levy (rate limit 4.2865 per \$1,000)	4.2865	4.2865	4.2865
Local Option Levy			
Levy For General Obligation Bonds	435,376	425,855	416,326

STATEMENT OF INDEBTEDNESS

LONG TERM DEBT	Estimated Debt Outstanding on July 1.	Estimated Debt Authorized, But Not Incurred on July 1
General Obligation Bonds	\$2,165,000	\$0
Other Bonds	\$8,641,929	\$73,576,400
Other Borrowings	\$1,373,336	\$10,000,000
Total	\$12,180,264	\$83,576,400

RESOLUTION NO. 2025-17

A RESOLUTION TO ADOPT THE BIENNIUM 2025-2027 BUDGET AND APPROPRIATE SUCH AMOUNTS AS NECESSARY TO IMPLEMENT THE BIENNIUM 2025-2027 BUDGET

RECITALS:

A. The City of Ashland City Council hereby appropriates the following amounts for the biennial budget period beginning July 1, 2025, through June 30, 2027.

THE CITY OF ASHLAND HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The City of Ashland City Council hereby appropriates the 2025-2027 Biennial Budget as shown:

	BN 2025/27 ADOPTED BUDGET
GENERAL FUND	
Administration Department	9,257,589
Innovation and Technology Department	2,593,120
Finance Department	6,816,806
Police Department	19,139,886
Fire and Rescue Department	23,705,542
Public Works Department	8,487,863
Community Development Department	4,885,705
Parks Department	15,797,635
Transfers Out	1,234,568
Contingency	2,557,485
TOTAL GENERAL FUND	\$94,476,199
Unappropriated Ending Fund Balance	7,223,795
TOURISM FUND	
Personnel Services	185,135
Materials and Services	1,870,260
Contingency	61,662
TOTAL TOURISM FUND	\$2,117,057
Unappropriated Ending Fund Balance	242,841

	BN 2025/27
HOUSING FUND	ADOPTED BUDGET
Materials and Services	326,642
TOTAL HOUSING FUND	\$326,642
Unappropriated Ending Fund Balance	0
 COMMUNITY DEVELOPMENT BLOCK GRANT FUND	
Personnel Services	80,068
Materials and Services	409,669
TOTAL CDBG FUND	\$489,737
Unappropriated Ending Fund Balance	0
 RESERVE FUND	
Transfers Out	0
TOTAL RESERVE FUND	0
Unappropriated Ending Fund Balance	2,151,552
 STREET FUND	
Public Works - Street Operations	25,452,132
Public Works - Street Debt	857,516
Transfers Out	274,500
Contingency	270,332
TOTAL STREET FUND	\$26,854,480
Unappropriated Ending Fund Balance	5,150,079
 SDC STREET FUND	
Materials and Services	50,000
Capital Outlay	380,261
Debt Service	300,000
Contingency	1,500
TOTAL SDC STREET FUND	\$731,761
Unappropriated Ending Fund Balance	2,288,435
 WILDFIRE RISK REDUCTION FUND	
Personnel Services	1,321,996
Materials and Services	214,440
Contingency	46,093
TOTAL WILDFIRE RISK REDUCTION FUND	\$1,582,529
Unappropriated Ending Fund Balance	810,080

	BN 2025/27 ADOPTED BUDGET
AIRPORT FUND	
Materials and Services	317,994
Capital Outlay	1,830,000
Contingency	9,540
TOTAL AIRPORT FUND	\$2,157,534
Unappropriated Ending Fund Balance	195,316
CAPITAL IMPROVEMENTS FUND	
Public Works - Construction Capital Outlay	758,634
TOTAL CAPITAL IMPROVEMENTS	\$758,634
Unappropriated Ending Fund Balance	0
PARKS CAPITAL IMPROVEMENTS FUND	
Capital Outlay	5,903,000
Transfer Out	1,072,590
TOTAL PARKS CAPITAL IMPROVEMENTS FUND	\$6,975,590
Unappropriated Ending Fund Balance	779,034
SDC PARKS FUND	
Capital Outlay	325,000
Contingency	0
TOTAL SDC PARKS FUND	\$325,000
Unappropriated Ending Fund Balance	289,362
DEBT SERVICE FUND	
Debt Service	933,205
Transfers Out	900,000
TOTAL DEBT SERVICE FUND	\$1,833,205
Unappropriated Ending Fund Balance	212,184
WATER FUND	
Public Works - Conservation Division	604,771
Public Works - Water Operations	58,280,584
Public Works - Water Debt	1,551,784
Transfers Out	100,000
Contingency	481,863
TOTAL WATER FUND	\$61,019,002
Unappropriated Ending Fund Balance	23,190,660

	BN 2025/27 ADOPTED BUDGET
SDC WATER FUND	
Materials and Services	150,000
Capital Outlay	7,675,230
Debt	420,375
Contingency	17,111
TOTAL SDC WATER FUND	\$8,262,716
Unappropriated Ending Fund Balance	78,863
WASTEWATER FUND	
Public Works - Wastewater Operations	21,481,691
Public Works - Wastewater Debt	1,946,951
Contingency	445,263
TOTAL WASTEWATER FUND	\$23,873,905
Unappropriated Ending Fund Balance	3,944,001
SDC WASTEWATER FUND	
Capital Outlay	1,220,500
Contingency	0
TOTAL SDC WASTEWATER FUND	\$1,220,500
Unappropriated Ending Fund Balance	3,152,113
STORMWATER FUND	
Public Works - Stormwater Operations	3,168,355
Public Works - Stormwater Debt	21,225
Contingency	45,756
TOTAL STORM FUND	\$3,235,336
Unappropriated Ending Fund Balance	1,701,766
SDC STORMWATER FUND	
Capital Outlay	64,908
Contingency	0
TOTAL SDC STORMWATER FUND	\$64,908
Unappropriated Ending Fund Balance	33,913

	BN 2025/27 ADOPTED BUDGET
ELECTRIC FUND	
Electric-Conservation	2,772,841
Electric-Operations	37,901,609
Electric - Debt	1,762,326
Contingency	1,213,103
TOTAL ELECTRIC FUND	\$43,649,879
Unappropriated Ending Fund Balance	7,719,145
TELECOMMUNICATIONS FUND	
Personnel Services	2,366,802
Materials and Services	3,094,682
Capital Outlay	1,649,491
Contingency	163,844
TOTAL TELECOMMUNICATIONS FUND	\$7,274,819
Unappropriated Ending Fund Balance	1,804,087
INSURANCE SERVICES FUND	
Personnel Services	279,819
Materials and Services	2,996,726
Contingency	98,297
TOTAL INSURANCE SERVICES FUND	\$3,374,842
Unappropriated Ending Fund Balance	2,444,946
EQUIPMENT FUND	
Public Works - Maintenance	5,509,878
Public Works - Purchasing and Acquisition	3,658,000
Contingency	165,296
TOTAL EQUIPMENT FUND	\$9,333,174
Unappropriated Ending Fund Balance	9,583,662
CEMETERY TRUST FUND	
Transfers Out	150,000
TOTAL CEMETERY TRUST FUND	\$150,000
Unappropriated Ending Fund Balance	938,610
TOTAL APPROPRIATIONS ALL FUNDS	\$300,087,449
TOTAL UNAPPROPRIATED ALL FUNDS	\$73,934,444
TOTAL ADOPTED BUDGET ALL FUNDS	\$374,021,893

SECTION 2. This resolution is effective upon adoption.

This resolution was duly PASSED and ADOPTED this _____ day of _____, 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:

Johan Pietila, City Attorney

RESOLUTION NO. 2025-18

A RESOLUTION CERTIFYING CITY OF ASHLAND SERVICES

RECITALS:

A. ORS 221.760 provides that for cities located within counties having population over 100,000 to receive state revenues from cigarette, gas and liquor taxes, the State of Oregon must be satisfied that the City provides certain municipal services.

THE CITY OF ASHLAND HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The City of Ashland hereby certifies that it provides the following municipal services:

- Police protection
- Fire protection
- Planning, zoning and subdivision services
- Street construction, maintenance and lighting
- Storm sewers
- Water utilities
- Sanitary sewer
- Electric distribution

SECTION 2. This resolution is effective upon adoption.

This resolution was duly PASSED and ADOPTED this _____ day of _____, 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:

Johan Pietila, City Attorney

RESOLUTION NO. 2025-19

A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES

RECITALS:

- A. The City must annually adopt a resolution electing to receive an apportionment of the Oregon Department of Administrative Services General Fund revenues derived from tax imposed on the sale of liquor as part of State Revenue Sharing.
- B. The City must also attest that it has allowed for recreational marijuana businesses.
- C. A public hearing on the City of Ashland's election to receive State Revenues was held on June 3, 2025.

THE CITY OF ASHLAND HEREBY RESOLVES AS FOLLOWS:

SECTION 1. Pursuant to ORS 221.770, the City hereby elects to receive state revenues for fiscal year 2025-2026.

SECTION 2. This resolution is effective upon adoption.

This resolution was duly PASSED and ADOPTED this _____ day of _____, 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:

Johan Pietila, City Attorney

RESOLUTION NO. 2025-20

A RESOLUTION TO LEVY TAXES FOR THE FISCAL YEAR JULY 1, 2025 THROUGH JUNE 30, 2026.

RECITALS:

A. That the City Council of the City of Ashland hereby levies a tax upon all real and personal property subject to assessment and levy within the corporate limits of the City of Ashland, Jackson County, Oregon for general government purposes.

B. The City Council also levies a tax on all taxable property within the City of Ashland as authorized for the repayment of General Obligation Debt.

THE CITY OF ASHLAND HEREBY RESOLVES AS FOLLOWS:

SECTION 1. That the City Council hereby declares taxes levied as follows:

	Bonded Debt	Per \$1000/Assessed Value
General Fund - Operations		4.2865
2011 General Obligation Bonds	213,552	
	<u>213,552</u>	<u></u>

SECTION 2. This resolution is effective upon adoption.

This resolution was duly PASSED and ADOPTED this _____ day of _____, 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:

Johan Pietila, City Attorney



Council Business Meeting

Date: June 3, 2025

Agenda Item	Public Hearing and First Reading of Ordinance 3264 Creating Section 13.40 of the Ashland Municipal Code Establishing Recreational Immunity Protections
Department	Legal
From	Johan Pietila

TIME ESTIMATE

15 minutes

CATEGORY

Action Needed - Motion to approve an action

SUMMARY

Council is requested to consider an ordinance adopting Municipal Code language opting in to certain recreational immunity protections as allowed by SB 1576 (2024), modifying ORS 105.668. ORS 105.668 provides immunity against negligence claims arising from personal injury or property damage from the use of a trail or structures in an unimproved right of way or public easement. However, the immunity offered by ORS 105.668 does not automatically apply to cities with populations of 500,000 or less, so the City must choose to opt in to receive those legal protections.

POLICIES, PLANS & GOALS SUPPORTED

None.

BACKGROUND AND ADDITIONAL INFORMATION

Under Oregon law, recreational immunity generally protects property owners who have made their land available to the public without charge for recreational purposes. Recreational immunity was originally created by the Oregon Legislature to encourage landowners to make their lands available to the public for recreation, by providing tort immunity for liability that might result from that access.

However, in recent case law, most notably *Fields v. City of Newport*, 326 Or App 764 (2023), the Oregon appellate courts have chipped away at the legislatively-created recreational immunity. *Fields* determined that an individual who fell while walking along a trail to the beach with her dogs, socializing with a friend, was not “recreating” at the time of her injury because she had not yet reached the beach. This case had serious implications for every jurisdiction where recreational trails may arguably serve as transportation routes to other recreational areas, such as parks or beaches.

Earlier this year, the Oregon Legislature responded with SB 1576. That bill made certain legislative changes which affect all public entities without the need for an opt-in (such as adding “walking, running, and bicycling to the list of “recreational purposes” which previously had included activities such as boating and hiking). However, there is one provision that requires an affirmative opt-in, at least for cities of under 500,000 residents. Cities may opt in to a provision that specifically addresses liability for use of “trails,” “unimproved right of ways,” and similar areas.

Many public entities in Oregon, such as Medford, Bend, Oregon City and Troutdale have, or are currently working on, opt-in ordinances or resolutions, all using similar language to take full advantage of the legislative remedy of SB 1576. Jackson County adopted a functionally identical opt-in provision on May 1, 2024 via Order 87-24. Adoption into Code is not necessarily required. A mere resolution would trigger the immunity provisions of SB 1576—but City staff recommend adopting the opt-in as Code language to better give permanency to the opt-in and notice to stakeholders.





Council Business Meeting

FISCAL IMPACTS

There are no direct budget impacts with regards to opting into ORS 105.668. Opting-in could result in a reduction of future expenditures related to risk management or litigation, the amount of which cannot be predicted in advance.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

Staff recommends approval of the ordinance.

Council Options:

Approve the ordinance as presented.

Modify the ordinance as presented.

Deny the ordinance as presented and provide direction to staff.

Suggested Motion: "I move to approve Ordinance 3264 as presented."

REFERENCES & ATTACHMENTS

1. ORD 3264 Recreational Immunity
2. ORS 105.688 Immunity from Liability
3. Senate Bill 1576_2024



ORDINANCE NO. 3264

AN ORDINANCE CREATING SECTION 13.40 OF THE ASHLAND MUNICIPAL CODE ESTABLISHING RECREATIONAL IMMUNITY PROTECTIONS

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, under Oregon law, recreational immunity generally protects property owners who have made their land available to the public without charge for recreational purposes. Recreational immunity was originally created by the Oregon Legislature to encourage landowners to make their lands available to the public for recreation, by providing tort immunity for liability that might result from that access;

WHEREAS, the Oregon Legislature enacted SB 1576 in its 2024 Legislative Session, which amended ORS 105.668 to provide immunity for liability to all local governments for the use of trails and associated structures in public easements and unimproved rights-of-way; and

WHEREAS, SB 1576 amended ORS 105.668 to extend the immunity to all local governments that elect to opt-in; and

WHEREAS, the City of Ashland desires to opt-in to the immunity provided by ORS 105.668; and

WHEREAS, Senate Bill 1576 made some legislative changes which affect all public entities without the need for an opt-in. However, a provision of SB 1576 requires affirmative opt-in to address liability for use of “trails”, “unimproved rights-of-ways”, and similar areas; and

WHEREAS, adopting the opt-in as code language will provide better permanency to the opt-in and notice to stakeholders; now, therefore,

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

SECTION 1.– Due to liability immunity arising from the use of trail or structures in public easement or right of way, Chapter 13.40 is hereby created to read as follows:

- (1) **Pursuant to ORS 105.668(3)(a) and (b), on behalf of the City and its elected officials, officers, employees and agents, the City opts in to the immunity from liability for injury or property damage arising from the use of trails or structures in public easements and/or unimproved rights of way as provided for and authorized by ORS 105.668.**
- (2) **Pursuant to ORS 105.668(3)(c) and (d), the City opts to extend the immunity described in subsection (1) to:**
 - a. **The owner(s) of land abutting public easements and unimproved right of ways located within the City; and**

- b. Any nonprofit corporation and its volunteers for the construction and maintenance of trails or structures in a public easement or unimproved right of way located within the City.
- (3) As applicable, to comply with State statutes, administrative rules or local ordinances, and to act in the best interest of the City, and without further action by the City Council, the City Officials are hereby authorized, directed, and responsible for fulfilling the ministerial, intergovernmental, technical, compliance, procedural or promotional functions as required for the effective administration and implementation of this ordinance, and to take any other action as may be advisable, convenient, necessary, or appropriate, and the execution thereof by any such City Official shall be conclusive as to such determination.
- (4) 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 need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

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:

Johan Pietila, City Attorney

ORS 105.688 Applicability of immunities from liability for owner of land; restrictions

105.688 Applicability of immunities from liability for owner of land; restrictions. (1) Except as specifically provided in ORS 105.672 to 105.696, the immunities provided by ORS 105.682 apply to:

(a) All land, including but not limited to land adjacent or contiguous to any bodies of water, watercourses or the ocean shore as defined by ORS 390.605;

(b) All roads, bodies of water, watercourses, rights of way, buildings, fixtures and structures on the land described in paragraph (a) of this subsection;

(c) All paths, trails, roads, watercourses and other rights of way while being used by a person to reach land for recreational purposes, gardening, woodcutting or the harvest of special forest products, that are on land adjacent to the land that the person intends to use for recreational purposes, gardening, woodcutting or the harvest of special forest products, and that have not been improved, designed or maintained for the specific purpose of providing access for recreational purposes, gardening, woodcutting or the harvest of special forest products; and

(d) All machinery or equipment on the land described in paragraph (a) of this subsection.

(2) The immunities provided by ORS 105.682 apply to land if the owner transfers an easement to a public body to use the land.

(3) Except as provided in subsections (4) to (7) of this section, the immunities provided by ORS 105.682 do not apply if the owner makes any charge for permission to use the land for recreational purposes, gardening, woodcutting or the harvest of special forest products.

(4) If the owner charges for permission to use the owner's land for one or more specific recreational purposes and the owner provides notice in the manner provided by subsection (8) of this section, the immunities provided by ORS 105.682 apply to any use of the land other than the activities for which the charge is imposed. If the owner charges for permission to use a specified part of the owner's land for recreational purposes and the owner provides notice in the manner provided by subsection (8) of this section, the immunities provided by ORS 105.682 apply to the remainder of the owner's land.

(5) The immunities provided by ORS 105.682 for gardening do not apply if the owner charges more than \$25 per year for the use of the land for gardening. If the owner charges more than \$25 per year for the use of the land for gardening, the immunities provided by ORS 105.682 apply to any use of the land other than gardening. If the owner charges more than \$25 per year for permission to use a specific part of the owner's land for gardening and the owner provides notice in the manner provided by subsection (8) of this section, the immunities provided by ORS 105.682 apply to the remainder of the owner's land.

(6) The immunities provided by ORS 105.682 for woodcutting do not apply if the owner charges more than \$75 per cord for permission to use the land for woodcutting. If the owner

charges more than \$75 per cord for the use of the land for woodcutting, the immunities provided by ORS 105.682 apply to any use of the land other than woodcutting. If the owner charges more than \$75 per cord for permission to use a specific part of the owner's land for woodcutting and the owner provides notice in the manner provided by subsection (8) of this section, the immunities provided by ORS 105.682 apply to the remainder of the owner's land.

(7) The immunities provided by ORS 105.682 for the harvest of special forest products do not apply if the owner makes any charge for permission to use the land for the harvest of special forest products. If the owner charges for permission to use the owner's land for the harvest of special forest products, the immunities provided by ORS 105.682 apply to any use of the land other than the harvest of special forest products. If the owner charges for permission to use a specific part of the owner's land for harvesting special forest products and the owner provides notice in the manner provided by subsection (8) of this section, the immunities provided by ORS 105.682 apply to the remainder of the owner's land.

(8) Notices under subsections (4) to (7) of this section may be given by posting, as part of a receipt, or by such other means as may be reasonably calculated to apprise a person of:

(a) The limited uses of the land for which the charge is made, and the immunities provided under ORS 105.682 for other uses of the land; or

(b) The portion of the land the use of which is subject to the charge, and the immunities provided under ORS 105.682 for the remainder of the land. [1995 c.456 §4; 1999 c.872 §7; 2001 c.206 §1; 2009 c.532 §2; 2010 c.52 §2]

Enrolled

Senate Bill 1576

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary for Senator Floyd Prozanski)

CHAPTER

AN ACT

Relating to civil matters; creating new provisions; amending ORS 17.095, 105.668, 105.672, 105.688 and 646A.589; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 646A.589 is amended to read:

646A.589. (1)(a) The Attorney General may serve an investigative demand upon any person that possesses, controls or has custody of any information, document or other material that the Attorney General determines is relevant to an investigation of a violation of ORS 646A.570 to 646A.589 or that could lead to a discovery of relevant information. An investigative demand may require the person to:

- (A) Appear and testify under oath at the time and place specified in the investigative demand;
- (B) Answer written interrogatories; or

(C) Produce relevant documents or physical evidence for examination at the time and place specified in the investigative demand.

(b) The Attorney General shall serve an investigative demand under this section in the manner provided in ORS 646.622. The Attorney General may enforce the investigative demand as provided in ORS 646.626.

(2)(a) An attorney may accompany, represent and advise in confidence a person that appears in response to a demand under subsection (1)(a)(A) of this section. The person may refuse to answer any question on constitutional grounds or on the basis of any other legal right or privilege, including protection against self-incrimination, but must answer any other question that is not subject to the right or privilege. If the person refuses to answer a question on grounds that the answer would be self-incriminating, the Attorney General may compel the person to testify as provided in ORS 136.617.

(b) The Attorney General shall exclude from the place in which the Attorney General conducts an examination under this subsection all persons other than the person the Attorney General is examining, the person's attorney, the officer before which the person gives the testimony and any stenographer recording the testimony.

(3)(a) The Attorney General shall hold in confidence and may not disclose to any person any documents, including data protection assessments, answers to interrogatories and transcripts of oral testimony, except that the Attorney General may disclose the documents to:

- (A) The person that provided the documents or the oral testimony;
- (B) The attorney or representative of the person that provided the documents or oral testimony;

(C) *[Employees of]* **Persons employed by** the Attorney General; or

(D) An official of the United States or of any state who is authorized to enforce federal or state consumer protection laws if the Attorney General first obtains a written agreement from the official in which the official agrees to abide by the confidentiality requirements of this subsection.

(b) The Attorney General may use any of the materials described in paragraph (a) of this subsection in any investigation the Attorney General conducts under this section or in any action or proceeding the Attorney General brings or initiates in a court or before an administrative agency in connection with the investigation.

(4)(a) The Attorney General may bring an action to seek a civil penalty of not more than \$7,500 for each violation of ORS 646A.570 to 646A.589 or to enjoin a violation or obtain other equitable relief. The Attorney General shall bring the action in the circuit court for Multnomah County or the circuit court of a county where any part of the violation occurred.

(b) A court may award reasonable attorney fees, expert witness fees and costs of investigation to the Attorney General if the Attorney General prevails in an action under this subsection. The court may award reasonable attorney fees to a defendant that prevails in an action under this subsection if the court finds that the Attorney General had no objectively reasonable basis for asserting the claim or for appealing an adverse decision of the trial court.

(c) The Attorney General shall deposit the proceeds of any recovery under this subsection into the Department of Justice Protection and Education Revolving Account, as provided in ORS 180.095.

(5) Before bringing an action under subsection (4) of this section, the Attorney General shall notify a controller of a violation of ORS 646A.570 to 646A.589 if the Attorney General determines that the controller can cure the violation. If the controller fails to cure the violation within 30 days after receiving the notice of the violation, the Attorney General may bring the action without further notice.

(6) The Attorney General shall bring an action under subsection (4) of this section within five years after the date of the last act of a controller that constituted the violation for which the Attorney General seeks relief.

(7) The remedies available to the Attorney General under subsection (4) of this section are in addition to and not in lieu of any other relief available to the Attorney General or another person under other applicable provisions of law. A claim available under another provision of law may be joined to the Attorney General's claim under subsection (4) of this section.

(8) The Attorney General has exclusive authority to enforce the provisions of ORS 646A.570 to 646A.589. ORS 646A.570 to 646A.589, or any other laws of this state, do not create a private right of action to enforce a violation of ORS 646A.570 to 646A.589.

SECTION 2. ORS 646A.589, as amended by section 11, chapter 369, Oregon Laws 2023, is amended to read:

646A.589. (1)(a) The Attorney General may serve an investigative demand upon any person that possesses, controls or has custody of any information, document or other material that the Attorney General determines is relevant to an investigation of a violation of ORS 646A.570 to 646A.589 or that could lead to a discovery of relevant information. An investigative demand may require the person to:

(A) Appear and testify under oath at the time and place specified in the investigative demand;

(B) Answer written interrogatories; or

(C) Produce relevant documents or physical evidence for examination at the time and place specified in the investigative demand.

(b) The Attorney General shall serve an investigative demand under this section in the manner provided in ORS 646.622. The Attorney General may enforce the investigative demand as provided in ORS 646.626.

(2)(a) An attorney may accompany, represent and advise in confidence a person that appears in response to a demand under subsection (1)(a)(A) of this section. The person may refuse to answer any question on constitutional grounds or on the basis of any other legal right or privilege, including protection against self-incrimination, but must answer any other question that is not subject to

the right or privilege. If the person refuses to answer a question on grounds that the answer would be self-incriminating, the Attorney General may compel the person to testify as provided in ORS 136.617.

(b) The Attorney General shall exclude from the place in which the Attorney General conducts an examination under this subsection all persons other than the person the Attorney General is examining, the person's attorney, the officer before which the person gives the testimony and any stenographer recording the testimony.

(3)(a) The Attorney General shall hold in confidence and may not disclose to any person any documents, including data protection assessments, answers to interrogatories and transcripts of oral testimony, except that the Attorney General may disclose the documents to:

(A) The person that provided the documents or the oral testimony;

(B) The attorney or representative of the person that provided the documents or oral testimony;

(C) [Employees of] **Persons employed by** the Attorney General; or

(D) An official of the United States or of any state who is authorized to enforce federal or state consumer protection laws if the Attorney General first obtains a written agreement from the official in which the official agrees to abide by the confidentiality requirements of this subsection.

(b) The Attorney General may use any of the materials described in paragraph (a) of this subsection in any investigation the Attorney General conducts under this section or in any action or proceeding the Attorney General brings or initiates in a court or before an administrative agency in connection with the investigation.

(4)(a) The Attorney General may bring an action to seek a civil penalty of not more than \$7,500 for each violation of ORS 646A.570 to 646A.589 or to enjoin a violation or obtain other equitable relief. The Attorney General shall bring the action in the circuit court for Multnomah County or the circuit court of a county where any part of the violation occurred.

(b) A court may award reasonable attorney fees, expert witness fees and costs of investigation to the Attorney General if the Attorney General prevails in an action under this subsection. The court may award reasonable attorney fees to a defendant that prevails in an action under this subsection if the court finds that the Attorney General had no objectively reasonable basis for asserting the claim or for appealing an adverse decision of the trial court.

(c) The Attorney General shall deposit the proceeds of any recovery under this subsection into the Department of Justice Protection and Education Revolving Account, as provided in ORS 180.095.

(5) The Attorney General shall bring an action under subsection (4) of this section within five years after the date of the last act of a controller that constituted the violation for which the Attorney General seeks relief.

(6) The remedies available to the Attorney General under subsection (4) of this section are in addition to and not in lieu of any other relief available to the Attorney General or another person under other applicable provisions of law. A claim available under another provision of law may be joined to the Attorney General's claim under subsection (4) of this section.

(7) The Attorney General has exclusive authority to enforce the provisions of ORS 646A.570 to 646A.589. ORS 646A.570 to 646A.589, or any other laws of this state, do not create a private right of action to enforce a violation of ORS 646A.570 to 646A.589.

SECTION 3. A court record relating to the settlement of a minor's claim approved under ORCP 27 I is confidential and may not be disclosed, except pursuant to a court order issued for good cause shown. Good cause for purposes of this section includes, but is not limited to, a showing that the claimant is no longer a minor.

SECTION 4. ORS 17.095 is amended to read:

17.095. (1) A public body, or officer, employee or agent of a public body, who is a defendant in an action under ORS 30.260 to 30.300, or who is a defendant in an action under ORS 294.100, may not enter into any settlement or compromise of the action if the settlement or compromise requires that the terms or conditions of the settlement or compromise be confidential.

(2) Notwithstanding subsection (1) of this section:

(a) A public body, or officer, employee or agent of a public body, may enter into a settlement or compromise that requires the terms or conditions to be confidential if federal law requires terms or conditions of that settlement or compromise to be confidential. Only terms and conditions that are required to be confidential under federal law may be confidential in the settlement or compromise.

(b) A court may order that the terms or conditions of a settlement or compromise that reveal the identity of a person be confidential if:

(A) The person whose identity is revealed is a victim of sexual abuse or is under 18 years of age; and

(B) The court determines, by written findings, that the specific privacy interests of the person outweigh the public's interest in the terms or conditions.

(c) A court record relating to the settlement of a minor's claim is confidential when required by section 3 of this 2024 Act.

(3) Any public body, or officer, employee or agent of a public body, who is a defendant in an action under ORS 30.260 to 30.300, or who is a defendant in an action under ORS 294.100, shall file with the court a full and complete disclosure of the terms and conditions of any settlement or compromise of the claims against the public body, its officers, employees or agents. The disclosure shall be filed prior to the dismissal of the action.

(4) For the purposes of this section:

(a) "Action" means a legal proceeding that has been commenced as provided in ORCP 3; and

(b) "Public body" has that meaning given in ORS 30.260.

SECTION 5. ORS 105.668 is amended to read:

105.668. (1) As used in this section:

(a) "Local government" has the meaning given that term in ORS 174.116.

~~[(a)]~~ **(b)** "Structures" means improvements in a trail, including, but not limited to, stairs and bridges, that are accessible by a user on foot, on a horse or on a bicycle or other nonmotorized vehicle or conveyance.

~~[(b)]~~ **(c)** "Unimproved right of way" means a platted or dedicated public right of way over which a street, road or highway has not been constructed to the standards and specifications of the ~~[city]~~ **local government** with jurisdiction over the public right of way and for which the ~~[city]~~ **local government** has not expressly accepted responsibility for maintenance.

(2) In a city with a population of 500,000 or greater, a personal injury or property damage resulting from use of a trail that is in a public easement or in an unimproved right of way, or from use of structures in the public easement or unimproved right of way, by a user on foot, on a horse or on a bicycle or other nonmotorized vehicle or conveyance does not give rise to a private claim or right of action based on negligence against:

~~[(a) A city with a population of 500,000 or more;]~~

(a) The city;

(b) The officers, employees or agents of ~~[a city with a population of 500,000 or more]~~ **the city** to the extent the officers, employees or agents are entitled to defense and indemnification under ORS 30.285;

(c) The owner of land abutting the public easement~~[,]~~ or unimproved right of way~~[,] in a city with a population of 500,000 or more]~~ **in the city;** or

(d) A nonprofit corporation and its volunteers for the construction and maintenance of the trail or the structures in a public easement or unimproved right of way in ~~[a city with a population of 500,000 or more]~~ **the city.**

(3) ~~[Notwithstanding the limit in subsection (2) of this section to a city with a population of 500,000 or more, by adoption of an ordinance or resolution, a city or county]~~ **A local government** to which subsection (2) of this section does not apply may opt to limit liability in the manner established by subsection (2) of this section **by ordinance, resolution, rule, order or other regulation** for:

~~[(a) The city or county that opts in by ordinance or resolution;]~~

(a) The local government;

(b) The officers, employees or agents of the [city or county that opts in] **local government** to the extent the officers, employees or agents are entitled to defense and indemnification under ORS 30.285;

(c) The owner of land abutting the public easement[,] or unimproved right of way[, in the city or county that opts in by ordinance or resolution; and] **in the local government; or**

(d) A nonprofit corporation and its volunteers for the construction and maintenance of the trail or the structures in a public easement or unimproved right of way in the [city or county that opts in] **local government.**

(4) [The immunity granted by this section from a private claim or right of action based on negligence] **This section** does not grant immunity from liability:

(a) Except as provided in subsection (2)(b) or (3)(b) of this section, to a person that receives compensation for providing assistance, services or advice in relation to conduct that leads to a personal injury or property damage.

(b) For [personal injury or property damage resulting from] gross negligence or [from] reckless, wanton or intentional misconduct.

(c) For an activity for which [a person] **the actor** is strictly liable without regard to fault.

SECTION 6. ORS 105.672 is amended to read:

105.672. As used in ORS 105.672 to 105.696:

(1) “Charge”:

(a) Means the admission price or fee requested or expected by an owner in return for granting permission for a person to enter or go upon the owner’s land.

(b) Does not mean any amount received from a public body in return for granting permission for the public to enter or go upon the owner’s land.

(c) Does not include the fee for a winter recreation parking permit or any other parking fee of \$15 or less per day.

(2) “Harvest” has that meaning given in ORS 164.813.

(3) “Land” includes all real property, whether publicly or privately owned.

(4) “Owner” means:

(a) The possessor of any interest in any land, including but not limited to the holder of any legal or equitable title, a tenant, a lessee, an occupant, the holder of an easement, the holder of a right of way or a person in possession of the land;

(b) An officer, employee, volunteer or agent of a person described in paragraph (a) of this subsection, while acting within the scope of assigned duties; and

(c) A director, partner, general partner, shareholder, limited liability company member, limited liability partner or limited partner of a person described in paragraph (a) of this subsection.

(5) “Recreational purposes” includes, but is not limited to, outdoor activities such as hunting, fishing, swimming, boating, camping, picnicking, hiking, **walking, running, bicycling**, nature study, outdoor educational activities, waterskiing, winter sports, viewing or enjoying historical, archaeological, scenic or scientific sites or volunteering for any public purpose project.

(6) “Special forest products” has that meaning given in ORS 164.813.

(7) “Woodcutting” means the cutting or removal of wood from land by an individual who has obtained permission from the owner of the land to cut or remove wood.

SECTION 7. ORS 105.688 is amended to read:

105.688. (1) Except as specifically provided in ORS 105.672 to 105.696, the immunities provided by ORS 105.682 apply to:

(a) All land, including but not limited to land adjacent or contiguous to any bodies of water, watercourses or the ocean shore as defined by ORS 390.605;

(b) All roads, bodies of water, watercourses, rights of way, buildings, fixtures and structures on the land described in paragraph (a) of this subsection;

(c) All paths, trails, roads, watercourses and other rights of way, while being used by a person to reach land for recreational purposes, gardening, woodcutting or the harvest of special forest products, that are on land adjacent to the land that the person intends to use for recreational pur-

poses, gardening, woodcutting or the harvest of special forest products, *[and that have]* **provided that:**

(A) The right of way has not been improved, designed or maintained for the specific purpose of providing access for recreational purposes, gardening, woodcutting or the harvest of special forest products; *[and]* or

(B)(i) The right of way has been improved, designed or maintained to provide access for recreational purposes, gardening, woodcutting or the harvest of special forest products;

(ii) The right of way is not a highway maintained under ORS 810.010; and

(iii) The improvement, design or maintenance was completed in a manner that does not constitute:

(I) Gross negligence or reckless, wanton or intentional misconduct; or

(II) An activity for which the actor is strictly liable without regard to fault; and

(d) All machinery or equipment on the land described in paragraph (a) of this subsection.

(2) The immunities provided by ORS 105.682 apply to land if the owner transfers an easement to a public body to use the land.

(3) Except as provided in subsections (4) to (7) of this section, the immunities provided by ORS 105.682 do not apply if the owner makes any charge for permission to use the land for recreational purposes, gardening, woodcutting or the harvest of special forest products.

(4) If the owner charges for permission to use the owner's land for one or more specific recreational purposes and the owner provides notice in the manner provided by subsection (8) of this section, the immunities provided by ORS 105.682 apply to any use of the land other than the activities for which the charge is imposed. If the owner charges for permission to use a specified part of the owner's land for recreational purposes and the owner provides notice in the manner provided by subsection (8) of this section, the immunities provided by ORS 105.682 apply to the remainder of the owner's land.

(5) The immunities provided by ORS 105.682 for gardening do not apply if the owner charges more than \$25 per year for the use of the land for gardening. If the owner charges more than \$25 per year for the use of the land for gardening, the immunities provided by ORS 105.682 apply to any use of the land other than gardening. If the owner charges more than \$25 per year for permission to use a specific part of the owner's land for gardening and the owner provides notice in the manner provided by subsection (8) of this section, the immunities provided by ORS 105.682 apply to the remainder of the owner's land.

(6) The immunities provided by ORS 105.682 for woodcutting do not apply if the owner charges more than \$75 per cord for permission to use the land for woodcutting. If the owner charges more than \$75 per cord for the use of the land for woodcutting, the immunities provided by ORS 105.682 apply to any use of the land other than woodcutting. If the owner charges more than \$75 per cord for permission to use a specific part of the owner's land for woodcutting and the owner provides notice in the manner provided by subsection (8) of this section, the immunities provided by ORS 105.682 apply to the remainder of the owner's land.

(7) The immunities provided by ORS 105.682 for the harvest of special forest products do not apply if the owner makes any charge for permission to use the land for the harvest of special forest products. If the owner charges for permission to use the owner's land for the harvest of special forest products, the immunities provided by ORS 105.682 apply to any use of the land other than the harvest of special forest products. If the owner charges for permission to use a specific part of the owner's land for harvesting special forest products and the owner provides notice in the manner provided by subsection (8) of this section, the immunities provided by ORS 105.682 apply to the remainder of the owner's land.

(8) Notices under subsections (4) to (7) of this section may be given by posting, as part of a receipt, or by such other means as may be reasonably calculated to apprise a person of:

(a) The limited uses of the land for which the charge is made, and the immunities provided under ORS 105.682 for other uses of the land; or

(b) The portion of the land the use of which is subject to the charge, and the immunities provided under ORS 105.682 for the remainder of the land.

SECTION 8. ORS 105.668, as amended by section 5 of this 2024 Act, is amended to read:

105.668. (1) As used in this section:

(a) “Local government” *[has the meaning given that term in ORS 174.116]* **means a city or county.**

(b) “Structures” means improvements in a trail, including, but not limited to, stairs and bridges, that are accessible by a user on foot, on a horse or on a bicycle or other nonmotorized vehicle or conveyance.

(c) “Unimproved right of way” means a platted or dedicated public right of way over which a street, road or highway has not been constructed to the standards and specifications of the local government with jurisdiction over the public right of way and for which the local government has not expressly accepted responsibility for maintenance.

(2) In a city with a population of 500,000 or greater, a personal injury or property damage resulting from use of a trail that is in a public easement or in an unimproved right of way, or from use of structures in the public easement or unimproved right of way, by a user on foot, on a horse or on a bicycle or other nonmotorized vehicle or conveyance does not give rise to a private claim or right of action based on negligence against:

(a) The city;

(b) The officers, employees or agents of the city to the extent the officers, employees or agents are entitled to defense and indemnification under ORS 30.285;

(c) The owner of land abutting the public easement or unimproved right of way in the city; or

(d) A nonprofit corporation and its volunteers for the construction and maintenance of the trail or the structures in a public easement or unimproved right of way in the city.

(3) A local government to which subsection (2) of this section does not apply may opt to limit liability in the manner established by subsection (2) of this section by ordinance, resolution, rule, order or other regulation for:

(a) The local government;

(b) The officers, employees or agents of the local government to the extent the officers, employees or agents are entitled to defense and indemnification under ORS 30.285;

(c) The owner of land abutting the public easement or unimproved right of way in the local government; or

(d) A nonprofit corporation and its volunteers for the construction and maintenance of the trail or the structures in a public easement or unimproved right of way in the local government.

(4) This section does not grant immunity from liability:

(a) Except as provided in subsection (2)(b) or (3)(b) of this section, to a person that receives compensation for providing assistance, services or advice in relation to conduct that leads to a personal injury or property damage.

(b) For gross negligence or reckless, wanton or intentional misconduct.

(c) For an activity for which a person is strictly liable without regard to fault.

SECTION 9. ORS 105.672, as amended by section 6 of this 2024 Act, is amended to read:

105.672. As used in ORS 105.672 to 105.696:

(1) “Charge”:

(a) Means the admission price or fee requested or expected by an owner in return for granting permission for a person to enter or go upon the owner’s land.

(b) Does not mean any amount received from a public body in return for granting permission for the public to enter or go upon the owner’s land.

(c) Does not include the fee for a winter recreation parking permit or any other parking fee of \$15 or less per day.

(2) “Harvest” has that meaning given in ORS 164.813.

(3) “Land” includes all real property, whether publicly or privately owned.

(4) “Owner” means:

(a) The possessor of any interest in any land, including but not limited to the holder of any legal or equitable title, a tenant, a lessee, an occupant, the holder of an easement, the holder of a right of way or a person in possession of the land;

(b) An officer, employee, volunteer or agent of a person described in paragraph (a) of this subsection, while acting within the scope of assigned duties; and

(c) A director, partner, general partner, shareholder, limited liability company member, limited liability partner or limited partner of a person described in paragraph (a) of this subsection.

(5) "Recreational purposes" includes, but is not limited to, outdoor activities such as hunting, fishing, swimming, boating, camping, picnicking, hiking, [*walking, running, bicycling,*] nature study, outdoor educational activities, waterskiing, winter sports, viewing or enjoying historical, archaeological, scenic or scientific sites or volunteering for any public purpose project.

(6) "Special forest products" has that meaning given in ORS 164.813.

(7) "Woodcutting" means the cutting or removal of wood from land by an individual who has obtained permission from the owner of the land to cut or remove wood.

SECTION 10. ORS 105.688, as amended by section 7 of this 2024 Act, is amended to read:

105.688. (1) Except as specifically provided in ORS 105.672 to 105.696, the immunities provided by ORS 105.682 apply to:

(a) All land, including but not limited to land adjacent or contiguous to any bodies of water, watercourses or the ocean shore as defined by ORS 390.605;

(b) All roads, bodies of water, watercourses, rights of way, buildings, fixtures and structures on the land described in paragraph (a) of this subsection;

(c) All paths, trails, roads, watercourses and other rights of way, while being used by a person to reach land for recreational purposes, gardening, woodcutting or the harvest of special forest products, that are on land adjacent to the land that the person intends to use for recreational purposes, gardening, woodcutting or the harvest of special forest products, provided that[.]

[*(A)*] the right of way has not been improved, designed or maintained for the specific purpose of providing access for recreational purposes, gardening, woodcutting or the harvest of special forest products; [*or*] **and**

[*(B)(i) The right of way has been improved, designed or maintained to provide access for recreational purposes, gardening, woodcutting or the harvest of special forest products;*]

[*(ii) The right of way is not a highway maintained under ORS 810.010; and*]

[*(iii) The improvement, design or maintenance was completed in a manner that does not constitute;*]

[*(I) Gross negligence or reckless, wanton or intentional misconduct; or*]

[*(II) An activity for which the actor is strictly liable without regard to fault; and*]

(d) All machinery or equipment on the land described in paragraph (a) of this subsection.

(2) The immunities provided by ORS 105.682 apply to land if the owner transfers an easement to a public body to use the land.

(3) Except as provided in subsections (4) to (7) of this section, the immunities provided by ORS 105.682 do not apply if the owner makes any charge for permission to use the land for recreational purposes, gardening, woodcutting or the harvest of special forest products.

(4) If the owner charges for permission to use the owner's land for one or more specific recreational purposes and the owner provides notice in the manner provided by subsection (8) of this section, the immunities provided by ORS 105.682 apply to any use of the land other than the activities for which the charge is imposed. If the owner charges for permission to use a specified part of the owner's land for recreational purposes and the owner provides notice in the manner provided by subsection (8) of this section, the immunities provided by ORS 105.682 apply to the remainder of the owner's land.

(5) The immunities provided by ORS 105.682 for gardening do not apply if the owner charges more than \$25 per year for the use of the land for gardening. If the owner charges more than \$25 per year for the use of the land for gardening, the immunities provided by ORS 105.682 apply to any use of the land other than gardening. If the owner charges more than \$25 per year for permission

to use a specific part of the owner's land for gardening and the owner provides notice in the manner provided by subsection (8) of this section, the immunities provided by ORS 105.682 apply to the remainder of the owner's land.

(6) The immunities provided by ORS 105.682 for woodcutting do not apply if the owner charges more than \$75 per cord for permission to use the land for woodcutting. If the owner charges more than \$75 per cord for the use of the land for woodcutting, the immunities provided by ORS 105.682 apply to any use of the land other than woodcutting. If the owner charges more than \$75 per cord for permission to use a specific part of the owner's land for woodcutting and the owner provides notice in the manner provided by subsection (8) of this section, the immunities provided by ORS 105.682 apply to the remainder of the owner's land.

(7) The immunities provided by ORS 105.682 for the harvest of special forest products do not apply if the owner makes any charge for permission to use the land for the harvest of special forest products. If the owner charges for permission to use the owner's land for the harvest of special forest products, the immunities provided by ORS 105.682 apply to any use of the land other than the harvest of special forest products. If the owner charges for permission to use a specific part of the owner's land for harvesting special forest products and the owner provides notice in the manner provided by subsection (8) of this section, the immunities provided by ORS 105.682 apply to the remainder of the owner's land.

(8) Notices under subsections (4) to (7) of this section may be given by posting, as part of a receipt, or by such other means as may be reasonably calculated to apprise a person of:

(a) The limited uses of the land for which the charge is made, and the immunities provided under ORS 105.682 for other uses of the land; or

(b) The portion of the land the use of which is subject to the charge, and the immunities provided under ORS 105.682 for the remainder of the land.

SECTION 11. (1) The amendments to ORS 105.668, 105.672 and 105.688 by sections 5 to 7 of this 2024 Act apply to actions for personal injury, death or property damage commenced on or after the effective date of this 2024 Act, and before January 2, 2026.

(2) The amendments to ORS 105.668, 105.672 and 105.688 by sections 8 to 10 of this 2024 Act become operative on January 2, 2026, and apply to actions for personal injury, death or property damage commenced on or after January 2, 2026.

(3) An ordinance, resolution, rule, order or other regulation under ORS 105.668 (3) that is adopted by a local government other than a city or county is not effective after January 2, 2026.

SECTION 12. This 2024 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect on its passage.

Passed by Senate February 22, 2024

.....
Obadiah Rutledge, Secretary of Senate

.....
Rob Wagner, President of Senate

Passed by House March 5, 2024

.....
Dan Rayfield, Speaker of House

Received by Governor:

.....M.,....., 2024

Approved:

.....M.,....., 2024

.....
Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2024

.....
LaVonne Griffin-Valade, Secretary of State



Council Business Meeting

Date: June 3, 2025

Agenda Item	Public Hearing and First Reading of Ordinance 3265, adopting the 2025 Economic Opportunities Analysis as a technical support document to the Economic Element of the City of Ashland Comprehensive Plan
Department	Community Development
From	Brandon Goldman, Director of Community Development

TIME ESTIMATE

45 minutes

CATEGORY

Ordinance/Resolution - a motion is needed to adopt the ORD. or RESO.

SUMMARY

The City Council is requested to approve First Reading of Ordinance No. 3265, which adopts the 2025 Economic Opportunities Analysis (EOA), prepared by Community Attributes Inc., as a technical support document to the Economy Element of the Ashland Comprehensive Plan.

The EOA provides a data-driven analysis of Ashland's employment trends and land needs for the 2025–2045 planning horizon.

POLICIES, PLANS & GOALS SUPPORTED

The adoption of the 2025 Economic Opportunities Analysis (EOA) is consistent with and supports the following local and state policies and regulatory frameworks:

- Ashland Comprehensive Plan
 - *Economy Element*: The EOA provides the technical foundation to inform updates to the City's economic development goals and policies.
 - *Land Use Planning Element*: Supports long-range planning decisions by aligning employment land needs with available capacity and future growth projections.
- Ashland Municipal Code (AMC)
 - *AMC 18.5.9.010 – Comprehensive Plan Amendments*: Establishes the process for legislative amendments to the Comprehensive Plan, including the adoption of technical support documents like the EOA.
 - *AMC 18.5.9.020 – Applicability and Review Procedure*: Identifies the Type III legislative process applicable to this action, including public hearings before the Planning Commission and City Council.
- State Planning Goals and Administrative Rules
 - *Statewide Planning Goal 9 – Economic Development*: Requires cities to provide adequate opportunities for a variety of economic activities through the maintenance of a sufficient supply of suitable employment land.
 - *OAR 660-009-0015 – Economic Opportunities Analysis (EOA) Requirements*: Specifies the required content, methodology, and use of EOAs in evaluating employment land needs and supporting Goal 9 compliance.
- Oregon Revised Statutes (ORS)
 - *ORS Chapter 197 – Comprehensive Land Use Planning Coordination*: Provides the statutory framework for comprehensive plan amendments and the inclusion of technical support documents to guide local planning decisions.





Council Business Meeting

BACKGROUND AND ADDITIONAL INFORMATION

Oregon cities are required by Statewide Planning Goal 9 – Economic Development – and OAR 660-009-0015 to evaluate and plan for sufficient employment lands to accommodate projected job growth over a 20-year horizon. An Economic Opportunities Analysis (EOA) is the primary tool used to satisfy this requirement. The EOA identifies local economic trends, assesses land supply and demand for employment uses, and provides a technical foundation to inform economic development policy and future land use decisions. An EOA does not create new policy or regulatory changes but establishes a factual basis for future land use and economic development decisions.

The 2025 Ashland EOA, prepared by Community Attributes Inc. (CAI), is an update to the City's previous analysis adopted in 2007. In the nearly two decades since that adoption, Ashland has experienced substantial changes in demographic trends, employment patterns, land use conditions, and economic challenges—prompting the need for a comprehensive reassessment. Events such as the 2008 recession, the COVID-19 pandemic, the expansion of remote work, and increasing housing costs have all contributed to evolving land use and employment dynamics in the region.

The updated EOA was developed in accordance with the methodologies and requirements outlined in OAR 660-009. It utilizes regional labor market data from the Oregon Employment Department, land capacity data from the City's adopted 2024 Buildable Lands Inventory, and insights from interviews, surveys, and public engagement. The result is a locally tailored, data-driven analysis that projects employment growth through 2045 and evaluates Ashland's ability to accommodate that growth within its existing land supply.

As detailed in the attached staff report, adoption of the 2025 EOA amends the Comprehensive Plan to incorporate the EOA as a technical support document to the Economy Element. This ensures that future planning decisions and City economic policy are supported by up-to-date economic data and consistent with statewide planning mandates. The EOA will serve as a factual foundation for evaluating future amendments to land use designations, zoning updates, targeted employment strategies, and other implementation tools aimed at strengthening Ashland's economy.

This planning action is legislative in nature and is processed as a Type III land use decision under AMC 18.5.9. The public hearing before the Planning Commission was held on May 27, 2025, and this hearing before the City Council is required to finalize the Comprehensive Plan amendment through adoption of Ordinance 3265.

FISCAL IMPACTS

Adoption of the Economic Opportunities Analysis has no direct fiscal impact on the City. The preparation of the 2025 EOA was funded through a combination of state and local resources, including a \$60,000 technical assistance grant from the Oregon Department of Land Conservation and Development (DLCD). The City of Ashland contributed \$12,400 toward the \$72,400 contract with Community Attributes Inc. (CAI). This contribution represents a direct financial commitment and does not include the value of staff time and in-kind support provided throughout the project.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

A public hearing before the Planning Commission is scheduled for May 27, 2025, after the drafting of this Council Communication. The Planning Commission's recommendation on the proposed adoption of the 2025 Economic Opportunities Analysis will be provided to the City Council in advance of the Council's public hearing. City staff recommend approval of First Reading of Ordinance No. 3265 and adoption of the EOA as presented as a technical support document to the Comprehensive Plan.

Suggested Motion:

I move to approve First Reading of Ordinance 3265, adopting the 2025 Economic Opportunities Analysis as a technical support document to the Comprehensive Plan Economy Element, and schedule Second Reading for June 17, 2025.

REFERENCES & ATTACHMENTS





Council Business Meeting

1. Draft_EOA_ORD_3265_05272025
2. Ashland EOA Draft CAI_05232025
3. Ashland EOA Outreach Summary CAI_05202025



ORDINANCE NO. 3265

AN ORDINANCE ADOPTING THE 2025 ECONOMIC OPPORTUNITIES ANALYSIS AS A TECHNICAL SUPPORT DOCUMENT TO THE ECONOMIC ELEMENT OF THE CITY OF ASHLAND COMPREHENSIVE PLAN

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.

WHEREAS, The City of Ashland is required under Oregon Statewide Planning Goal 9 (Economic Development) and Oregon Administrative Rule (OAR) 660-009 to provide an adequate factual basis for employment land needs in its Comprehensive Plan.

WHEREAS, The City of Ashland's most recent Economic Opportunities Analysis (EOA) was completed in 2007, and a technical update is necessary to reflect current economic trends, employment projections, and land capacity over the next 20-year planning period.

WHEREAS, The City, with technical assistance funding from the Oregon Department of Land Conservation and Development (DLCD), retained Community Attributes Inc. (CAI) to prepare an updated Economic Opportunities Analysis. The final report, dated **May 23, 2025**, provides a comprehensive analysis of Ashland's employment land supply and demand and includes findings on demographic and economic trends, buildable lands capacity, and employment forecasts consistent with Goal 9 and OAR 660-009.

WHEREAS, The 2025 Economic Opportunities Analysis (EOA) does not establish new policies, zoning regulations, or land use designations. Rather, it is intended to serve as a technical support document to inform future amendments to the Ashland Comprehensive Plan and to support ongoing planning and policy development.

WHEREAS, The Ashland Planning Commission conducted a duly noticed public hearing on **May 27, 2025** reviewed the EOA, and **recommended its adoption as a technical support document.**

WHEREAS, The Ashland City Council conducted a public hearing on **June 3, 2025** and concluded that the 2025 Economic Opportunities Analysis is consistent with the requirements of Statewide Planning Goal 9 and OAR 660-009 and supports the long-range economic development objectives of the City.

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

SECTION 1. The City of Ashland hereby adopts the 2025 Economic Opportunities Analysis, prepared by Community Attributes Inc. and dated **May 23, 2025**, as a technical support document to the Economic Element of the Ashland Comprehensive Plan, amending Chapter 7 – Economy, 7.08 Technical Reports as follows:

The following reports are adopted by reference as part of the Economy Element of the Ashland Comprehensive Plan:

1. City of Ashland: Economic Opportunities Analysis. ~~(April 2007)~~ **(June 2025)**

SECTION 2. The adopted EOA shall serve as the factual basis for future amendments to the City’s Comprehensive Plan and land use regulations relating to employment land needs, economic development, and Goal 9 implementation.

SECTION 3. 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 4. 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 3-4) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the _____ 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:

Johan Pietila, City Attorney

City of Ashland

Economic Opportunity Analysis

Discussion Draft

May 23, 2025

Prepared by:



Prepared for:





*Community Attributes Inc. tells data-rich stories about communities
that are important to decision makers.*

President and CEO:
Chris Mefford

Project Manager:
Elliot Weiss

Analysts:
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Dominic Roche
Carrienne Cusak

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EXECUTIVE SUMMARY

Ashland's Existing Conditions

- Ashland is a compact city of approximately 21,600 residents, characterized by its pleasant downtown, cultural amenities, and opportunities for outdoor recreation.
- The following sections bring forth key findings from this Economic Opportunity Assessment.

People and Housing

- Population growth has been relatively slow in Ashland, with a compound annual growth rate (CAGR) of 0.5% from 2010 to 2024—less than half of Medford's 1.2% CAGR.
- Compared to the region and its nearby peers, Ashland's population tends to be older, more educated, and more racially homogenous. Ashland's median age is 48.2 in 2022 compared to 42 in Jackson County and 39.5 in Medford.
- As of 2023, small households make up the majority of Ashland's community, with 78% of households consisting of one or two people.
- As of 2023, 45% of Ashland's households were homeowners and 44% were renters, while 11% of housing units were vacant or partially vacant—including those used as short-term rentals or second homes.
- Household income in Ashland (as well as in Medford and Jackson County) has seen a slight increase over time with Ashland increasing at a CAGR of 4% from 2010 to 2022.
- The proportion of households in Ashland experiencing cost burden (or spending more than 30% of their income on housing costs) decreased at a CAGR of -2% from 2010-2023.
- According to the U.S. Department of Housing and Urban Development's (HUD) Comprehensive Housing Affordability Strategy (CHAS) data, housing units are categorized by the maximum rent or home price affordable to households earning 30%, 50%, and 80% of area median income (AMI). For HUD CHAS data, the term "affordable housing" means that a household spends no more than 30% of its gross income on housing costs. In 2021, 26% of Ashland's households earned less than 50% AMI, but only 12% of housing units were affordable at that income level.
- As of 2023, Ashland's housing inventory includes 11,499 units, 59% of which are single-family homes.
- The median home sale price Ashland peaked at \$690,000 in September of 2024. It has since dropped to \$470,000 (as of last recorded data in March 2025).
- Homes also sell quickly in Ashland; as of March 2025, 43% of new listings in Ashland were sold within two weeks.

Land Use and Climate

- Commercial land comprises about 4% of Ashland’s land area, industrial land 1%, and employment-zoned land about 8%, with overlays and regulations limiting some development potential.
- The city faces multiple climate risks—wildfire, drought, and extreme heat were all rated as high-probability, high-vulnerability hazards in the 2024 hazard mitigation plan.

National and Regional Economic Trends

Macroeconomic Indicators

- National unemployment fell to 4.1% in 2024, returning to pre-pandemic lows, while labor force participation rebounded to 62.6%—still below early 2000s levels.
- Inflation rose sharply after 2020, with the Consumer Price Index (CPI) increasing 15% between 2020 and 2022; as of late 2024, CPI remained elevated at 175 (base 1999 = 100).
- The Federal Reserve’s policy response led to a sharp increase in the Secured Overnight Financing Rate (SOFR), which peaked at 5.31% in 2023 before easing slightly to 4.8% in 2024.

Southern Oregon and the Rogue River Valley

- Oregon’s overall population growth has been steady, but Jackson and Josephine Counties ranked mid-range among counties, with Medford growing faster than Ashland post-2020.
- The regional economy is service-oriented, with Services, Retail Trade, and Education and Health each accounting for about 21–24% of private jobs in the Jackson-Josephine region as of 2021. Private employment does not include public jobs like government or public school positions
- Since 2010, Jackson County added over 14,000 private jobs, growing at a CAGR of 1.5%, with the fastest growth in Construction (+5.4% CAGR), Education (+4.1%), and Resources (+4.0%). Private employment does not include public jobs like government or public school positions
- In Ashland, the share of total workers who report working from home grew from 13.3% in 2010 to 21.1% in 2023, maintaining a higher rate than Medford or the region.
- High-growth, specialized industries in Jackson County include Sporting Goods (LQ >10), Healthcare Services, and Food and Beverage establishments, with strong local employment and growth.

Local Economic Trends

Industry and Workforce

- Total employment in Ashland was 9,104 in 2022, with top sectors including Leisure and Hospitality, Retail, Education, and Health Care.
- The Employment Lands Sufficiency analysis uses private employment estimates and forecasts given by Oregon’s Department of Economic Development. Private employment does not include public sector jobs such as government or public school positions. From 2013 to 2023, private sector job growth was modest—growing at a 0.6% CAGR—with the fastest growth in Construction and related sectors (+9.9%), while industries such as Education and Wholesale Trade declined.
- Ashland’s private employment is forecast to grow from 8,644 in 2025 to 10,045 by 2045, with the most growth in Leisure and Hospitality (+654 jobs), Health Care (+422), and Finance, Insurance, and Real Estate (FIRE) (+165).
- Ashland’s workforce is highly educated: 62% of residents hold a bachelor’s degree or higher, compared to 28% in Medford.
- Commuting patterns show regional interdependence—only 37% of Ashland residents work in the city, while 69% of local jobs are filled by commuters from outside.
- Ashland’s jobs-to-housing unit ratio declined slightly from 0.78 in 2013 to 0.74 in 2023. This ratio is lower than the region’s and is likely explained by a relatively high share of senior and retired residents.
- The regional laborshed is highly dynamic, with workers often traveling to other cities for work.
- In 2022, industries with the highest net labor inflow included Accommodation and Food Services (+638), Educational Services (+596), and Retail Trade (+354), reflecting Ashland’s tourism and institutional economy.

Commercial Market

- Commercial real estate has seen uneven performance—retail lease rates fell from a 2018 peak of \$29.73/sqft to \$20.99 in 2024, while vacancy remains low at 2%.
- Downtown Ashland retail has rebounded post-COVID, with lease rates at \$17.00/sqft in 2024 and vacancy down to 1.6%, after a spike to 11.3% in 2021.
- Industrial vacancy increased sharply to 26.7% in 2024, due to new supply outpacing demand, while lease rates declined to \$10.47/sqft from a 2023 peak of \$13.59.

Employment Lands Sufficiency

- Ashland’s Buildable Lands Inventory (BLI), adopted in 2024, identified 181 net buildable acres of land designated for employment uses, including commercial, industrial, and employment zones.
- This analysis finds that, with a total net buildable supply of 181 acres of “employment lands” and only 76 total acres of demand projected for industrial and commercial uses, Ashland has a likely surplus of over 100 acres within the City and UGB urbanized area.
- However, there may be a shortage of small, centrally located commercial sites. While overall supply is sufficient, further analysis suggests a relative lack of small Downtown Commercial and mid-sized (1-5 ac) range commercial sites. Some of this demand could be absorbed by surplus E-1 employment lands; however, businesses that depend on visibility and foot traffic—such as those tied to the Oregon Shakespeare Festival—will continue to prefer prominent downtown locations. Improving pedestrian connectivity, signage, and branding between downtown and the northern E-1 node may help support business attraction in those areas.
- Ownership dynamics limit redevelopment of key opportunity sites. The Croman Mill and Railroad District properties represent the city’s largest groupings of buildable land, but lack of proactive ownership and incentives to sell have historically stalled redevelopment efforts.
- There is capacity to accommodate stronger-than-forecasted employment growth. If employment growth is greater than forecasts indicate in coming years, there will likely be sufficient land in Ashland to accommodate it given the surplus employment land supply identified within the City / UGB. In particular, certain segments within industrial – such as outdoor recreation manufacturing or craft food and beverage – may be worth consideration for targeted economic development efforts by Ashland to synergize with its evolving economic base.

Community Economic Development Priorities

- This EOA was informed by widespread engagement of Ashland’s community including; interviews, focus groups, public forums with Ashland’s stakeholders and a regional survey which captured responses from residents and business interests in Ashland. Engagement covered a diverse range of perspectives including city leadership, developers, landowners, institutional partners, SOU students, and major employers in Ashland.

Downtown Revitalization

- Community members across stakeholder groups expressed strong interest in revitalizing Downtown Ashland as a vibrant hub for retail, culture, and civic life.
- Priorities included activating ground-floor spaces, supporting local businesses, improving public safety and perception, and investing in streetscape upgrades.
- Public-private partnerships and strategic use of city-owned land were identified as key tools to catalyze redevelopment.

Economic Diversification

- Stakeholders emphasized the need to expand beyond a tourism-centered economy by supporting growth in health care, education, professional services, and the creative sector.
- There is interest in pursuing year-round employment opportunities and encouraging emerging industries suited to Ashland's workforce and values.
- Participants highlighted the need for supportive infrastructure and available land to accommodate diverse business types.

Housing Affordability and Workforce Retention

- Employers, institutions, and residents consistently identified housing affordability as a top barrier to retaining and attracting talent.
- Workforce instability was seen as a growing concern for local businesses, particularly in service and health care sectors.
- There is strong alignment between economic and housing goals, with support for policies that increase attainable housing options.

Barriers to Development

- Developers and business owners noted challenges related to infrastructure readiness, zoning flexibility, and the permitting process.
- Stakeholders expressed concern that the city's existing land inventory does not include enough large or easily developable sites.
- Suggestions included streamlining permitting and incentivizing redevelopment in already urbanized areas.

Regional Coordination and Partnerships

- Participants across sectors called for improved coordination between the City, Southern Oregon University, Ashland School District, and regional economic partners.
- Students and young adults expressed a desire for stronger career pathways and a more inclusive role in civic life.

- Better alignment between local education, housing, and economic development efforts was seen as essential to long-term success.

Ashland's Strengths and Opportunities

Distinctive Assets and Identity

- Ashland's cultural institutions, especially the Oregon Shakespeare Festival and Southern Oregon University, provide a unique identity and draw regional and national attention.
- The city's walkable downtown, access to parks and recreation, and small-town character are consistently cited as quality-of-life strengths.

Skilled and Engaged Workforce

- A highly educated population—62% with a bachelor's degree or higher—creates a strong talent base for knowledge-sector and creative economy jobs.
- Local institutions, including SOU, provide a foundation for growing partnerships around talent development and job pathways.

Economic Specialization and Tourism

- Strength in tourism, arts, and hospitality remains a key driver of local employment and business activity.
- Opportunities exist to build on creative economy assets and extend visitor spending into shoulder seasons or year-round models.

Health and Education Sectors

- Ashland's role as a hub for regional health care and education presents opportunities to grow jobs in these stable, high-value sectors.
- Investment in medical facilities and supportive services can further anchor the local economy.

Sustainable Growth and Redevelopment

- Compact urban form, transit access, and sustainability goals create a strong platform for infill development and adaptive reuse.
- Mixed-use zones and employment overlays provide a foundation for creative redevelopment and incremental land use change.

Regional Connectivity and Collaboration

- Ashland's location along I-5 and near Medford offers opportunities for cross-jurisdictional collaboration and regional market access.
- Stronger partnerships across public agencies, businesses, and institutions can align resources and expand economic opportunity.

INTRODUCTION

Background and Purpose

The City of Ashland requires an Economic Opportunity Analysis (EOA) as intended and funded by the Oregon Department of Land Conservation and Development (DLCD). A strategic planning document, the EOA ensures that there is enough available land and adequate public improvements to realize economic growth for the next 20-year horizon. This requirement originates from Oregon's Land Use program, established by Senate Bill 100 in 1973, which established the Land Conservation and Development Commission (LCDC) and the Oregon Department of Land Conservation and Development (DLCD) and mandated that Statewide Planning Goals serve as the basis for local Comprehensive Plans. This EOA serves to meet the first key element required by State Planning Goal Nine, which requires local governments to ensure adequate land is zoned for industrial and commercial activities to support economic growth, sustain living wage jobs, and maintain quality of life within established urban growth boundaries.

As the second-largest city in Jackson County, Ashland plays a unique role in the regional economy of the Rogue Valley. Home to both the Oregon Shakespeare Festival and Southern Oregon University, Ashland provides surrounding rural communities in Southern Oregon and Northern California with premier medical services, shopping centers, sports parks, access to two different airports, and a variety of tourism-based businesses. Through updating Ashland's EOA, the city works to align projected employment growth with land needs and availability based on current data and extensive community engagement.

Economic Opportunity Assessment Requirements

An Economic Opportunity Assessment (EOA), as outlined in [OAR 660-009-0015](#), is a technical study that compares projected demand for land for industrial and other employment uses to the existing supply of such land. It helps communities implement their local economic development objectives and forms the basis for industrial and other employment development policies in the comprehensive plan.

This rule requires inclusion of the following four interrelated elements:

1. Review of national, state, regional, county and local trends.
2. Identification of required site types expected to be needed to accommodate the expected employment growth
3. Inventory of industrial and other employment lands
4. Assessment of community economic development potential

5. There is also an optional fifth item, which is a strong encouragement for the EOA process to include a public visioning process (or similar).

Each of these five items are covered throughout this EOA report, either as standalone sections or integrated across multiple sections.

Methods

This EOA integrates qualitative and quantitative data collection and analysis to meet the requirements outlined in OAR 660-009-0015. Qualitative findings are informed by community engagement feedback and activities, including:

- Interviews and focus groups of local civic leaders and businesses ;
- Public forums, including a student forum at Southern Oregon University;
- Committee meetings (including the City’s Committee for Community Involvement, CCI, meetings with City Council and Planning Commission) and;
- A regional business and resident survey.

Quantitative analysis draws from publicly available data sources, such as the U.S. Census Bureau, Oregon Employment Department and many others; as well as private sector vendor sources such as Placer.ai, Esri and others. All data are sourced and referenced throughout the report.

Organization of Report

- **Overview of Existing Conditions in Ashland.** Describes the geographic setting of Ashland as well as outlines basic population, housing and land use information.
- **National, State, and Regional, Trends.** Describes contextual information on the larger economies affecting Ashland.
- **Local Characteristics and Trends.** Explores targeted employment, industry, workforce, and market data on Ashland and Jackson County.
- **Employment Lands Assessment.** Summarizes key findings and analysis based on Ashland’s commercial and industrial buildable lands inventory.
- **Community Economic Development Priorities.** Distills findings from stakeholder engagement.
- **Competitive Outlook and Anticipated Demand for Land.** Details land needed to accommodate local expressions of economic development trends using employment forecasts and economic development potential
- **Strategic Themes and Implications for Policy.** Synthesizes strategic themes from data collection and analysis, and refreshes Ashland’s goals and policies for economic development.

OVERVIEW OF EXISTING CONDITIONS IN ASHLAND

This section introduces the City of Ashland including its geographic setting, position and role in the Rogue Valley, and recent trends in community demographics, housing, land uses, and climate.

Geographic Setting

Ashland is located in the Rogue Valley of Southwestern Oregon. With approximately 21,600 residents, Ashland is the second largest city in Jackson County, behind Medford. Ashland is adjacent to Interstate-5, with other communities in the region including Medford, Phoenix, Talent, Central Point, and Grants Pass. Ashland is known regionally as a tourism hub—home to the Oregon Shakespeare Festival and an array of cultural, recreational, and culinary attractions. The city serves as a gateway to the surrounding mountains, offering access to walking and biking trails, winter recreation, and 17 city parks, including the iconic Lithia Park. Covering 4,256 acres, Ashland's land use is predominantly residential, with a built environment characterized by single-family neighborhoods surrounding a compact, vibrant downtown that features specialty retail, fine dining, seasonal events, and Southern Oregon University.

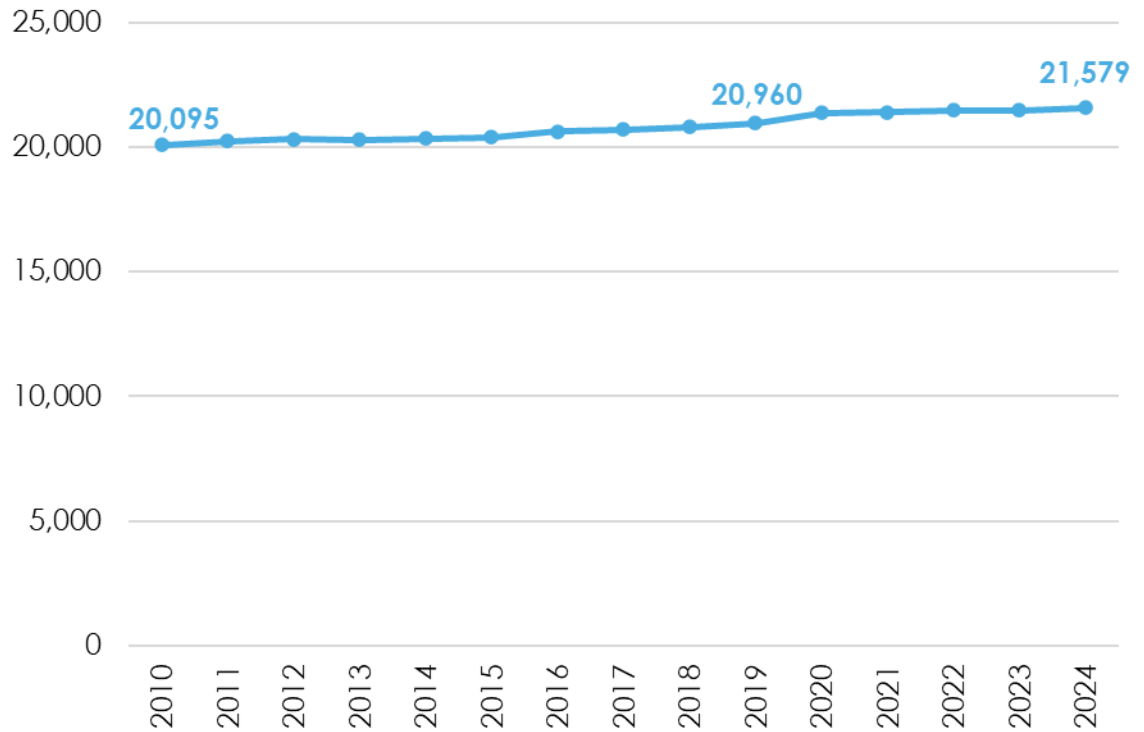
People and Housing

Community Demographics

Compared to the region and its nearby peers, Ashland's population tends to be older, more educated, and more racially homogenous. However, regional demographic shifts, seen in Jackson County, Medford and Ashland, include a growing population and a growing proportion of seniors. As of 2022, this aging trend is more pronounced in Ashland than in Medford, while Ashland population growth is less pronounced than Medford's.

According to the Population Research Center at Portland State University, Ashland's population grew from 20,095 in 2010 to 21,579 in 2024, reflecting a compound annual growth rate (CAGR) of 0.5% (**Exhibit 1**). Over the same timeframe, Medford saw a CAGR of 1.2%.

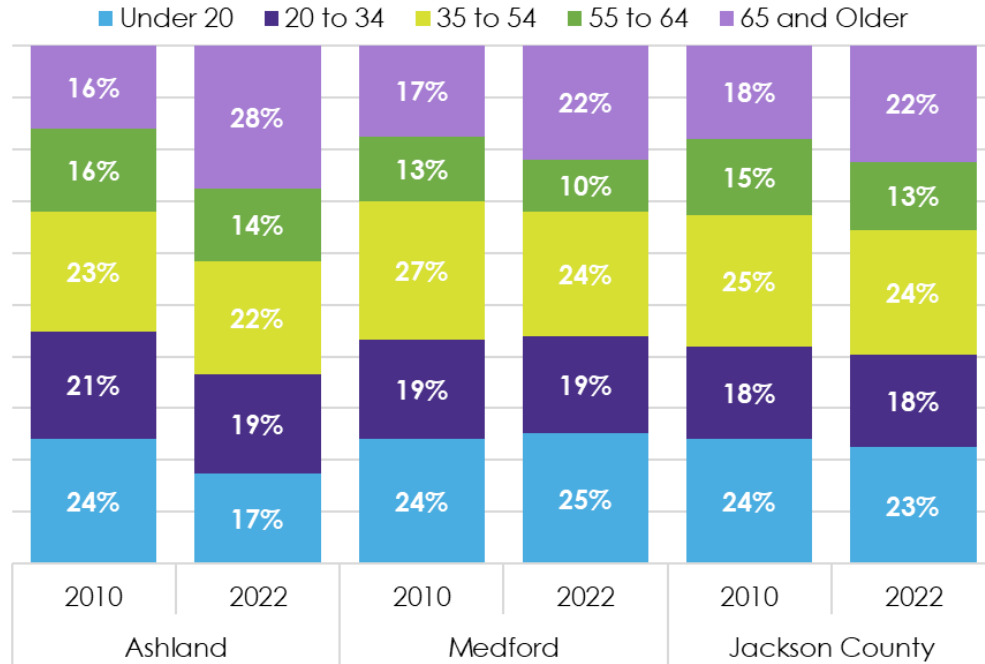
Exhibit 1. Historic Population, Ashland, 2010 – 2024



Sources: State of Oregon, Population Research Center at Portland State University, 2010-2023; CAI, 2025.

In 2022, Jackson County’s median age was 42 years old, while Medford’s was 39.5 and Ashland’s was 48.2. Ashland saw the 65+ population grow from 16% of the population in 2010 to almost 28% in 2022 (**Exhibit 2**). Over the same period, Ashland’s working-age population decreased by about 6% and the population 19 and under dropped by about 8%.

Exhibit 2. Change in Age Distribution, Jackson County, Medford, and Ashland, 2010 and 2022



Sources: American Community Survey (ACS), 2010 & 2022, CAI 2024.¹

Another demographic shift in Ashland’s population is a slow increase in racial diversity in the population.

While 86% of Ashland’s community identified as white only in 2010, this proportion decreased by 4% by 2022. Jackson County and Medford also both experienced an increase in racial diversity from 2010 to 2022 with Jackson County’s white-only proportion decreasing by 6%, and Medford’s by 9%. In all geographies the largest non-white racial cohort in 2022 identified as Hispanic and Latino, making up 18% of Medford’s population and 10% of Ashland’s.

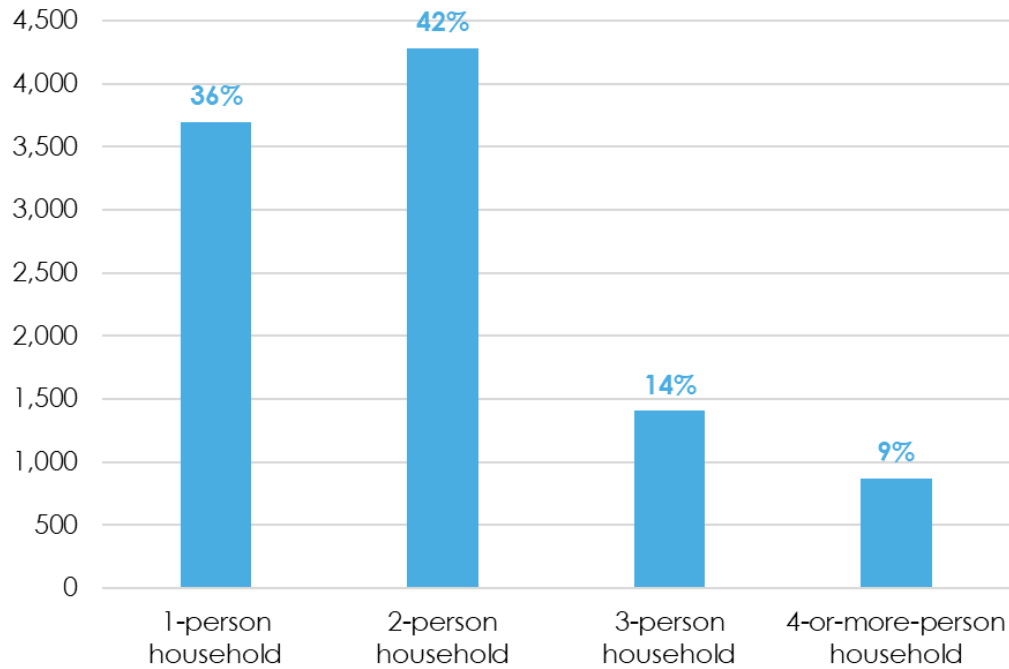
Characteristics of Ashland’s Households

As of 2023, Ashland’s households are largely small households, of 1-2 persons (78%) (**Exhibit 3**). The prevalence of small households suggests a higher

¹ The Census Bureau’s ACS uses the "current residence" concept, meaning individuals are counted at the address where they live or stay most of the time. Following this, students are counted in these ways:
a) Students living on-campus (e.g., in dormitories or residence halls) are counted at their campus address. These facilities are classified as group quarters.
b) Students living off-campus (e.g., in rented apartments) are counted at their off-campus residence.
c) Students living at their parents' or guardians' home while attending college are counted at that home address.

demand for smaller housing typologies which accommodate small households as opposed to larger structures.

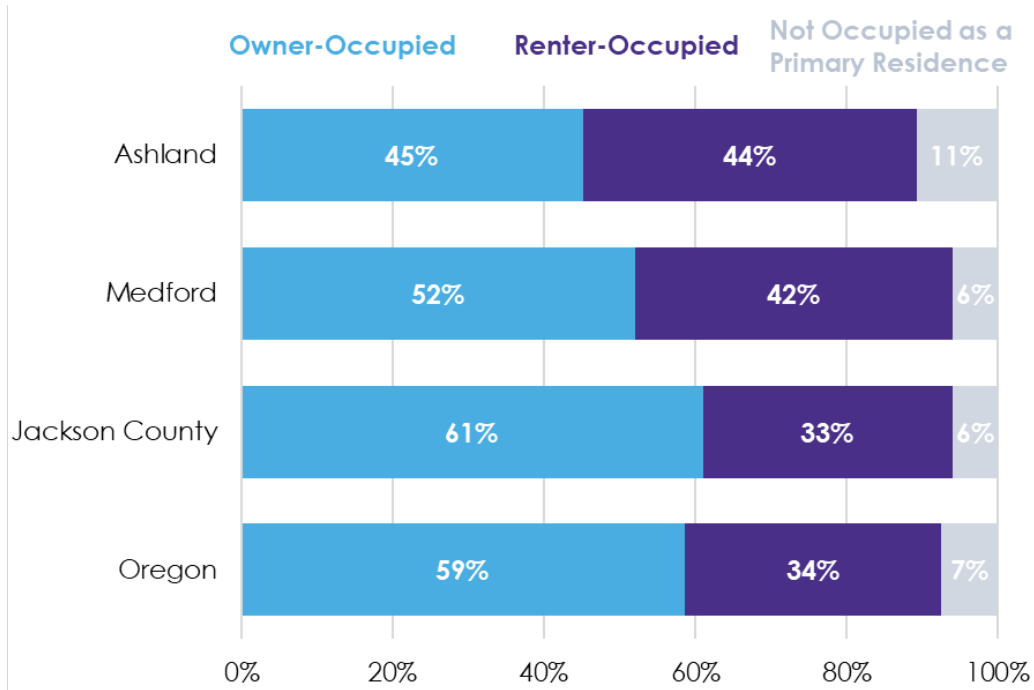
Exhibit 3. Households by Household Size, Ashland, 2023



Source: ACS 5-Year Estimates, 2023; CAI, 2025.

The majority of households in Jackson County (61%) and the state of Oregon (59%) are owner-occupied in 2023 (**Exhibit 4**). Ashland, however, shows a closer split between homeowners (45%) and renters (44%). The remaining 11% of units in Ashland are those which are not occupied as a primary residence, including second homes, short term rentals, or otherwise vacant properties. The higher proportion of units in Ashland which are not occupied as a primary residence, compared to other geographies, speaks to the impacts of short-term rentals and second homes in Ashland.

Exhibit 4. Housing Tenure, Oregon, Jackson County, Medford and Ashland, 2023

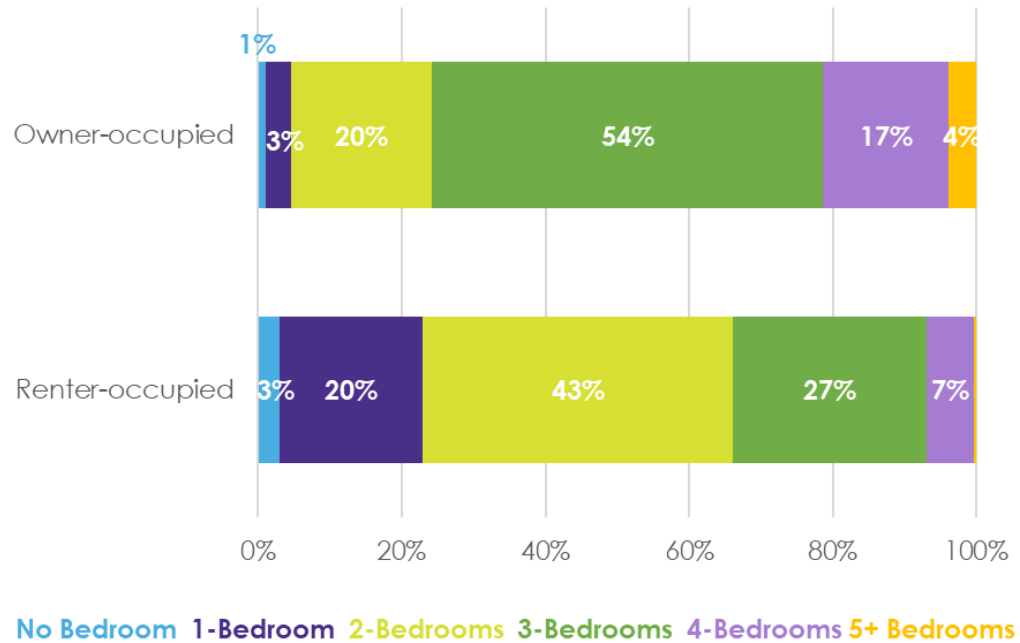


Sources: American Community Survey, 2023; CAI 2024.

The average household size for renters in Ashland was 2.22 people per household. For homeownership households, this value is higher at 2.56 people per household.

The size of housing units tends to be larger for owner-occupied housing units than for renter-occupied units (**Exhibit 5**). 75% of owner-occupied units in Jackson County have at least 3 bedrooms, compared to only 34% of renter-occupied housing units.

Exhibit 5. Housing Unit Size by Tenure, Jackson County, 2023



Sources: American Community Survey, 2023; CAI, 2025.

While Medford and Ashland’s median household income is lower than that of the county or the state, median household income increased at similar rates for all four areas from 2010-2023. The median annual household income in Ashland was \$71,800 in 2023. This is comparable to Jackson County’s median income of \$71,400, and lower than Oregon’s median annual income of \$80,400.

For HUD CHAS data, the term “affordable housing” means that a household spends no more than 30% of its gross income on housing costs. Housing costs include rent or mortgage payments plus utilities. The Area Median Income (AMI), a commonly accepted metric created by the US Department of Housing and Urban Development (HUD) used for assessing housing affordability, is used to evaluate housing affordability and determine eligibility for subsidized housing. HUD sets income thresholds categorized as extremely low, very low, low, and median for households ranging from one to eight members. These income limits are specified only for particular metropolitan areas. **Exhibit 6** shows the 2021 and 2025 income limits by household size in the Medford Metro Area, which includes Ashland and most of Jackson County. These metrics are used to understand the affordability of the existing housing stock in Ashland. For 1 person in Jackson County, the AMI for 2021 is \$51,150 while low income is designated as \$38,300 or less. By 2025, the median income for 1 person in Jackson County is \$64,700 while low income is designated as \$51,750 or less.

Exhibit 6. HUD Household Income Limits, Jackson County, 2021 & 2025

HUD Household Income Limits, Jackson County, 2021

Income Level	Household Size (Persons in Family)							
	1	2	3	4	5	6	7	8
Extremely Low (30% AMI)	\$14,350	\$17,420	\$21,960	\$26,500	\$31,040	\$35,580	\$40,120	\$44,660
Very Low Income (50% AMI)	\$23,950	\$27,350	\$30,750	\$34,150	\$36,900	\$39,650	\$42,350	\$45,100
Low Income (80% AMI)	\$38,300	\$43,750	\$49,200	\$54,650	\$59,050	\$63,400	\$67,800	\$72,150
Median Income	\$51,150	\$58,500	\$65,800	\$73,100	\$78,950	\$84,800	\$90,650	\$96,500

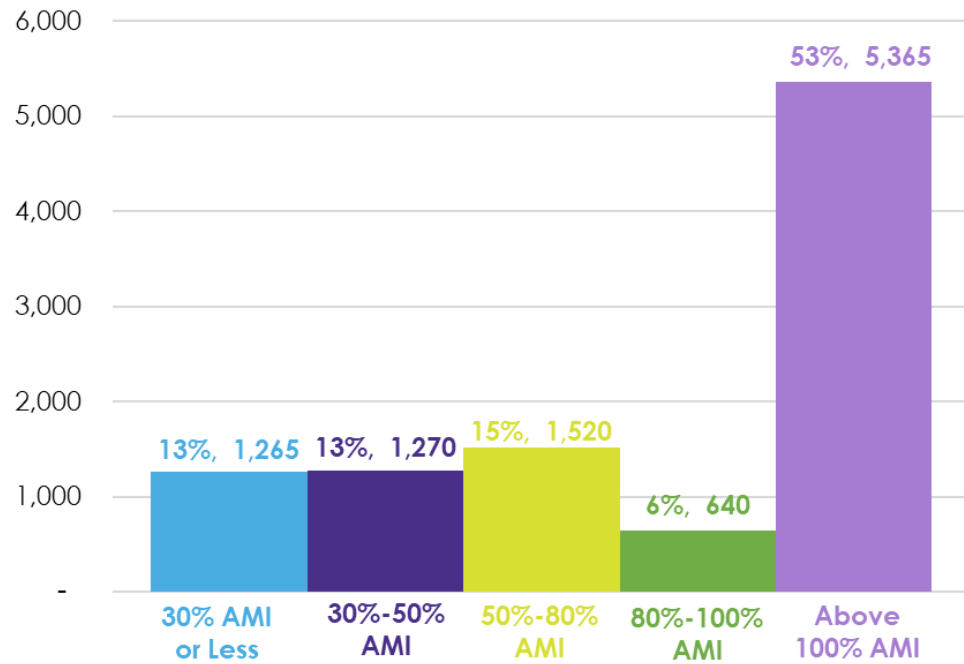
HUD Household Income Limits, Jackson County, 2025

Income Level	Household Size (Persons in Family)							
	1	2	3	4	5	6	7	8
Extremely Low (30% AMI)	\$19,400	\$22,200	\$26,650	\$32,150	\$37,650	\$43,150	\$48,650	\$54,150
Very Low Income (50% AMI)	\$32,350	\$37,000	\$41,600	\$46,200	\$49,900	\$53,600	\$57,300	\$61,000
Low Income (80% AMI)	\$51,750	\$59,150	\$66,550	\$73,900	\$79,850	\$85,750	\$91,650	\$97,550
Median Income	\$64,700	\$73,900	\$83,150	\$92,400	\$99,800	\$107,200	\$114,600	\$121,950

Sources: HUD, 2025; CAI, 2025.

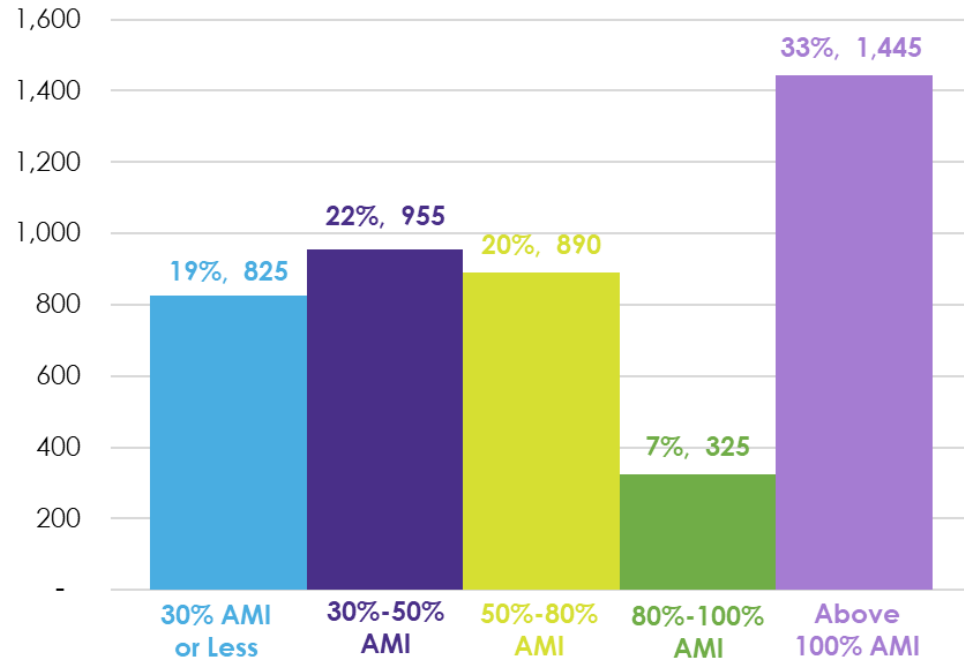
Exhibit 7 shows the proportion of households in Ashland by income segment in 2021. According to HUD, a slight majority of Ashland's households, (53%) in 2021 earned above 100% of Ashland's area median income (AMI) in 2021, which was \$73,100 for a household size of four persons (**Exhibit 6**). 28% of Ashland's households fell into the low income or very low-income categories (earning between 30%-80% the AMI), and 13% of Ashland's households fell into the extremely low-income category, (earning 30% AMI or less). In 2021, more homeowners (70%) in Ashland make incomes at or higher than the AMI than renters (33%) (**Exhibit 8 & Exhibit 9**)

Exhibit 7. Total Households by Area Median Income, Ashland, 2021



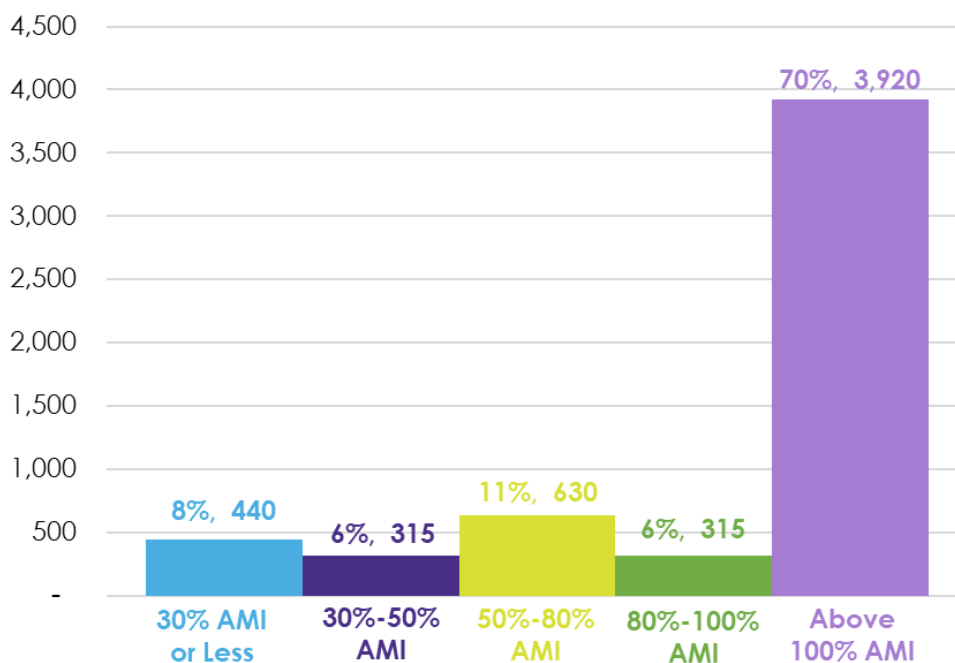
Source(s): CHAS 2017-2021; CAI 2025.

Exhibit 8. Renting Households by Area Median Income, Ashland, 2021



Source(s): CHAS 2017-2021; CAI 2025.

Exhibit 9. Homeowner Households by Area Median Income, Ashland, 2021



Source(s): CHAS 2017-2021; CAI 2025.

Cost burdened refers to a household that spends more than 30% of its income on housing costs, including rent or mortgage payments and utilities.

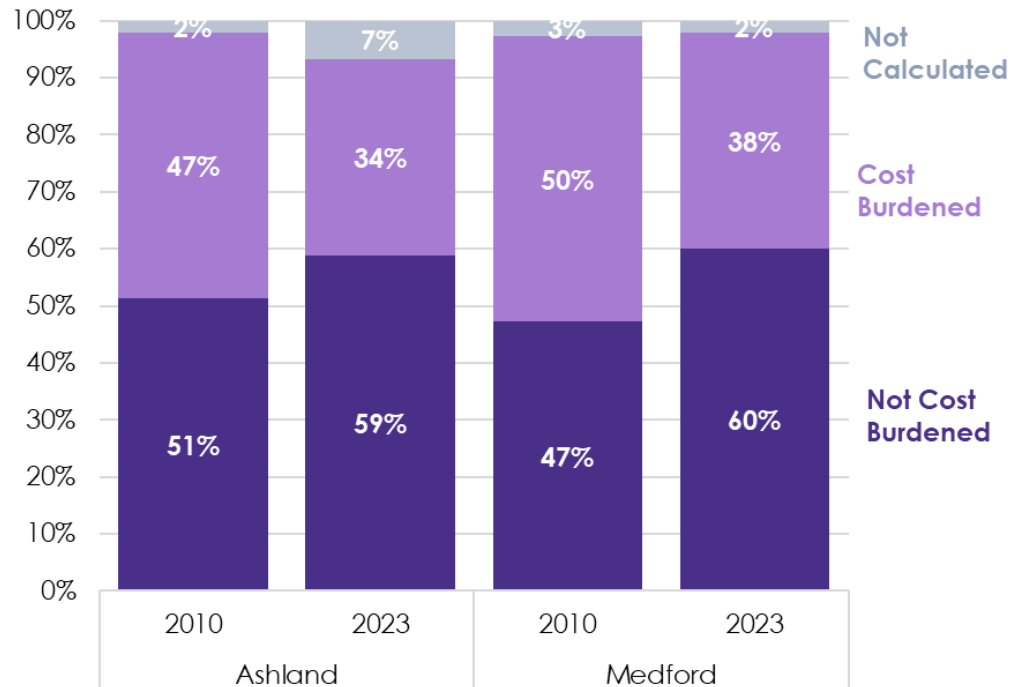
Since 2010, Oregon, Jackson County, Medford and Ashland have all seen household income increase while cost burden due to housing decreased. As of 2023, at least 34% of households in Ashland are experiencing cost burden due to housing (**Exhibit 10**). "Not calculated" means that the cost burden percentage could not be calculated for those housing units due to missing or unreliable income or housing cost data.² This value may be impacted by senior households who own their homes outright or report limited income by making affordability ratios difficult to calculate.

Renters face higher rates of cost burden than homeowners. As of 2023, 48% of renting households in Ashland experienced cost burden compared to 21% of households which own their home (**Exhibit 11**).³

² "Not Calculated" category includes units where reported income was \$0 (as this makes cost ratios unreliable), unusual or inconsistent values triggered data suppression to preserve accuracy, or the unit was occupied without payment of rent or mortgage.

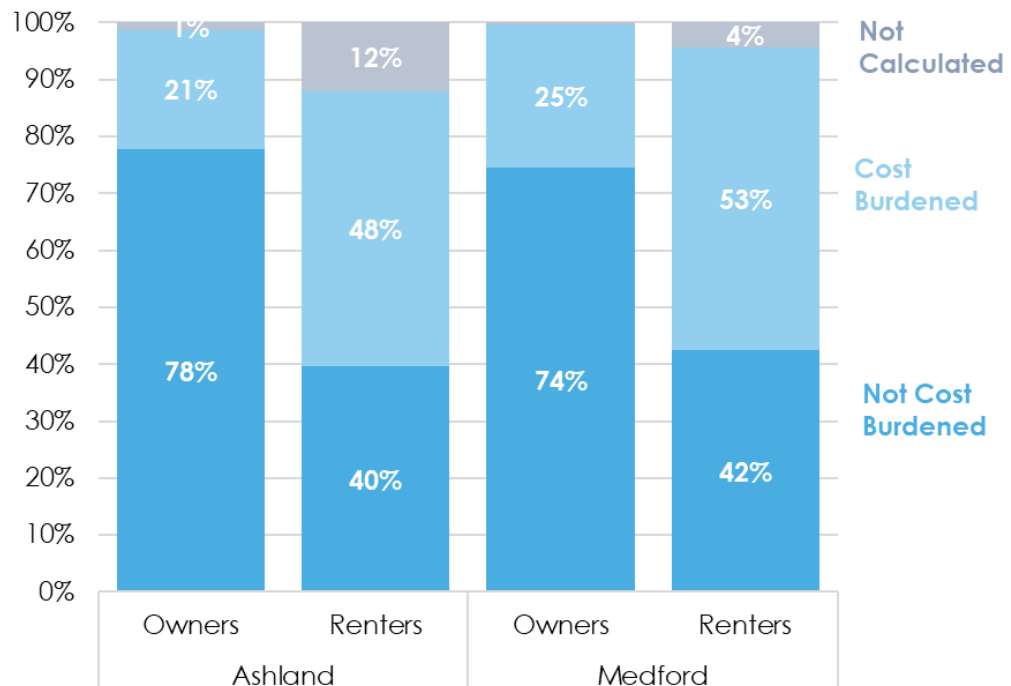
³ "Not computed" values are often higher among renters because: Income is more likely to be unreported, unstable, or very low, rent-free arrangements are more common, and housing and financial data may be less reliably reported

Exhibit 10. Housing Cost Burden, Ashland & Medford, 2010 & 2023



Sources: American Community Survey, 2010 & 2023; CAI 2024.

Exhibit 11. Housing Cost Burden by Tenure, Ashland & Medford, 2023



Sources: American Community Survey, 2010 & 2023; CAI 2024.

Housing in Ashland

Of Ashland's total housing stock (11,499 units in 2023), 10,264 or 89% are occupied. The remaining 1,235 units are classified as either vacant or partially vacant, which includes units for rent or sale that are not yet occupied at the time of the survey; units for seasonal, recreational, or occasional use (such as short-term rentals); and units intended for vacation or occasional use (such as second homes).

Single-family homes make up 59% of Ashland's total housing inventory (6,784 out of 11,499 units) (**Exhibit 12**). This is slightly lower than Oregon's proportion of single-family homes (62%). Multi-unit structures of five or more units make up approximately 17% of the housing stock.

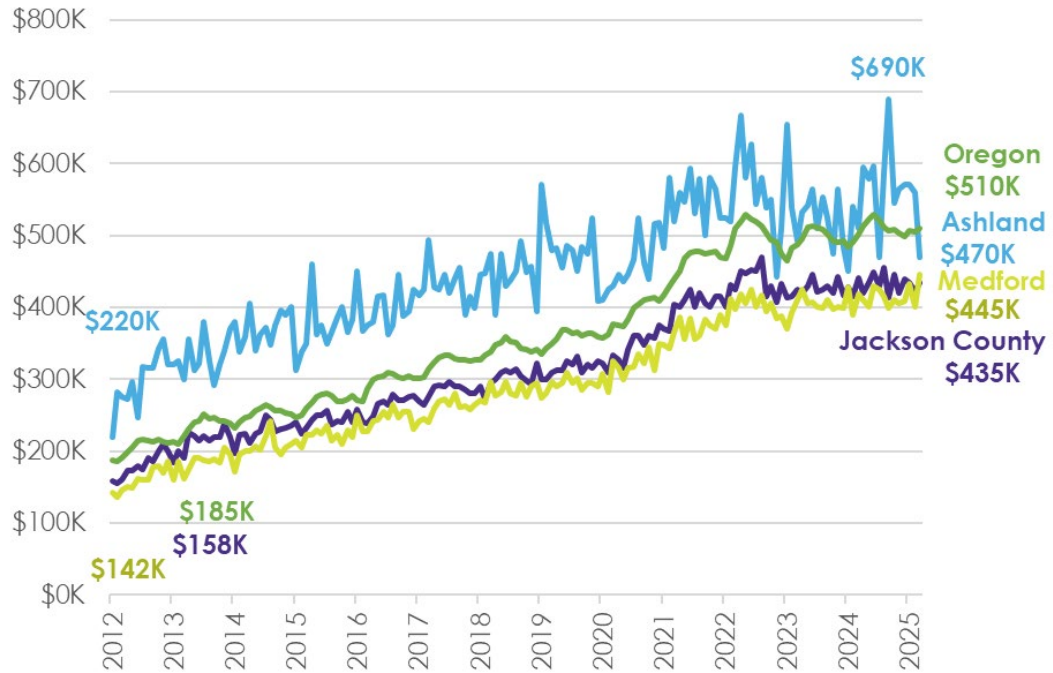
Exhibit 12. Housing Units by Structure Size, Ashland, 2023

Structure Size/Type	Count	% of Total
1 Detached Unit in Structure	6,784	59%
1 Attached Unit in Structure	1,521	13%
2 Units in Structure	499	4%
3 to 4 Units in Structure	706	6%
5 to 9 Units in Structure	545	5%
10 to 19 Units in Structure	309	3%
20 to 49 Units in Structure	443	4%
50 or More Units in Structure	516	4%
Mobile Homes	120	1%
Boat, RV, Van, Etc	56	0%
Total Units	11,499	

Sources: ACS 5-Year Estimates, 2023; CAI, 2024.

Median home sale prices have increased steadily in Medford, Ashland, Jackson County and Oregon since 2012 (**Exhibit 13**). Ashland's market, however, shows pronounced seasonal variation, with recurring peaks and troughs throughout the years. As of September 2024, Ashland reaches the highest median home sale price at approximately \$690,000. Outside of some low troughs occasionally appearing after 2022, Ashland's home prices have consistently exceeded the averages for Medford as well as regional and state averages. As of March 2025 (the most recent data collected), Ashland's median home price was \$470,000, compared to \$510,000 in Oregon, \$445,000 in Jackson County, and \$435,000 in Medford.

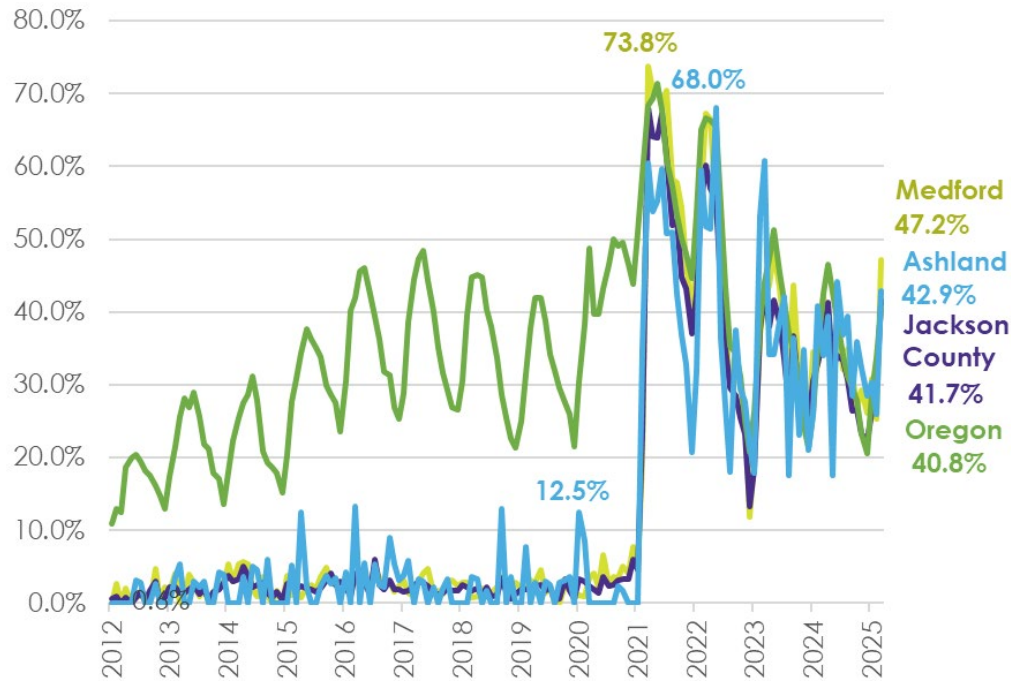
Exhibit 13. Median Home Sale Price, Ashland, Medford, Jackson County and Oregon, Jan 2012 – March 2025



Sources: Redfin, 2025; CAI, 2025.

The share of homes sold within two weeks of listing remained relatively low and stable across all areas from 2012 to 2020, when this indicator spiked sharply in all geographies, such that in Medford 74% of listings were removed within two weeks (**Exhibit 14**). Ashland's peak was 68%, recorded in May of 2022. Since then, the rate of two-week sales has declined somewhat but remains elevated compared to pre-2020 levels. As of May 2024, this value was 18%. Most recent data (March of 2025), shows that 47% of all of Medford's new listings and 43% of all of Ashland's new listings were sold within two weeks.

Exhibit 14. Housing Units off the Market within Two Weeks of Listing, Ashland, Medford, Jackson County and Oregon, Jan 2012 – March 2025



Sources: Redfin, 2025; CAI, 2025.

As of 2023, median housing costs per rental unit, including rent, utilities, or other costs, was \$1,367 per month, which is slightly lower than that of the state (\$1,450) (**Exhibit 15**). Housing costs for owner-occupied units however, were a median of \$2,398 monthly including mortgage, taxes, utilities, insurance, and HOA fees as applicable. This is over \$1,000 higher than the rental units and is slightly higher than the median monthly home cost for homeowners at the state level (\$2,080).

The majority of rental units in Ashland, at about 81%, cost more than \$1,000 a month (**Exhibit 16**). The largest grouping of rental units in Ashland (1,891) fall within the \$1,000 - \$1,500 rental range. Of these, most (62%) are large units with 2 or more bedrooms. The second largest range is housing units for \$1,500 or more in rent, with 1,746 units. 88% of these units have 2 or more bedrooms. A greater proportion of lower-cost rental units are also smaller in size. Among units with rents between \$300 and \$499, 65% are studios, or no bedroom units.

Exhibit 15. Monthly Housing Costs by Tenure, Ashland, 2023

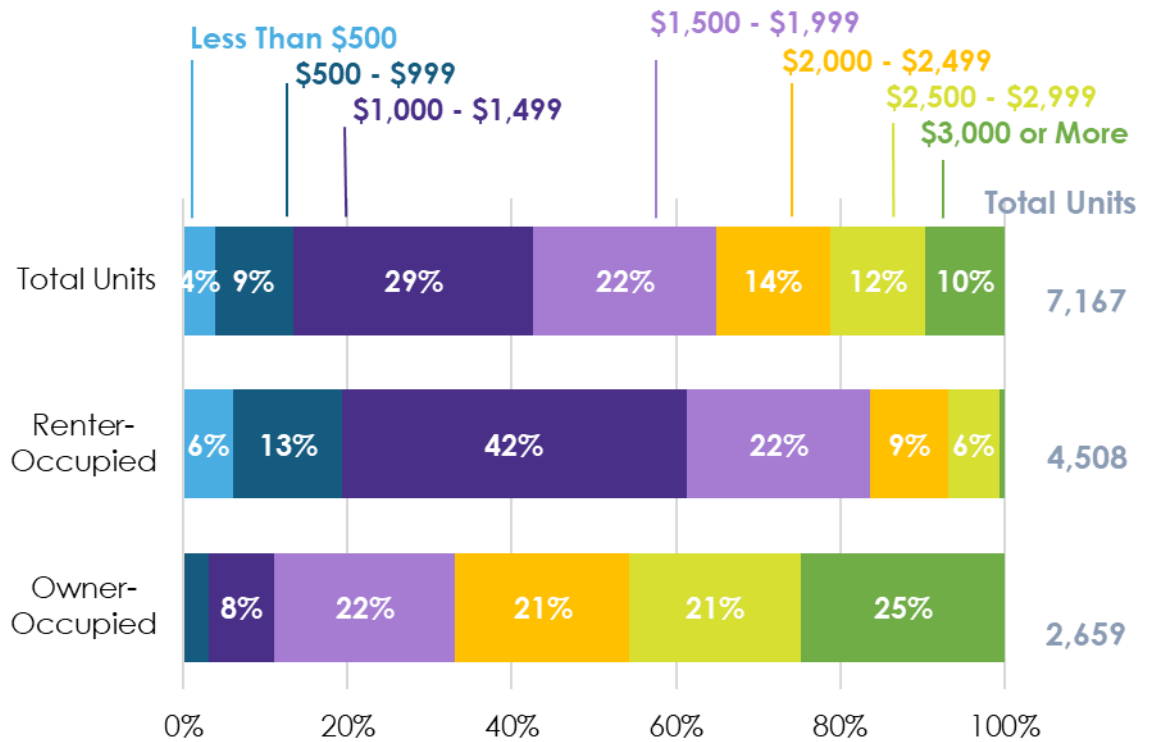
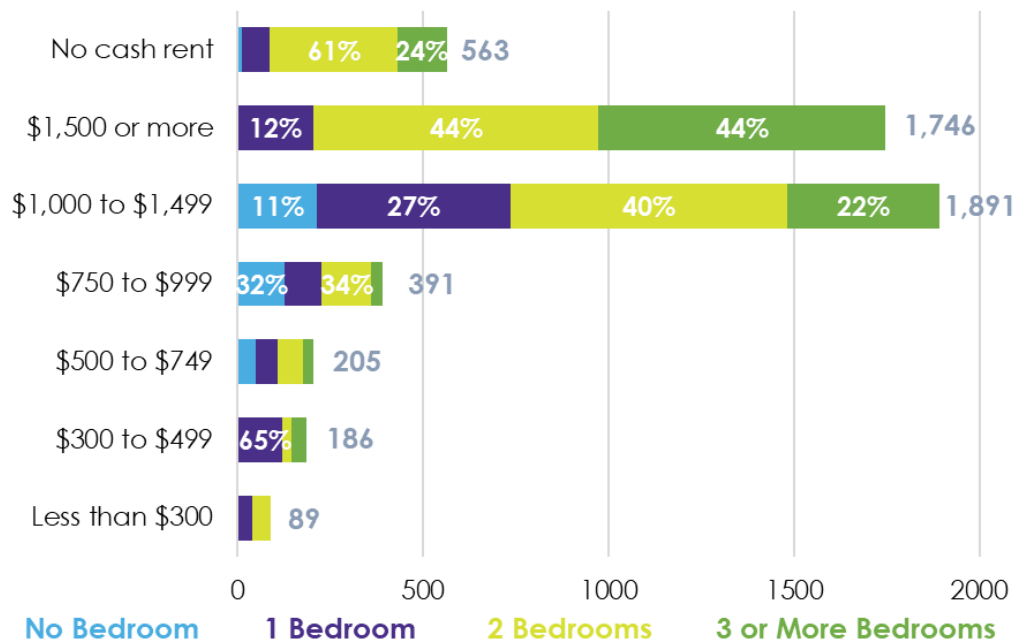
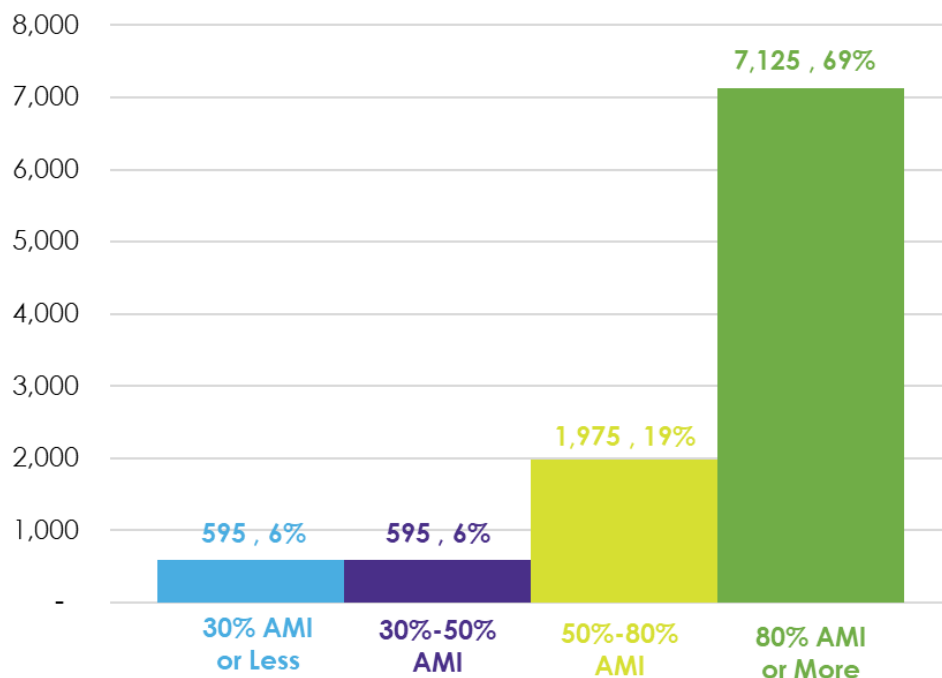


Exhibit 16. Housing Units by Rental Rate, Ashland



According to the U.S. Department of Housing and Urban Development's CHAS data, housing units are categorized by the maximum rent or home price affordable to households earning 30%, 50%, and 80% of area median income (AMI).⁴ For HUD CHAS data, "affordable housing" means that a household spends no more than 30% of its gross income on housing costs. **Exhibit 17** shows the total number of housing units available at different income levels in Ashland. While 26% of Ashland's households earn less than 50% AMI (**Exhibit 7**), only 12% of Ashland's housing stock is affordable at that income level. Ashland has more housing units affordable at 50% - 80% AMI and 80% AMI and more than there are households that earn incomes at those levels.

Exhibit 17. Household Earnings Compared to Housing Affordability Levels, Ashland, 2021



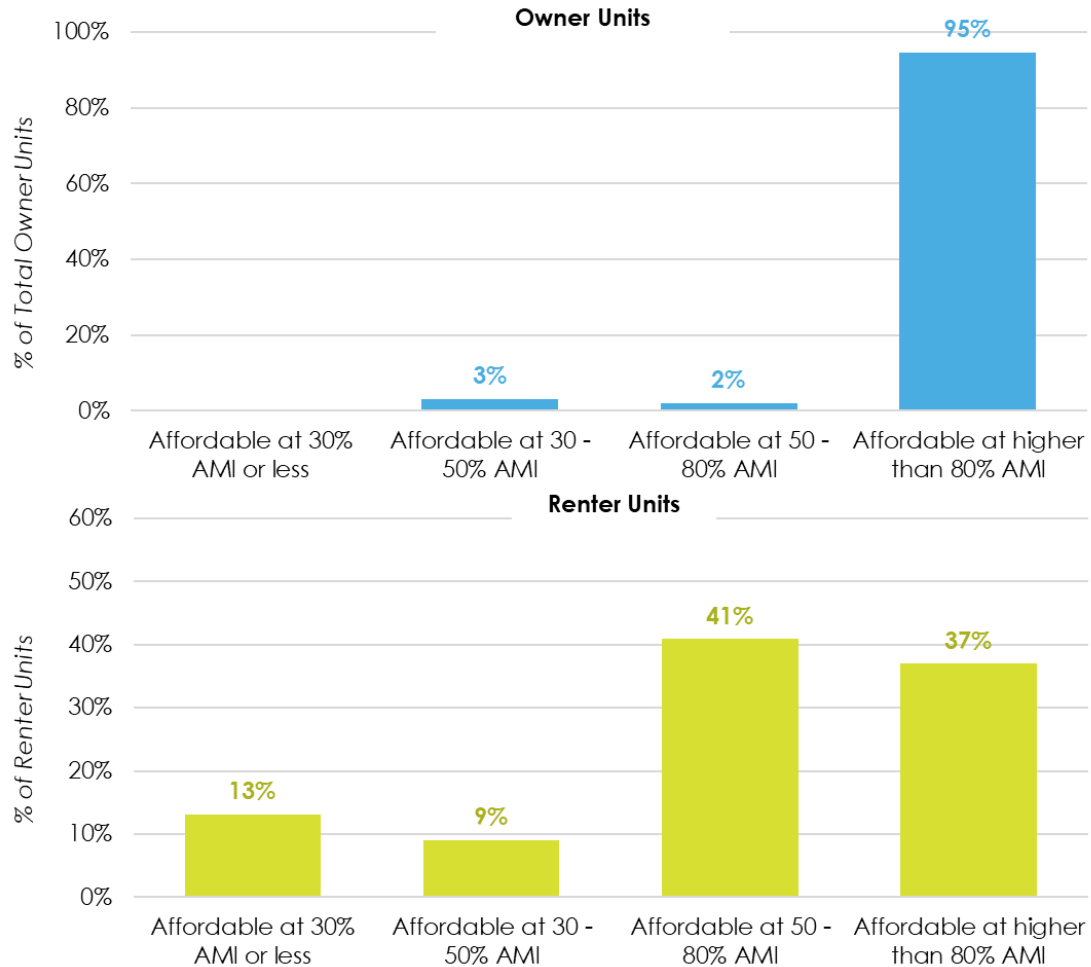
Source(s): CHAS 2017-2021; CAI 2025.

Exhibit 18 shows the availability of Ashland's housing stock at various levels of affordability. 95% of owner-occupied housing in Ashland is only

⁴ HUD CHAS data dictionary is available online for viewing at: <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.huduser.gov%2Fportal%2Fdatasets%2Fcp%2FCHAS%2F2007Data%2FDimensions.doc&wdOrigin=BROWSELINK>

available for households making 80% AMI or higher. Renter-occupied units, however, show some (13%) housing options affordable for households making less than 30% AMI, another 9% of units available at the 30%-50% AMI range, and 41% of units available at 50% - 80% AMI.

Exhibit 18. Housing Units by Tenure and Affordability Level, Ashland, 2021

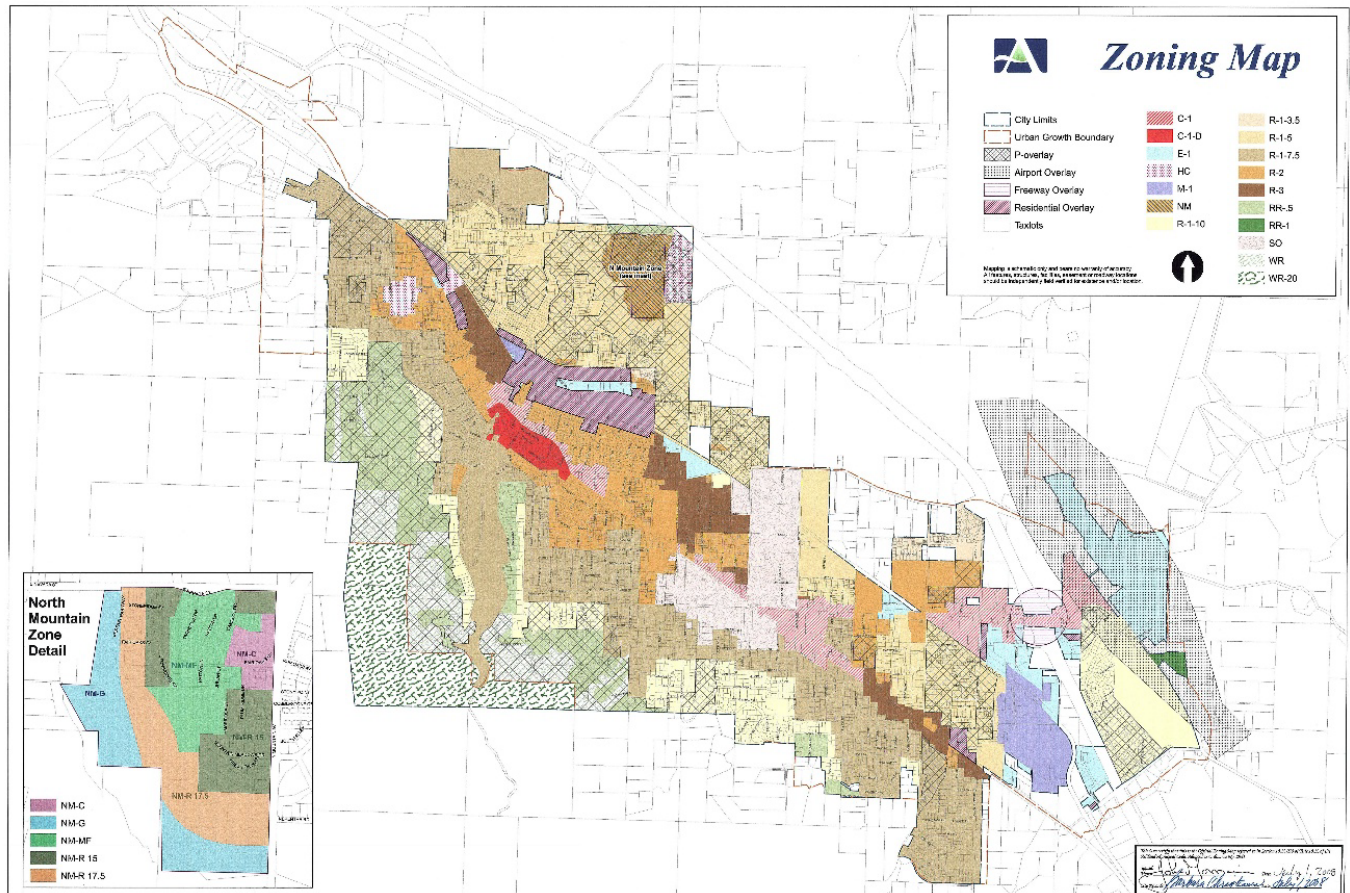


Source(s): CHAS 2017-2021; CAI 2025.

Local Land Use Setting

Ashland's total land area is 4,256 acres (gross land area, including all rights-of-way) (**Exhibit 19**). Ashland's land area net of rights-of-way is estimated to be 3,553 acres, of which 46% are zoned for single-family residential uses.

Exhibit 19. Ashland Zoning Map

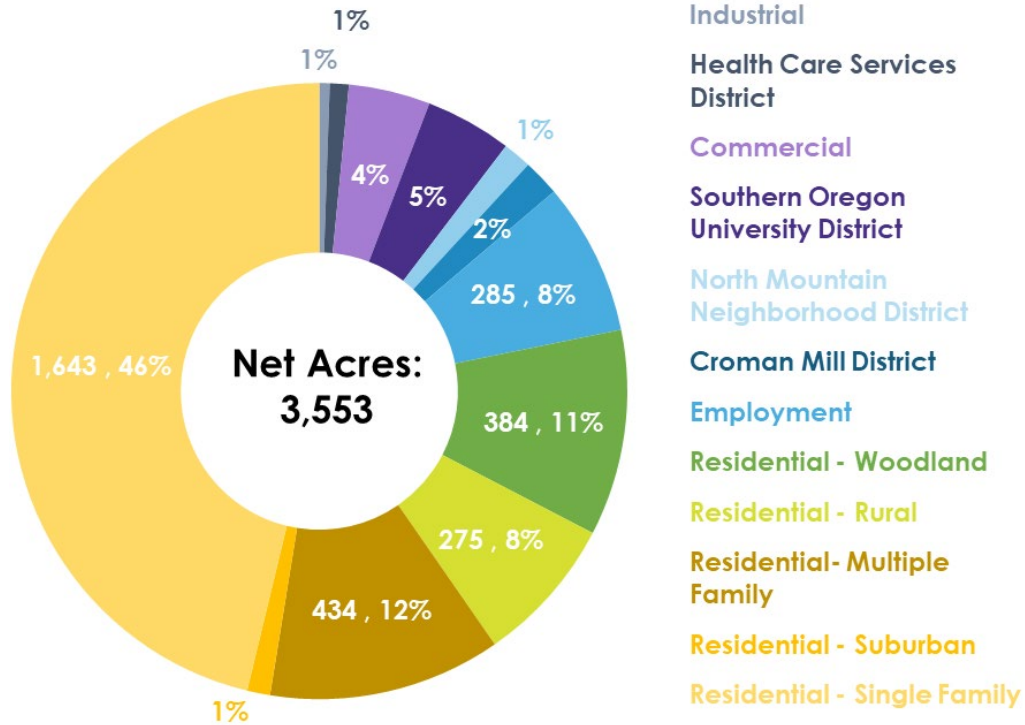


Sources: Ashland Open Data Portal, 2024.

Commercial-zoned land represents about 4% of Ashland's land area (net rights-of-way), while industrial land represents 1% (**Exhibit 20**). Ashland's Employment district makes up 8%, or 285 acres. Some of the land zoned for commercial, industrial, or employment uses are subject to overlays which may limit the uses or development potential on these parcels.

The Croman Mill District (68 acres) and North Mountain Neighborhood District (53 acres) each offer mixed uses, which includes employment potential, but are subject to development regulations.

Exhibit 20. Ashland Land by Zoning Designation, 2025



Source: Ashland Open Data Portal, 2025; CAI, 2025.

Climate

Ashland has a mild climate with four distinct seasons, influenced by its location on the West Coast and within the surrounding mountains. Situated at approximately 2,000 feet above sea level, the city is framed by Mt. Ashland to the south, rising to 7,500 feet, and the Cascade Range to the north and east. Ashland receives an average of 19.5 inches of rainfall annually, and less than 0.5 inches per year.

The City of Ashland completed and Addendum to Jackson County's Multi-Jurisdictional Natural Hazard Mitigation Plan in 2024. It describes Ashland's climate and describes hazard probability and vulnerability within the City. Climate related risks which have been rated as both high probability and high vulnerability for Ashland are Wildfire, Severe Weather (such as Extreme Heat, Windstorm, Winter Storm), Earthquake hazard, Drought hazard, and Air Quality (**Exhibit 21**). Air quality issues are linked to increased frequency and severity of wildfire smoke and climate change impacts, including higher ground-level ozone and fine particulate matter. These climate risks have impacts on public health and safety as well as impacts on economic activities and growth.

Exhibit 21. Climate Hazards Analysis, Ashland, 2024-2029

Hazard	History	Vulnerability	Maximum Threat	Probability	Total Threat Score	Hazard Rank	Hazard Tiers
Wildfire	18	45	100	70	233	#1	Top Tier
Extreme Heat Event	18	40	80	70	208	#2	
Emerging Infectious Disease	16	40	100	49	205	#3	
Earthquake - Cascadia	2	50	100	49	201	#4	
Winter Storm	20	50	60	70	200	#5	
Drought	20	50	60	63	193	#6	Middle Tier
Windstorm	20	50	50	70	190	#7	
Air Quality	18	40	60	63	181	#8	
Landslide	10	35	80	56	181	#9	
Flood	20	30	60	70	180	#10	
Earthquake - Crustal	2	25	70	21	118	#11	Bottom Tier
Volcanic Event	2	5	50	7	64	#12	

Sources: City of Ashland Addendum to the Jackson County Multi-Jurisdictional Natural Hazard Mitigation Plan, 2024.

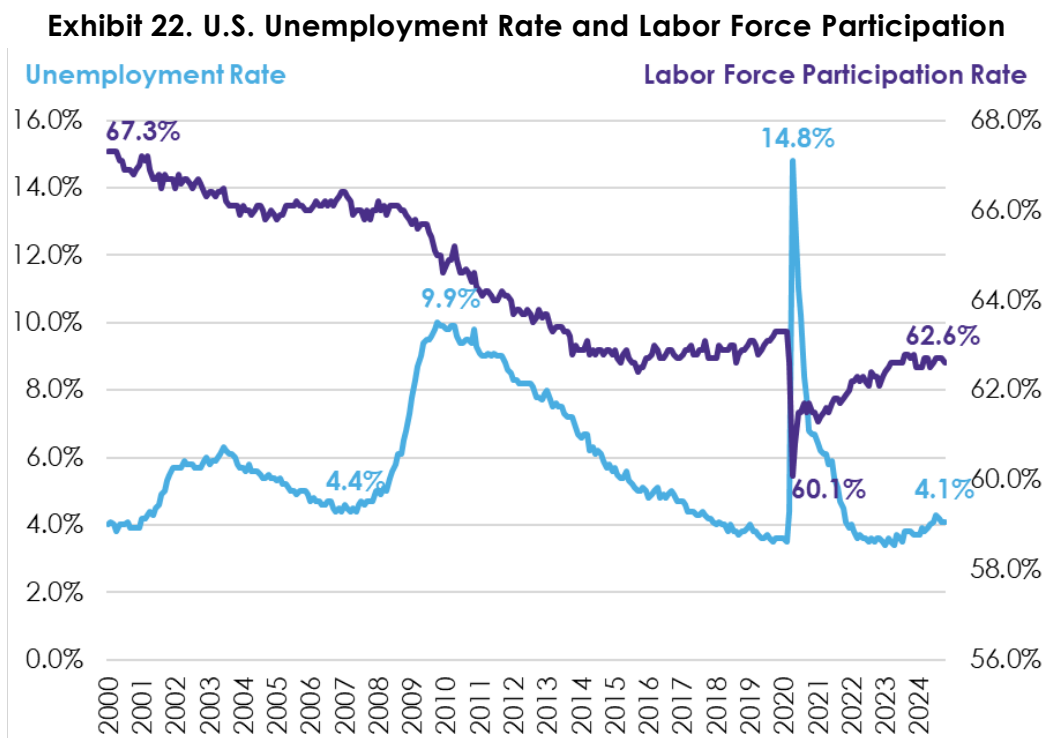
NATIONAL, STATE, AND REGIONAL ECONOMIC TRENDS

This section summarizes economic trends at the national, state and regional levels that influence local economic conditions in Ashland.

Macroeconomic Indicators

Nationally, the unemployment rate in 2024 matches pre-pandemic level lows.

The national estimate for labor force participation rate has steadily declined since 2000, falling from 67.3% and reaching a low of 60.1% in early 2020 amid the COVID-19 pandemic (**Exhibit 22**). The unemployment rate increased during two recent economic downturns, rising to 9.9% after the 2008 financial crisis and to 14.8% in April 2020 due partially to pandemic-related job losses. Since then, the unemployment rate has fallen lower than pre-pandemic levels, reaching 4.1% in 2024. As of October of 2024, labor force participation in the U.S. increased to 62.6%, though this remains lower than early 2000s levels.



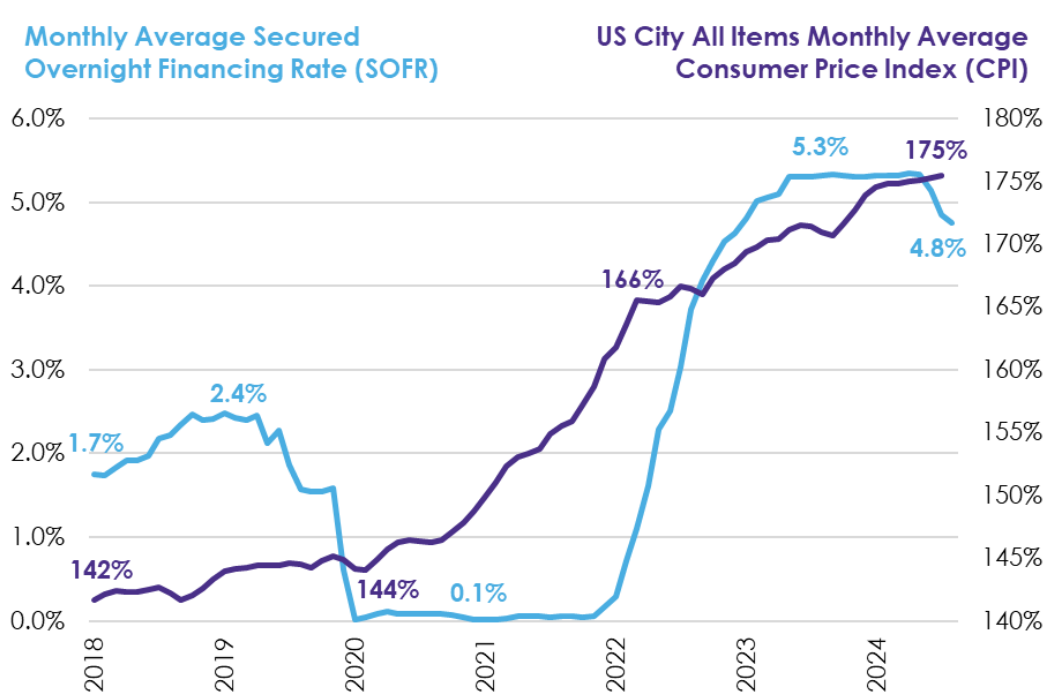
Sources: U.S. Bureau of Labor Statistics, 2024; CAI, 2024.

Meanwhile, the national Consumer Price Index (CPI) has consistently climbed upward since 2018, reaching a local high at the end of 2024.

In 2020, amid the pandemic, SOFR dropped to near-zero levels (0.1%) while the CPI began to increase (**Exhibit 23**). SOFR remained low until mid-2022,

when it increased to a peak of 5.31% in 2023 as the Federal Reserve tightened monetary policy. Concurrently, the CPI increased from 144% in the beginning of 2020 up to 166% by the end of 2022. This reflects an 15% average annual growth rate 2020-2022, signifying increased inflation. Following 2022, CPI continued to climb, though at a lower average annual rate of 5% from the end of 2022 to 2024. As of late 2024, CPI remains high compared to pre-pandemic levels, at 175%, while SOFR decreased to 4.8%.

Exhibit 23. Monthly Average Secured Overnight Financing Rate (SOFR) and Consumer Price Index (CPI), United States, (2018-2024)



Sources: U.S. Federal Reserve Bank, 2024; U. S. Bureau of Labor Statistics, 2024; CAI, 2024.
Note: CPI Base Period: December 1999 = 100

Southern Oregon and the Rogue River Valley

Population

Overall, Oregon has experienced steady population growth, with Jackson and Josephine Counties ranking near the middle in terms of population growth compared to other counties in the state.

From 2010 to 2023, Oregon experienced a 12% growth in statewide population. Jackson County's population grew by 10% in this timeframe, reflecting moderate but slower growth compared to rapidly expanding counties like Deschutes County (34%) and Crook County (26%). In contrast, Josephine County grew by 7%, below the statewide average.

Since 2020, the populations of both Medford and Ashland have grown more quickly than the state. Medford's growth rate was the highest of these geographies (**Exhibit 24**).

Exhibit 24. Historic Population Growth Estimates, Jackson County, Josephine County, Medford and Ashland, 1980-2023

Geography	1980	2000	2020	2023	CAGR (2020-2023)
Oregon State	2,633,156	3,421,399	4,268,055	4,296,626	0.2%
Jackson County	132,456	181,269	223,240	222,762	-0.1%
City of Medford			83,115	90,887	3.0%
City of Ashland			21,105	21,457	0.6%
Josephine County	58,855	75,726	86,560	88,814	0.9%

Sources: University of Portland Population Research Center, 2023; CAI, 2024.

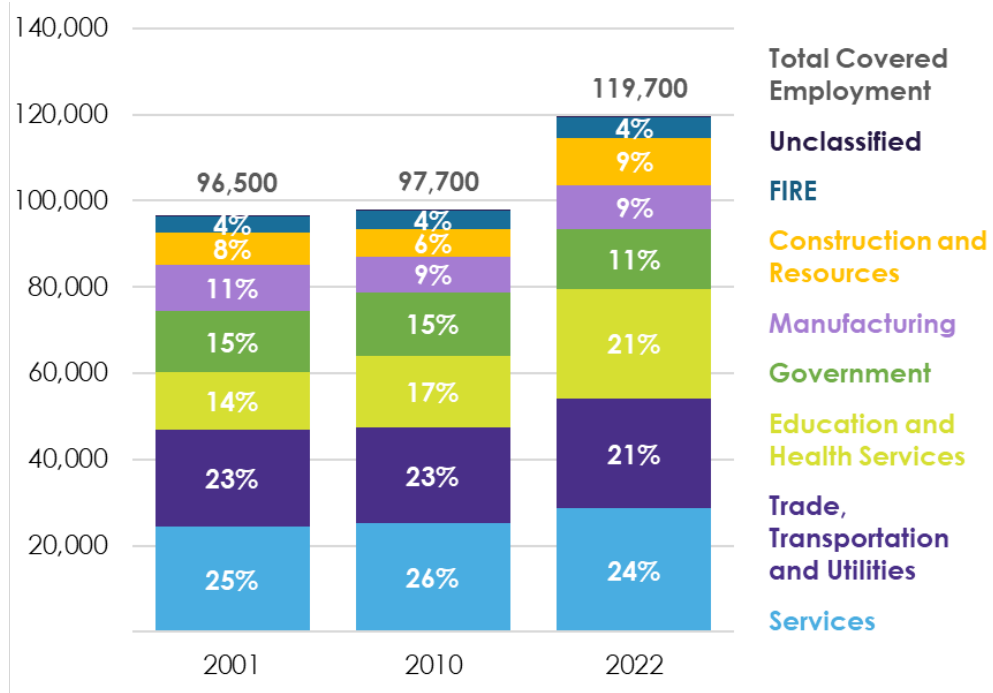
Industry Employment and Wages

Both Oregon and Jackson County economies are heavily reliant on the Services sector, making up nearly half of all jobs. Jackson County also shows an emphasis on Retail Trade, underscoring the presence of regional commercial hubs within the county.

Covered employment includes wage and salary jobs that are covered by state unemployment insurance. Covered employment includes most jobs, but excludes self-employed individuals, military personnel, and certain exempt sectors such as some agricultural or domestic work. It includes all part-time and full-time jobs. For the Jackson and Josephine 2-County region, the major industry sectors that account for the most covered jobs in 2022 are Services (with 24% of all jobs within the two counties); Trade, Transportation, and Utilities (21%); and Education Services⁵ and Health Services (21%) (**Exhibit 25**). A list of the 2-digit NAICS code industries that are included in each major industry sector is described in **Exhibit 26**.

⁵ Employment on public sector institutions, such as Southern Oregon University are included in Government.

Exhibit 25. Total Covered Employment by Major Industry Sector, Jackson and Josephine 2-County Region, 2001, 2010, & 2022



Sources: Oregon Employment Department; Bureau of Labor Statistics, Quarterly Census of Employment & Wages, 2001, 2010 & 2022; CAI 2024.

Note 1: FIRE industry group includes Finance, Insurance and Real Estate.

Exhibit 26. Major Industry Sectors by Corresponding NAICS Codes, 2022

Industry Aggregates	2-Digit NAICS	2-Digit NAICS Industry Description
Construction and Resources	11	Agriculture, Forestry, Fishing and Hunting
	21	Mining, Quarrying, and Oil and Gas Extraction
	23	Construction
Trade, Transportation, Utilities	22	Utilities
	42	Wholesale Trade
	44	Retail Trade
	45	Retail Trade
	48	Transportation and Warehousing
	49	Transportation and Warehousing
Manufacturing	31	Manufacturing
	32	Manufacturing
	33	Manufacturing
FIRE	52	Finance and Insurance
	53	Real Estate and Rental and Leasing
Education and Health Services	61	Educational Services
	62	Health Care and Social Assistance
Services	51	Information
	54	Professional, Scientific, and Technical Services
	55	Management of Companies and Enterprises
	56	Administrative and Support and Waste Management and Remediation Services
	71	Arts, Entertainment, and Recreation
	72	Accommodation and Food Services
	81	Other Services (except Public Administration)
Unclassified	99	Unclassified
Government	All Government	Federal Government
		State Government
		Local Government

Source: US Census, 2025.

Jackson County's covered employment has grown steadily since 2010, adding 14,350 jobs at a CAGR of 1.5% to reach approximately 89,800 total jobs in 2022 (**Exhibit 27**). The fastest growing 2-digit NAICS code industry sectors from 2010 to 2022 were Construction (adding 2,439 jobs with a CAGR of 5.4%), Education (+379, CAGR of 4.1%) and Resources (+1,343, CAGR of 4.0%) industries.

**Exhibit 27. Covered Employment Change Over Time by Industry,
Jackson County, 2010 & 2022**

Industry	NAICS Code	2010	2022	Net Change (2010-2022)	CAGR (2010-2022)	Employment Forecast* (2035)	Average Wages 2010	Average Wages 2022
Construction	23	2,789	5,228	2,439	5.4%	10,327	\$38,235	\$60,220
Educational Services	61	617	996	379	4.1%	1,673	\$24,597	\$39,183
Natural Resources and Mining	11, 21	2,258	3,601	1,343	4.0%	5,971	\$25,398	\$46,280
Professional, Scientific, and Technical Services	54	1,948	2,985	1,037	3.6%	4,740	\$38,935	\$74,399
Health Care and Social Assistance	62	11,806	16,561	4,755	2.9%	23,896	\$43,095	\$64,298
Transportation, Warehousing & Utilities	48	2,555	3,351	796	2.3%	4,495	\$40,163	\$64,346
Real Estate and Rental and Leasing	53	975	1,253	278	2.1%	1,644	\$23,209	\$45,359
Accommodation and Food Services	72	7,315	8,963	1,648	1.7%	11,170	\$15,268	\$24,771
Manufacturing	31-33	6,052	7,392	1,340	1.7%	9,180	\$40,386	\$60,222
Wholesale Trade	42	2,190	2,497	307	1.1%	2,878	\$42,815	\$62,535
Administrative and Support and Waste Management	56	3,109	3,530	421	1.1%	4,051	\$24,574	\$46,357
Retail Trade	44	12,574	14,010	1,436	0.9%	15,751	\$26,565	\$40,323
Arts, Entertainment, and Recreation	71	1,426	1,427	1	0.0%	1,428	\$22,187	\$32,805
Other Services	81	2,820	2,755	(65)	-0.2%	2,686	\$22,936	\$38,787
Finance and Insurance	52	2,216	2,140	(76)	-0.3%	2,061	\$45,957	\$82,652
Government		11,444	10,502	(942)	-0.7%	9,569	\$41,885	\$63,764
Management of Companies and Enterprises	55	1,667	1,440	(227)	-1.2%	1,229	\$59,493	\$109,628
Information	51	1,677	981	(696)	-4.4%	549	\$39,820	\$80,218
Unclassified	99	11	188	177	26.7%	4,071	\$44,817	\$70,055
Total		75,449	89,799	14,350	1.5%	108,440	\$38,935	\$60,222

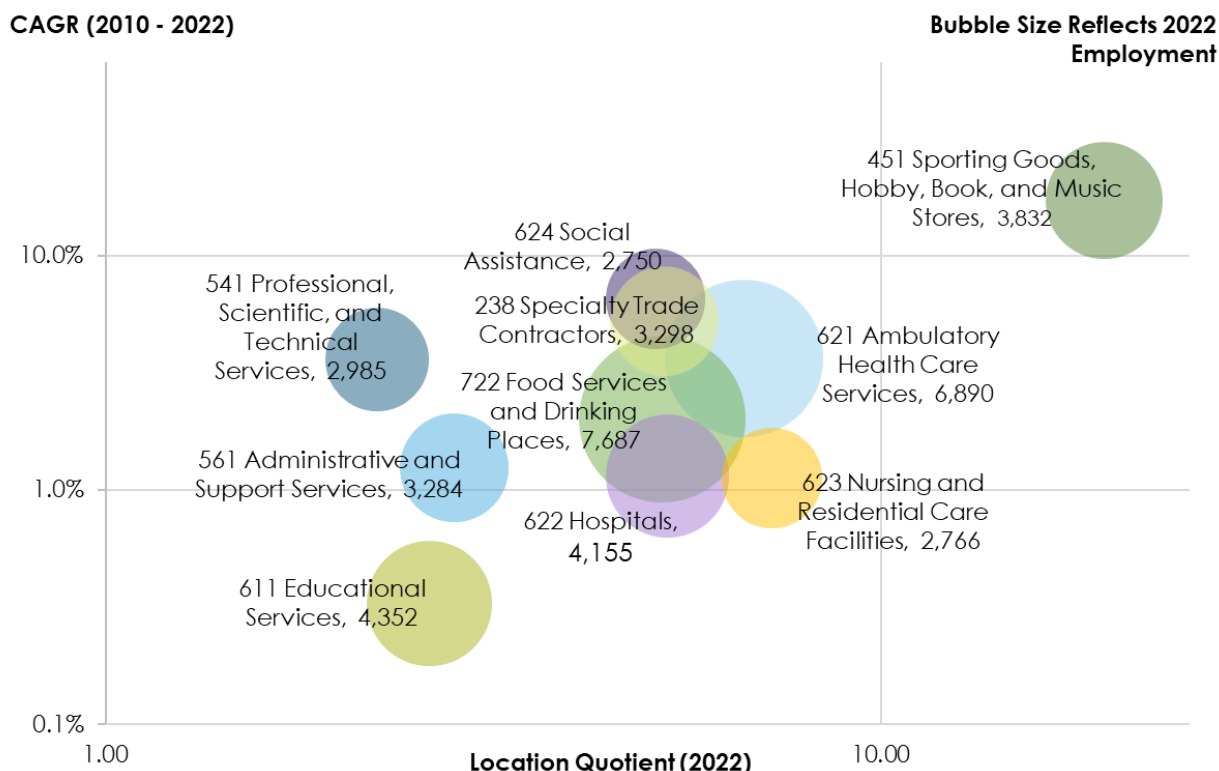
Sources: Oregon Employment Department, BLS, QCEW 2001, 2010 & 2022; CAI 2024.

Some more narrowly defined industries are concentrated and growing in Jackson County, such as Sporting Goods, Healthcare Services, and Food and Beverage Locations growing and providing jobs.

The Sporting Goods, Hobby, Book, and Music Stores industry, or NAICS Code 451, not only has seen significant growth since 2010 (with a CAGR greater than 10.0%), but it also has a high concentration of employment in Jackson County compared to the nation, with an LQ above 10.0 (**Exhibit 28**). Jackson County's other fastest growing industries from 2010-2022 are Social Assistance (NAICS Code 624) with a CAGR of 6.6%, and Specialty Trade Contractors (NAICS Code 238) with a CAGR of 5.3%.

Jackson County also specializes in Nursing and Residential Care Facilities (NAICS Code 623), which shows an LQ value of 7.24, and Ambulatory Health Care Services (NAICS Code 621), which has an LQ value of 6.66. This industry also has high employment, at around 6,900 workers. The Food Services and Drinking Places industry (NAICS Code 722) is significant in Jackson County as well, demonstrating a high LQ (5.23) along with the highest employment in the County with around 7,700 workers in 2022.

Exhibit 28. Top 10 Industries (at 3-digit NAICS) by Employment, Location Quotient, and Growth, Jackson County



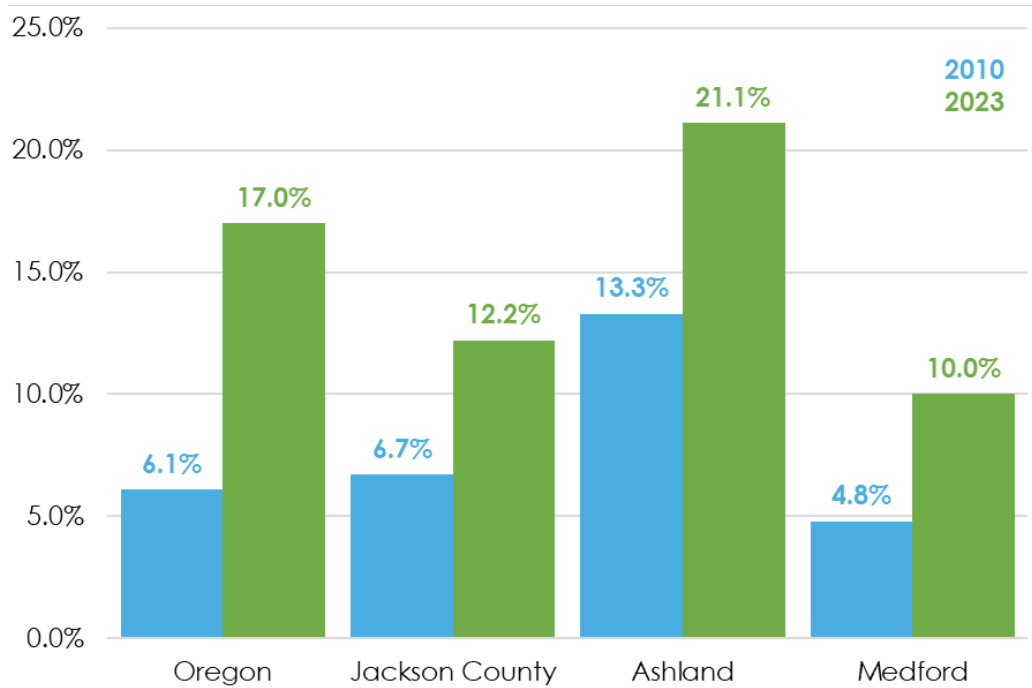
Sources: Oregon Employment Department 2010 & 2022; U.S. Bureau of Labor Statistics, 2022; CAI 2024.

Workforce and Wages

The proportion of working residents (16 and older) who report working from home has increased significantly across Oregon and Jackson County since 2010 (**Exhibit 29**). In 2010, 6.1% of Oregon's working residents reported working from home; by 2023, that figure had risen to 17.0%, representing a compound annual growth rate of 8.2%. Ashland had the highest share of at-home workers highest share among whom? All cities in Oregon? in 2010 at 13.3%, and experienced a similar growth trajectory, with a CAGR of 7.8% over the same period. By 2023, 21.1% of Ashland's residents who work reported working from home. Is this still the highest share?

The Census Bureau's American Community Survey does not differentiate between remote workers, home occupations or other work-from-home arrangements. However, the elevated proportion of workers reporting at-home work aligns with larger trends towards remote work following the pandemic. In Ashland, the higher share of residents working from home may reflect both the local shift toward remote jobs and the city's appeal to remote workers relocating from elsewhere in response to broader remote work trends.

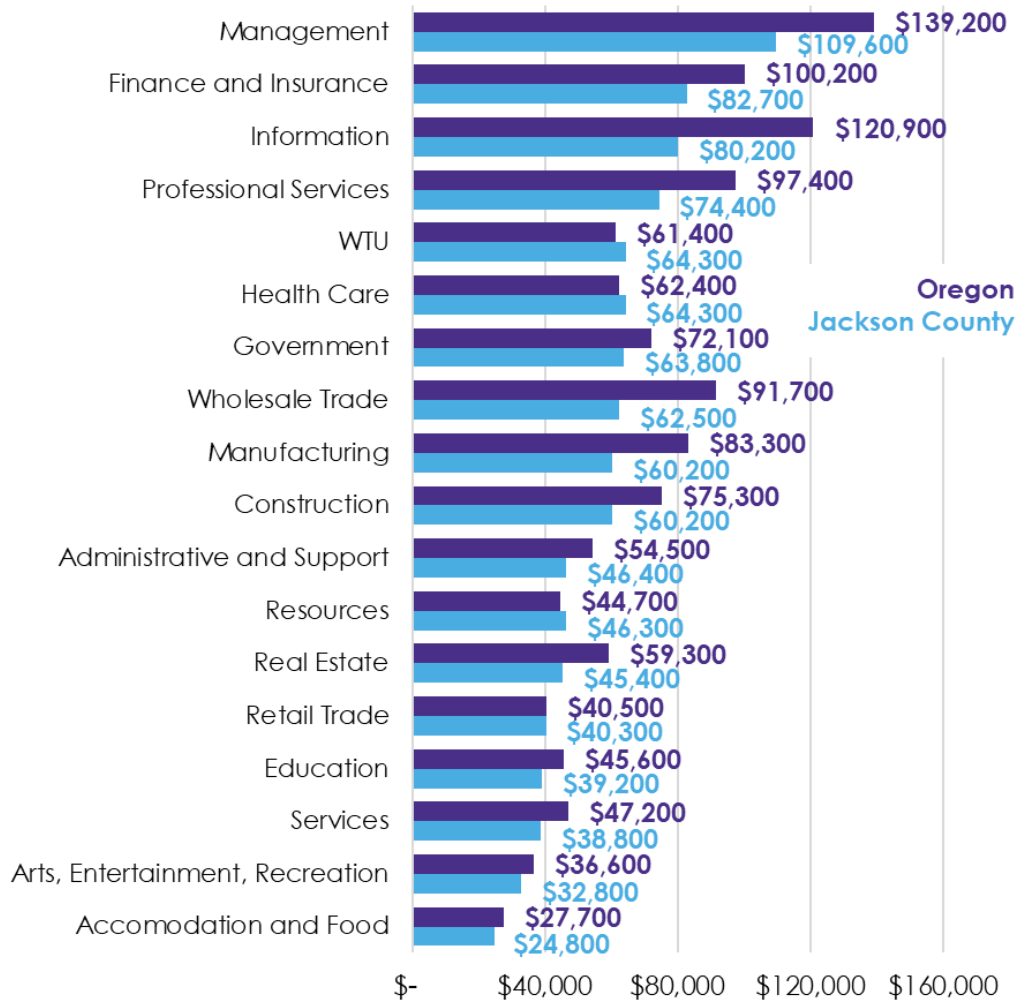
Exhibit 29. Proportion of Workers 16+ Who Work from Home, Oregon, Jackson County, Ashland & Medford, 2010 & 2023



Source: ACS 5-year Estimates, 2023; CAI, 2025.

Jackson County's top earning industries include Management (making an average annual wage of \$109,600), Finance and Insurance (\$82,700), and Information (\$80,200) (**Exhibit 30**). Average annual wages in Jackson County are generally lower than wages at the State level.

Exhibit 30. Average Annual Wages by Occupation, Oregon & Jackson County, 2022



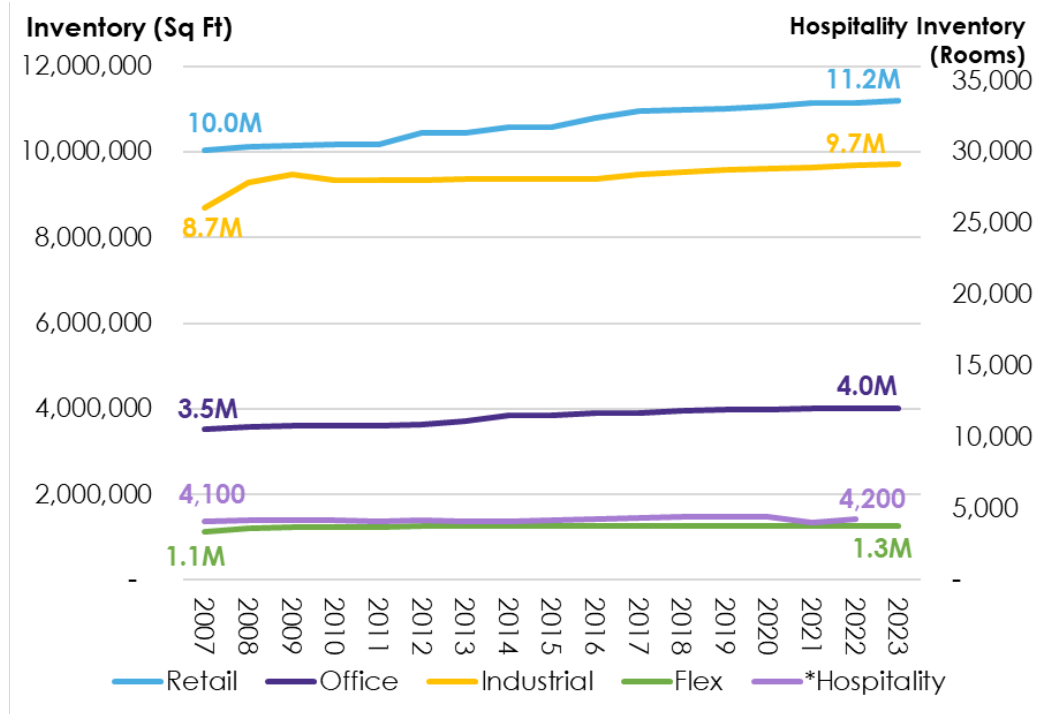
Sources: Oregon Employment Department, 2022; CAI 2024.

Commercial Real Estate

Retail consistently leads in real estate inventory in Jackson County, showing steady growth over time. Meanwhile, Office and Industrial inventories generally maintained moderate levels with slight upward trends.

Exhibit 31 shows Jackson County's retail inventory increasing from 10 million square feet in 2007 to 11.2 million square feet in 2023. Office inventory also grew steadily over the same time period, rising from 8.7 million square feet to 9.7 million square feet. Industrial inventory in Jackson County grew by about 1 million square feet from 2007 to 2023, reaching 4 million square.

Exhibit 31. Commercial Real Estate Inventory, Jackson County, 2007-2023



Sources: Costar, 2007-2023; CAI 2024.

LOCAL ECONOMIC CHARACTERISTICS AND TRENDS

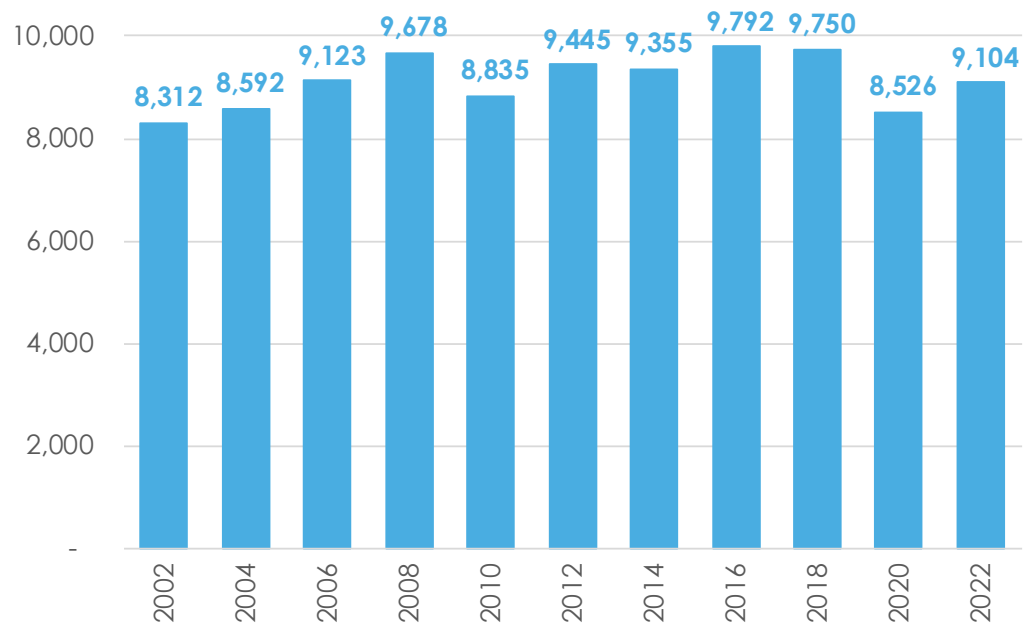
This section analyzes data on Ashland’s local economy—including industry composition, employment, workforce and commuting patterns, market conditions, and other key metrics—to describe local economic characteristics and trends.

Industry and Workforce

Ashland’s Industries and Employment

Local employment data are challenging to present, given the latency of publication and constraints among varying data providers. According to the US Census LODES data, total (private and public) employment in Ashland has experienced both growth and decline since 2002, ending with a total of 9,104 jobs in 2022, the most recent year available during report production (**Exhibit 32**).

Exhibit 32. Total Job Growth, Ashland, 2002 to 2022



Sources: LEHD Origin-Destination Employment Statistics Longitudinal Employer-Household Dynamics (LODES), 2002-2022; CAI 2025.

Ashland’s top private sector industries in 2023 by employment were Accommodation and Food Services (with 1,860 jobs), Retail Trade (1,471 jobs), and Health Care (1,354 jobs) (**Exhibit 33**). The different data sources (LODES in **Exhibit 32**, versus OED in **Exhibit 33**) result in different totals

for the city. OED provided data exclude all public sector jobs, which include Southern Oregon University and other public sector jobs.

Top growing private industry sectors from 2013 – 2023 were Resources, Infrastructure and Enterprises, which expanded at a CAGR of 9.9% (+ 516 jobs), the Information sector, which grew at 1.8% CAGR (+31 jobs), and Real Estate, which also expanded by 1.8% CAGR (+20 jobs).

Private sector industries with declining employment included Wholesale Trade (-3.7% CAGR, -50 jobs), Education (-1.6% CAGR, -19 jobs), and Accommodation and Food Services (-1.1% CAGR, -72 jobs).

Exhibit 33. Private, Non-confidential Employment by 2-Digit NAICS Industry Sector, Ashland, 2013 & 2023

Industry	2-Digit NAICS	2013	2023	CAGR	Change
Construction, Resources & Enterprise*	11, 21, 22, 23, 48 & 49, 55	329	845	9.9%	516
Manufacturing (31-33)	31-33	511	546	0.7%	35
Wholesale Trade	42	161	111	-3.7%	-50
Retail Trade (44 & 45)	44-45	1,404	1,471	0.5%	67
Information	51	158	189	1.8%	31
Finance and Insurance	52	178	170	-0.5%	-8
Real Estate and Rental and Leasing	53	109	130	1.8%	21
Professional, Scientific, and Technical Services	54	339	398	1.6%	59
Administrative and Support and Waste Management	56	275	245	-1.1%	-30
Educational Services	61	124	105	-1.6%	-19
Health Care and Social Assistance	62	1,359	1,354	0.0%	-5
Arts, Entertainment, and Recreation	71	677	605	-1.1%	-72
Accommodation and Food Services	72	1,912	1,860	-0.3%	-52
Other Services (except Public Administration)	81	418	430	0.3%	12
Unclassified	99	0	11		11
Total		7,954	8,470	0.6%	516

Sources: State of Oregon Employment Department, 2013 & 2023; CAI 2025.

Note: Private employment does not include public sector jobs including government or public education services, such as workers at Southern Oregon University.

Exhibit 34 summarizes projected employment growth within Ashland's Urban Growth Boundary (UGB) through the year 2045. These employment forecasts inform the **Employment Lands Sufficiency** section of the EOA.

Forecast employment in Ashland is based on estimates of covered employment from 2013-2023 provided by the State of Oregon Employment Department (OED) (as shown above), as well as Bureau of Labor Statistics (BLS) Quarterly Census of Employment and Workers (QCEW) covered employment estimates for Jackson and Josephine Counties. These were utilized to apportion the OED published Rogue Valley Forecast for the period 2023-2033. The resulting Ashland forecast adapts Jackson County's portion

of projected regional growth to the city based on the trajectory of sectoral shares of countywide employment projected into the future. The Compound Annual Growth Rate (CAGR) represents resulting year over year growth for the twenty-year period 2025-2045.

Total private employment is projected to increase from 8,644 in 2025 to 10,045 by 2045, a total increase of 1,401 jobs. The Leisure and Hospitality sector is projected to add the most jobs (an estimated 654) over this time frame, representing a compound annual growth rate (CAGR) of 0.8%.

Finance, Insurance and Real Estate (FIRE) is projected to grow the fastest from 2025-2045, with a CAGR of 2.2% and Health Care is the second fastest growing, with a CAGR of 1.4%. Information is projected to decrease the most over the period, with a projected loss of 53 jobs.

The Leisure and Hospitality sector is expected to see the largest absolute growth, adding approximately 654 jobs, with a CAGR of 0.8%. Finance, Insurance, and Real Estate (FIRE) is projected to grow the fastest, with a CAGR of 2.2%, followed by Health Care, at 1.4%. In contrast, the Information sector is expected to decline by 53 jobs over the same period.

These estimates reflect only private, non-confidential employment—defined as jobs in privately owned businesses and institutions. Public sector employment, including positions at public universities and government agencies, is not included. As such, the employment forecast is specifically intended to support land use planning and may not capture the full range of community economic priorities.

Industry categories used in the forecast correspond to 2-digit NAICS codes, as detailed in **Exhibit 35**.

**Exhibit 34. Private, Covered Employment Forecast Total and by Sector,
Ashland UGB, 2025 – 2045**

Industry	2013	2025	2035	2045	20 Year Growth	CAGR
Leisure & Hospitality	2,589	2,441	2,791	3,095	654	1.2%
Retail	1,404	1,485	1,456	1,443	(42)	-0.1%
Health Care	1,359	1,353	1,569	1,775	422	1.4%
Const, Resources & TWU	307	952	887	979	27	0.1%
Professional & Business Services	636	714	766	826	112	0.7%
Manufacturing	511	553	556	565	12	0.1%
Other Services	418	432	467	500	67	0.7%
FIRE	287	303	382	467	165	2.2%
Information	158	196	162	143	(53)	-1.6%
Wholesale	161	103	117	123	19	0.9%
Educational Services	124	102	111	116	15	0.7%
Unclassified	0	11	12	14	3	1.2%
Total	7,954	8,644	9,276	10,045	1,401	0.8%

Sources: BLS, 2024; Oregon Employment Department, 2024; CAI, 2025.

**Exhibit 35. Industry Groupings by 2-Digit NAICS, Ashland Employment
Forecasts, 2025**

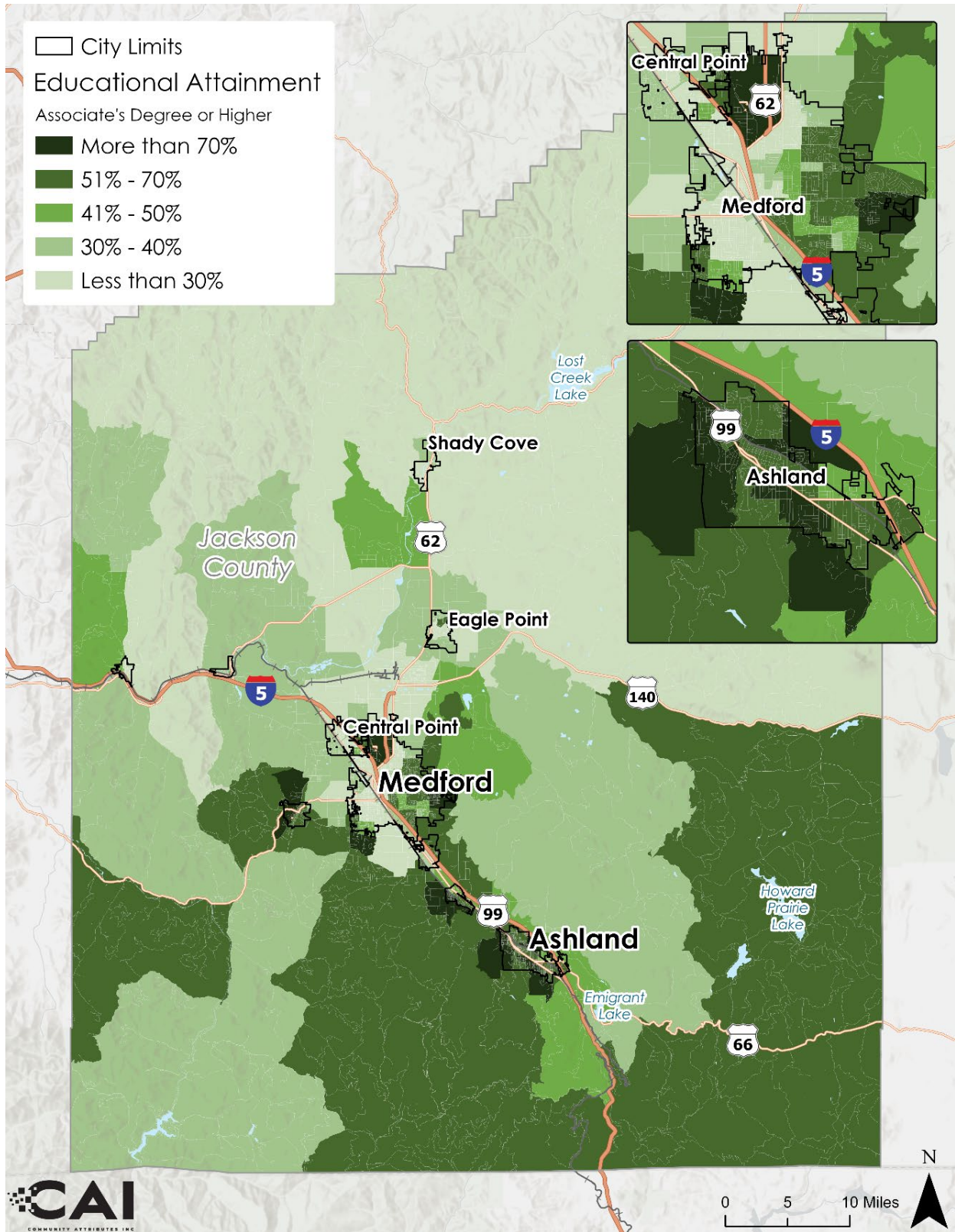
Industry Aggregates	Covered NAICS	Industry Descriptions
Construction, Resources & TWU	11	Natural resources and mining
	21	Mining and logging
	22	Utilities
	23	Construction
	48-49	Transportation & warehousing
Manufacturing	31-33	Manufacturing
Wholesale	42	Wholesale trade
Retail	44-45	Retail trade
Information	51	Information
FIRE	52	Finance and Insurance
	53	Real Estate and Rental and Leasing
Professional & Business Services	54	Professional, Scientific, and Technical Services
	55	Management of Companies and Enterprises
	56	Administrative and Support and Waste Management and Remediation Services
Educational Services	611	Private educational services
Health Care	62	Health care and social assistance
Leisure & Hospitality	71	Leisure and hospitality
	72	Accommodation and food services
Other Services	81	Other services

Sources: CAI, 2025.

Ashland's Labor- and Commute- Sheds

Ashland's residents are highly educated, contributing to a well-qualified labor pool. As of 2023, 62% of the population holds a bachelor's degree or higher, compared to 28% in Medford (**Exhibit 36**).

Exhibit 36. Educational Attainment by Block Group, Jackson County, 2022



Sources: Jackson County Open Data Portal, 2024; U.S. Census Bureau ACS 5-Year 2018-2022 Estimates; CAI, 2024.

However, the Rogue Valley’s labor and commute sheds are very intertwined. Ashland’s residents travel all over the valley to work, including to Medford, which serves as a primary employment hub in the Rogue Valley.

According to the Census Bureau’s 2022 commute data, Ashland had 5,783 employed residents in 2022 (**Exhibit 37**). Just 37% worked within the city, while 63% commuted to jobs outside of Ashland.

Ashland’s workforce, however, included 6,910 people. Of these, only 31% (2,158 individuals) both lived and worked in Ashland, while the remaining 69% commuted in from other communities.

Exhibit 37. Commuting Patterns of Ashland’s Workforce and Residents, Ashland, 2022

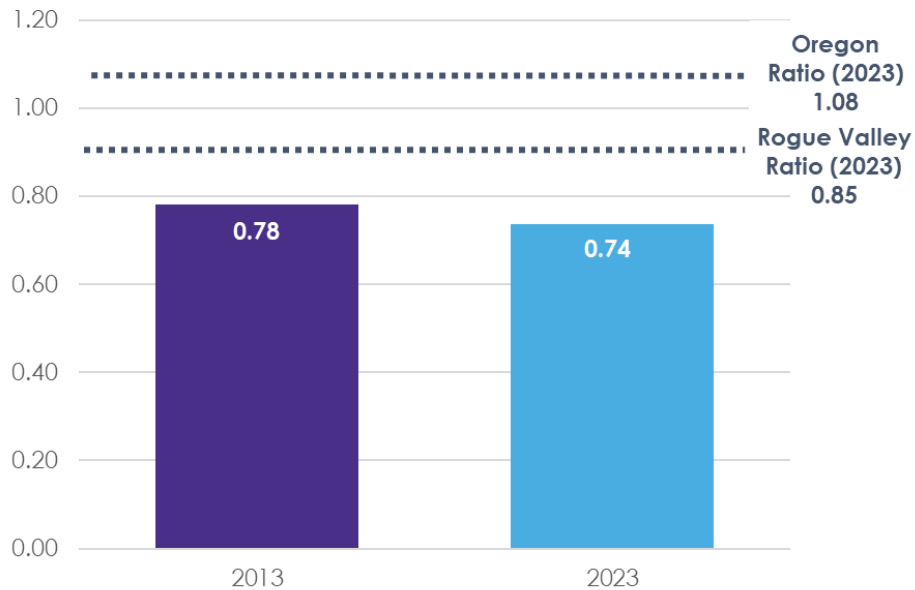
Metric	Count	Share of Ashland Residents	Share of Ashland Workers
Total Employed in Ashland	6,910		
Total Living in Ashland	5,783		
Net Inflow of Workers	1,127		
Both Live and Work in Ashland	2,158	37%	31%
Work in Ashland, Live Outside	4,752		69%
Live in Ashland, Work Outside	3,625	63%	

Sources: U.S. Census Bureau Longitudinal Employer-Household Dynamics (LEHD), 2021; CAI, 2024.

Considering that many of Ashland’s working residents commute elsewhere for employment, while a significant share of local jobs are filled by workers commuting into the city. This dynamic suggests a mismatch between the types of jobs available in Ashland and the skills or preferences of its resident workforce.

Ashland’s jobs-to-housing unit ratio is 0.74 in 2023, down slightly from 0.78 in 2013 (**Exhibit 38**). This modest decline points to a growing imbalance between local employment opportunities and housing availability. A ratio below 1.0 indicates there are fewer jobs than housing units, which may reflect demographic factors—such as a higher share of retirees—and regional commuting patterns. Compared to the Rogue Valley (0.85) and Medford (1.35), Ashland’s lower ratio is likely impacted by both a reduced labor force participation due to a high proportion of seniors (**Exhibit 2**) and the outflow of residents commuting elsewhere for work (as described in **Exhibit 37** above).

Exhibit 38. Job to Housing Unit Ratio, Ashland, 2013 and 2023



Source: American Community Survey, 2013, 2023; State of Oregon Employment Department, 2013, 2023; U.S. Bureau of Labor Statistics, 2013, 2023; CAI, 2025.

In 2022, these dynamics come together to result in a net inflow of 1,685 workers into Ashland (**Exhibit 39**). It's important to note that inflow/outflow values do not reflect the actual number of commuters; rather, they represent the net difference between the total number of jobs located in Ashland and the total number of Ashland residents working in each industry. As such, they do not account for residents who may commute elsewhere for similar jobs, and should be interpreted as a rough indicator of industry-level labor exchange.

In Ashland, industries with the highest net inflow include Accommodation and Food Services (+638), Educational Services (+596), and Retail Trade (+354). These patterns suggest relatively higher demand for labor in these sectors compared to the local workforce available to fill them.

**Exhibit 39. Total Employment Labor Inflow & Outflow by Industry,
Ashland, 2022**

Jobs in Ashland	Jobs in Ashland	Jobs of Ashland Residents	Inflow / (Outflow)
Accommodation and Food Services	1,620	982	638
Educational Services	1,362	766	596
Retail Trade	1,379	1,025	354
Arts, Entertainment, and Recreation	674	334	340
Manufacturing	589	423	166
Professional, Scientific, and Technical Services	480	349	131
Information	244	159	85
Other Services (excluding Public Administration)	377	293	84
Administration & Support, Waste Management a	320	315	5
Mining, Quarrying, and Oil and Gas Extraction	7	4	3
Real Estate and Rental and Leasing	118	120	(2)
Utilities	-	11	(11)
Wholesale Trade	143	163	(20)
Finance and Insurance	140	168	(28)
Management of Companies and Enterprises	51	96	(45)
Public Administration	188	271	(83)
Transportation and Warehousing	64	155	(91)
Agriculture, Forestry, Fishing and Hunting	40	172	(132)
Construction	179	322	(143)
Health Care and Social Assistance	1,129	1,291	(162)
	9,104	7,419	1,685

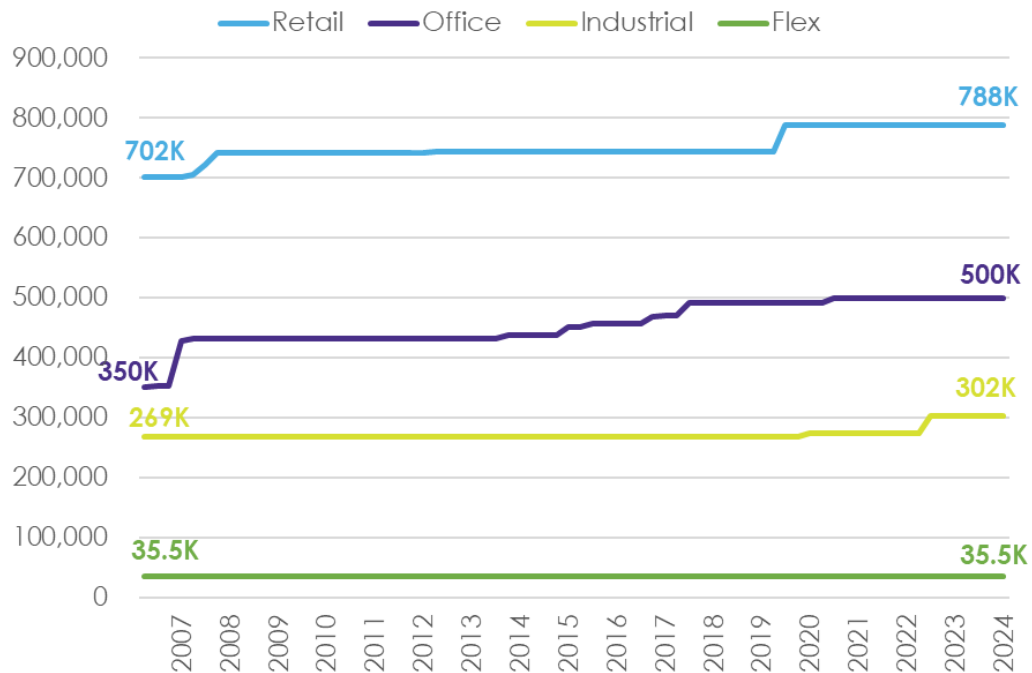
Sources: LEHD Origin-Destination Employment Statistics Longitudinal Employer-Household Dynamics (LODES), 2022; CAI 2025.

Ashland's Market Conditions

Commercial Real Estate Inventory

Ashland's retail inventory increased from 702,000 square feet in 2007 to 788,000 square feet in 2024, maintaining the largest share of commercial real estate inventory in the city (**Exhibit 40**). Office space grew from 350,000 square feet in 2007 to 500,000 square feet in 2024. Industrial inventory increased gradually, starting at 269,000 square feet in 2007 and reaching 302,000 square feet in 2024. Industrial inventory increased gradually, starting at 269,000 square feet in 2007 and reaching 302,000 square feet in 2024.

Exhibit 40. Square Footage of Inventory by Typology, Ashland, 2007-2024

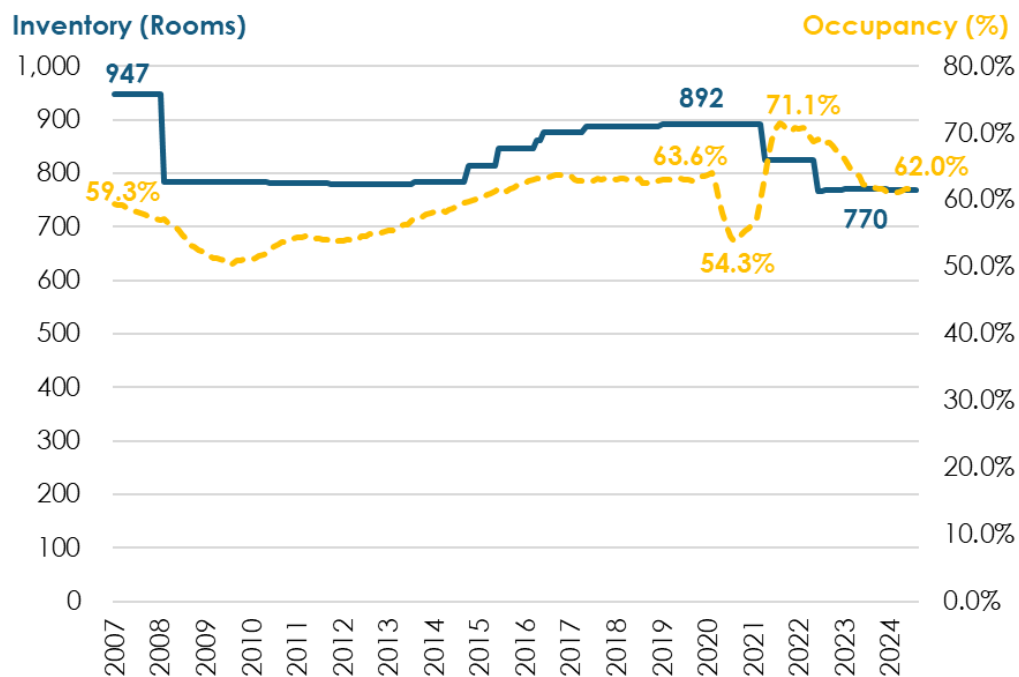


Source(s): Costar, 2024; CAI, 2025.

Hospitality

Hospitality real estate inventory in Ashland, measured by the number of rooms, decreased from 947 rooms in 2007 to 770 rooms in 2024 (**Exhibit 41**). After an initial decline in inventory in 2008, the number of rooms grew modestly, peaking at 892 rooms in 2020 before declining again. Occupancy rates began at 59.3% in 2007, peaked at 71.1% in 2019, and declined to 62.0% in 2024, with a significant dip to 54.3% in 2020. Despite some recovery in occupancy rates post-2020, both inventory and occupancy remain below their earlier peaks.

Exhibit 41. Hospitality Real Estate Inventory (by Rooms) and Occupancy (Annually-Smoothed), Ashland, 2007-2024



Source(s): Costar, 2024; CAI, 2025.

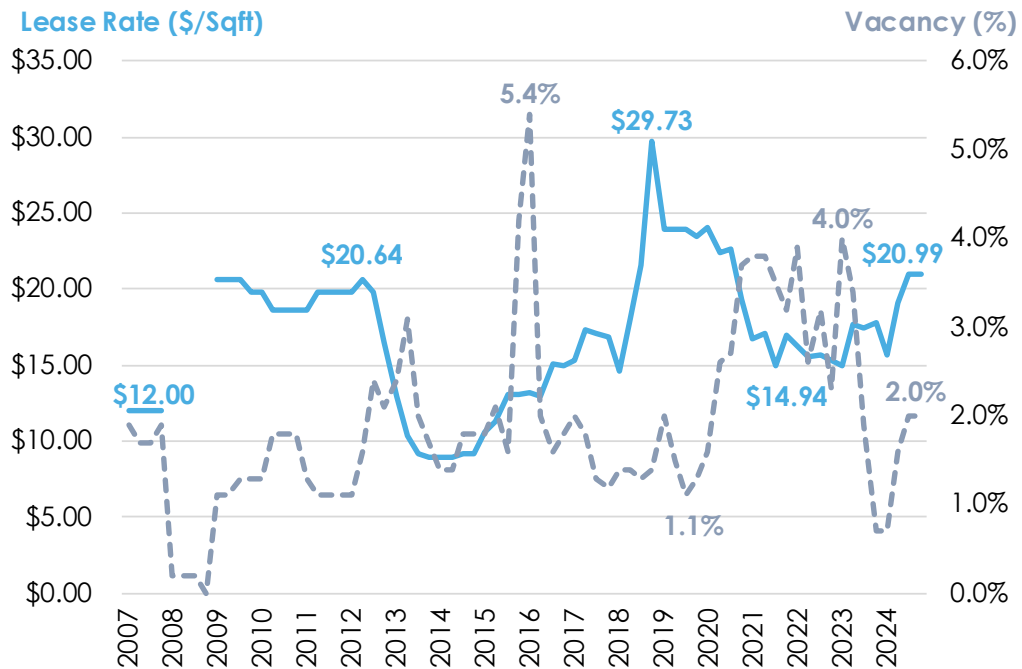
Retail

Exhibit 42 explores retail lease rates and vacancy trends in Ashland from 2007 to 2024. Retail lease rates started at \$12.00 per square foot in 2007, reached a peak of \$29.73 per square foot in 2018, and declined to \$20.99 per square foot as of 2024. Retail vacancy rates fluctuated, beginning at 5.4% in 2007, reaching a low of 1.1% in 2020, and ending at 2.0% in 2024, with a temporary increase to 4.0% in 2023.

This reflects a different trend to that seen in the Rogue Valley region. Annual average vacancy rates for retail in the Rogue Valley fluctuated from 2.4%-3.9% from 2009-2024, landing at 3.05% in 2024. Lease rates peaked in

the Rogue Valley in 2022, with \$17.06 per square foot, before dropping slightly to \$16.55 in 2024.

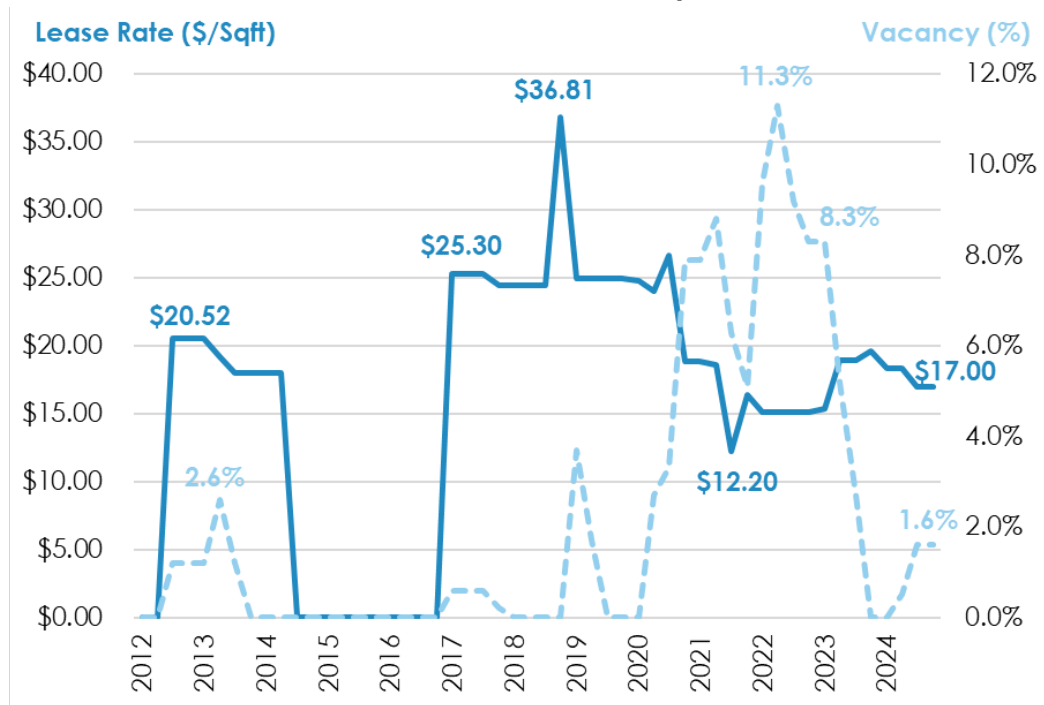
Exhibit 42. Retail Lease and Vacancy Rate, Ashland, 2007-2024



Source(s): Costar, 2024; CAI, 2025.

Retail lease and vacancy trends in Downtown Ashland have diverged from the citywide market somewhat (**Exhibit 43**). Downtown lease rates, like lease rates city-wide, peaked in 2019. However, its lease rates were more volatile than at the city level, with the peak very briefly reaching \$36.81. Downtown lease rates have decreased since, reaching \$17.00 in 2024. Similarly, downtown vacancy rates spiked sharply to 11.3% in 2021 before declining to 1.6% in 2024, whereas citywide vacancy has remained more stable. These patterns suggest that downtown Ashland experienced a more intense cycle of disruption and recovery, possibly reflecting its concentration of tourism-facing retail or greater exposure to pandemic-related impacts. Despite this, current downtown vacancy is low, signaling potential for a rebound in tenant demand.

Exhibit 43. Downtown Retail Lease and Vacancy Rate, Ashland, 2012-2024

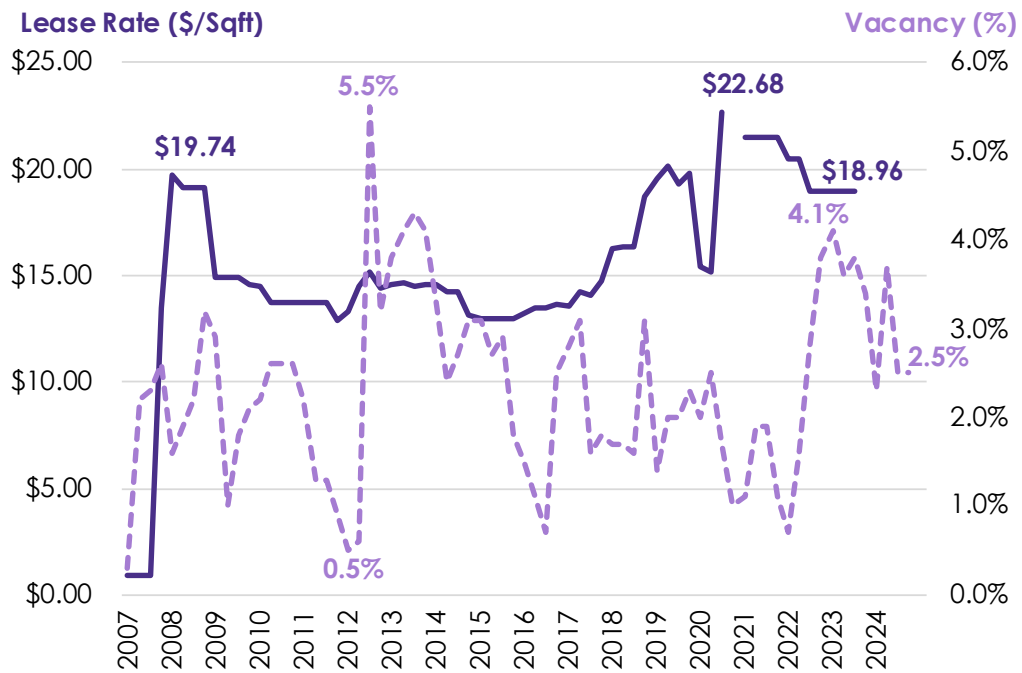


Source(s): Costar, 2024; CAI, 2025.

Office

Office lease rates peaked at \$22.68 per square foot in 2021 but declined to \$18.96 by 2023 (**Exhibit 44**). Vacancy rates fluctuated but remained low, ending at 2.5% in 2024. This is lower than the 2024 average vacancy rate for office space in the Rogue Valley region of 4.73%.

Exhibit 44. Office Lease and Vacancy Rate, Ashland, 2007-2024

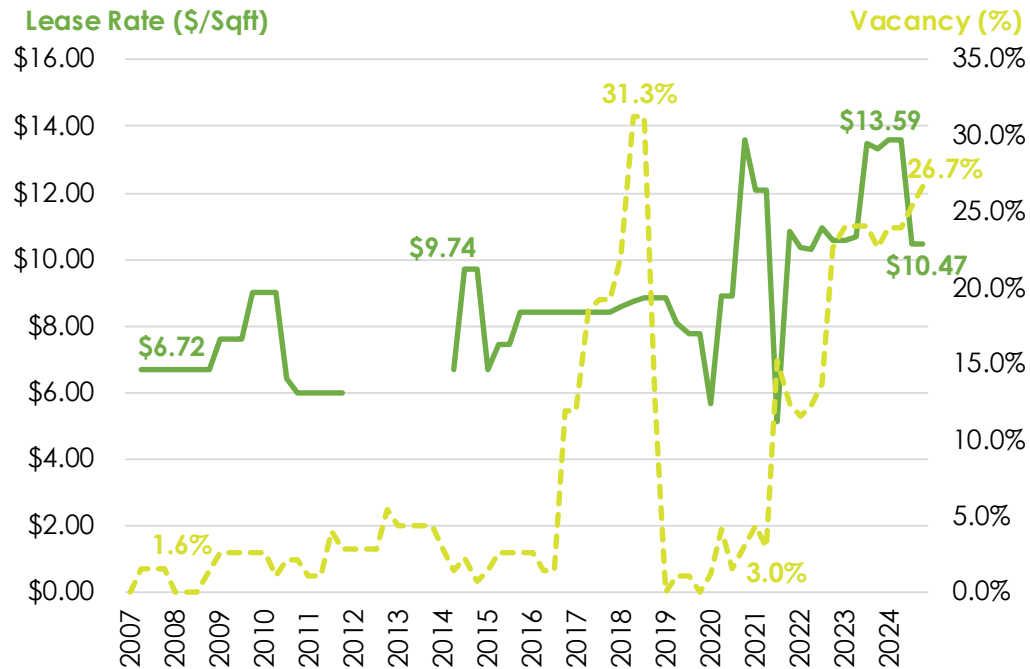


Source(s): Costar, 2024; CAI, 2025.

Industrial

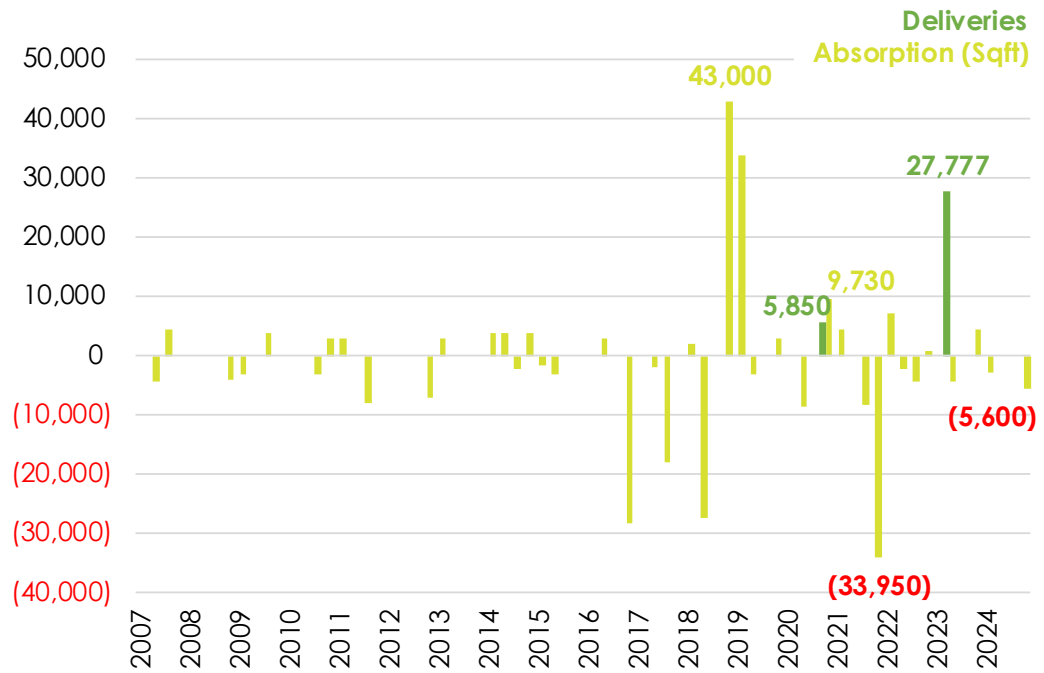
Industrial lease rates in Ashland peaked at \$13.59 per square foot in 2023 before declining to \$10.47 in 2024 (**Exhibit 45**). Industrial vacancy rates increased from near 0% in 2019 to 26.7% in 2024. The sharp rise in Ashland's industrial vacancy rate since 2019 may be attributed to a combination of new space deliveries outpacing tenant demand, pandemic-related business disruptions, and increased competition from nearby markets such as Rogue Valley, where vacancy rates remain comparatively low (**Exhibit 46**).

Exhibit 45. Industrial Lease and Vacancy, Ashland, 2007-2024



Source(s): Costar, 2024; CAI, 2025.

Exhibit 46. Industrial Absorption and Deliveries, Ashland, 2010-2023



Source(s): Costar, 2024; CAI, 2025.

EMPLOYMENT LANDS SUFFICIENCY ASSESSMENT

Background

OAR 660-038-0060 requires that cities maintain a buildable lands inventory within the UGB sufficient to accommodate the residential, employment and other urban uses such as public facilities, streets, parks and open space needed for a 20-year planning period.

Ashland's Buildable Lands Inventory (BLI), adopted in 2024, mapped net developable land supply by Comprehensive Plan and Zoning categories for the City and Urban Growth Boundary (UGB). Along with the 2021 Housing Capacity Analysis, the BLI largely focused on residential land capacity and determined that sufficient supply exists to satisfy residential growth needs for housing units for the 20-year planning horizon.

This 2024-2025 Economic Opportunity Analysis update forecasts the demand for employment on commercial and industrial lands and utilizes the BLI to assess whether an adequate supply of land zoned for employment uses is available to meet this forecasted demand.

Methodology

Step 1. Supply

Isolate, extract, and further analyze the supply of buildable employment (commercial and industrial) land from the 2024 BLI.

Step 2. Demand

Using a detailed, customized employment data based on published sources including the Bureau of Labor Statistics (BLS) and Oregon Employment Department, forecast employment in aggregate and by industry / land use is modeled and utilized to estimate land demand by category.

Step 3. Reconcile Supply with Demand

Supply of employment land is reconciled with demand in aggregate and by category.

Step 4. Site Types

A range of site types required to meet Ashland's forecast demand for employment land are explored and characterized.

Buildable Land Segments

Oregon statutes define Buildable Lands as "Residentially and commercially designated **vacant**, **partially vacant**, and, at the option of the local jurisdiction, **redevelopable** land within the urban growth boundary that is

not severely constrained by natural hazards, (Statewide Planning Goal 7) or subject to natural resource protection measures (Statewide Planning Goals 5 and 15).”

For the BLI analysis conducted for this EOA, the following categories were defined and used;

Vacant: Vacant lots were those parcels that were free of improvements (structures) and were available for future residential or commercial development.⁶

Partially Vacant: In Commercially zoned lands, those parcels with additional undeveloped land area yet containing a building on a portion of the property were considered partially vacant.⁷

Ashland Employment Comp Plan / Zoning Categories

This analysis extracts and examines net buildable acreage (vacant and partially developed) for these five “**employment land**” Comprehensive Plan land use categories:

- **Commercial (C-1)** This district is designed to stabilize, improve and protect the characteristics of those areas providing commercial commodities and services.
- **Commercial-Downtown (C-1-D)** This district is an employment zone that allows retail, office, and other uses.
- **Employment (E-1)** The district is designed to provide for a variety of uses such as office, retail, or manufacturing in an aesthetic environment and having a minimal impact on surrounding uses.
- **Industrial District (M-1)** This district is designed to encourage sound industrial development in the City by providing a protective environment exclusively for such development.
- **The Croman Mill zone (CM-X)** is a group of large parcels of land in south Ashland that have their own set of design elements and permitted, special permitted, and conditional uses. The redevelopment plan for this site was passed by the Ashland City Council in August 2010 and includes a Croman Mill site specific land use code.

⁶ Other categories of vacant land were identified but excluded from net buildable supply, including vacant-unbuildable (due to physical constraints like floodplains and steep slopes); vacant - open space; vacant – parking; and vacant – parks. Vacant – airport may be discussed later.

⁷ Publicly owned land and sites with slopes greater than 35% were not considered buildable. Commercial properties deemed “redevelopable” were included in “partially vacant” category.

Supply of Employment Land

Summary of Buildable Lands Inventory

The 2024 BLI found a combined total area within Ashland’s political boundaries (City + UGB) of **4,958 acres**. Of this, there was a total of **542 acres of “employment land”** (including Industrial, Commercial, Employment, Downtown Commercial, and Croman Mill Employment, Ind. & Mixed Use) found within the City and UGB.

A total of **630 net buildable acres** of land were found within the City and UGB that are developable across all Comprehensive Plan designations, out of a **gross buildable area of 985 acres**.

Exhibit 47. Total Net Buildable Acreage, Ashland and Urban Growth Boundary, 2024

Table 4 - Total Net Buildable acreage (V&PV) UGB & City Limits

BLI_STATUS	# of Parcels	Gross Acreage	Net Buildable Acres
Vacant	363	393	250
Partially Vacant	420	592.4	380.4
Vacant/Airport	10	115.2	per plan
Vacant/UnDevelopable	86	244.7	0
Vacant /Open Space or Park	411	619.1	0
Vacant /Parking	80	22.4	0

Source: Excerpted from Ashland Buildable Lands Inventory, 2024.

Public rights-of-way, parks/open space and civic uses accounted for 27.8% of the City’s total gross acreage. The remaining land is classified as Residential (60.1%), Commercial (11.4%), and Industrial (0.4%).

Total Supply

Total **net buildable supply** for all “**employment land**” categories was **181 acres** per the 2024 BLI analyzed for this work. Net buildable supply is exclusive of constrained areas, such as steep slopes, wetlands, and special flood hazard areas. Gross buildable supply, including constrained areas, totaled 267 acres across 140 parcels.

The 2024 BLI found that most land supply was in the Employment land use category, comprising around 50% of the total buildable acreage, and Croman Mill, comprising another 33%. The least constrained parcels were in the

Industrial and Croman Mill designations. Industrial and Employment sites had the lowest built FARs generally. Downtown Commercial parcels represented a small fraction of supply, were heavily constrained, and had much higher FARs.

Exhibit 48. Developable and Redevelopable Employment Lands by Category, Ashland, 2024

Comp Plan Category	Number of Parcels	Gross Acreage	Net Buildable Acreage	Percent Constrained
Croman Mill (Employment, Ind. & MU)	13	85.7	61.1	29%
Downtown (Commercial)	8	2.9	0.44	85%
Employment	89	136.7	90	34%
Commercial	24	25.3	15.2	40%
Industrial	6	16.3	14.6	10%
Total	140.0	266.9	181.3	32%

Sources: Ashland Zoning Map, 2024; Ashland Future Land Use Map, 2024; CAI, 2024.

Supply Location

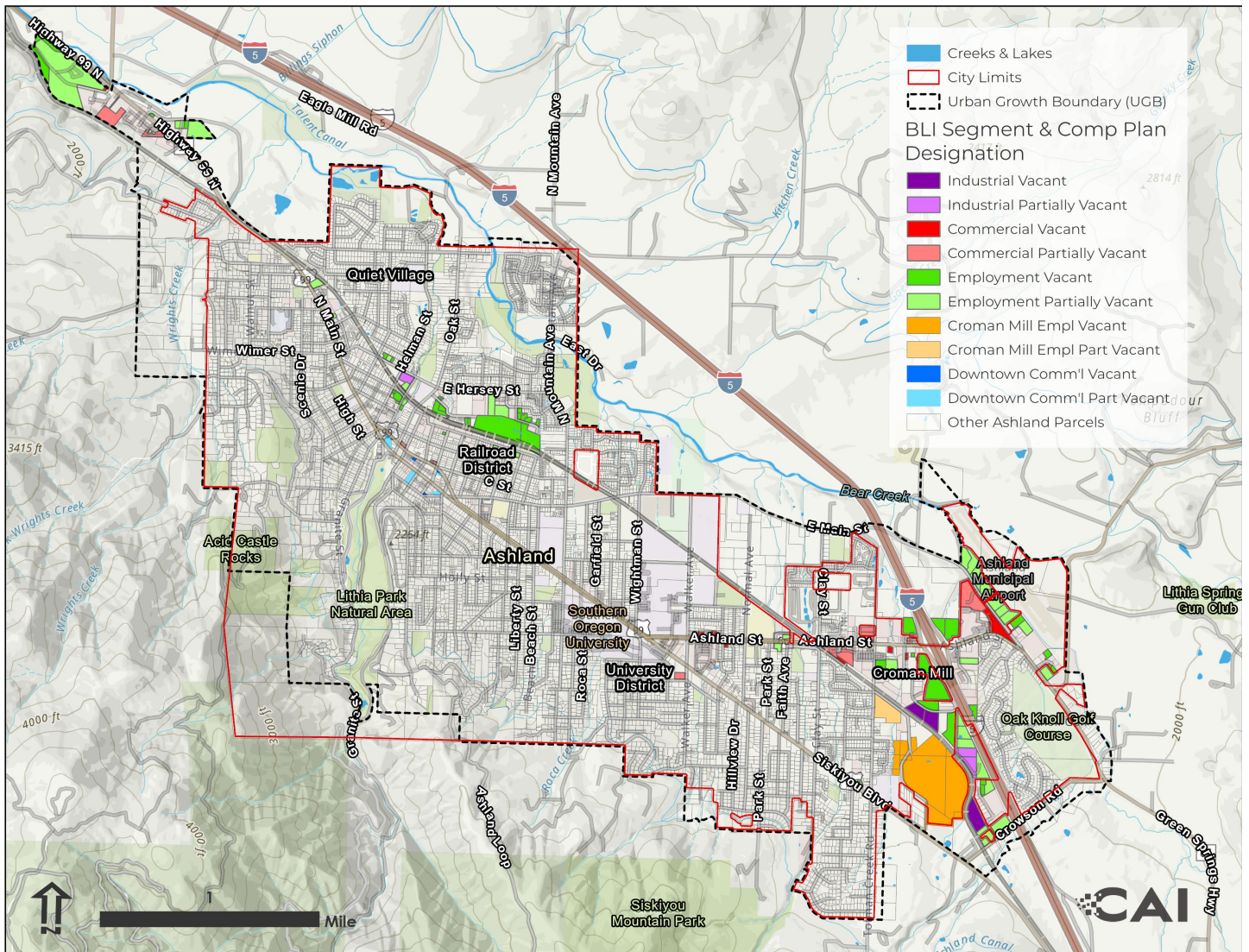
The 2024 BLI found that Ashland’s current buildable employment land supply was located mainly in the City limits (69%, by net buildable acreage).

Most was located in southeast Ashland, and/or adjacent to the Central Oregon & Pacific railroad right of way.

Major nodes were located:

- South of the airport on Main St.;
- Along I-5 and the railroad line from Croman Mill down to Crowson;
- North of the Railroad District in central Ashland, and;
- Around Jackson Rd. and Hwy 99

Exhibit 49. Buildable Commercial and Industrial Lands Map, Ashland, 2024



Sources: Ashland Zoning Map, 2024; Ashland Future Land Use Map; CAI, 2025.

Short Term Supply

The Goal 9 Administrative Rule (OAR 660-009) includes provisions that require that cities within a Metropolitan Planning Organization (MPO) account for and ensure an adequate short-term supply of industrial and other employment lands for near term growth needs. As Ashland is within the Rogue Valley MPO, it is subject to this requirement.

Short term supply, per the administrative rules, refers to land that can be ready for construction in one year based on “engineering feasibility.” For this

assessment, CAI and the City of Ashland have interpreted this to include a subset of sites within the above described overall employment land supply that:

- Have road access,
- Have minimal contamination or environmental constraints (or are undergoing remediation currently),
- And are served with basic infrastructure (stubbed at property or adjacent) including power, water, and sanitary sewer.

Per these criteria, the City of Ashland's **short term supply** of employment land sites amounts to a total of **21 parcels** comprising **101.3 acres** of land within the city and / or urban growth boundary. Key pieces of this short term supply include the Croman Mill employment sites, and the large Union Pacific E-1 site north of Downtown Ashland.

In particular, the Croman Mill employment sites identified in this inventory may satisfy this requirement, as all necessary utilities—water, sewer, and electricity—can be extended with the installation of internal streets and supporting infrastructure. While the site contains contaminated soil and requires environmental remediation, a cleanup proposal is currently under review by the Oregon Department of Environmental Quality (DEQ).

In addition to Croman Mill, the large E-1 site between A Street and Hersey owned by Union Pacific also meets the serviceability standard. It has an approved DEQ remediation plan, with cleanup expected to begin in the fall. Once completed, the site will support employment uses and potentially urban residential development. Approximately three acres of the property will remain under a vegetative cap due to residual contamination, which may require additional remediation if more intensive development is pursued.

All essential public facilities and services are available at the perimeter of both sites and can be extended through the properties as needed, which supports their classification as development-ready short term supply sites under Oregon's Economic Opportunity Analysis (EOA) framework.

For other industrial sites identified in the BLI south of the airport, no impediments were identified to the extension of infrastructure necessary to serve future development. Public facilities such as water, sewer, and transportation connections can be extended as needed in these locations to support employment uses.

In addition to current supply, the Rule requires cities within an MPO to make a commitment to provide a competitive short-term supply of land and establishes a target of 25% of total UGB employment land supply. As total employment land supply in Ashland amounts to 542 acres, a target of 25%

would represent **136 acres**. A “competitive” short term supply refers to having parcels in a range of sizes and designations to meet the needs of a variety of employers interested in locating or expanding in the city.

Forecasted Employment Land Demand

In this section, future commercial and industrial employment growth is modeled and converted into an approximation of land needed to accommodate this growth.

Total and industry sector growth is represented by a twenty-year private employment forecast for the Ashland UGB (2025-2045). This forecasted private employment growth is then mapped to generalized land use typologies (commercial and industrial) corresponding to Ashland’s General Comprehensive Plan designations for employment land. Finally, demand for employment land is modeled based on local employment densities derived from existing land absorption patterns cross referenced with site-level employment data.

Forecasted Employment Growth

Forecasted employment growth by industry, given in **Exhibit 34**, is mapped to generalized land use types corresponding broadly to Ashland’s employment lands Comprehensive Plan designations (**Exhibit 50**). By 2045, Ashland is forecasted to experience employment growth in the form of an estimated 1,343 jobs generally requiring commercial land and 59 jobs that generally require industrial land (**Exhibit 51**). Mapped land use categories are broad and site sufficiency is examined with greater precision in the subsequent section.

**Exhibit 50. Mapping Employment Forecasts to Generalized Land Uses,
Ashland, 2045**

Industry	20 Year Growth	Generalized Land Use
Leisure & Hospitality	654	Commercial
Retail	(42)	Commercial
Health Care	422	Commercial
Construction, Resources & WTU	27	Industrial
Professional & Business Services	112	Commercial
Manufacturing	12	Industrial
Other Services	67	Commercial
FIRE	165	Commercial
Information	(53)	Commercial
Wholesale	19	Industrial
Education	15	Commercial
Unclassified	3	Commercial
Total	1,401	

Sources: CAI, 2025.

**Exhibit 51. Forecasted Employment by Generalized Land Use Types,
Ashland, 2025 & 2045**

Generalized Land Use	2025 Employment	2045 Employment	Employment Growth
Commercial	7,036	8,378	1,343
Industrial	1,608	1,667	59
Total	8,644	10,045	1,401

Sources: CAI, 2025.

For absorption of vacant land, this analysis converts forecast growth by land use to land demand using locally-derived **assumptions for employment density**. These density figures, in terms of **Employees Per Acre (EPA)** were calculated by dividing summed site-level employment data by total developed acres per category for Commercial, Commercial-Downtown, Employment, and Industrial sites. Though the small number of developed industrial sites (8) renders this data less reliable as a reference, other comparables from Medford and recent report commissioned on Croman Mill (by Jonson Economic), demonstrate consistent density findings.

Exhibit 52. Employment Density Metrics by Land Use Category, Ashland, 2025

Employment Comp Plan / Zoning Categories	Total 2025 Site Employment (Employees)	Developed 2025 Site Acreage (Ac)	Employment Density (EPA)
Commercial (C-1)	1,963	103	19.1
Commercial-Downtown (C-1-D)	1,201	13	92.4
Employment (E-1)	1,932	114	16.9
Croman Mill (NC, MU, OE, CI)	153	2	76.5
Industrial (M-1)	142	13	10.9
Total	5,391	245	22.0

Source: Jackson County Assessor, 2024; City of Ashland, 2025; ESRI Business Analyst, 2025; CAI, 2025.

Note: 500 employees for the Oregon Shakespeare Festival, though technically based in Downtown Ashland, are in fact distributed and were removed from local employment totals.

Note: For additional reference, a 2023 report by Johnson Economics estimated an average employment density of 18 employees per acre (EPA) for the Croman Mill site with its projected mix of retail, office, industrial, and residential. The nearby Jackson County city of Medford was found to have an existing industrial employment density of 9.3 EPA across a much larger sampling of sites.

For **aggregate land demand**, 20-year employment growth (2025-2045) by generalized land use category (commercial and industrial) was converted using locally derived employment densities for generalized Commercial and Industrial use categories (**Exhibit 53**). Total aggregate land demand based upon this method was **76 acres** (net of any additional required acreage for ROWs, public facilities, etc.), including **70 acres of commercial** land and **5 acres of industrial** land.

Exhibit 53. Aggregate Land Demand Forecast, Ashland, 2045

Generalized Land Use	20 Year Growth	Employment Density (EPA)	Net Land Demand (Ac)
Commercial	1,343	19.1	70
Industrial	59	10.9	5
Total	1,401	-	76

Source: Jackson County Assessor, 2024; City of Ashland, 2025; ESRI Business Analyst, 2025; CAI, 2025.

Employment Lands Sufficiency

With a **total net buildable supply of 181 acres** of “employment lands”, and only **76 aggregate acres of demand** projected for industrial and

commercial uses, Ashland has a likely **surplus of over 100 acres** within the City and UGB urbanized area.

But does Ashland have the right kind of sites? The following section examines **supply versus demand by category** more closely and **characterizes needed site types** in Ashland based on existing and historic patterns of land absorption.

Land Needed for Economic Growth

Exhibit 54 models one potential distribution of land demand given existing shares of current employment by land use / zoning category as applied to employment growth for the 20-year planning period (forecast at 1,401 new jobs by 2045). Croman Mill is likely significantly underestimated given assumptions based on current employment as the site has largely not yet been redeveloped.

Discounting Croman Mill, which is likely to see much greater future development, there could be a small deficit of commercial lands but surpluses of employment and industrial lands in Ashland currently. Since the E-1 category can accommodate many commercial uses, it is possible that the city of Ashland has sufficient supply to meet demand in all categories, possibly excepting Downtown Commercial.

Exhibit 54. Estimated Demand for Employment Land by Land Use Type, Ashland, 2025-2045

Comp Plan Category	Supply	Demand				Surplus (Deficit)
	Net Buildable Acres	Current Employment (% of Total)	Share of 20-Year Job Growth	Employment Density (EPA)	Estimated Demand (Ac)	
Commercial	15.2	22.7%	318	19.1	16.7	(1.5)
Downtown (Commercial)	0.44	13.9%	195	92.4	2.1	(1.7)
Employment	90	22.4%	313	16.9	18.5	71.5
Croman Mill (Employment, Ind. & MU)	61.1	1.8%	25	76.5	0.3	60.8
Industrial	14.6	1.6%	23	10.9	2.1	12.5
Total	181.3	62%	874		39.7	141.6

Sources: Jackson County Assessor, 2024; City of Ashland, 2025; ESRI Business Analyst, 2025; CAI, 2025.

Note: Current employment totals do not sum to 100% because 38% of Ashland employment occurs outside of these zones, mainly on residential lands.

Land Sufficiency by Site Types

Exhibit 55 summarizes the number of vacant sites by size that are available for new development on employment lands in Ashland in 2025. In total, there

are 140 sites available to support future land demand through 2045. The largest grouping of these are small sites of less than 0.5 acres (56). The next largest grouping are sites sized 1-5 acres. Few sites are larger than 5 acres (8) and even fewer are needed at the 20 acres or larger range (2). The largest proportion of sites is in the Employment land use category (89) with the next largest categories being commercial (24) and Croman Mill (13). These findings inform the following discussion of demand by category.

Exhibit 55. Land Supply by Site Size and Designation, Ashland, 2025

Comp Plan Category	Number of Vacant Tax Lots					Total
	Less than .5 ac	.5 to 1 ac	1-5 ac	5-20 ac	More than 20 ac	
Commercial	13	5	5	1	0	24
Downtown (Commercial)	5	3	0	0	0	8
Employment	37	13	35	3	1	89
Croman Mill (Employment, Ind. & MU)	1	2	5	4	1	13
Industrial	0	0	6	0	0	6
Total	56	23	51	8	2	140

Source(s): City of Ashland, 2025; Jackson County Assessor, 2024; CAI, 2025.

Commercial Zone

Site Statistics

- Number of Developed Parcels: **178**
- Mean (Average) Parcel Size: **0.58 acres**
- Median (Most Frequent) Parcel Size: **0.23 acres**

Ashland's **Retail Commercial (C-1)** zone allows for a range of retail, food & beverage, and service uses, while generally speaking, manufacturing and industrial uses are not permitted unless they are small and contiguous to retailing. Mini-storage is not permitted. Office is permitted in commercial, employment, and industrial zones.

Three primary nodes of this zone encompass the area immediately surrounding Downtown Ashland, the highway commercial along Siskiyou / 99, and the larger format retail node around I-5 and Ashland / 66.

Ashland's Retail Commercial (C-1) zone currently has a median (most frequent) developed site size of 0.23 acres. If current patterns of land consumption persist, this category will require around 17 aggregate acres of land, distributed across a range of site sizes, but predominantly small (less than 0.5 acre) size sites, which constitute 54% of all currently buildable Commercial sites.

Downtown Commercial Zone

Site Statistics

- Number of Developed Parcels: **77**
- Mean (Average) Parcel Size: **0.16 acres**
- Median (Most Frequent) Parcel Size: **0.12 acres**

Ashland's **Downtown Commercial (C-1-D)** zone aims to create a vibrant, pedestrian-friendly environment by permitting a mix of uses, including high-density housing, civic offices, and small-scale commercial, food and beverage, and retail businesses. It emphasizes mixed-use developments and encourages locally oriented professional and personal services. The zone is designed to foster a compact, transit-oriented area with public spaces, extensive landscaping, and shared parking.

This zone is the location of many of Ashland's Oregon Shakespeare Festival organizations (including the HQ of the festival itself) and supporting businesses and encompasses a compact zone in downtown Ashland.

Ashland's **Downtown Commercial (C-1-D)** zone currently has a median (most frequent) developed site size of 0.12 acres. If current patterns of land consumption generally continue, this category would require only around 2 more aggregate acres of land (given extremely small lot sizes and higher built FARs), distributed across a range of small site sizes, but predominantly less than 0.5 acre size sites, which constitute two-thirds of the eight currently buildable Downtown Commercial sites.

Employment Zone

Site Statistics

- Number of Developed Parcels: **214**
- Mean (Average) Parcel Size: **0.53 acres**
- Median (Most Frequent) Parcel Size: **0.26 acres**

Ashland's **Employment (E-1)** zone is designated to allow for various types of businesses, including office, retail, and manufacturing, while aiming for a visually appealing and minimally disruptive environment. Large nodes of E-1 exist along the railroad right-of-way (ROW) north of downtown, and south of the airport.

The **Employment category (E-1)** is more inclusive as it allows many commercial uses, in addition to office and some (lower impact) manufacturing and industrial uses. As such, the *E-1 zone could feasibly absorb demand for both commercial and industrial land.*

In E-1, retail is limited to 20,000 square feet (sf) per lot. Mini-storage is conditionally permitted. Marijuana retailing is conditionally permitted and limited to C-1 or E-1. Auto service and gas stations are permitted with conditions in C-1 and E-1.

Ashland's **Employment (E-1)** zone currently has a median (most frequent) developed site size of 0.26 acres and an average size of 0.53 acres. If current patterns of land consumption continue, this category will demand around 19 aggregate acres of land, distributed across a range of site sizes, but predominantly small and small-mid-size sites, which constitute 42% and 15% of currently buildable Employment sites.

Industrial Zone

Site Statistics

- Number of Developed Parcels: **8**
- Mean (Average) Parcel Size: **1.6 acres**
- Median (Most Frequent) Parcel Size: **1.6 acres**

Ashland has several industrial zoned areas and business parks designed to encourage business development. These areas offer a mix of infrastructure, zoning options, and potential for various industrial and commercial uses. Specifically, the Croman Mill Site, the Ashland Industrial Park, and IPCO Commercial Properties are key locations for industrial activity.

The **Industrial zone (M-1)** in Ashland allows for a range of general manufacturing, distribution, office and industrial uses, well-buffered from residential uses. Mini-storage is a permitted use here. Retail is limited to serving workers in the zone but restaurants are permitted.

Ashland's **Industrial (M-1)** zone currently has a median (most frequent) and average developed site size of 1.6 acres. If current patterns of land consumption continue, this category will demand around 2 more aggregate acres of land, most likely in the mid-size (1-5 ac) range, which constitute 100% of the currently buildable Industrial sites.

Summary of Findings

- This analysis finds that, with a **total net buildable supply of 181 acres** of "employment lands" and only **76 total acres of demand** projected for industrial and commercial uses, Ashland has a likely **surplus of over 100 acres** within the City and UGB urbanized area.
- However, **there may be a shortage of small, centrally located commercial sites**. While overall supply is sufficient, further analysis suggests a relative lack of small Downtown Commercial and mid-sized commercial sites. Some of this demand could be absorbed by surplus

E-1 employment lands; however, businesses that depend on visibility and foot traffic—such as those tied to the Oregon Shakespeare Festival—will continue to prefer prominent downtown locations. Improving pedestrian connectivity, signage, and branding between downtown and the northern E-1 node may help support business attraction in those areas.

- **Ownership dynamics may limit redevelopment of key opportunity sites.** The Croman Mill and Railroad District properties represent the city’s largest groupings of buildable land, but lack of proactive ownership and incentives to sell have historically stalled redevelopment efforts.
- **There is capacity to accommodate stronger-than-forecasted employment growth.** If employment growth is greater than forecasts indicate in coming years, there will likely be sufficient land in Ashland to accommodate it given the surplus employment land supply identified within the City / UGB. In particular, certain segments within industrial – such as outdoor recreation manufacturing or craft food and beverage – may be worth consideration for targeted economic development efforts by Ashland to synergize with its evolving economic base.

COMMUNITY ECONOMIC DEVELOPMENT PRIORITIES

Public Engagement

Following an inclusive engagement plan, reviewed by Ashland's Committee for Community Involvement, this project conducted several forms of engagement designed to speak directly with a diverse audience of stakeholders in Ashland and solicit insights into fundamental dynamics underlying the Ashland economy. These activities included interviews, focus groups, forums, a regional business and resident survey, and review of other engagement materials provided by the City of Ashland. This engagement summary reviews the findings identified through these activities.

Key Engagement Findings

Outreach Overview & Demographics

- Overall, the public survey received 472 responses from residents and businesses owners throughout Jackson County. 174 respondents live in Ashland, 125 work in Ashland, and 79 own or manage a business in Ashland. (Survey)
- The majority (67%) of Ashland respondents are over the age of 45, compared to 54% of total respondents. Only 4% of Ashland's respondents were 25 or younger. (Survey)
- 88% of respondents speak English only at home, while the remaining 12% speak some combination of English, Spanish, Mandarin and/or Russian. (Survey)
- 87% of respondents who identified as Ashland residents are permanent residents, while the rest have temporary housing, move often, or do not have stable housing in Ashland. (Survey)
- Of the 146 total businesses surveyed, 97 (66%) of them are small businesses with 4 or less employees. Of Ashland's businesses respondents (83), a similar majority (51 respondents, or 61% of Ashland's business respondents) also identified as small businesses (with 4 employees or less). (Survey)
- Just over half (52%) of Ashland's businesses represented in the survey have been in operation for over ten years. (Survey)
- 45% of Ashland business survey respondents report that their employees work full-time, 41% part-time and 14% seasonally. (Survey)
- The most common descriptors of the Ashland businesses surveyed were locally owned (91%), women-owned (48%), and family-owned (47%). (Survey)
- Interviews and focus groups included a diverse pool of stakeholders in Ashland, including City Councilors and Planning Commissioners, developers and property owners, major employers, the development

community, SOU students, and local business owners and residents. (Interviews)

Tourism and Economic Vitality

- Tourism is identified by Ashland survey respondents, and by interviewees, as Ashland's greatest economic asset (with an average rank of 4.0 out of 15), along with the Rogue Valley airport (4.4), Recreational Amenities (4.9), and Southern Oregon University (5.7). Tourism was also ranked highly in open-ended survey questions, with residents citing the Oregon Shakespeare Festival (OSF) and outdoor recreation as popular attractions. (Survey, Interviews)
- While survey respondents believe in the strength of Ashland's arts and tourism offerings, they hope for less focus to be paid to tourism and instead hope investment goes into lowering cost of living and supporting small businesses for year-round stability. (Survey)
- Both survey respondents and interviewed stakeholders believe tourism has a place in Ashland's economic future, but that more work needs to be done to diversify the tourism industry and create an economy that supports Ashland locals – in terms of livability and wages as well as service offerings. (Survey, Interviews)
- Ashland stakeholders are actively working to expand and refine a marketing approach which moves beyond the Oregon Shakespeare Festival to promote the city as a year-round destination that leverages its natural beauty, events, and quality of life. Stakeholders highlighted efforts to brand Ashland as a basecamp for Southern Oregon tourism, and one idea gaining traction is the concept of "Storytown USA," which aims to build on the city's narrative and cultural assets. This effort also includes expanding year-round events, targeting families and younger audiences, and promoting outdoor recreation and other cultural assets. (Interviews)
- Post-COVID changes in tourism also includes a shift to younger, outdoors focused visitors and away from traditional cultural institutions like the Oregon Shakespeare Festival. (Interviews)
- Wildfire smoke, rising costs, and housing availability continue to pose significant threats to tourism viability and workforce stability. (Interviews)

Business Priorities

- There was strong consensus that Ashland must diversify its economy beyond tourism by supporting small-scale manufacturing, remote work, and creative industries. Stakeholders highlighted the need to leverage regional partnerships, underutilized infrastructure like AFN, and redevelopment sites such as Croman Mill to attract a broader mix of employers and improve economic resilience. (Interviews, Survey)

- Almost half (49%) of Ashland businesses respondents to the survey have plans to expand to additional locations, while 29% have no expansion plans, and 12% plan to expand their current location. (Survey)
- When Ashland business owners were asked in the survey to rank business challenges in order of importance, business owners, on average, ranked inflation, qualified employees, increased labor cost and unaffordable rents highest. (Survey)
- When asked about workforce challenges, Ashland's business owner survey respondents largely cited talent pool offerings (35%), wage expectations (32%) and skills gaps (28%) as primary employment discrepancies. (Survey)
- Ashland's survey respondents who are employers mentioned inflation (48%), real estate costs (32%) and labor costs (32%) as economic factors with the most significant impacts on their business. (Survey)
- When asked about Ashland's economy of the future, Ashland survey respondents describe support for local businesses and arts (29% of responses), a diversified economy (24%), and a lower cost of living (28%). (Survey)

Housing Affordability and Workforce

- Ashland's quality of life is a compelling draw for remote workers, entrepreneurs, and leadership talent; however, high housing costs, elevated development expenses, and a perceived resistance to growth limit the city's ability to attract and retain businesses. (Interviews)
- These same housing challenges affect workforce recruitment, prompting many employees to live in neighboring communities, forcing Ashland-based businesses to offer higher wages to offset commuting burdens. (Interviews)
- High housing costs, and lack of housing stock in Ashland was identified by stakeholders as a major barrier to attracting and retaining younger residents, SOU graduates, and essential workers, especially in healthcare, education, and service sectors. (Interviews)
- Workers state that Ashland is not perceived as accessible to families or moderate-income earners and that this effect is felt across many areas, such as school enrollment and neighborhood services. Similarly, when asked about barriers to equal access for economic opportunity in Ashland, 42% of survey responses cite cost of living and 21% of responses cite a lack of employers and opportunity. (Interviews, Survey)
- When prioritizing investments for economic development, Ashland survey respondents ranked jobs with livable wages and upward mobility as the top priority (receiving an average score of 8.1 out of the

possible 11, in which a higher number indicated higher priority), followed by small business support (7.7). (Survey)

- Major employers recommended increasing alignment between local institutions and industry to build workforce pipelines and support economic mobility. (Interviews)
- Ashland's AFN fiber-optic infrastructure was highlighted as a powerful but underutilized asset to support remote work and entrepreneurship in the tech sector. (Interviews)

Community Development and Future Growth

- Stakeholders broadly called for greater regional collaboration to leverage Ashland's unique cultural, educational, and natural assets as part of a cohesive Southern Oregon strategy. (Interviews)
- Stakeholders emphasized the importance of balancing Ashland's unique identity with the need for innovation and growth. Future development should honor Ashland's identity and support values expressed by the community. (Interviews)
- Ashland is widely perceived as a difficult place to develop, largely due to historic barriers such as unreliable permitting, high fees, and restrictive land use policies. While some stakeholders noted recent improvements, the city's historical reputation for regulatory hurdles and community resistance continues to deter investment, especially compared to more flexible neighboring cities. (Interviews)
- About half (53%) of Ashland survey respondents believe the local government to be "somewhat supportive" in helping businesses thrive, while 32% believe it is "not supportive" and 15% believe it is "very supportive". (Survey)
- Stakeholders envision a more vibrant, accessible, and visually cohesive downtown, but note the need for infrastructure investment and long-term planning. (Interviews)
- When asked if there was a different city Ashland might take lessons from, Ashland survey respondents cited locations across the globe including Boulder, Colorado (5 mentions) and Davis, California (5 mentions). However, over half of responses described other cities in Oregon, with 27 (about 30% of all mentions) listing Bend, Oregon as a city Ashland should work to emulate. (Survey)

SOU and Student Feedback

- Similar to other groups, students feel affordability in Ashland is a great barrier to their staying and succeeding in the community post-graduation. (Student Forum)
- Students value Ashland's walkability and natural beauty, but find entertainment and retail options limited—especially for those without cars or under 21. (Student Forum)

- Students desire a greater connection to the city of Ashland (and the region) through improved public transportation, expanded attractions, and inclusive, affordable events and activities that cater to younger, sober, and under-21 audiences. (Student Forum)
- The lack of high paying jobs and career development opportunities further discourage SOU students from envisioning careers in Ashland. (Student Forum)

STRATEGIC THEMES AND IMPLICATIONS FOR POLICY

Strengths, Weaknesses, Opportunities, Threats (SWOT) Analysis

This SWOT analysis assesses Ashland's internal strengths and weaknesses, as well as external opportunities and threats. This list has been informed through data analysis completed as part of this EOA and further vetted and augmented through engagement with Ashland's stakeholders and community, and, finally, is supplemented by recent planning work surrounding Ashland economy including the 2022 Ashland Chamber of Commerce's Economic Diversification Study and Ashland's 2023 Housing Production Strategy.

Strengths

Strengths highlight internal advantages and positive attributes that contribute to Ashland's economic success.

- **High Quality of Life** – Natural beauty, walkability, safety, and strong cultural identity attract visitors, remote workers, and established professionals.
- **Vibrant Arts and Tourism Brand** – The Oregon Shakespeare Festival, Cabaret Theatre, First Friday, and other arts/cultural assets position Ashland as a unique regional destination.
- **Educated, Engaged Community** – A highly educated resident base with strong civic pride and community involvement.
- **Strong Institutions** – Presence of SOU, high-performing public schools, and community-oriented organizations like Ashland's Chamber and Travel Ashland.
- **Fiber-Optic Infrastructure (AFN)** – Advanced internet infrastructure provides a solid base for remote work and digital entrepreneurship.
- **Distinctive Small-Town Character** – Ashland's historic charm and walkable downtown create a welcoming and vibrant atmosphere for residents, businesses, and visitors.

- **Strategic Interstate Access** – Location along Interstate-5 offers regional connectivity and logistical advantages for businesses, visitors, and talent movement.
- **Abundant Outdoor Recreation** – A well-loved park system, access to Bear Creek, mountain biking and ski trails, and nearby vineyards enhance quality of life and attract tourism and recreation-driven business.
- **A Niche Manufacturing Sector** – Local firms in medical devices, agricultural products, and green technology provide a foundation for light industry and economic diversification.
- **Publicly Owned Land Offers Additional Development Potential** – While not included in the formal buildable lands inventory, city- and SOU-owned properties present valuable opportunities for strategic development, partnerships, and community-serving projects.

Weaknesses

Weaknesses identifies internal challenges or limitations that hinder Ashland’s economic progress.

- **High Cost of Living and Limited Housing Options** – Housing affordability limits workforce attraction and retention, student stay rates, and business growth.
- **Perceived Difficulty in Development** – Perceptions of regulatory complexity, high fees, and limited available land deter business expansion and investment in Ashland.
- **Over-Reliance on Tourism** – Seasonal fluctuations and vulnerability to external shocks (e.g., wildfire smoke, pandemics) threaten economic stability.
- **Weak Talent Retention Pipeline** – Disconnect between SOU, Ashland’s school district, and local employers reduces youth retention and career pathway development.
- **Fragmented Economic Coordination** – Efforts across sectors and institutions are often siloed, making regional and intra-city collaboration harder to sustain.
- **Limited Investment in Infrastructure and Downtown Revitalization** – A lack of recent development and public or private reinvestment in the downtown core and key infrastructure assets may weaken Ashland’s economic competitiveness and long-term vitality.
- **Insufficient Childcare Availability** – A shortage of affordable, accessible childcare options creates barriers to workforce participation and family retention.
- **Lack of Diversity in Ashland’s Community** – Ashland’s high cost of living contribute to limited racial, economic, and age diversity in the

city's population. Without housing and job options for younger residents, Ashland risks demographic and economic stagnation.

- **Cultural Resistance to Growth** – Some opposition among locals to new development, including housing and commercial uses, constrains progress and deepens barriers to affordability and economic renewal.
- **Declining School Enrollment** – Shrinking student populations are reducing funding and limiting the school district's ability to maintain robust academic and extracurricular offerings.
- **Limited Availability of Small and Mid-Sized Commercial Sites** – While some demand may be absorbed by surplus Employment (E-1) lands, there is a shortage of centrally located, smaller-scale commercial spaces with strong visibility and foot traffic—particularly for businesses serving the tourism and cultural sectors who might need a space in downtown.
- **Inactive Ownership of Key Redevelopment Sites** – The Croman Mill and Railroad properties represent Ashland's largest developable land holdings, but disengaged ownership and speculative holding patterns have stalled redevelopment and limited the city's ability to activate these strategic sites.

Opportunities

Opportunities explore external factors or trends that could be leveraged for growth or improvement in Ashland's economy.

- **Redevelop Strategic Sites** – Sites at Croman Mill, the Railroad, University District, and Downtown all have unique opportunities to develop in such a way as to add to Ashland's vibrancy.
- **Expand and Diversify Tourism Offerings** – Build on Ashland's arts and culture foundation by promoting year-round tourism through events like the Mystery and Comedy Festivals, expanded winter activities, and outdoor recreation experiences such as skiing, biking, and hiking. Strategies for Economic Diversification can also be found in Ashland's Chamber of Commerce's Economic Diversification study (2022).
- **Leverage Agritourism and Culinary Assets** – The Rogue Valley wine region, farm-to-table culture, and local food production industries offer growth opportunities in culinary tourism, food entrepreneurship, and value-added agriculture.
- **Diversify Beyond Tourism** – Encourage growth in Ashland's non-tourism sectors including education, healthcare, creative entrepreneurship, and niche manufacturing to build a more resilient local economy.
- **Grow Creative and Cultural Industries** – Support sectors that complement Ashland's identity, including film, digital arts, visual

arts, and culinary arts, to attract talent and expand economic opportunities.

- **Capitalize on Outdoor Recreation Economy** – Enhance Ashland’s brand as an outdoor destination by investing in assets like Mt. Ashland Ski Area, trail systems, and nature-based events that can draw visitors beyond peak tourist seasons.
- **Support Expansion in Health and Wellness Sectors** – Advance growth in healthcare-adjacent industries, such as senior care, functional medicine, and integrative wellness, in alignment with regional trends and demographics.
- **Deepen Regional Partnerships** – Collaborate with neighbors, including Talent, Phoenix, and Medford, and with regional partners like SOREDI, to align workforce development, transportation, and infrastructure investment.
- **Engage Younger and Diverse Populations** – Expand housing, employment, and civic opportunities for families, students, and younger professionals to foster long-term community vitality.
- **Elevate Ashland’s Brand and Marketing Reach** – Leverage Ashland’s identity to attract new residents, businesses, and investment through targeted branding and promotion focused on lifestyle, creativity, and inclusivity.
- **Attract Remote Workers and Lifestyle Migrants** – Position Ashland as a high-quality living destination for professionals and retirees relocating from urban areas, bringing investment, civic engagement, and economic stability.
- **Coordinate Housing and Employment Land Strategies for Mutual Benefit** – As the City continues to implement policies from the 2023 Housing Production Strategy, identify opportunities to simultaneously advance goals for commercial and employment land. Strategies such as increased residential allowances in employment zones, adaptive reuse, and tools like land banks or MUPTE can help support both housing production and vibrant, flexible mixed-use areas that contribute to Ashland’s economic vitality.
- **Enhance Connectivity Between Downtown and E-1 Employment Areas** – Improve pedestrian access, wayfinding, and branding between the downtown core and northern commercial nodes to increase customer flow and visibility for businesses located outside the traditional retail core.
- **Expand Retail Flexibility Within Employment Zones** – Reevaluate retail use caps in select E-1 areas—such as the Oak Street/Clear Creek corridor—to allow for greater integration of customer-facing businesses and support mixed commercial activity near downtown.

Threats

Threats examine external challenges or risks that could negatively impact Ashland's goals.

- **Stagnant Population Growth** – Persistently low or negative population growth limits workforce availability, school enrollment, and the long-term sustainability of city services and local institutions.
- **Impacts from Climate Change** – Wildfire risk, poor air quality, extreme heat, and declining water availability threaten public health, economic activity, outdoor-oriented quality of life, and Ashland's appeal as a destination.
- **Regional Competition** – Neighboring communities offer lower costs of living, lower costs of development, easier permitting, and more industrial space, attracting businesses and talent that Ashland could lose.
- **Competition from Peer Communities** – Other small, arts-driven cities like Bend and Santa Fe compete with Ashland for tourists, arts funding, and business investment.
- **Limited Economic Resilience** – A narrow economic base anchored in tourism and cultural institutions leaves the city vulnerable to external shocks.
- **SOU Enrollment Has Not Recovered Post-COVID** – Southern Oregon University continues to experience lower student enrollment, reducing its economic and cultural contributions to the local community.
- **Rising Housing Costs from In-Migration** – An influx in high-income residents from out-of-state can further inflate housing prices and risk displacing local families.

Strategic Themes

1. Strengthen Economic Resilience Through Diversification

Ashland's economy is heavily reliant on tourism and service sectors, leaving it vulnerable to seasonal fluctuations, wildfires, cost of living challenges, and broader economic disruptions. There is interest expanding Ashland's tourism economy to attract more visitors at different times of the year, as well as to expand the sectors which are most active in Ashland. This could include light manufacturing, tech, food production, wellness, and specialty industries—particularly those aligned with Ashland's lifestyle values and small-town character.

2. Foster an Inclusive, Forward-Looking Community

Ashland's strong sense of place and cultural identity are major assets, but there is a tension between preserving what exists and adapting to future needs. Residents recognize the need to welcome new residents, businesses, and ideas to avoid economic and social stagnation. Embracing thoughtful growth—especially that which supports families, younger residents, and diverse voices—is seen as essential to keeping Ashland vibrant and relevant for future generations.

3. Unlock the Potential of Local Talent and Institutions

There is untapped opportunity to better connect local educational institutions—particularly SOU and Ashland High School—to economic development goals. Strategies could include efforts to build career pipelines, host internships, develop networking programs, and support entrepreneurship, especially in partnership with regional organizations.

4. Make Space for Business Growth

Ashland's built environment and development patterns could act as barriers to expansion. It is important to have flexible, ready-to-develop commercial and industrial space, as well as reasonable permitting costs and consistent regulations, to support economic growth. Sites such as the Croman Mill and the railroad properties are of strategic priority.

5. Build Regional Partnerships to Scale Impact

Ashland's economic future is closely tied to the broader Southern Oregon region, and stakeholders highlighted the need for deeper collaboration with neighboring cities, SOREDI, the SBDC, and workforce partners. Stronger alignment is needed on land use planning, workforce development, business support, and infrastructure investment—particularly to access larger labor pools, grow entrepreneurship, and compete for state and federal funding.

6. Activate Ashland's Lifestyle Advantage

Ashland's greatest strengths—its natural beauty, safety, walkability, cultural amenities, and robust fiber infrastructure—are clear economic assets that position the city to attract remote workers, lifestyle-driven entrepreneurs, and talent seeking high quality of life. By strategically leveraging these assets, Ashland can better align its economic development efforts to attract the types of businesses, visitors, residents, and workers that reflect its long-term vision and values.

Ashland Economic Opportunity Analysis

Outreach Summary

*DRAFT Prepared by CAI
May 20, 2025*

OVERVIEW

Purpose

This outreach summary presents the engagement activities and findings that informed Ashland's 2025 update to the Economic Opportunities Analysis (EOA). In collaboration with the City, the project team prioritized inclusive outreach to ensure participation from individuals and businesses across a diverse geographic range within Ashland. Engagement efforts were designed to capture the perspectives of Ashland's residents, business community, government officials, partners, and a broad range of local leaders, following the guidelines set forth in the project's Inclusive Outreach Plan.

Engagement activities used a mix of in-person, virtual, and hybrid approaches. These included a public survey, distributed regionally, interviews and focus groups with Ashland stakeholders, an open forum with students at Southern Oregon University, and presentations to the Planning Commission and City Council.

Organization of this Report

The remainder of this report is organized as follows:

- The **Key Findings** section summarizes the main themes and insights gathered across all engagement activities.
- The **Findings by Engagement Type** section describes each engagement activity and highlights the key takeaways from each.
- **Appendix A** provides the full list of survey questions and charts summarizing responses.

KEY FINDINGS

Outreach Overview & Demographics

- Overall, the public survey received 472 responses from residents and businesses owners throughout Jackson County. 174 respondents live in Ashland, 125 work in Ashland, and 79 own or manage a business in Ashland (**Exhibit 1**) (**Exhibit 2**) (**Exhibit 3**). (Survey)

- The majority (67%) of Ashland respondents are over the age of 45, compared to 54% of total respondents. Only 4% of Ashland's respondents were 25 or younger (**Exhibit 9**). (Survey)
- 88% of respondents speak English only at home, while the remaining 12% speak some combination of English, Spanish, Mandarin and/or Russian (**Exhibit 8**). (Survey)
- 87% of respondents who identified as Ashland residents are permanent residents, while the rest have temporary housing, move often, or do not have stable housing in Ashland (**Exhibit 4**). (Survey)
- Of the 146 total businesses surveyed, 97 (66%) of them are small businesses with 4 or less employees. Of Ashland's businesses respondents (83), a similar majority (51 respondents, or 61% of Ashland's business respondents) also identified as small businesses (with 4 employees or less). (Survey)
- Just over half (52%) of Ashland's businesses represented in the survey have been in operation for over ten years. (Survey)
- 45% of Ashland business survey respondents report that their employees work full-time, 41% part-time and 14% seasonally (**Exhibit 16**). (Survey)
- The most common descriptors of the Ashland businesses surveyed were locally owned (91%), women-owned (48%), and family-owned (47%) (**Exhibit 17**). (Survey)
- Interviews and focus groups included a diverse pool of stakeholders in Ashland, including City Councilors and Planning Commissioners, developers and property owners, major employers, the development community, SOU students, and local business owners and residents. (Interviews)

Tourism and Economic Vitality

- Tourism is identified by Ashland survey respondents, and by interviewees, as Ashland's greatest economic asset (with an average rank of 4.0 out of 15), along with the Rogue Valley airport (4.4), Recreational Amenities (4.9), and Southern Oregon University (5.7) (**Exhibit 24**). Tourism was also ranked highly in open-ended survey questions, with residents citing the Oregon Shakespeare Festival (OSF) and outdoor recreation as popular attractions. (Survey, Interviews)
- While survey respondents believe in the strength of Ashland's arts and tourism offerings, they hope for less focus to be paid to tourism and instead hope investment goes into lowering cost of living and supporting small businesses for year-round stability (**Exhibit 28**). (Survey)
- Both survey respondents and interviewed stakeholders believe tourism has a place in Ashland's economic future, but that more work needs to be done to diversify the tourism industry and create an

economy that supports Ashland locals – in terms of livability and wages as well as service offerings. (Survey, Interviews)

- Ashland stakeholders are actively working to expand and refine a marketing approach which moves beyond the Oregon Shakespeare Festival to promote the city as a year-round destination that leverages its natural beauty, events, and quality of life. Stakeholders highlighted efforts to brand Ashland as a basecamp for Southern Oregon tourism, and one idea gaining traction is the concept of “Storytown USA,” which aims to build on the city’s narrative and cultural assets. This effort also includes expanding year-round events, targeting families and younger audiences, and promoting outdoor recreation and other cultural assets. (Interviews)
- Post-COVID changes in tourism also includes a shift to younger, outdoors focused visitors and away from traditional cultural institutions like the Oregon Shakespeare Festival. (Interviews)
- Wildfire smoke, rising costs, and housing availability continue to pose significant threats to tourism viability and workforce stability. (Interviews)

Business Priorities

- There was strong consensus that Ashland must diversify its economy beyond tourism by supporting small-scale manufacturing, remote work, and creative industries. Stakeholders highlighted the need to leverage regional partnerships, underutilized infrastructure like AFN, and redevelopment sites such as Croman Mill to attract a broader mix of employers and improve economic resilience. (Interviews, Survey)
- Almost half (49%) of Ashland businesses respondents to the survey have plans to expand to additional locations, while 29% have no expansion plans, and 12% plan to expand their current location (**Exhibit 18**). (Survey)
- When Ashland business owners were asked in the survey to rank business challenges in order of importance, business owners, on average, ranked inflation, qualified employees, increased labor cost and unaffordable rents highest (**Exhibit 19**). (Survey)
- When asked about workforce challenges, Ashland’s business owner survey respondents largely cited talent pool offerings (35%), wage expectations (32%) and skills gaps (28%) as primary employment discrepancies (**Exhibit 20**). (Survey)
- Ashland’s survey respondents who are employers mentioned inflation (48%), real estate costs (32%) and labor costs (32%) as economic factors with the most significant impacts on their business (**Exhibit 21**). (Survey)
- When asked about Ashland’s economy of the future, Ashland survey respondents describe support for local businesses and arts (29% of

responses), a diversified economy (24%), and a lower cost of living (28%) (**Exhibit 29**). (Survey)

Housing Affordability and Workforce

- Ashland's quality of life is a compelling draw for remote workers, entrepreneurs, and leadership talent; however, high housing costs, elevated development expenses, and a perceived resistance to growth limit the city's ability to attract and retain businesses. (Interviews)
- These same housing challenges affect workforce recruitment, prompting many employees to live in neighboring communities, forcing Ashland-based businesses to offer higher wages to offset commuting burdens. (Interviews)
- High housing costs, and lack of housing stock in Ashland was identified by stakeholders as a major barrier to attracting and retaining younger residents, SOU graduates, and essential workers, especially in healthcare, education, and service sectors. (Interviews)
- Workers state that Ashland is not perceived as accessible to families or moderate-income earners and that this effect is felt across many areas, such as school enrollment and neighborhood services. Similarly, when asked about barriers to equal access for economic opportunity in Ashland, 42% of survey responses cite cost of living and 21% of responses cite a lack of employers and opportunity (**Exhibit 26**). (Interviews, Survey)
- When prioritizing investments for economic development, Ashland survey respondents ranked jobs with livable wages and upward mobility as the top priority (receiving an average score of 8.1 out of the possible 11, in which a higher number indicated higher priority), followed by small business support (7.7) (**Exhibit 27**). (Survey)
- Major employers recommended increasing alignment between local institutions and industry to build workforce pipelines and support economic mobility. (Interviews)
- Ashland's AFN fiber-optic infrastructure was highlighted as a powerful but underutilized asset to support remote work and entrepreneurship in the tech sector. (Interviews)

Community Development and Future Growth

- Stakeholders broadly called for greater regional collaboration to leverage Ashland's unique cultural, educational, and natural assets as part of a cohesive Southern Oregon strategy. (Interviews)
- Stakeholders emphasized the importance of balancing Ashland's unique identity with the need for innovation and growth. Future development should honor Ashland's identity and support values expressed by the community. (Interviews)
- Ashland is widely perceived as a difficult place to develop, largely due to historic barriers such as unreliable permitting, high fees, and

restrictive land use policies. While some stakeholders noted recent improvements, the city’s historical reputation for regulatory hurdles and community resistance continues to deter investment, especially compared to more flexible neighboring cities. (Interviews)

- About half (53%) of Ashland survey respondents believe the local government to be “somewhat supportive” in helping businesses thrive, while 32% believe it is “not supportive” and 15% believe it is “very supportive” (**Exhibit 25**). (Survey)
- Stakeholders envision a more vibrant, accessible, and visually cohesive downtown, but note the need for infrastructure investment and long-term planning. (Interviews)
- When asked if there was a different city Ashland might take lessons from, Ashland survey respondents cited locations across the globe including Boulder, Colorado (5 mentions) and Davis, California (5 mentions). However, over half of responses described other cities in Oregon, with 27 (about 30% of all mentions) listing Bend, Oregon as a city Ashland should work to emulate (**Exhibit 31**). (Survey)

SOU and Student Feedback

- Similar to other groups, students feel affordability in Ashland is a great barrier to their staying and succeeding in the community post-graduation. (Student Forum)
- Students value Ashland’s walkability and natural beauty, but find entertainment and retail options limited—especially for those without cars or under 21. (Student Forum)
- Students desire a greater connection to the city of Ashland (and the region) through improved public transportation, expanded attractions, and inclusive, affordable events and activities that cater to younger, sober, and under-21 audiences. (Student Forum)
- The lack of high paying jobs and career development opportunities further discourage SOU students from envisioning careers in Ashland. (Student Forum)

FINDINGS BY ENGAGEMENT TYPE

Business and Resident Survey

A public survey of businesses and residents was conducted to gather community’s perspectives on Ashland’s economic strengths, challenges, opportunities for growth as well as strategies to support a high quality of life for residents in Ashland. The survey, distributed regionally, also aimed to collect feedback on Ashland’s economic role within the Rogue Valley and provides context which helps to shape a vision for the City’s economic future.

CAI, in collaboration with the City of Medford and the City of Ashland, designed the survey and finally published it online on January 8th, 2025. The

survey was offered in English and Spanish. The survey was accessible online, via QR code, and was mailed and emailed to existing distribution lists from the city communication department. The survey was closed March 5th, 2025.

Appendix A includes the full list of survey questions and analysis of the responses to those questions.

Respondent Demographic Information

Overall, the public survey received 472 responses from residents and business owners throughout Jackson County. 174 respondents live in Ashland, 125 work in Ashland, and 79 own or manage a business in Ashland.

The following are additional characteristics of survey respondents:

- Of the 174 respondents who live in Ashland, 56% (98) work in Ashland. Of the 125 workers in Ashland, 78% (98) also live in Ashland. **(Exhibit 1) (Exhibit 3)**
- Of the 125 respondents who work in Ashland, 14 live in Medford and another 14 live in other areas in the Rogue Valley. **(Exhibit 2)**
- 87% of respondents who identified as Ashland residents are permanent residents, while the rest have temporary housing, move often, or do not have stable housing in Ashland. **(Exhibit 4)**
- Respondents who work in Ashland report mostly working full-time (67%), while 20% work part-time and 8% are retired. **(Exhibit 5)**
- 54% of Ashland respondents are female, compared to 41% reporting male and 4% as non-binary or other. **(Exhibit 6)**
- 88% of respondents speak English only at home, while the remaining 12% speak some combination of English, Spanish, Mandarin and/or Russian. **(Exhibit 8)**
- The majority (67%) of Ashland respondents are over the age of 45, compared to 54% of total respondents. Only 4% of Ashland's respondents were 25 or younger. **(Exhibit 9)**
- 63% of respondents reported a household income over \$75,000, similar to the survey average of 64%. 6% of Ashland respondents reported making an income of \$25,000 or less annually. **(Exhibit 10)**

Ashland's Business Respondents

A total of 146 survey respondents identified as an owner or manager of a business. 79 of these businesses were located within Ashland.

- Within the Ashland business community, 16% of businesses were in Retail Goods, 13% Professional Services, Arts and Food Services both 11%, and 10% in Lodging. **(Exhibit 13)**
- Just over half (53%) of Ashland business respondents have been operational for over ten years. **(Exhibit 14)**

- A majority of Ashland’s business respondents (61%) operate with 4 employees or less). **(Exhibit 15)**
- 45% of Ashland business employees work full-time, 41% part-time and 14% seasonally. **(Exhibit 16)**
- The most common descriptors of the Ashland businesses surveyed were locally owned (91%), women-owned (48%), and family-owned (47%). **(Exhibit 17)**
- Almost half (49%) of Ashland businesses have plans to expand to additional locations, while 29% have no expansion plans, and 12% plan to expand their current location. **(Exhibit 18)**
- When Ashland business owners were asked to rank business challenges in order of importance, business owners, on average, ranked inflation, qualified employees, increased labor cost and unaffordable rents highest. **(Exhibit 19)**
- When asked about workforce challenges, Ashland business owners largely cited talent pool offerings (35%), wage expectations (32%) and skills gaps (28%) as primary employment discrepancies. **(Exhibit 20)**
- Ashland employers mentioned inflation (48%), real estate costs (32%) and labor costs (32%) as economic factors with the most significant impacts on their business. **(Exhibit 21)**
- When asked about other business challenges that may not have been covered by survey questions, Ashland business owners had a wide range of open-ended responses, with no issue mentioned by a majority of respondents. 21% of comments were regarding regulations, 16% included ideas for attractions and 14% expressed further need for small business support. **(Exhibit 22)**

Current Perceptions of Ashland

Survey respondents were asked multiple questions on the economic advantages, strengths and weaknesses currently affecting Ashland business and economic development.

- Ashland respondents saw Workforce Availability and Skill as some of Ashland’s best economic advantages. **(Exhibit 23)**
- Tourism is identified by Ashland respondents as Ashland’s greatest economic asset (with an average rank of 4.0 out of 15), along with the Rogue Valley airport (4.4), Recreational Amenities (4.9), and Southern Oregon University (5.7). **(Exhibit 24)**
- About half (53%) of Ashland respondents believe the local government to be “somewhat supportive” in helping businesses thrive, while 32% believe it is “not supportive” and 15% believe it is “very supportive” **(Exhibit 25)**
- When asked about barriers to equal access for economic opportunity in Ashland, 42% of responses cite cost of living and 21% of responses cite a lack of employers and opportunity. **(Exhibit 26)**

Visioning and Opportunities

Survey respondents were asked multiple questions regarding their vision for Ashland's future and opportunities present for improvement.

- When prioritizing investments for economic development, Ashland respondents ranked jobs with livable wages and upward mobility as the top priority (receiving an average score of 8.1 out of the possible 11, in which a higher number indicated higher priority), followed by small business support (7.7). **(Exhibit 27)**
- While respondents indicated they believe tourism currently to be an asset to the local economy, when asked an open ended question about changes and improvements in the business environment, 29% of responses describe a decreased focus on tourism. A further 25% discuss cost of living improvements. **(Exhibit 28)**
- When asked about Ashland's economy of the future, Ashland respondents describe support for local businesses and arts (29% of responses), a diversified economy (24%), and a lower cost of living (28%). **(Exhibit 29)**
- Similarly, many Ashland residents presented big ideas involving creating attractions and improving the local quality of life. **(Exhibit 30)**
- When asked if there was a different city Ashland might take lessons from, respondents cited locations across the globe. However, over half of responses described other cities in Oregon, with 27 mentioning Bend, Oregon as a strong model. **(Exhibit 31)**
- When asked if there was a different city Ashland might take lessons from, respondents cited locations across the globe including Boulder, Colorado (5 mentions) and Davis, California (5 mentions). However, over half of responses described other cities in Oregon, with 27 (about 30% of all mentions) listing Bend, Oregon as a city Ashland should work to emulate. **(Exhibit 31)**

Interviews and Focus Groups

This project engaged with many of Ashland's stakeholders through interviews and focus groups, gathering feedback about Ashland's economic strengths and challenges as well as asking about a vision of Ashland's economic future. Stakeholders represented the following major interest groups:

- Institutional Tourism
- City Leadership
- Business And Industry
- City Council
- Local Institutions
- Commercial Development

Notably, this effort included reaching out to several healthcare/social service businesses for engagement, but we did not receive any feedback. The summary below reflects key themes exploring the future of Ashland's economic development.

Economic Identity and Diversity

- **Stakeholders noted that post-COVID changes in tourism include a shift to younger, outdoors focused visitors and away from traditional cultural institutions like the Oregon Shakespeare Festival.** This shift has highlighted the city's reliance on tourism and brought concerns from stakeholders on economic vulnerability due to the current reliance on tourism revolving around OSF.
- **Both city employees and local economic leaders agree on the need for more economic diversity to support Ashland's long-term growth and an economy which flourishes through all four seasons of the year.** While tourism supports many local businesses, it also brings challenges like low wages, housing pressure, and economic vulnerability to seasonal trends and climate events. All stakeholders describe various opportunities and strategies to diversify Ashland's economy.
- **Experts in tourism focus on how to diversify the tourism industry in Ashland beyond the Oregon Shakespeare Festival to attract visitors with Ashland's other assets,** including ski trails, mountain biking and other recreational assets, and other events such as the Mystery Festival or a Comedy Festival.
- **Experts in Commercial Development and Industry emphasize the need to diversify the economy through local entrepreneurship and existing niche industries.** Participants pointed to specialty manufacturers and creative firms as growth areas that could help balance the economy. Some expressed concern that the city's identity and policy choices overly favor tourism at the expense of broader economic development. Other stakeholders explore diversification through investing in new industries for the city, including light manufacturing, green technology, and professional services. Still others suggest strategic targeting industries already growing in Ashland, such as healthcare, food processing, high end restaurants and retail services.
- **Multiple interviewees expressed how important it is for the city to align economic development in Ashland with their established values and identity, primarily around sustainability and environmentally friendly growth.**

Tourism in Ashland

- **Tourism remains the backbone of Ashland's economy, but stakeholders are actively working to broaden its appeal and stabilize it year-round.** Tourism stakeholders acknowledged that Ashland's economy is fundamentally dependent on tourism to sustain its density of restaurants, retail, and cultural venues. Most stakeholders are pursuing efforts to extend

the visitor season through winter events, festivals, and new branding strategies that diversify tourism beyond OSF. Developing Ashland as a "basecamp" for Southern Oregon and targeting drive markets like Portland and Seattle are seen as key tactics for long-term sustainability.

- **Collaboration across tourism and business sectors is fragmented, and stronger coordination is needed to align efforts and scale impact.**

While many groups and individuals are leading successful initiatives (Ashland Chamber of Commerce, Epic Ashland, Travel Ashland, being a few mentioned), participants noted that these efforts often happen in silos, missing opportunities for synergy. Participants called for shared infrastructure, communication, and cross-promotion to elevate Ashland's collective impact. Branding efforts like "Storytown USA" and event coordination may show promise, but require more leadership and investment to reach scale.

- **Ashland is making progress in attracting families and younger visitors, but infrastructure and perception challenges persist.**

Stakeholders highlighted emerging family-friendly assets like beginner trails, ice cream shops, and events, but noted that more is needed to compete with peer destinations. Accessibility, parking, and wayfinding were cited as barriers for some visitors, especially older or disabled guests.

- **Wildfire smoke, rising costs, and housing availability continue to pose significant threats to tourism viability and workforce stability.**

Although local fire conditions have improved recently, the unpredictability of regional smoke has shifted peak seasons and added financial risk. Employers are seeing increased interest from job seekers, but housing shortages and high costs remain major barriers to staffing, especially for seasonal or temporary workers. Participants expressed interest in promoting Ashland as a "fire-wise" destination and implementing resilience strategies to address long-term risks.

- **Stakeholders envision a more vibrant, accessible, and visually cohesive downtown, but note the need for infrastructure investment and long-term planning.**

Participants called for improvements to streetscape, signage, lighting, and wayfinding—especially at gateways and downtown entry points. Existing issues like poor sidewalk ramps, outdated fixtures, and visual clutter were described as detracting from the visitor experience. There was shared interest in a clear 20-year plan to guide downtown revitalization and align with broader community growth goals.

Housing Affordability and Workforce Challenges

- **High housing costs were identified by stakeholders as a major barrier to attracting and retaining essential workers, especially in healthcare, education, and service sectors.** Most workers employed by Ashland-based firms commute from surrounding cities, which increases wage pressure and limits talent attraction. Some viewed housing as a regional issue, suggesting that improving public transit and commuter systems to more affordable towns and cities around Ashland could reduce strain on Ashland's housing stock.

- **High housing costs significantly impact SOU student retention in Ashland after graduation; despite interest in staying, many students are priced out of the local housing market.** This limits the city's ability to retain young, educated talent, undermines workforce development, and contributes to the growing disconnect between the student population and long-term community integration.
- **Stakeholders emphasized the urgent need for accessible, community-based housing for young families and workers.** Commuting into Ashland was seen as a significant detriment for business owners looking to hire entry level or lower paying positions. One example of this is the local hospitals, with interviewees sharing that even though the hospital system offers competitive wages, they have difficulty filling non-clinical roles that are vital for their operations.
- **Stakeholders differ on ideas to improve housing affordability.** Some believe that the Urban Growth Boundary and the state's land use laws pose a barrier, while others advocate for increased building incentives and more applicable local policy. Still others suggest that Ashland embrace a more regional approach to housing which relies on nearby communities like Talent and Phoenix to continue to provide affordable housing.
- **Ashland's high quality of life and natural beauty help attract leadership talent, but workforce recruitment is limited by housing costs and regional labor dynamics.** Manufacturing employers reported that most of their workers live in Medford, White City, or other nearby areas due to affordability. While Ashland appeals to executives and transplants seeking lifestyle benefits, recruiting younger or entry-level workers is more difficult. Cost of living and a lack of suitable housing for working-age residents and families were frequently cited as barriers to worker retention as well.
- **Employers recommended increasing alignment between local institutions and industry to build workforce pipelines and support economic mobility.** Participants noted a disconnect between SOU, Ashland High School, and the region's employers, with few internships, job fairs, or training partnerships. There was interest in collaborating with education partners to support career exploration and skill-building at the local level. On-the-job training and entry-level pathways were seen as viable if institutional partnerships could be strengthened.

Infrastructure, Land Use, and Development

- **Ashland's limited manufacturing base and constrained space hinder industry growth, prompting many companies to expand in other regional cities.** White City and Medford were repeatedly cited as more viable locations for industrial or business expansion due to cheaper land, less regulation, and a larger labor pool. Businesses saw Ashland as an excellent headquarters for culture and leadership, but not as the primary site for production or scaling. The lack of large, ready-to-develop sites, and the cost of

retrofitting older buildings, were barriers to growing Ashland's industrial footprint.

- **Ashland is often viewed as difficult to build and do business in, due to restrictive state land-use laws and a complex permitting process.** Stakeholders criticized these regulatory hurdles as discouraging both industrial and commercial investment. Others noted that this process has improved in recent years, but historical perception bears a heavy influence.
- **Suggested opportunities for redevelopment** include unused areas like the Croman Mill site and the railroad district, which could be turned into light industrial zones, business incubators, or mixed-use developments. Stakeholders highlighted Croman Mill as a major opportunity for new housing, employment, or campus-style development, but cited infrastructure and cleanup hurdles like the area's special planning requirements and remaining environmental remediation needs. Participants suggested reviewing zoning and flexibility tools and tapping state/federal programs to make these sites development-ready.
- **Ashland's AFN fiber-optic infrastructure was highlighted as a powerful but underutilized asset to support remote work and entrepreneurship in the tech sector.**
- Stakeholders believe that **current development incentives from Ashland and Oregon, may be underutilized** or mismatched relative to local demand. For example, there are many incentives to build mixed-use developments, but they do not offset the cost of building enough to lower the cost of rent. Mixed-use development is considered desirable but financially infeasible under current market conditions and incentive structures. Participants said that construction and operational costs for mixed-use buildings remain too high relative to local demand for space, while incentives such as abatements or zone overlays were viewed as insufficient to close the cost gap or offset risk. Seismic retrofits, elevator requirements, and lack of density demand were noted as additional constraints.
- Participants emphasized the need to **support and retain existing small businesses, especially those seeking to improve or adapt properties.** Stakeholders said that even modest upgrades can trigger expensive code compliance issues, which disproportionately impact small business owners. Supporting reinvestment in older buildings and providing technical assistance or fee relief were suggested approaches.

Community Health

- **For multiple stakeholders, mental health and emotional well-being emerged as foundational concerns across sectors.** SOU data showing mental health as the top reason students drop out, rather than academic performance. Business leaders noted similar challenges in workforce retention at regional employers.
- **Stakeholders called for investments in community wellness infrastructure and policies that support emotional resilience.** There is

a strong emphasis on the idea that economic development must include social and emotional health as part of a comprehensive strategy.

Regionalism and Community Collaboration

- **There is strong support among stakeholders for increased collaboration across cities, sectors, and institutions to promote shared regional economic goals.** Stakeholders emphasized partnerships with organizations like SOREDI and nearby communities as essential to Ashland's future economic resilience. SOU's President's Employers Roundtable was cited as an effective model for aligning educational outcomes with workforce needs and long-term planning efforts.
- **Stakeholders broadly called for sustained regional dialogue and coordination to better leverage Ashland's unique cultural, educational, and natural assets as part of a cohesive Southern Oregon strategy.** Local institutions are actively engaged in fostering cross-sector cooperation, such as the Chamber of Commerce's ongoing partnerships with SOU, the City of Ashland, and local development groups.
- **When it comes to supporting business, several participants expressed a need for stronger business-to-business networking and mentorship to support local entrepreneurship and industry growth.** Stakeholders shared that they were often unaware of other businesses operating in Ashland and saw value in creating sector-specific meetups or forums. Support organizations like SOREDI and the Chamber were appreciated, but businesses called for deeper peer-to-peer connections and practical resources. Mentorship opportunities for new or scaling businesses were highlighted as a key gap.

Community Character and Change

- **Stakeholders emphasized the importance of balancing Ashland's unique identity with the need for innovation and growth.** While there was recognition of the city's strong cultural, environmental, and aesthetic character, there was also agreement that thoughtful, value-aligned development is essential for long-term sustainability. Developers and land owners believe that form-based development standards and community development fees may add to Ashland's character and desirability, but also wonder if it adds costs to projects – costs they wouldn't face in nearby areas.
- **Stakeholders encouraged a “yes, and” approach, which focused on supporting growth that complements rather than compromises Ashland's distinct character.** The proposed university district, integrating senior living, student housing, retail, and public amenities, was cited as a model for multi-purpose development that serves diverse community needs.
- **There was a unified call for smart, intentional growth guided by shared community values and a long-term vision, ensuring that Ashland evolves without losing what makes it special.** Participants took pride in Ashland's distinct identity and expressed a desire to see future

development enhance—rather than erode—the city’s sense of place, character, and connection to the natural environment.

Southern Oregon University Student Forum

This pop-up event, hosted at the SOU Student Union, included a discussion with 12 Students from SOU. The diverse group of participants included 5 freshman, 1 sophomore, 4 juniors and 2 seniors. The students represented majors in Sustainability, Economics, Music, Political Science, Communications, Chemistry, Education, Sociology, Business, and Computer Science.

The discussion explored challenges and opportunities that students experience living, studying and working in Ashland as well as a vision for the future of Ashland’s economy.

Opportunities

- Students appreciate Ashland’s natural beauty, small-town charm, and easy access to hiking and outdoor recreation.
- Many students chose SOU specifically because of the walkable environment and scenic setting.
- SOU has strong community ties; faculty help connect students to internships and local job opportunities. Professors were praised for helping connect students with opportunities, however, these connections were often limited to university-related networks.
- Students value the arts and culture scene, though some find it intimidating or inaccessible.
- Interest in youth-friendly activities, such as go-karts, non-alcoholic events, and expanded public gatherings. Students pointed out a lack of indoor, non-alcohol-centric venues and wanted more variety in affordable entertainment options. Existing programs like Open Mic or First Friday were appreciated, but not widely known or accessible. Students called for better promotion and earlier timing of events to increase participation.

Challenges

- The students perceive that Ashland’s local economy is geared more toward retirees and tourists than young professionals, making it difficult for students to envision their life after graduation in Ashland. The cost of living and constrained job market pushed students to look elsewhere for their next steps
- Several students described Ashland as unaffordable, particularly when starting out in their careers. Others noted a lack of entry-level or industry-aligned job opportunities outside the university.
- Students noted that there are few job opportunities in economics, STEM fields, and limited networking or career development events. The perception that SOU and Ashland are heavily arts-focused is accompanied by limited pathways in other fields like physics, economics, or agriculture. Opportunities

in food systems, especially processing infrastructure, were described as underdeveloped despite a strong local agricultural base.

- There was a perceived disconnect between SOU and the broader Ashland community; students often identify more with the university than the town. This lack of broader community integration reduces students' interest in staying after graduation.
- This disconnect was partially due to a lack of activities for their age demographic, particularly for those under 21. Students without cars also often felt isolated on campus, as the local public transportation is insufficient for reaching Medford or grocery stores in the surrounding region (while the Route 10 bus was praised, many said it wasn't a viable substitute for accessing Medford regularly). Limited shopping hours, entertainment options geared toward older adults, and a lack of youth-oriented venues were also seen as barriers to fully enjoying the city.
- Some students, with expertise in agriculture, voiced concerns about long-term sustainability of local farming and the lack of mid-chain processing facilities in Ashland.

City Council and Planning Commission

Ashland's Planning Commission reviewed the Inclusive Engagement Plan which directed the engagement conducted in support of the Economic Opportunity Analysis. This is the engagement described in this engagement summary.

Preliminary findings, including analysis of the Buildable Lands Inventory (BLI), economic forecasts, and emerging community priorities, were presented to the Planning Commission and the City Council of Ashland in person on April 22, 2025 at a Joint Session. Discussion at the session included feedback on the direction of the project, and discussion on strategic elements including concerns about limited available land controlled by a few major owners, and the untapped potential in redevelopment, city-owned parcels, and underutilized properties. Demographic shifts, including an aging population and fewer families, also raised important workforce and housing challenges that are of interest to both parties

Upcoming presentations will present the draft complete Economic Opportunity Analysis Report. These include a virtual presentation to the Planning Commission on 5/27/25 and an in-person presentation to City Council on June 3rd.

APPENDIX A: SURVEY RESULTS

About the Respondent

Exhibit 1. Where do you live? (Survey Total, All Respondents)

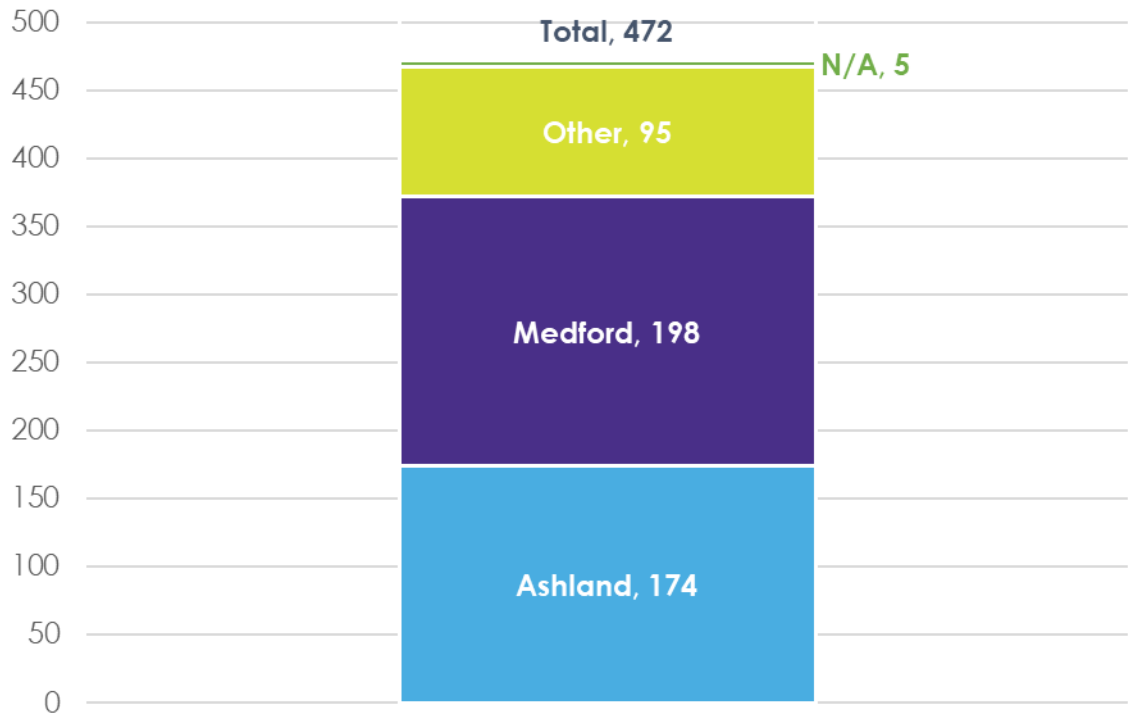


Exhibit 2. Where do you work? (Survey Total, All Respondents)

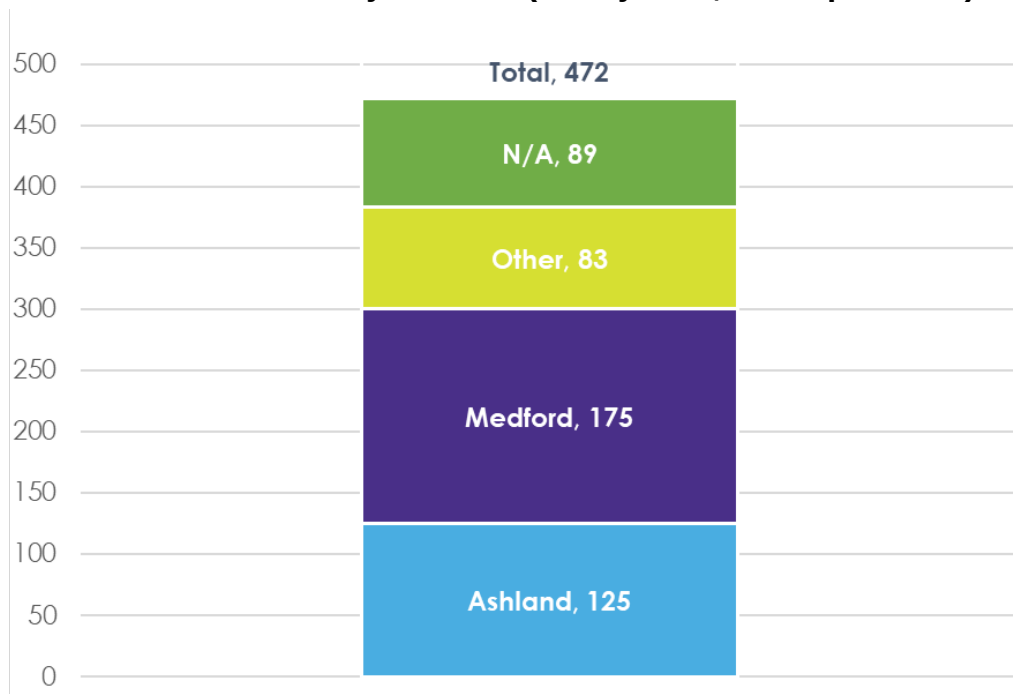


Exhibit 3. Ashland Resident Working Location vs Ashland Worker Living Location, 2025 (Ashland Residents and Ashland Workers)

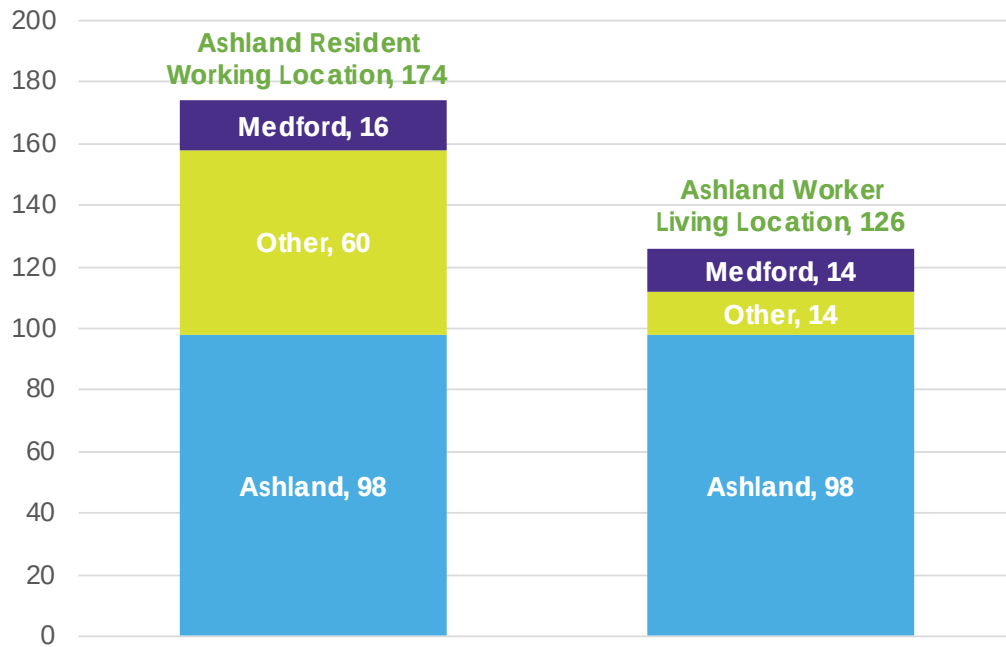


Exhibit 4. What is your living situation? (Ashland Residents Only)

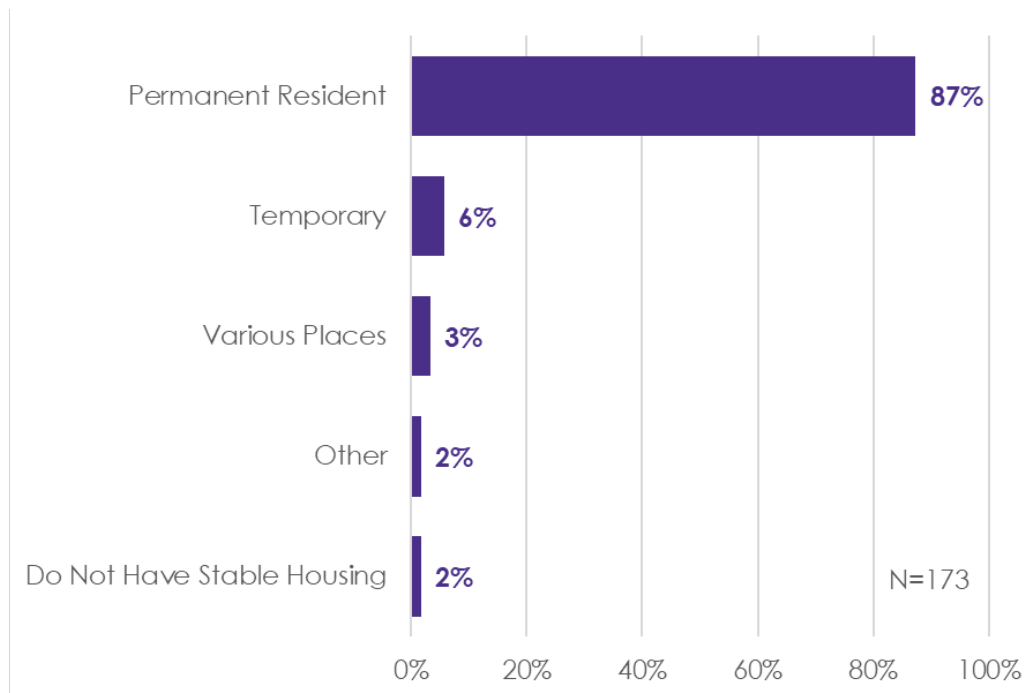
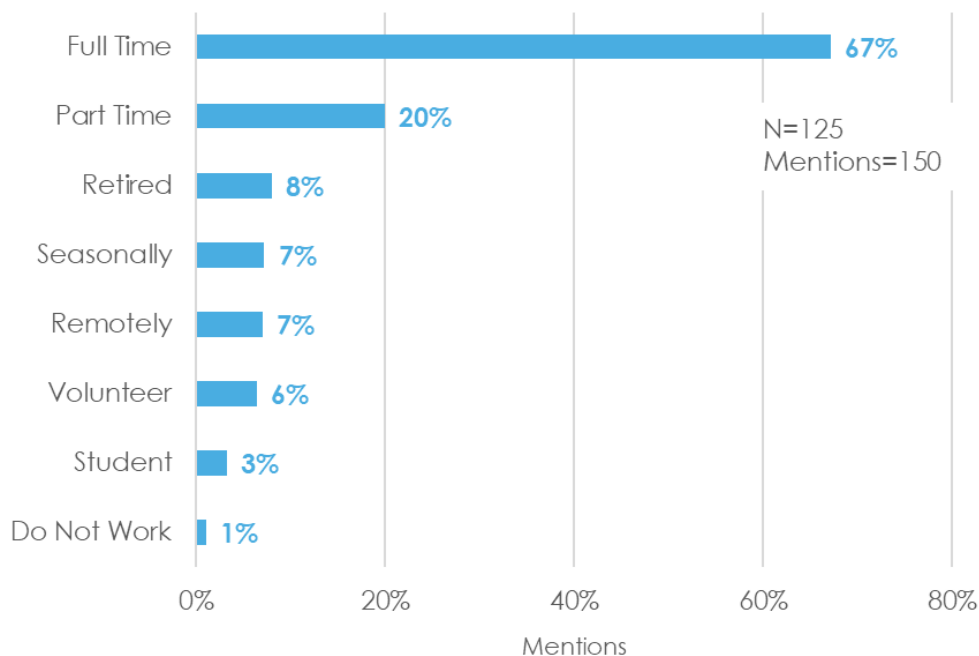


Exhibit 5. What is your work situation? (Ashland Workers Only)



Respondent Demographics

Exhibit 6. What is your gender? (Survey Total, Ashland Respondents)

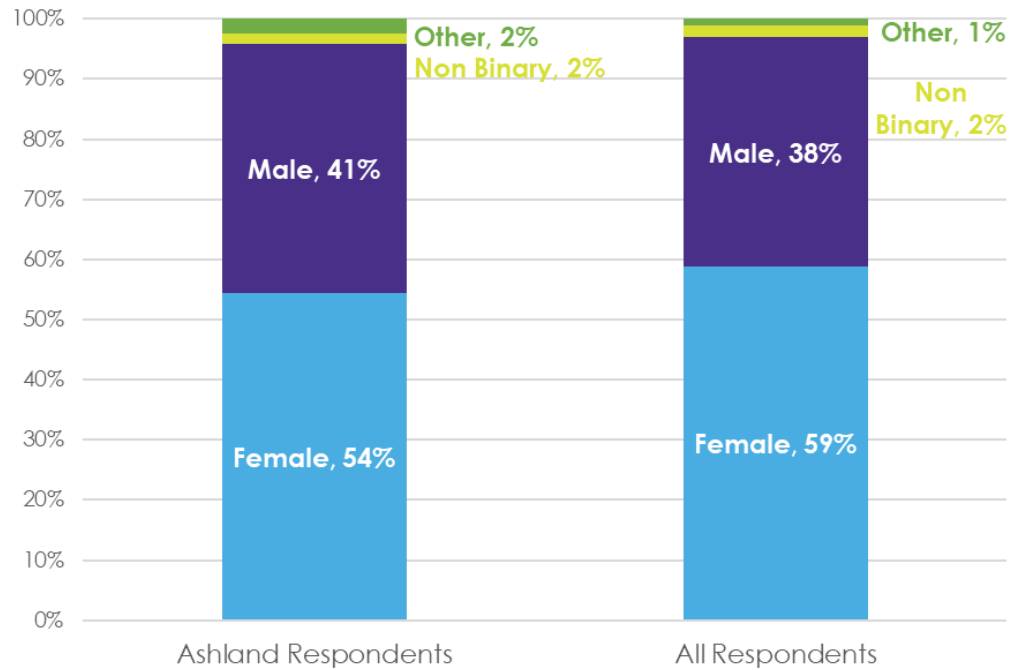


Exhibit 7. What is your race / ethnicity? (Survey Total, Ashland Respondents)

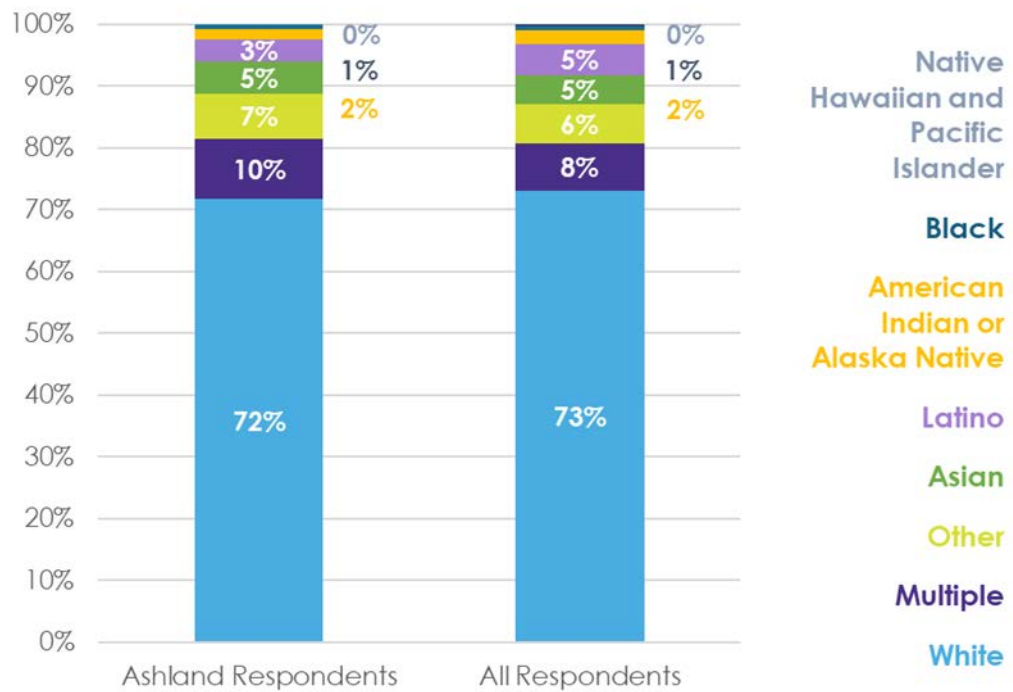
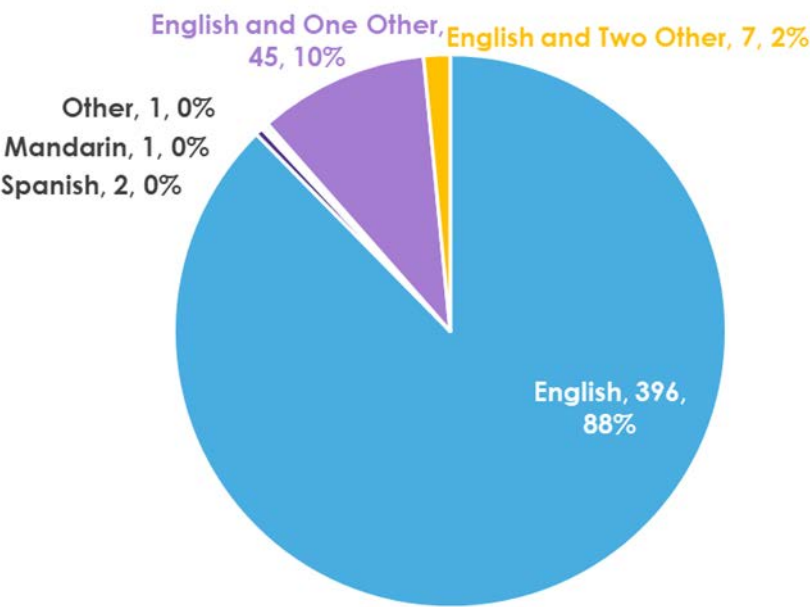


Exhibit 8. What language(s) is / are spoken at your home? (Survey Total)



Other languages spoken at home included Spanish, Mandarin and Russian.

Exhibit 9. What is your age? (Survey Total, Ashland Respondents)

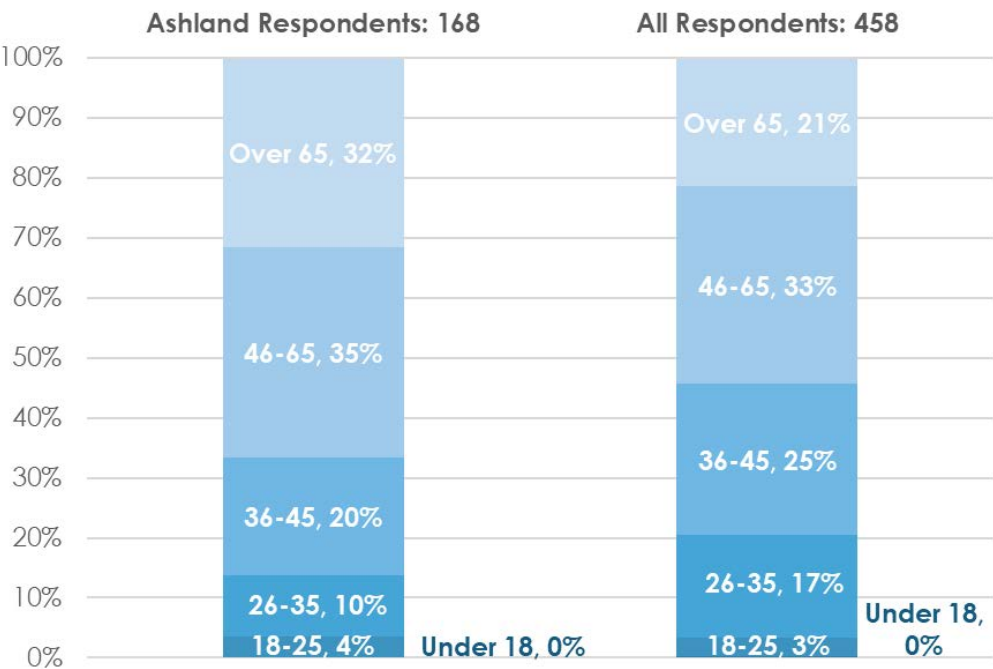


Exhibit 10. What is your household income? (Survey Total, Ashland Respondents)



Local Business Demographics

Exhibit 11. Are you a business owner (or otherwise representing a business-interest)? (Survey Total)

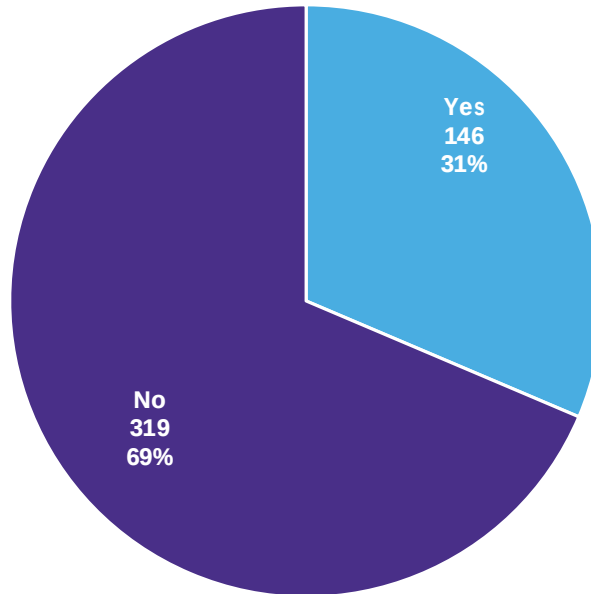
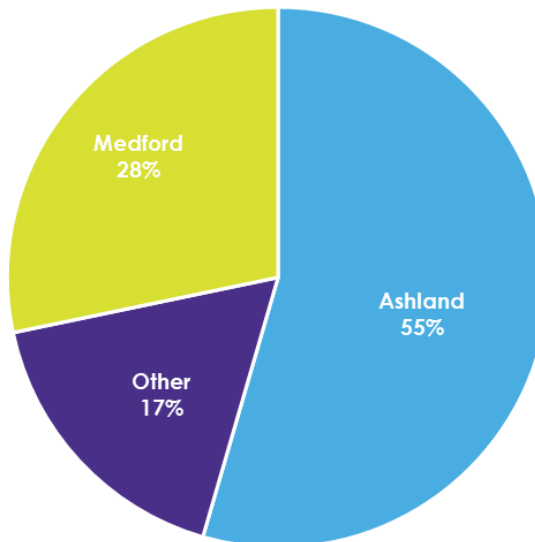
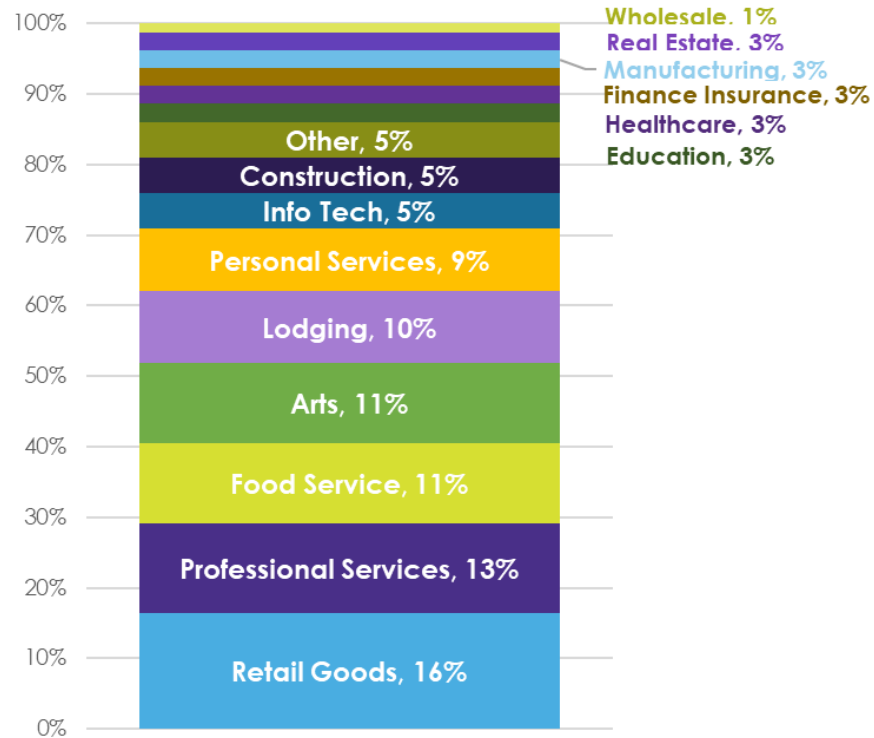


Exhibit 12. Where is your business located? (Survey Total)



Ashland's Business Community

Exhibit 13. What industry does your business operate in? (Ashland Business Respondents) (N=79)



Source: Survey, 2025; CAI 2025

Exhibit 14. How long has your business been in operation? (Survey Total Business Respondents, Ashland Business Respondents)

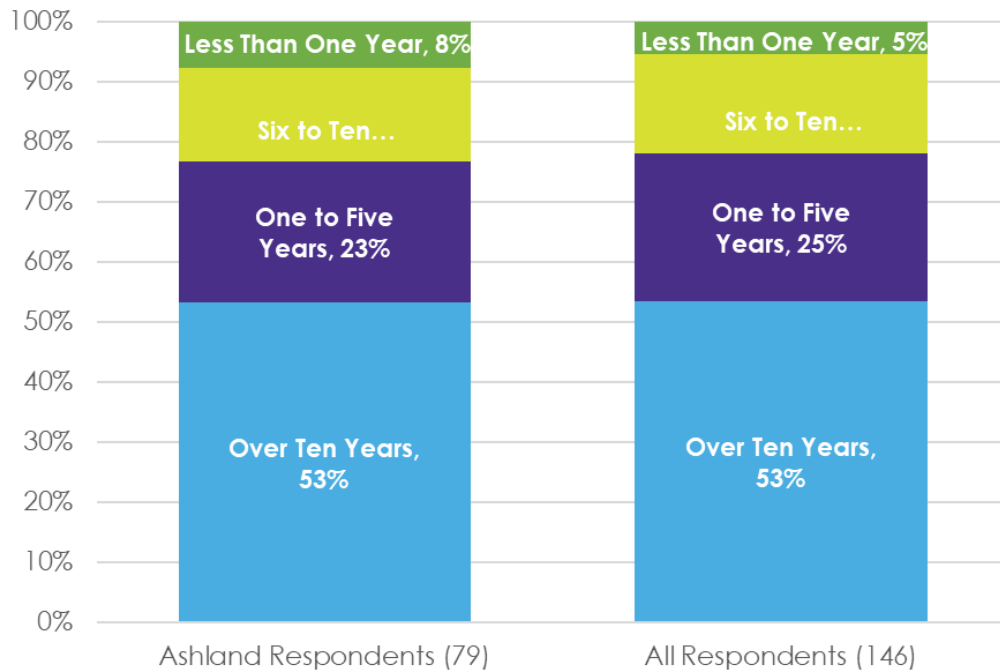


Exhibit 15. How many employees do you have (Survey Total Business Respondents, Ashland Business Respondents)

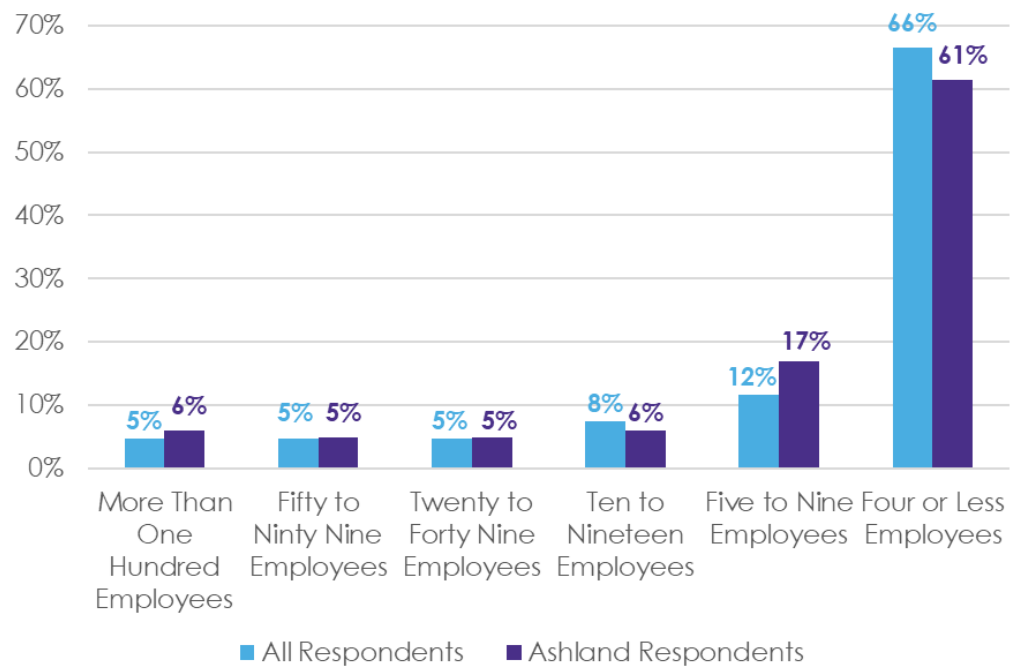
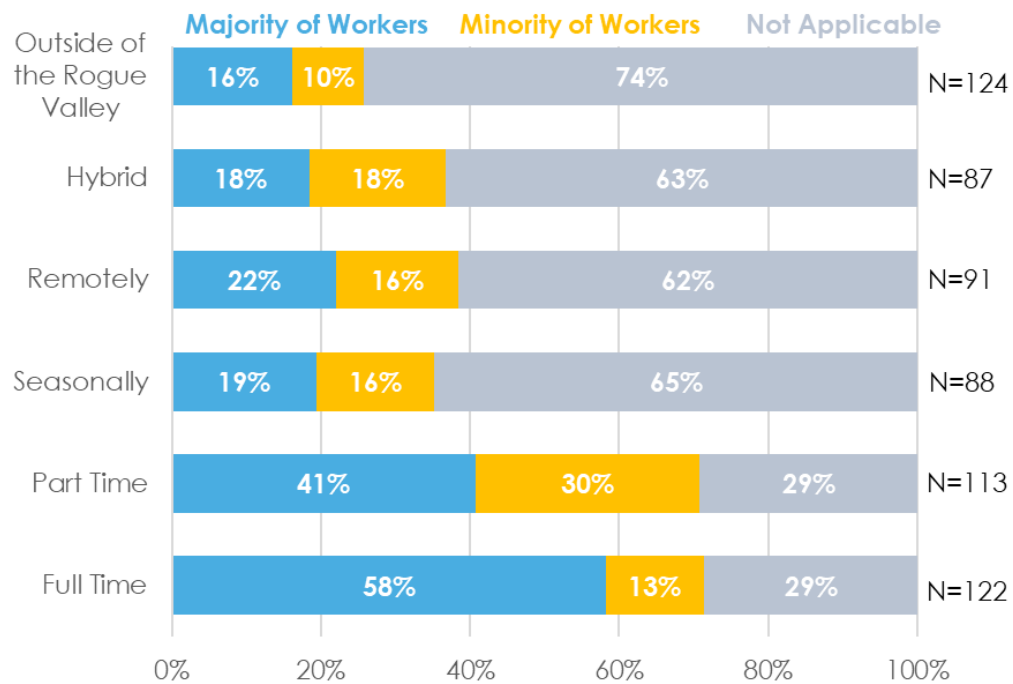


Exhibit 16. Approximately what proportion of your employees work full time, part time, seasonally, remotely, hybrid, and/or outside of the Rogue Valley? (All Business Respondents)



(Ashland Businesses Only)

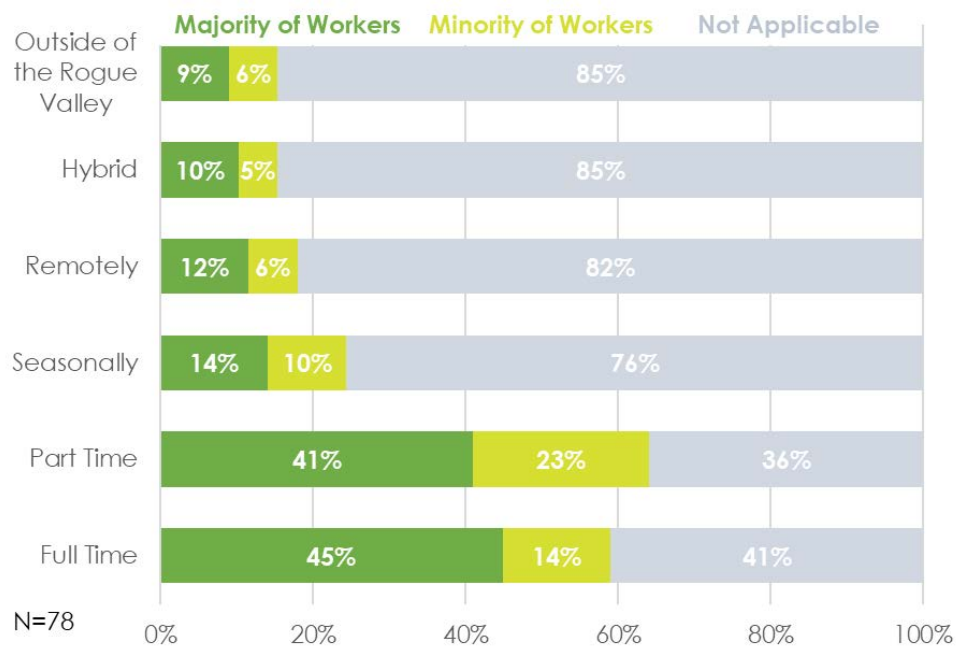


Exhibit 17. Select all that apply to your business: (Survey Total Business Respondents, Ashland Business Respondents)

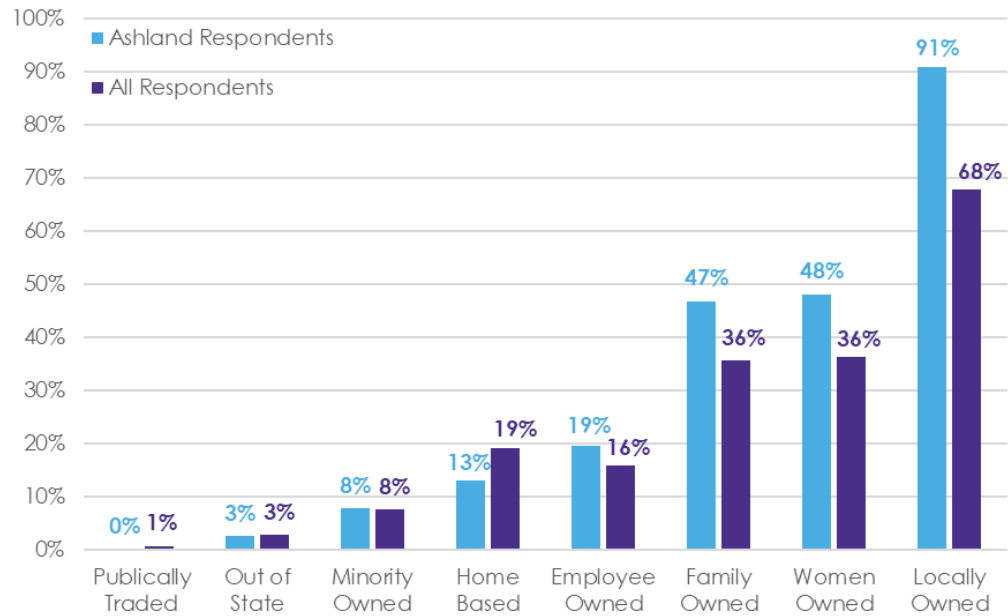


Exhibit 18. Does your business have plans to expand and grow in Jackson County in the next five years? (Ashland Business Respondents)

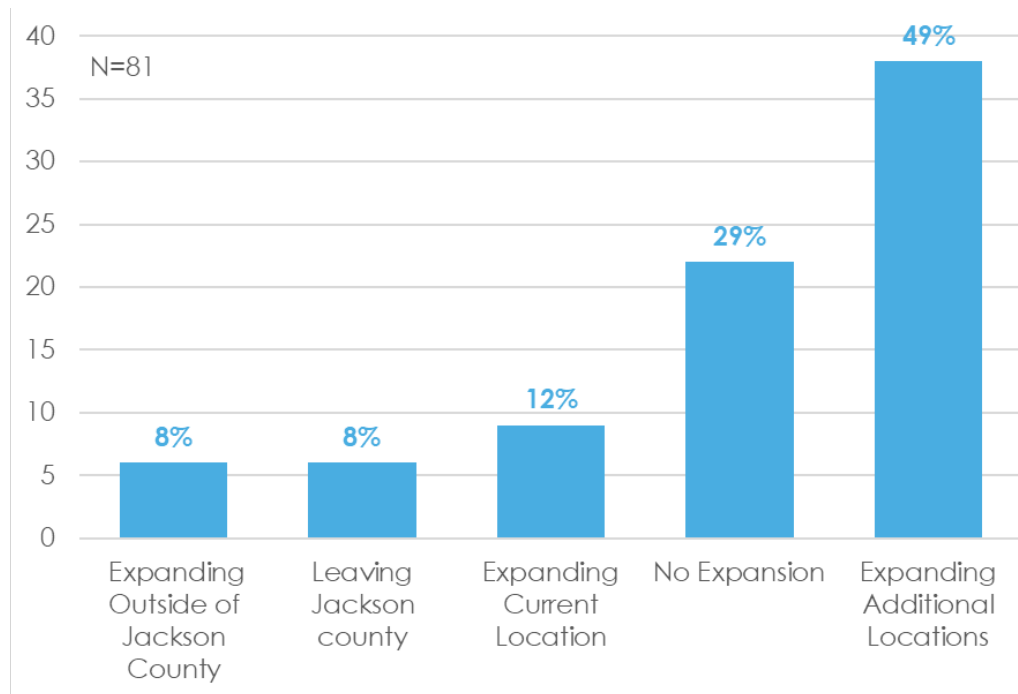


Exhibit 19. Please rank these challenges according to their importance for your business. (Ashland Business Respondents)

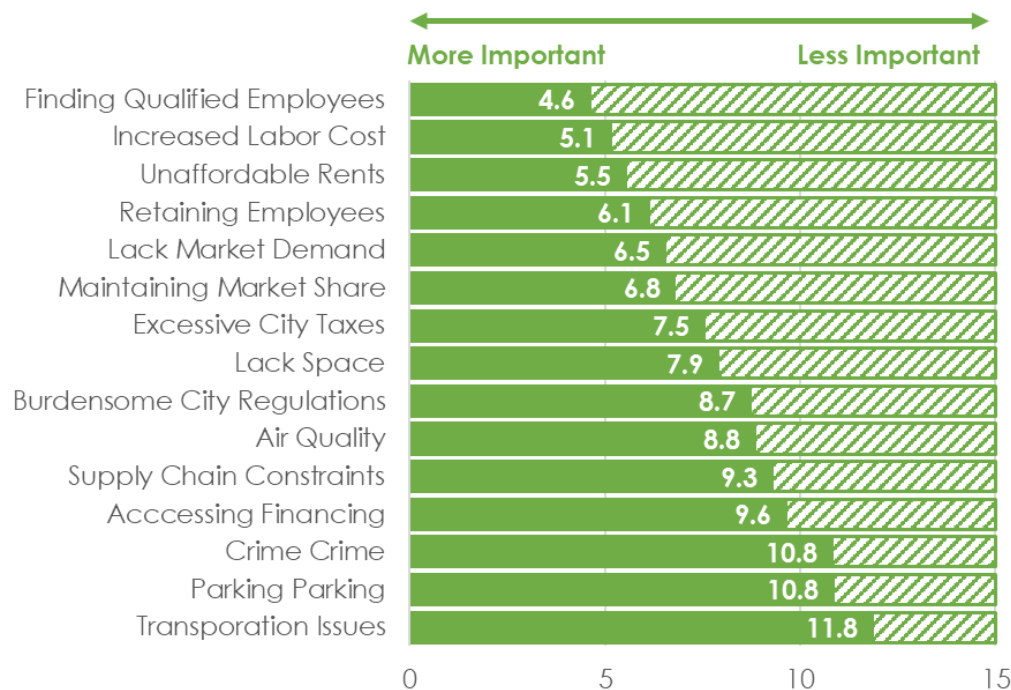
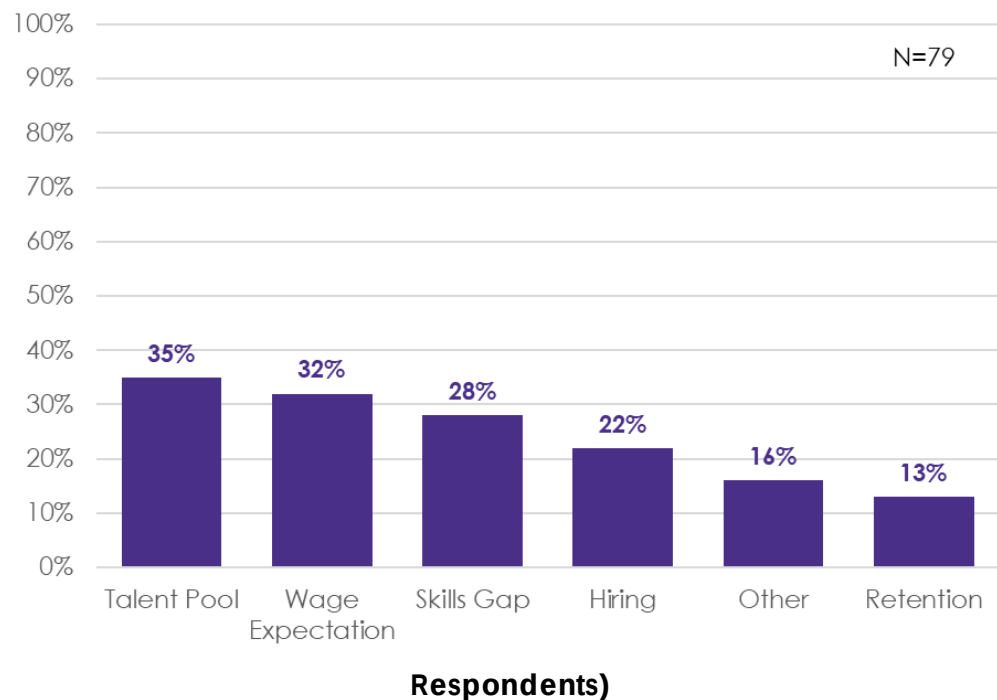


Exhibit 20. What are your biggest workforce challenges? (Ashland Business



Other responses largely included businesses which did not relate to having workforce-related challenges. Some example responses include, “we have excellent people and pay them well”, “we are family owned and operated only”, and “I am a solo practitioner with no workforce challenges”.

Exhibit 21. What economic factors (local or broader) have the most significant impact on your business? (e.g., inflation, taxation, real estate costs, labor costs, supply chain, etc.) (Open Ended) (Ashland Business Respondents)

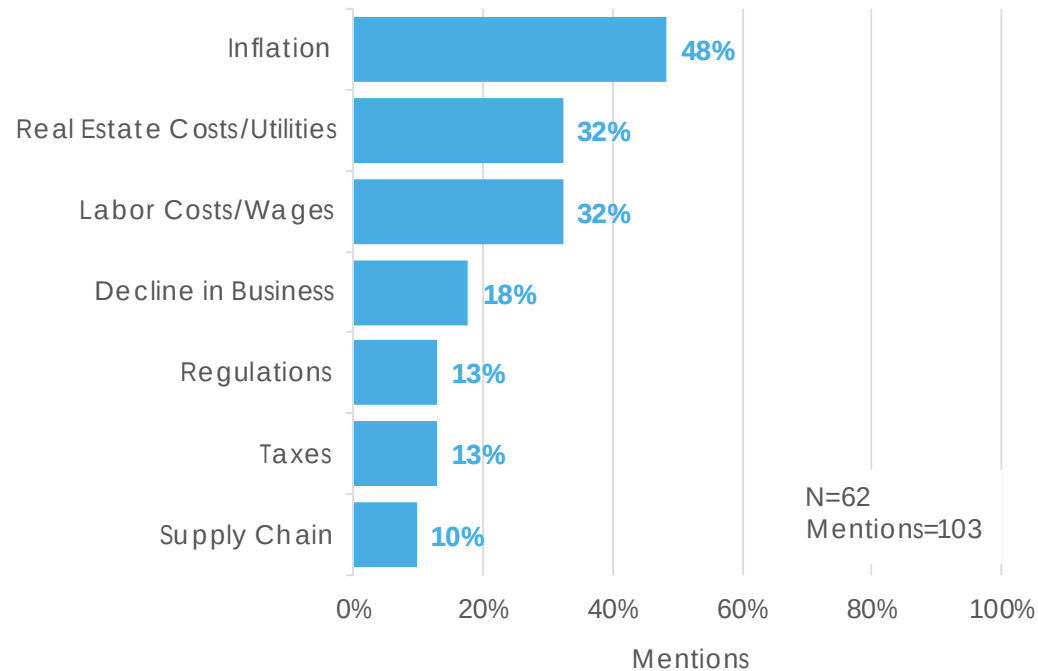
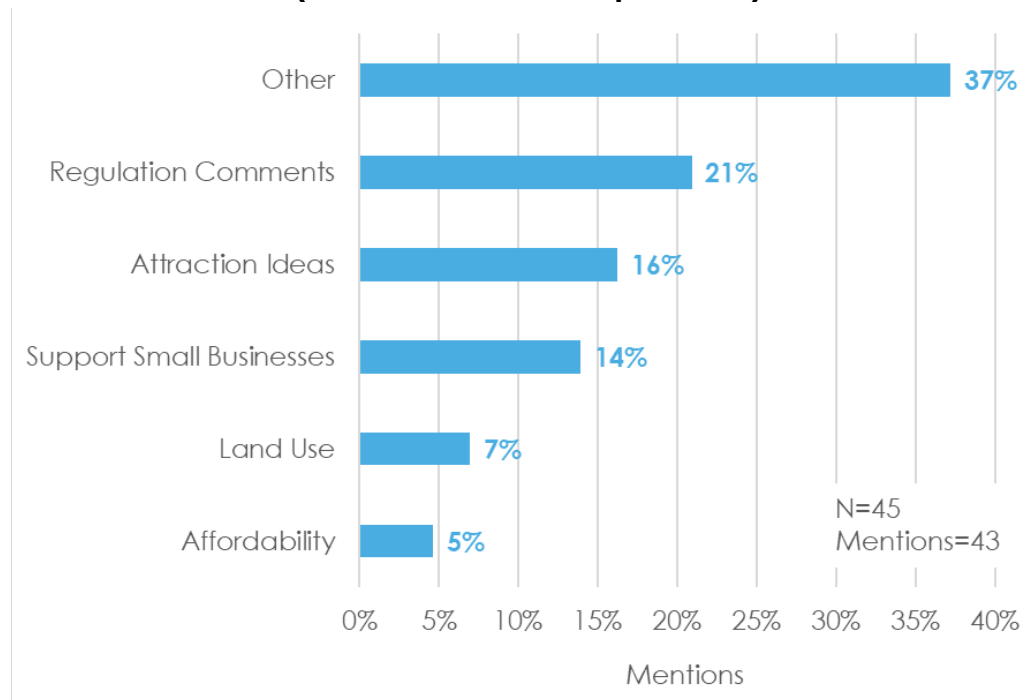


Exhibit 22. Is there anything else you'd like to share about your business's needs, challenges, or future opportunities in Ashland? (Open Ended) (Ashland Business Respondents)



Other comments include comments on public services, Ashland's economy, and various areas where business owners have felt support was lacking. Responses to this question included;

- Some stability would be huge relief! In the 8 years I've had the business we have had to contend with 2 of the worst smoke summers, lack of snow in winter, construction impeding business access, COVID-19, the Alameda fire, a fire in my building causing business closure for 2 years, moving to a new location after struggling to find one, starting over with new staff, and funding 2 commercial build-outs of a retail space. I was also personally homeless for a year.
- Post office in this city overwhelmed and subpar.
- City needs to clean up or bus out the homeless population.
- need more technology skills coming out of the local university
- Our business property is located at the north entrance of the city, and is highly visible to incoming visitors. One of our major desires is to landscape this visible front bank, but (after some considerable research) we see that to do so is totally unaffordable, what with the cost of landscaping and subsequent water demands.
- After my initial introduction (self initiated) I never felt any kind of support from our local Chamber. No reaching out to see what kind of help or support. No follow up after my initial introduction and phone calls. No support on local special events such as the 4th of July Parade, Halloween Parade or Mystery Fest. Felt I was pretty much left to my own devices and the support I was able to garner from other small local businesses.
- I was looking towards the Ashland area as a potential place to break ground on a new technology venture, but over the past few years it has wandered away from desirability in this sphere; Medford is potentially in reach, but there is less and less to attract me away from more urban technology center such as Portland, Seattle or San Francisco, and there are less of the incentives normally found in secondary tech hubs such as Boise , Raleigh etc.
- City has done no improvements to the downtown core. There are no public restrooms for our tourists to use. We have 1000's of acres of parks and no restrooms are ever open for tourists to use. City keeps stealing public parking for its employees along Winburn way and none for people using Lithia park.
- We would like to expand our business into more high end wedding and events. Ideally we would like to open another shop in Medford.
- Summer is very slow sometimes don't have enough money to pay
- Wheelchair and mobility impaired accessibility is a big problem. Office space with these features tends to be prohibitively expensive for small practitioners.
- I want to quit this survey. There is no queer-owned or Black-owned or Indigenous options on the previous screen. Yes, I see you had an

option for minorities and women, but the lack of diversity in this survey is indicative of why I'm struggling with keeping my business in the Rogue Valley. The lack of diversity here, and how it's reflected in every facet of business, leaves me feeling very isolated and discouraged.

- We look forward to continued growth.
- The sky is the limit for film and media production in Southern Oregon
- We are selling and investing in Vancouver Canada and not this country or this climate
- Better regional transportation is a primary driver for our business. This is both locally in Ashland for a tourism-focused transportation option, but also regionally to connect Medford with tourism options in the south end of the valley for locals.

Current Perceptions of Ashland

Respondents were asked if they wanted to answer questions for Medford, Ashland or both. The following exhibits include responses that were indicated for Ashland or both.

Exhibit 23. Consider these features in the City of Ashland. Please indicate on the following scale whether each is an economic advantage (on the right) or disadvantage (on the left). [Scale 1 – 5] (N=289) (Ashland Respondents)

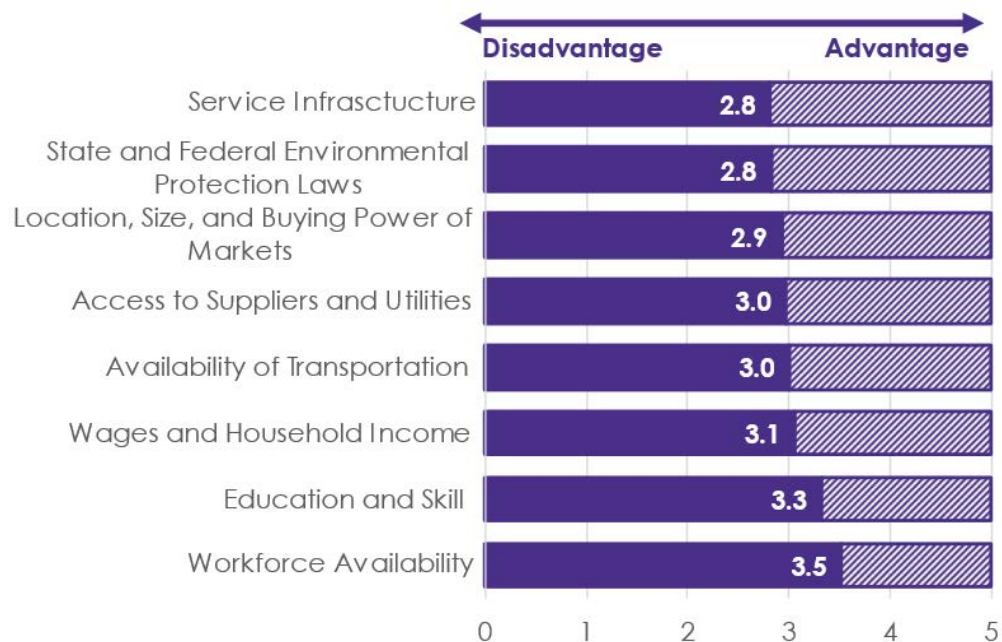


Exhibit 24. Please rank these strengths and assets in order of their importance for Ashland's economic future (N=281) (Ashland Respondents)

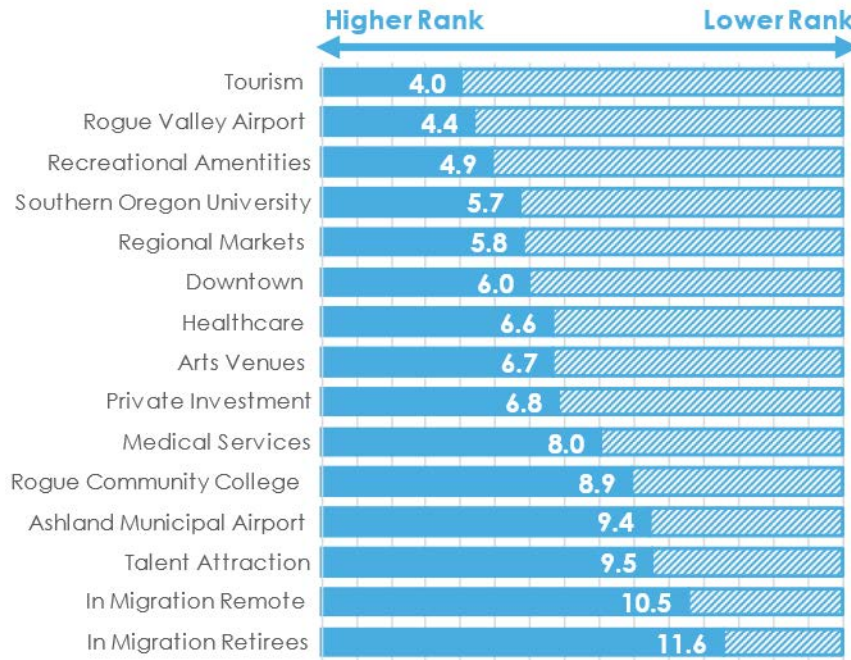


Exhibit 25. How supportive is the local government in helping businesses thrive? (Ashland Respondents)

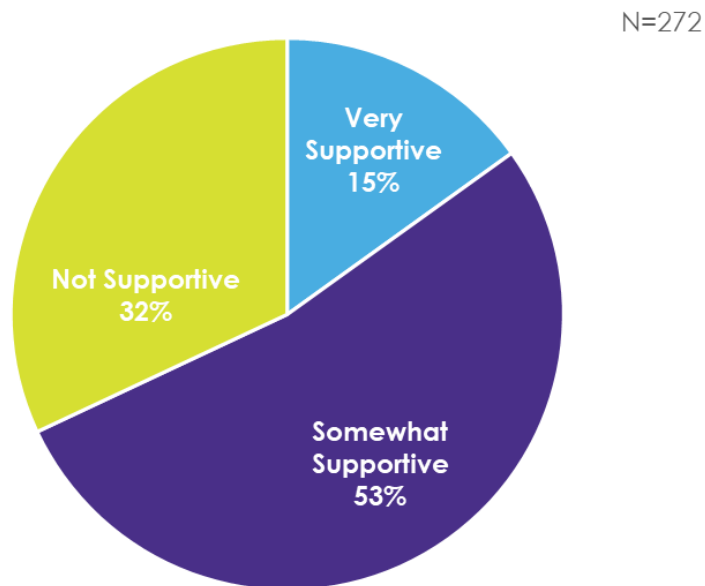
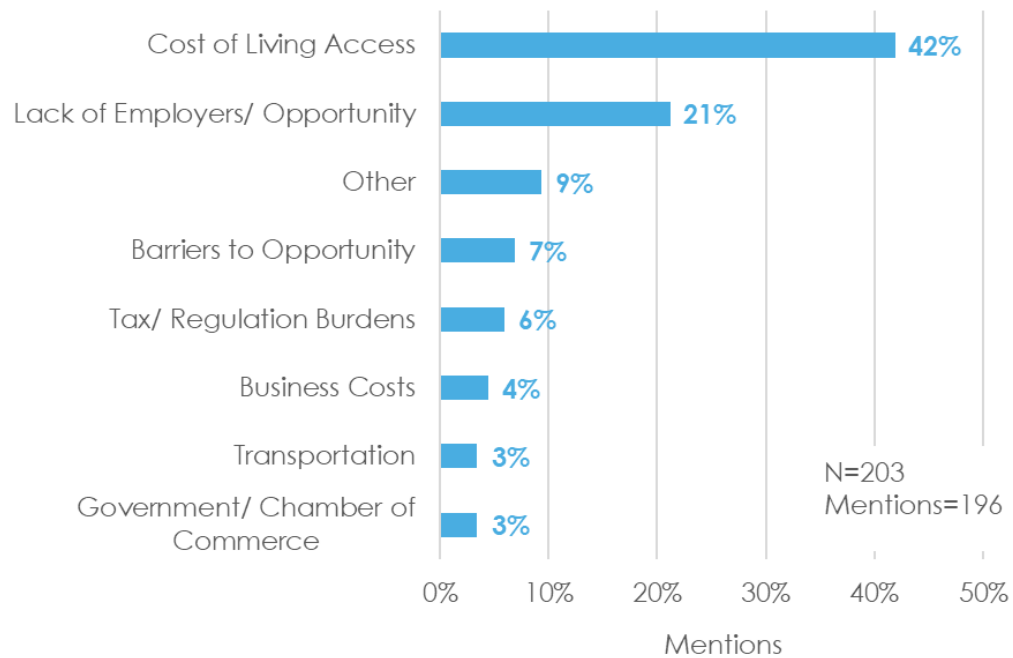


Exhibit 26. Thinking of Ashland, what concerns do you have, if any, regarding equity in the economy or in economic development? (Open Ended) (Ashland Respondents)



Economic Vision and Opportunities

Respondents were asked if they wanted to answer questions about Medford's economy, Ashland's economy or both. The following exhibits include responses that were indicated for Ashland or both.

Exhibit 27. Thinking of the City of Ashland, please rate the listed economic opportunities and/or strategic consideration from an economic development perspective on a scale of 1-10 (low to high priority). (N=298) (Ashland Respondents)

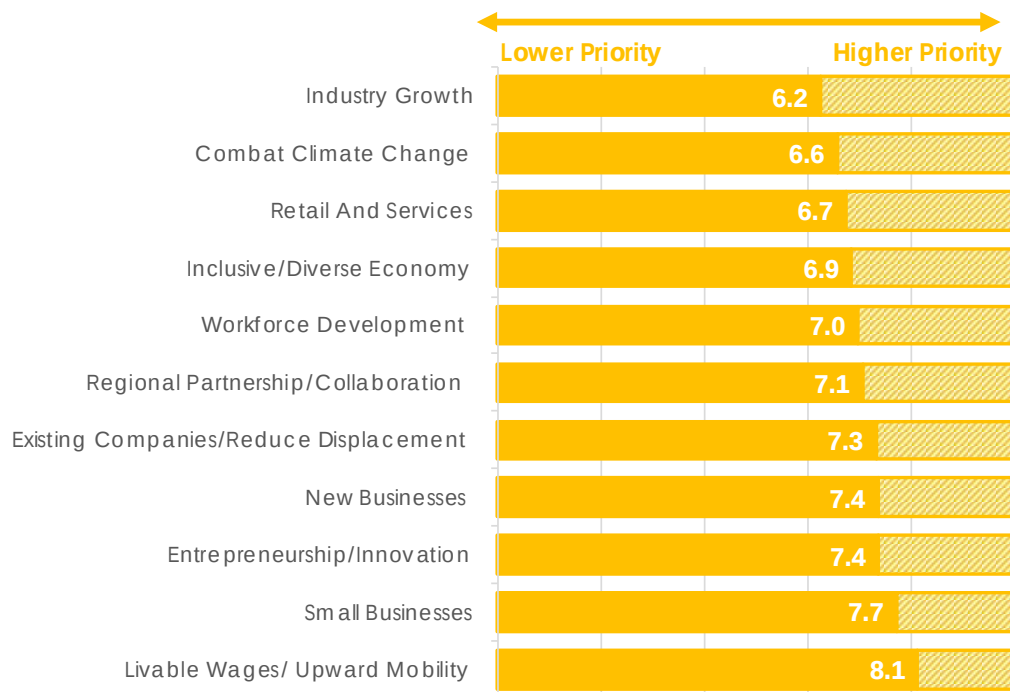


Exhibit 28. What changes or improvements would you like to see in Ashland's business environment? (Open Ended) (Ashland Respondents)

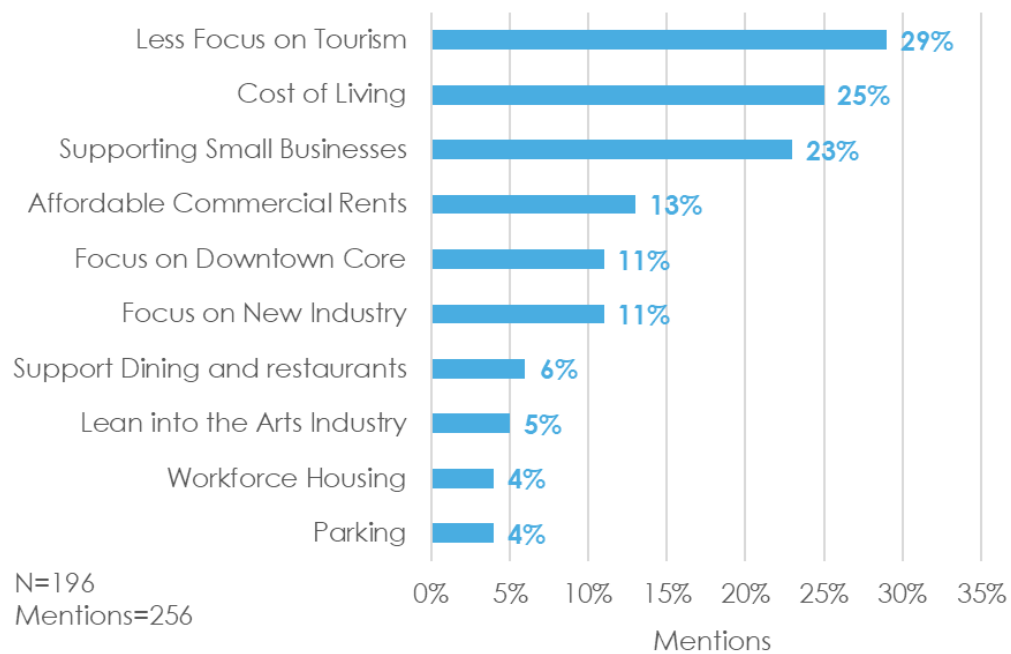
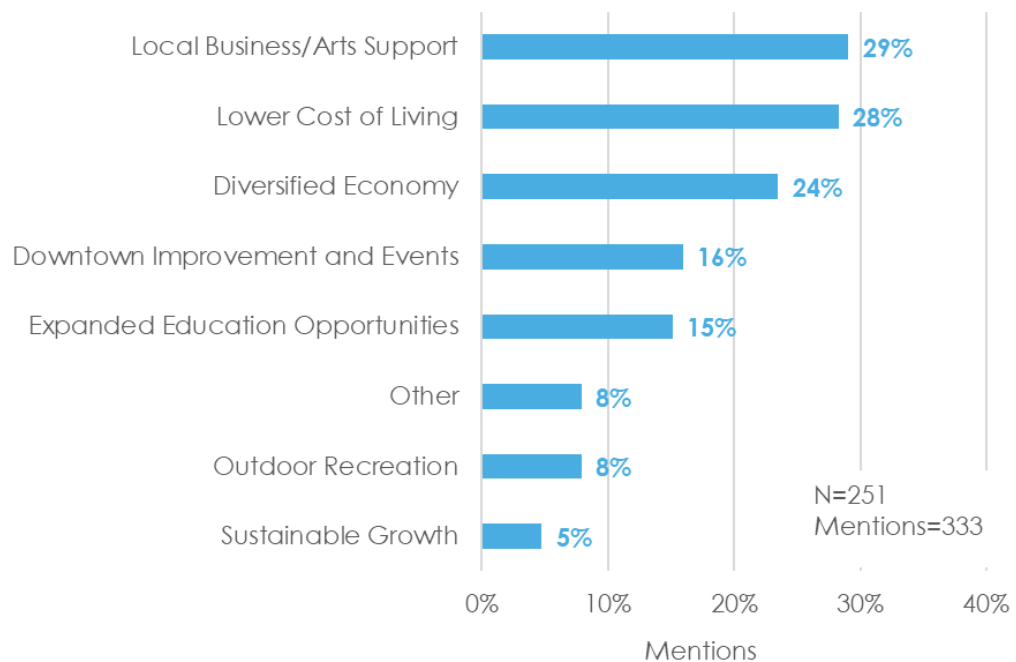


Exhibit 29. What is your vision for Ashland's economy of the future? (Open-Ended) (Ashland Respondents)



**Exhibit 30. What is one ‘big idea’ you have for Ashland? (Open Ended)
(Ashland Respondents)**

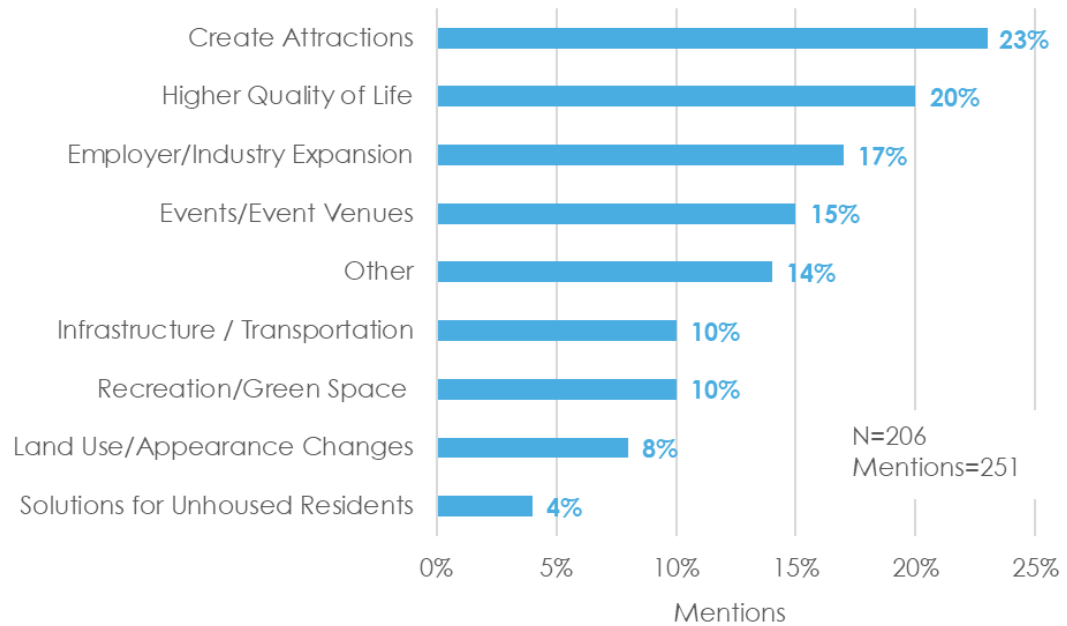
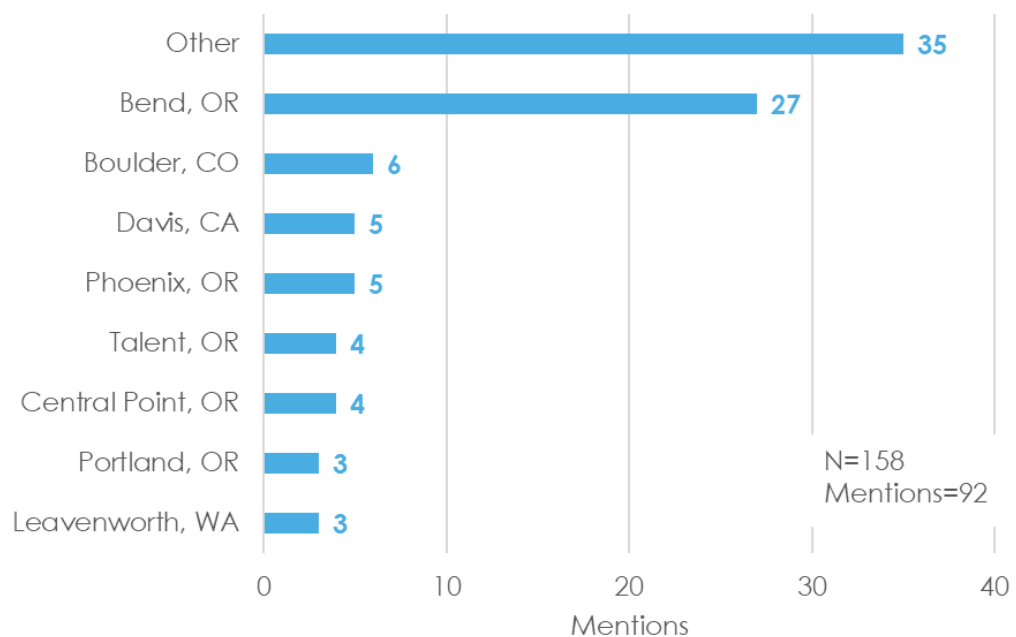
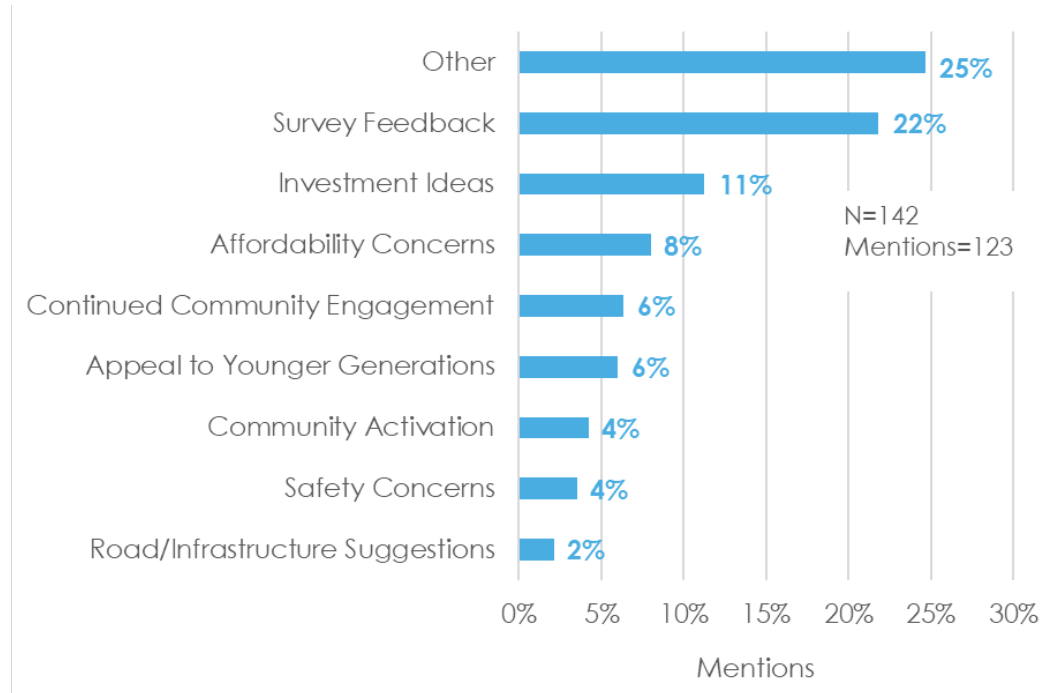


Exhibit 31. Is there a different city that you wish for Ashland to take lessons from? What are the characteristics of that city that appeal to you? (Open Ended) (Ashland Respondents)



Other cities mentioned included places across several continents, but other cities in Oregon, California and Washington were mentioned most frequently.

Exhibit 32. Do you have anything else you would like to share with us? (Open Ended) (Ashland Respondents)



Other responses largely included either appreciation for Ashland or complaints about political scenarios in Ashland or about questions in the survey surrounding diversity.

- Cronyism doesn't work
- Diversity is killing this town. Why to liberal. We need to take down the bird feeders. Support our police and fire more!
- Get city employees back to offices. Get code compliance officer to do job take a look at ads for short term rentals make it fair for licensed businesses
- Get the religious/conservative/elitist thinking people out of local government
- Getting permit to make home office to build company in Ashland was a pane in the neck they did not understand how small start ups grow into larger companies and employ people at a higher pay rate than service workers
- Hire more recreation staff!!
- How soon can we elect new council or recall present one. It's pathetic stop spending money that isn't yours
- I HATE that you're asking about stupid things like gender and ethnicity for a business survey. The fact that you ask at all reveals

that you believe in some kind of racism that doesn't exist out here in the real business world. This is completely out of touch with what actual business think about. Wake up please.

- I have a medical practice in Medford and I have a license that I can't use in Medford so I have to drive Ashland to service clients there. I am thankful we can help people but Medford needs to get its priorities straight.
- I have a small business that doesn't depend on local sales or local people, except a bit in the area of film - talent and crew. So my responses are not probably that helpful.
- I hope nobody is mad or offended by my answers. Please don't make my life hard by retaliation.
- I love Ashland so much, for its culture/nature balance and being a University town. I collect all the mentions we get on Best-of lists.
- If Jackson County does not increase its healthcare access; the future is very bleak. So OR is on the brink of turning into a healthcare desert.
- I've never met anyone who started a 'multicultural' business (page 3). And I'm unclear if the question about a '..broadly inclusive and diverse...' economy is asking about types of businesses or someone's skin color. Perhaps a little less woo and a little more recognition that we should simply be looking at all types of business will make for a better conversation and, fingers crossed, produce good results.
- The above suggestions are relatively inexpensive, can be implemented without delay, and will pay handsome returns to both the city's business community and the community itself.
- Let's work against misinformation, especially health misinformation based on pseudoscience. This is not a healthy thing for our local culture.
- No more parades or events in ashland please.
- North Mountain Park could be an attractor to locals and tourists alike, but many beat-up cars and shady people allowed to hang out there. People walk their dogs there thinking it's okay because they're not right next to the nature center. Neighbors use it as a parking lot for their cars. It's hard to get in and out of the parking that runs from Hershey to the nature center, because there are no stop signs and cars travel on North Mountain Ave at a high rate of speed. It could be so much better.
- "One city's motto of Better Together is a joke. If you are on one side of the fence, then you can be together, but if you are on the other side of the fence you are evil, part of the problem, a bigot, transphobic, racist, fascist pig.
- The Center of It All., well that is telling the truth. You can be on either side of the fence in that town, and not be called names that divide people. Maybe the one city's motto should be We, the City, Can Do Better. It sure ain't together."

- Perhaps you should have some questions about taxes.
- Please get your heads out of your ass and use some common sense when planning projects for the city. Get rid of diverse hires and promote people who know how to do the job.
- Please refrain from any references to climate change, that is a fraud.
- Recallcouncil
- Thanks for asking. We need a regional economic development strategy and EDO.
- The city should be better at following their own rules — for example, the new sidewalk signage pilot program says we cannot use plastic, but the city's sandwich boards are plastic!
- The energy of volunteers in and for the city of Ashland and for nearby cities is admirable.
- The political and ideological biases of the people that created the survey are showing. I think that the city needs to examine that and make some decisions on whether or not those ideologies are really helping advance, southern Oregon economic interests or harming them.
- The Rogue Valley has incredible potential, but I think people are so busy trying to get by that they don't realize how much more it could be if there was a focus on something more than short-sighted short term solutions.
- The Rogue Valley is an awesome place to live but it could be better
- The survey was quite interesting.
- The Valley seems like it is about to fall into the same issues that bigger cities do. We can change direction now and maybe make some good things happen! Thank you for all of your hard work.
- There are plenty of affordable/cheaper places to live in the United States. Stop attempting to provide "affordable" housing. If it's too expensive to live here, look for a place that's less expensive.
- We should have more interaction with the police department.
- Why is Russian an option for spoken language? Seriously?
- Let all the food-trucks use the Rogue Valley Mall parking lot(s) for at least 1 day out of each month and get people out and rubbing elbows with one another. That needs to happen.
- Yeah you should really ask myself or stop listening to the people that have gotten you all here and think about those you have decided to listen to without checking there work
- I've witnessed so much waste of money from private and government money all supposed to help the citizens and I have been threw and seen what's happening what actually help and what is a total scam and theft of money



Council Business Meeting

Date: June 3, 2025

Agenda Item	Second Reading of Ordinances 3249, 3250, 3251, and 3263 to implement the Climate Friendly Area Overlay & Written Findings Adoption
Department	Community Development
From	Brandon Goldman, Director of Community Development

TIME ESTIMATE

10-20 minutes

CATEGORY

Ordinance/Resolution - a motion is needed to adopt the ORD. or RESO.

SUMMARY

The Council is requested to adopt at Second Reading Ordinances #3249, #3250, #3251, and #3263 to implement the Climate Friendly Areas (CFAs), approve amendments to the C-1-D zone, and adopt the written Findings and Conclusions of Law for Planning Action PA-T3-2024-00013.

POLICIES, PLANS & GOALS SUPPORTED

Oregon Administrative Rules (OAR)

- OAR 660-012-0315 through 660-012-0330: Implements the Climate-Friendly and Equitable Communities (CFEC) regulations requiring cities to designate Climate Friendly Areas sufficient to accommodate at least 30% of future housing needs within pedestrian-friendly, mixed-use areas.

Ashland Comprehensive Plan – Housing Element:

- Supports policies aimed at increasing housing opportunities, particularly for low- and moderate-income households, through strategies that encourage infill, higher density development, and mixed-use housing options in appropriate areas.

Ashland Council Goals -Environmental resilience, including addressing climate change

- Aligns with community goals to reduce greenhouse gas emissions by fostering compact, walkable neighborhoods and reducing dependence on fossil-fuel-based transportation.

BACKGROUND AND ADDITIONAL INFORMATION

The Climate Friendly Area (CFA) adoption project aims to designate pedestrian-friendly, mixed-use areas within the City of Ashland sufficient to accommodate 30 percent of the future population as required under the Climate-Friendly & Equitable Communities rules. With the final adoption of proposed Climate Friendly Areas, associated code amendments and written findings, this project will be complete.

The City Council held a public hearing on May 6, 2025, to review the proposed ordinance amendments and approved First Reading of Ordinances #3249, #3250, #3251, and #3263. As part of that hearing, the Council proposed amendments to establish, in both the designated Climate Friendly Area (CFA) overlay zones and the C-1-D (Downtown Commercial) zone, allowances for additional building height—up to 60 feet—for multifamily or mixed-use developments in which at least 25% of the dwelling units meet the City's affordable housing standards in AMC 18.2.5.050. These amendments have been incorporated into Ordinances #3249 and #3263 as presented for consideration at Second Reading (highlighted in green). Staff are prepared to read the specific ordinance





Council Business Meeting

amendments in full during second reading for the record. The complete record for Planning Action PA-T3-2024-00013 was presented to the City Council at its May 6, 2025 meeting and is incorporated here by reference. These materials are not reattached to this Council Communication; only the implementing ordinances and the Written Findings and Conclusions of Law are included in this packet. For previously reviewed documents, please refer to the May 6th City Council meeting agenda available online.

The Climate-Friendly and Equitable Communities (CFEC) rules adopted by the State of Oregon require cities to identify and designate CFAs that can accommodate 30 percent of future housing needs through higher-density, pedestrian-oriented development. In response, the City of Ashland is establishing two CFA overlay zones: one encompassing the Railroad Property and surrounding area, and another in the Transit Triangle. The proposed amendments also include associated zoning, density, and height changes, as well as the removal of maximum residential densities in the C-1 and E-1 zones, and zoning updates to allow CFA-scale development in the downtown without CFA designation. These changes aim to support sustainable development patterns, improve housing access, and comply with state land use mandates.

The Written Findings and Conclusions of Law for Planning Action PA-T3-2024-00013 are presented for adoption in conjunction with Second Reading of Ordinances #3249, #3250, #3251, and #3263. These findings demonstrate how the proposed ordinance amendments fulfill the requirements of the Climate-Friendly and Equitable Communities rules under OAR 660-012-0310 through 0330, and are consistent with applicable Oregon Statewide Planning Goals, including Goal 1 (Citizen Involvement), Goal 10 (Housing), and Goal 12 (Transportation). The findings further illustrate conformance with the Ashland Comprehensive Plan, particularly the Housing Element, and establish a factual basis for the adoption of new Climate Friendly Areas and corresponding land use code amendments.

FISCAL IMPACTS

The Department of Land Conservation & Development (DLCD) is funding the consultant work and managing the grants for this project, Ashland's contribution is in the form of staff time to support the consultant work and subsequent code adoption efforts.

The adoption of the Climate Friendly Area (CFA) designations and associated land use ordinance amendments has no direct financial impact on the City of Ashland. However, future intensification of development resulting from increased building heights, the removal of residential density limits, and other regulatory changes may generate additional property tax revenue over time as redevelopment occurs within the designated CFAs.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

Staff recommends approval of Second Reading of Ordinances #3249, #3250, #3251, and #3263, as amended at First Reading on May 6, 2025, and adoption of the Written Findings and Conclusions of Law for Planning Action PA-T3-2024-00013.

The Planning Commission reviewed the proposed ordinance changes at its April 29, 2025, public hearing and unanimously recommended approval of the two new Climate Friendly Areas and all associated ordinance amendments as presented at their meeting.

I move to approve Second Reading of the following ordinances:

- **Ordinance #3249 as amended**, an ordinance amending the Ashland Land Use Ordinance to repeal Chapter 18.3.14 Transit Triangle Overlay and replacing it with a new Chapter 18.3.14 Climate Friendly Overlay;
- **Ordinance #3250**, an ordinance amending the adopted Zoning Map to add the Climate Friendly (CF) Overlay.
- **Ordinance #3251**, an ordinance amending the adopted Site Design Zones Map to align the extent of the Detailed Site Design Review Overlay Zone to include the full extent of the Climate Friendly Area Overlay Zones.





Council Business Meeting

- **Ordinance #3263 as amended**, an ordinance amending chapters 18.2.1, 18.2.2, 18.2.3.130, 18.2.6, 18.3.12, 18.3.13 & 18.4.2.040.c of the Ashland Land Use Ordinance to align with the new climate friendly area regulations and ensure implementation of applicable development standards.

I move to approve the written findings as presented [or as amended].

REFERENCES & ATTACHMENTS

1. 1_CC_CFA Adoption_06032025_Atch1_ORD3249
2. 1A_CC_CFA Adoption_06032025_Atch1A_ORD3249_ExA_New 18.3.14_AMENDED
3. 2_CC_CFA Adoption_06032025_Atch2_ORD3250
4. 2_CC_CFA Adoption_06032025_Atch2A_ORD3250_Ex A Zoning Map
5. 3_CC_CFA Adoption_06032025_Atch3_ORD3251
6. 3A_CC_CFA Adoption_06032025_Atch3A_ORD3251_Ex A_Site Design Zones Map REDUCED
7. 4_CC_CFA Adoption_06032025_Atch4_ORD3263_AMENDED
8. 5_CC_CFA Adoption_06032025_Atch5_CFAFindings_AMENDED
9. 6_CC_CFA Adoption_05062025_Atch6_FINxE_Housing Capacity Analysis
10. 7_CC_CFA Adoption_05062025_Atch7_FINxF_Estimates Dwellings
11. 8_CC_CFA Adoption_05062025_Atch8_FINxG_Antidisplacement
12. 9A_CC_CFA Adoption_05062025_Atch9A_FINxH_RR Gaps
13. 9B_CC_CFA Adoption_05062025_Atch9B_FINxH_TT Gaps



ORDINANCE NO. 3249

AN ORDINANCE AMENDING THE ASHLAND LAND USE ORDINANCE TO REPEAL CHAPTER 18.3.14 TRANSIT TRIANGLE OVERLAY AND REPLACING IT WITH A NEW CHAPTER 18.3.14 CLIMATE FRIENDLY OVERLAY.

(Climate Friendly Area Adoption: Planning Action #PA-T3-2024-00013)

Annotated to show deletions and additions to the code sections being modified. Deletions are **~~bold strikethrough~~** and additions are **bold underlined**.

WHEREAS, the Climate-Friendly and Equitable Communities rules adopted by the Land Conservation and Development Commission in July of 2022 require that cities within Oregon's eight Metropolitan Planning Organizations shall identify and re-zone Climate Friendly Areas capable of accommodating 30 percent of each city's future population in pedestrian-friendly, mixed-use areas; and

WHEREAS, Ashland Municipal Code (AMC) 18.5.9.020.B permits legislative amendments to meet changes in circumstances and conditions. The City Council finds it is necessary to amend the Zoning Map and Land Use Ordinance to adopt two Climate Friendly Areas (CFAs) consistent with statewide requirements including development regulations for those areas that support mixed-use, walkable development consistent with statewide CFA requirements that align with the City's own long-range planning goals adopted in the Comprehensive Plan; and

WHEREAS, the Railroad Property Climate Friendly Area includes 57 acres in the center of the city, just a few blocks north of downtown. The site is zoned Employment (E-1) and has been planned for pedestrian-focused mixed-use development dating back to the 2001 master plan for the site. The application of a new CF Overlay provides an opportunity to update and expand the mixed-use development opportunities for the full site; and

WHEREAS, the Transit Triangle Climate Friendly Area includes 120.35 acres along the major transit corridors on Siskiyou Boulevard and Ashland Street in areas zoned a mix of Commercial (C-1), Employment (E-1) and a small amount of Residential Low Density Multiple Family (R-2) within the existing Transit Triangle (TT) Overlay, which currently offers optional mixed-use provisions beyond the base zone standards to facilitate a mix of housing types and businesses in an environment that is friendly to walking, biking, and using transit; and

WHEREAS, the City's population exceeds 10,000 and is subject to the Oregon Administrative Rules (OAR) section 660-012-0315(2) which requires that Climate Friendly Areas be designated to accommodate at least 30 percent of the City's future

housing units, which has been determined to be 3,469 units. Per the methodology established in OAR 660-012-0315(2), the proposed Railroad Property CFA has been shown to have capacity to accommodate 2,226 housing units and the proposed Transit Triangle CFA has been shown to have capacity to accommodate 5,349 housing units, for a total capacity of 7,575 housing units, well over the required 30 percent of total housing units or 3,469 units determined for Ashland; and

WHEREAS, the purpose of the new Climate Friendly (CF) Overlay is to encourage development and redevelopment within vibrant, walkable mixed-use centers supported by a variety of transportation options. Proposed residential uses include multi-family in mixed-use and stand-alone configurations, and townhouses, and non-residential uses include retail sales and services, restaurants, offices, and public uses. Greater concentrations of housing and businesses are mutually supporting, expanding housing opportunities and providing a better environment for local business development and expansion to help residents meet their daily needs within a walkable setting.

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

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

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop 20 Or. App. 293; 531 P 2d no, 734 (1975); and

WHEREAS, the City of Ashland Planning Commission considered the amendment of the City of Ashland Zoning Map to identify two new Climate Friendly (CF) Overlay zones; of the Site Design Zones Map to include the entirety of the two new Climate Friendly (CF) Overlay zones within the Detail Site Review Overlay Zone; of the Ashland Municipal Code and Land Use Ordinances to include a new Chapter 18.3.14 Climate Friendly Overlay; and of Chapters 18.2.1, 18.2.2, 18.2.3.130, 18.2.6, 18.3.12, 18.3.13 and 18.4.2.040.C of the Ashland Municipal Code and Land Use Ordinance to align with new Climate Friendly Area regulations and ensure implementation of applicable development standards, at a duly advertised public hearing on April 29, 2025, following deliberations, recommended approval of the amendments; and

WHEREAS, the City Council of the City of Ashland conducted a duly advertised public hearing on the above-referenced amendments on May 6, 2025; and

WHEREAS, the City Council of the City of Ashland, following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of the Ordinance in accordance with Article 10 of the Ashland City Charter; and

WHEREAS, the City Council of the City of Ashland has determined that in order to protect and benefit the health, safety and welfare of existing and future residents of the City, it is necessary to amend the Ashland Municipal Code and Land Use Ordinance in manner proposed, that an adequate factual base exists for the amendments, the amendments are consistent with the comprehensive plan, that the proposed zoning map and land use code amendments are consistent with City of Ashland approval criteria for land use ordinance and zoning map amendments as set forth in AMC 18.5.9.020.B and are consistent with the City of Ashland Comprehensive Plan, with other City policies, and with the Oregon Statewide Planning Goals and OAR 660-012-0310 through -0330, and that such amendments are fully supported by the record of this proceeding.

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

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

SECTION 2. The existing Chapter 18.3.14 Transit Triangle Overlay is hereby repealed in its entirety.

SECTION 3. A new Chapter 18.3.14 of the Ashland Municipal Code creating a new overlay zone [Climate Friendly Areas] set forth in full codified form on the attached Exhibit A and made part hereof by this reference, is hereby added to the Ashland Municipal Code.

SECTION 4. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 5. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions, and text descriptions of amendments (i.e., Section 3) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first reading 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.

ATTEST:

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2025.

Tonya Graham, Mayor

Reviewed as to form:

Johan Pietila, City Attorney

Ordinance #3249 Exhibit A

Chapter 18.3.14 CLIMATE FRIENDLY OVERLAY

Sections:

18.3.14.010	Purpose.
18.3.14.020	Applicability.
18.3.14.030	General Requirements.
18.3.14.040	Allowed Uses.
18.3.14.050	Dimensional Standards.
18.3.14.060	Site Development and Design Standards.

18.3.14.010 Purpose

The Climate Friendly (CF) overlay is intended to promote the development of a mix of housing, commercial and employment opportunities within a well-designed and connected pedestrian environment. Areas within the CF overlay are intended to be served by high-quality pedestrian, bicycle, and transit infrastructure and services.

18.3.14.020 Applicability

A. Climate Friendly (CF) Overlay Designation. This chapter applies to properties designated as Climate Friendly (CF) overlay on the Zoning Map.

B. Governing Standards. Notwithstanding the provision of chapter 18.2.2, Base Zones, additional use restrictions and land use standards apply within the CF overlay. Where the provisions of this chapter conflict with comparable standards described in any other ordinance, resolution or regulation, the provisions of the CF overlay shall govern.

C. Exceptions and Variances. Requests to depart from the requirements of this chapter are subject to chapter 18.5.5, Variances, except that deviations from the standards in section 18.3.14.060 are subject to subsection 18.5.2.050.E, Exception to the Site Development and Design Standards.

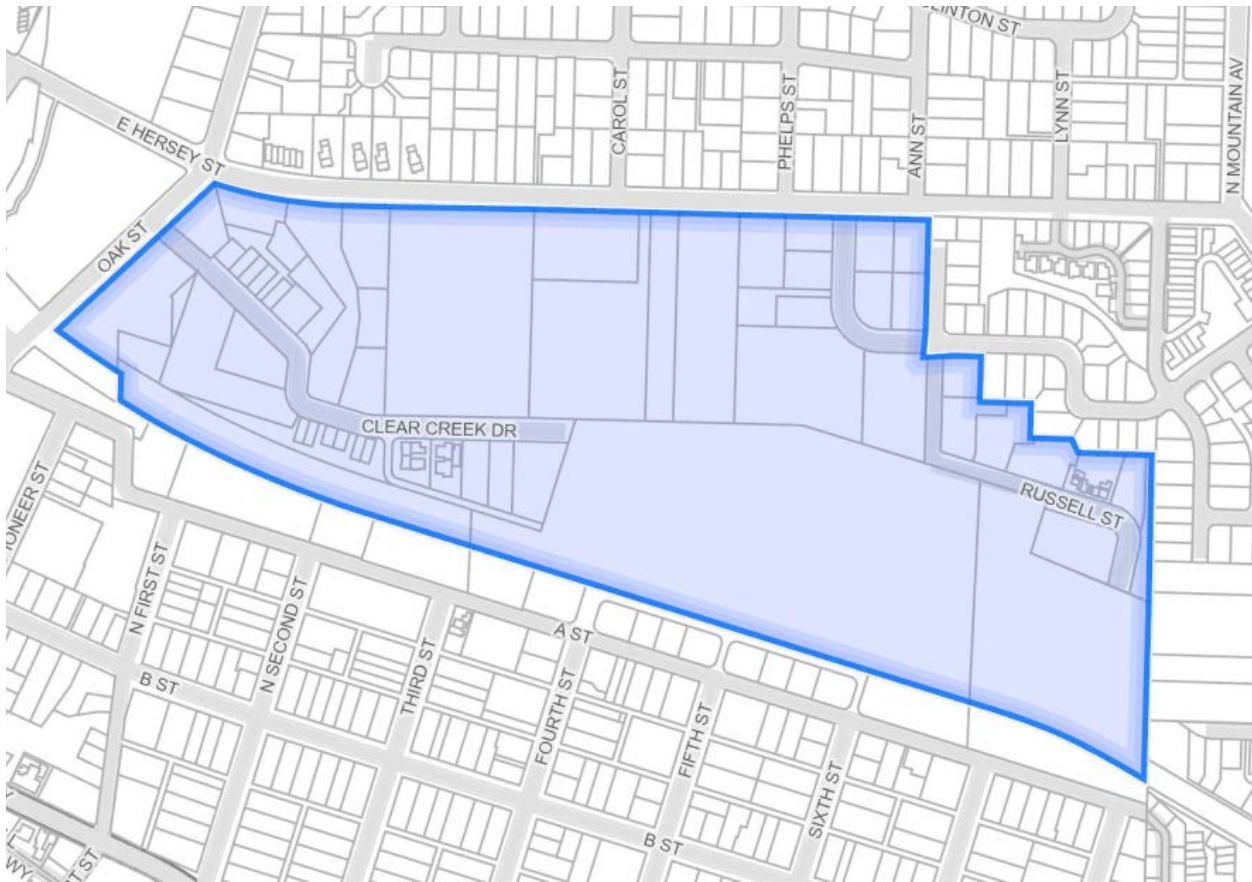
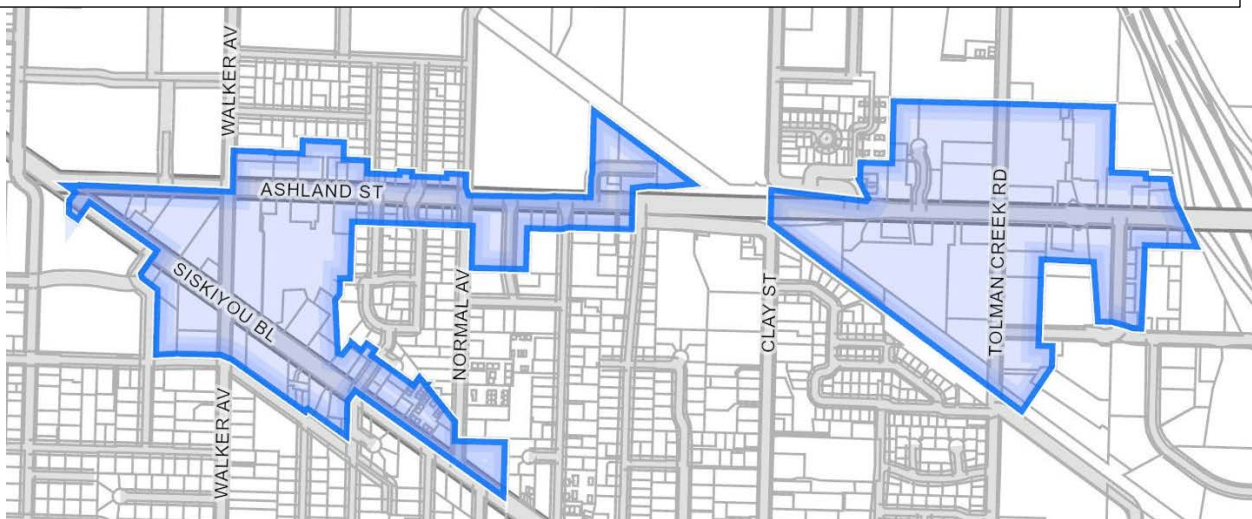
Exhibit 18.3.14.020.A.1 Railroad Area Climate Friendly Area (CFA)**Exhibit 18.3.14.020.A.2 Transit Triangle Climate Friendly Area (CFA)**

Figure 18.3.14.020. Climate Friendly (CF) Overlay

18.3.14.030 General Requirements

A. Site Development and Design Standards. New development is subject to Site Design Review under chapter 18.5.2, and must comply with the applicable site development and design standards.

18.3.14.040 Allowed Uses

A. Uses Allowed in CF Overlay. Allowed uses are determined by the base zone and in accordance with section 18.2.2.030, except as provided for in this chapter. Notwithstanding the provisions of chapter 18.2.2, Base Zones and Allowed Uses, this section includes additional allowed uses, use restrictions and prohibited uses within the CF overlay.

B. Mixed Use. Uses allowed in a zone individually are also allowed in combination with one another, in the same structure or on the same site, provided all applicable development standards and building code requirements are met.

Table 18.3.14.040. Climate Friendly (CF) Overlay Uses Allowed by Base Zone¹

	Base Zones			
	R-2	C-1	E-1	Special Use Standards
A. Residential				
Single-Family Dwelling	S	S	S	Sec. 18.3.14.040.C.1
Duplex	N	N	N	

	Base Zones			
	R-2	C-1	E-1	Special Use Standards
Multifamily Dwelling	S	S	S	Sec. 18.3.14.040.C.2
B. Public and Institutional Uses				
Child Care Facility	P	P	P	Family Child Care Home exempt from planning application procedure pursuant to ORS 329A.440 , see part 18.6 for definition Subject to State licensing requirements
Governmental Offices and Emergency Services (e.g., Police, Fire); excluding Outdoor Storage	P	P	P	
Park, Open Space, and Recreational Facility, including playgrounds, trails, nature preserves, athletic fields, courts, swim pools, and similar uses	P	P	P	
Recycling Depot	N	N	N	

	Base Zones			
	R-2	C-1	E-1	Special Use Standards
School, Private (Kindergarten and up)	P	P	P	
School, Public (Kindergarten and up)	P	P	P	
C. Commercial				
Office	P	P	P	
Restaurants	P	P	P	
Retail Sales and Services, except Outdoor Sales and Services	P	P	P	
Self-Service Storage, Commercial (Mini-Warehouse)	N	N	N	
D. Industrial and Employment Uses				
Wholesale Storage and Distribution, includes Marijuana Wholesale	N	N	CU	In E-1 zone, marijuana wholesale is subject to the special use standards in Sec. 18.2.3.190

1 Key: P = Permitted Uses; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

C. Special Use Standards. The uses listed as “Permitted with Special Use Standards (S)” in Table 18.3.14.040, above, are allowed provided they conform to the requirements of this section and the requirements of chapter 18.5.2, Site Design Review.

1. Single-Family Dwelling Uses. Attached (common wall) single-family dwellings (e.g., townhomes, condominiums, rowhouses) provided all of the following standards are met:
 - a. Access. Access must conform to the requirements of subsection 18.4.3.080.C.
 - b. Minimum Lot Frontage. Notwithstanding section 18.2.4.010, minimum lot frontage shall be 20 feet provided dwellings have access by an alley.
2. Multifamily Dwelling Uses. Multifamily dwelling uses provided all of the following standards are met:
 - a. One Building. When a planning application is limited to one building, residential uses may occupy up to 65 percent of the gross floor area of the ground floor. At least 35 percent of the gross floor area of the ground floor shall be designated for permitted uses and uses permitted with special use standards, not including residential uses.
 - b. More Than One Building. When a planning application includes more than one building, the equivalent of at least 35 percent of the gross floor area of the ground floor for all buildings shall be designated for permitted uses and uses permitted with special use standards, not including residential uses.
 - c. Affordable Housing Exception. The limitations in this subsection on ground-floor residential uses do not apply to multifamily dwellings meeting the standards for affordable housing in section 18.2.5.050.
 - d. Commercial-Ready Exception. The limitations in this subsection on ground-floor residential uses do not apply to buildings developed with commercial-ready space on the ground floor complying with the following:
 - i. The entire ground floor space must be constructed to accommodate nonresidential uses.
 - ii. If residential uses are provided immediately above the ground floor level (i.e., second floor residential), horizontal occupancy separation must be provided to

accommodate future commercial occupancies as required by the Oregon Structure Specialty Code at the time of construction.

iii. The ground floor must have an interior height of not less than 12 feet measured from the entry level finished floor to the bottom of the structural members of the floor above.

18.3.14.050 Dimensional Standards

Notwithstanding the provisions of chapter 18.2.5, Standards for Residential Zones, and chapter 18.2.6, Standards for Non-Residential Zones, Table 18.3.14.050 includes the dimensional standards within the CF overlay.

The dimensions shall conform to the standards in Table 18.3.14.050.

Table 18.3.14.050. Climate Friendly Overlay Dimensional Standards

	Base Zones		
	R-2	C-1	E-1
Residential Density (dwelling units/acre)			
Minimum ¹	15 du/ac	25 du/ac	20 du/ac
Maximum	None		
¹ Mixed-use buildings are exempt from the minimum density if it has a FAR of 2.0 or greater. Redevelopment within existing buildings that adds residential units, but does not add new units outside the existing building, is exempt from the minimum density.			
Floor Area Ratio (FAR) ²			

	Base Zones		
	R-2	C-1	E-1
Minimum	.5	.5	.5
² Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Plazas and pedestrian areas may also be applied toward meeting the landscaping area requirements but shall not constitute more than 50% of the required area.			
Lot Area, Width, Depth and Coverage	There is no minimum lot area, width or depth, or maximum lot coverage, provided the minimum landscape area is provided.		
Yards, Minimum (feet) ³			
- Front	There is no minimum front, side, or rear yard required, except where buildings on the subject site abut a residential zone outside of the CF overlay, in which case a side or rear yard of not less than 15 ft is required.		
- Side			
- Rear			
³ See building step-back requirement in subsection 18.3.14.060.B.			
Building Separation, On Same Site - Minimum	NA		
Building Height ^{4,5}			
Maximum Height – feet/stories	50/4	50/4	50/4
Maximum Height with Bonus ⁶	60/5	60/5	60/5
Solar Setback	Except for buildings within 100 feet of a residential zone outside of the CF overlay, the solar setback standards of chapter 18.4.8 do not apply.		

	Base Zones		
	R-2	C-1	E-1
⁴ See definition of “height of building” in section 18.6.1.030.			
⁵ Parapets may be erected up to five feet above the maximum building height; see also, subsection 18.4.4.030.G.4 for mechanical equipment screening requirements, and section 18.5.2.020 for site design review for mechanical equipment review process.			
⁶ Multifamily and mixed use dwellings meeting the standards for 25% affordable housing in section 18.2.5.050 are eligible for bonus height. Applicants may alternatively pursue height bonuses per ORS 197A.445.			
Landscape Area – Minimum (% of developed lot area)	15%	15%	15%
Open Space – Minimum (%) of site area)	NA		

18.3.14.060 Site Development and Design Standards

New development is subject to site design review under chapter 18.5.2, and must comply with site development and design standards in part 18.4 and this section.

A. Block Lengths. Block length within the CF overlay shall comply with subsection 18.4.6.040.E.9.a, however, a maximum block length of 350 feet shall apply to development sites of 5.5 acres or more. Exceptions may be permitted subject to subsection 18.4.6.040.E.9.

B. Building Mass. Building facades within 25 feet of a residential zone outside of the CF overlay shall incorporate a step-back of ten feet for that portion of a building which is over 25 feet or two stories in height, whichever is greater. The building step-back requirement does not apply to parapets. See Figure 18.3.14.060.B.1. This standard applies along the perimeter of the development and shall not apply between buildings or lots within a development. See

minimum side or rear yard requirement for buildings abutting a residential zone in table 18.3.14.050.

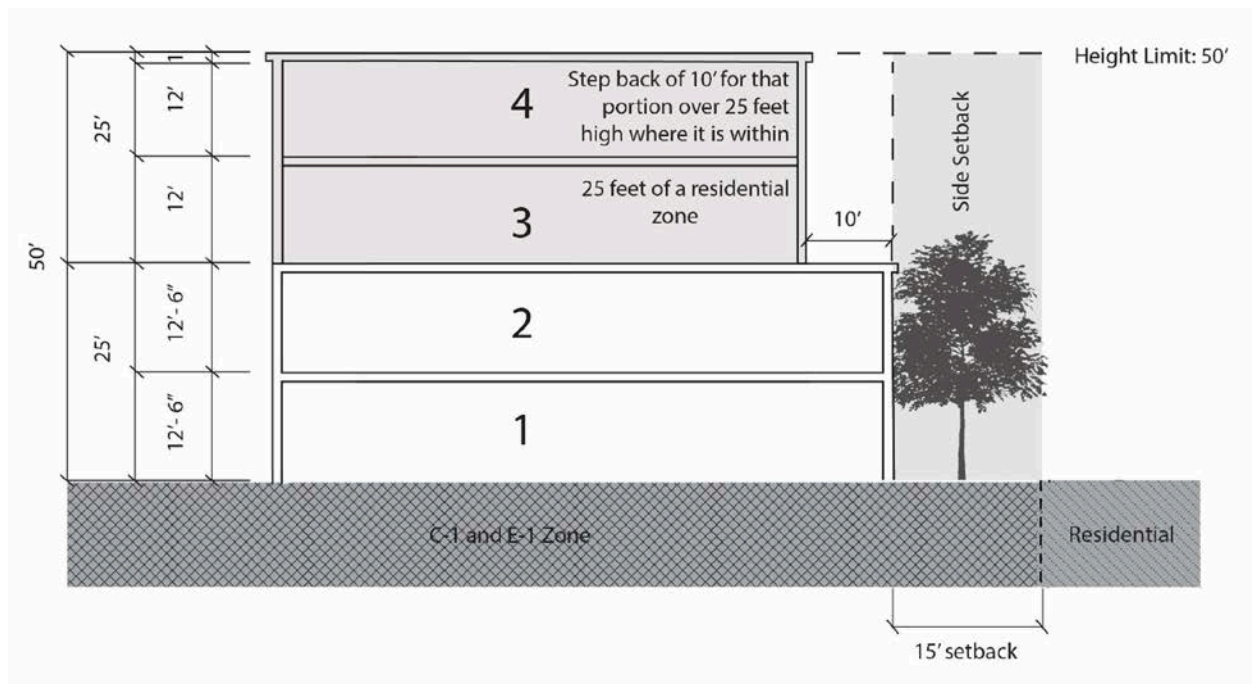


Figure 18.3.14.060.B.1.

ORDINANCE NO. 3250

AN ORDINANCE AMENDING THE ADOPTED ZONING MAP TO ADD THE CLIMATE FRIENDLY (CF) OVERLAY. (Climate Friendly Area Adoption: Planning Action #PA-T3-2024-00013)

WHEREAS, the Climate-Friendly and Equitable Communities rules adopted by the Land Conservation and Development Commission in July of 2022 require that cities within Oregon’s eight Metropolitan Planning Organizations shall identify and re-zone Climate Friendly Areas capable of accommodating 30 percent of each city’s future population in pedestrian-friendly, mixed-use areas ; and

WHEREAS, Ashland Municipal Code (AMC) 18.5.9.020.B permits legislative amendments to meet changes in circumstances and conditions. The City Council finds it is necessary to amend the Zoning Map and Land Use Ordinance to adopt two Climate Friendly Areas (CFAs) consistent with statewide requirements including development regulations for those areas that support mixed-use, walkable development consistent with statewide CFA requirements that align with the City’s own long-range planning goals adopted in the Comprehensive Plan; and

WHEREAS, the Railroad Property Climate Friendly Area includes 57 acres in the center of the city, just a few blocks north of downtown. The site is zoned Employment (E-1) and has been planned for pedestrian-focused mixed-use development dating back to the 2001 master plan for the site. The application of a new CF Overlay provides an opportunity to update and expand the mixed-use development opportunities for the full site; and

WHEREAS, the Transit Triangle Climate Friendly Area includes 120.35 acres along the major transit corridors on Siskiyou Boulevard and Ashland Street in areas zoned a mix of Commercial (C-1), Employment (E-1) and a small amount of Residential Low Density Multiple Family (R-2) within the existing Transit Triangle (TT) Overlay, which currently offers optional mixed-use provisions beyond the base zone standards to facilitate a mix of housing types and businesses in an environment that is friendly to walking, biking, and using transit; and

WHEREAS, the City’s population exceeds 10,000 and is subject to the Oregon Administrative Rules (OAR) section 660-012-0315(2) which requires that Climate Friendly Areas be designated to accommodate at least 30 percent of the City’s future housing units, which has been determined to be 3,469 units. Per the methodology established in OAR 660-012-0315(2), the proposed Railroad Property CFA has been shown to have capacity to accommodate 2,226 housing units and the proposed Transit Triangle CFA has been shown to have capacity to accommodate 5,349 housing units, for a total capacity of 7,575 housing units, well over the required 30 percent of total housing units or 3,469 units determined for Ashland; and

WHEREAS, the purpose of the new Climate Friendly (CF) Overlay is to encourage development and redevelopment within vibrant, walkable mixed-use centers supported by a variety of transportation options. Proposed residential uses include multi-family in mixed-use and stand-alone configurations, and townhouses, and non-residential uses include retail sales and

services, restaurants, offices, and public uses. Greater concentrations of housing and businesses are mutually supporting, expanding housing opportunities and providing a better environment for local business development and expansion to help residents meet their daily needs within a walkable setting.

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

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

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop 20 Or. App. 293; 531 P 2d no, 734 (1975); and

WHEREAS, the City of Ashland Planning Commission considered the amendment of the City of Ashland Zoning Map to identify two new Climate Friendly (CF) Overlay zones; of the Site Design Zones Map to include the entirety of the two new Climate Friendly (CF) Overlay zones within the Detail Site Review Overlay Zone; of the Ashland Municipal Code and Land Use Ordinances to include a new Chapter 18.3.14 Climate Friendly Overlay; and of Chapters 18.2.1, 18.2.2, 18.2.3.130, 18.2.6, 18.3.12, 18.3.13 and 18.4.2.040.C of the Ashland Municipal Code and Land Use Ordinance to align with new Climate Friendly Area regulations and ensure implementation of applicable development standards, at a duly advertised public hearing on April 29, 2025, following deliberations, recommended approval of the amendments; and

WHEREAS, the City Council of the City of Ashland conducted a duly advertised public hearing on the above-referenced amendments on May 6, 2025; and

WHEREAS, the City Council of the City of Ashland, following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of the Ordinance in accordance with Article 10 of the Ashland City Charter; and

WHEREAS, the City Council of the City of Ashland has determined that in order to protect and benefit the health, safety and welfare of existing and future residents of the City, it is necessary to amend the Ashland Municipal Code and Land Use Ordinance in manner proposed, that an adequate factual base exists for the amendments, the amendments are consistent with the comprehensive plan, that the proposed zoning map and land use code amendments are consistent with City of Ashland approval criteria for land use ordinance and zoning map amendments as set forth in AMC 18.5.9.020.B and are consistent with the City of Ashland Comprehensive Plan, with other City policies, and with the Oregon Statewide Planning Goals and OAR 660-012-0310 through -0330, and that such amendments are fully supported by the record of this proceeding.

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

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

SECTION 2. The officially adopted City of Ashland Zoning Map, adopted and incorporated by Ashland Municipal Code Section 18.1.2.070, is hereby amended to repeal the existing Transit Triangle (TT) Overlay designation; add a new Climate Friendly (CF) Overlay designation to approximately 177.35 acres of land within the City Limits, and adjust the Residential (-R) Overlay designation so it does not apply within the new Climate Friendly (CF) Overlay zones, said overlay amendments are reflected on the revised Zoning Map, attached hereto as Exhibit A, and made a part hereof by this reference.

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

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

The foregoing ordinance was first reading 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.

ATTEST:

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2025.

Tonya Graham, Mayor

Reviewed as to form:

Johan Pietila, Acting City Attorney

Ordinance 3250: Exhibit A



Zoning Map

- City Limits

CFA Overlay

P-overlay

Airport Overlay

Freeway Overlay

Residential Overlay

North Mountain Zone

Urban Growth Boundary

C-1

C-1-D

E-1

HC

M-1

NM

Taxlots

R-1-10

R-1-3.5

R-1-5

R-1-7.5

R-2

R-3

RR-5

RR-1

SO

WR

WR-20
- Mapping is schematic only and bears no warranty of accuracy. All features, structures, facilities, easement or roadway locations should be independently field verified for existence and/or location.

0

0.5

1 Mile

0

0.13

0.25 Mile
- North Mountain Zoning Overlay Detail
-
- Croman Mill Zoning Overlay Detail
-
-
- This is to certify that this is the Official Zoning Map referred to in Section 18.12.030 of Title 18.12 of the Ashland Municipal Code, Adopted as Ordinance No. 2851

Signed: _____ Date: _____
Mayor

City Recorder _____ Date: _____
- Page 349 of 499

ORDINANCE NO. 3251

AN ORDINANCE AMENDING THE ADOPTED SITE DESIGN ZONES MAP TO ALIGN THE EXTENT OF THE DETAILED SITE DESIGN REVIEW OVERLAY ZONE TO INCLUDE THE FULL EXTENT OF THE CLIMATE FRIENDLY AREA OVERLAY ZONES. (Climate Friendly Area Adoption: Planning Action #PA-T3-2024-00013)

WHEREAS, the Climate-Friendly and Equitable Communities rules adopted by the Land Conservation and Development Commission in July of 2022 require that cities within Oregon's eight Metropolitan Planning Organizations shall identify and re-zone Climate Friendly Areas capable of accommodating 30 percent of each city's future population in pedestrian-friendly, mixed-use areas; and

WHEREAS, Ashland Municipal Code (AMC) 18.5.9.020.B permits legislative amendments to meet changes in circumstances and conditions. The City Council finds it is necessary to amend the Zoning Map and Land Use Ordinance to adopt two Climate Friendly Areas (CFAs) consistent with statewide requirements including development regulations for those areas that support mixed-use, walkable development consistent with statewide CFA requirements that align with the City's own long-range planning goals adopted in the Comprehensive Plan; and

WHEREAS, the Railroad Property Climate Friendly Area includes 57 acres in the center of the city, just a few blocks north of downtown. The site is zoned Employment (E-1) and has been planned for pedestrian-focused mixed-use development dating back to the 2001 master plan for the site. The application of a new CF Overlay provides an opportunity to update and expand the mixed-use development opportunities for the full site; and

WHEREAS, the Transit Triangle Climate Friendly Area includes 120.35 acres along the major transit corridors on Siskiyou Boulevard and Ashland Street in areas zoned a mix of Commercial (C-1), Employment (E-1) and a small amount of Residential Low Density Multiple Family (R-2) within the existing Transit Triangle (TT) Overlay, which currently offers optional mixed-use provisions beyond the base zone standards to facilitate a mix of housing types and businesses in an environment that is friendly to walking, biking, and using transit; and

WHEREAS, the City's population exceeds 10,000 and is subject to the Oregon Administrative Rules (OAR) section 660-012-0315(2) which requires that Climate Friendly Areas be designated to accommodate at least 30 percent of the City's future housing units, which has been determined to be 3,469 units. Per the methodology established in OAR 660-012-0315(2), the proposed Railroad Property CFA has been shown to have capacity to accommodate 2,226 housing units and the proposed Transit Triangle CFA has been shown to have capacity to accommodate 5,349 housing units, for a total capacity of 7,575 housing units, well over the required 30 percent of total housing units or 3,469 units determined for Ashland; and

WHEREAS, the purpose of the new Climate Friendly (CF) Overlay is to encourage development and redevelopment within vibrant, walkable mixed-use centers supported by a

variety of transportation options. Proposed residential uses include multi-family in mixed-use and stand-alone configurations, and townhouses, and non-residential uses include retail sales and services, restaurants, offices, and public uses. Greater concentrations of housing and businesses are mutually supporting, expanding housing opportunities and providing a better environment for local business development and expansion to help residents meet their daily needs within a walkable setting.

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

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

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop 20 Or. App. 293; 531 P 2d no, 734 (1975); and

WHEREAS, the City of Ashland Planning Commission considered the amendment of the City of Ashland Zoning Map to identify two new Climate Friendly (CF) Overlay zones; of the Site Design Zones Map to include the entirety of the two new Climate Friendly (CF) Overlay zones within the Detail Site Review Overlay Zone; of the Ashland Municipal Code and Land Use Ordinances to include a new Chapter 18.3.14 Climate Friendly Overlay; and of Chapters 18.2.1, 18.2.2, 18.2.3.130, 18.2.6, 18.3.12, 18.3.13, and 18.4.2.040.C of the Ashland Municipal Code and Land Use Ordinance to align with new Climate Friendly Area regulations and ensure implementation of applicable development standards, at a duly advertised public hearing on April 29, 2025, following deliberations, recommended approval of the amendments; and

WHEREAS, the City Council of the City of Ashland conducted a duly advertised public hearing on the above-referenced amendments on May 6, 2025; and

WHEREAS, the City Council of the City of Ashland, following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of the Ordinance in accordance with Article 10 of the Ashland City Charter; and

WHEREAS, the City Council of the City of Ashland has determined that in order to protect and benefit the health, safety and welfare of existing and future residents of the City, it is necessary to amend the Ashland Municipal Code and Land Use Ordinance in manner proposed, that an adequate factual base exists for the amendments, the amendments are consistent with the comprehensive plan, that the proposed zoning map and land use code amendments are consistent with City of Ashland approval criteria for land use ordinance and zoning map amendments as set forth in AMC 18.5.9.020.B and are consistent with the City of Ashland Comprehensive Plan, with other City policies, and with the Oregon Statewide Planning Goals and OAR 660-012-0310 through -0330, and that such amendments are fully supported by the record of this proceeding.

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

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

SECTION 2. The officially adopted City of Ashland Site Design Zones Map, adopted and incorporated by Ashland Municipal Code Section 18.1.2.070 to identify the Detail Site Review and Downtown Design Standards as overlay zones, is hereby amended to include the entirety of two new Climate Friendly (CF) Overlay zones totaling approximately 177.35 acres of land within the City Limits within the Detail Site Review Overlay Zone, said overlay amendment is reflected on the revised Site Design Zones Map, attached hereto as Exhibit A, and made a part hereof by this reference.

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

SECTION 5. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions, and text descriptions of amendments (i.e., Section 2) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first reading 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.

ATTEST:

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2025.

Tonya Graham, Mayor

Reviewed as to form:

Johan Pietila, City Attorney

Ordinance 3251: Exhibit A



CITY OF
ASHLAND
Better Together

Site Design Zones

 Downtown Design Standards

 City Limits

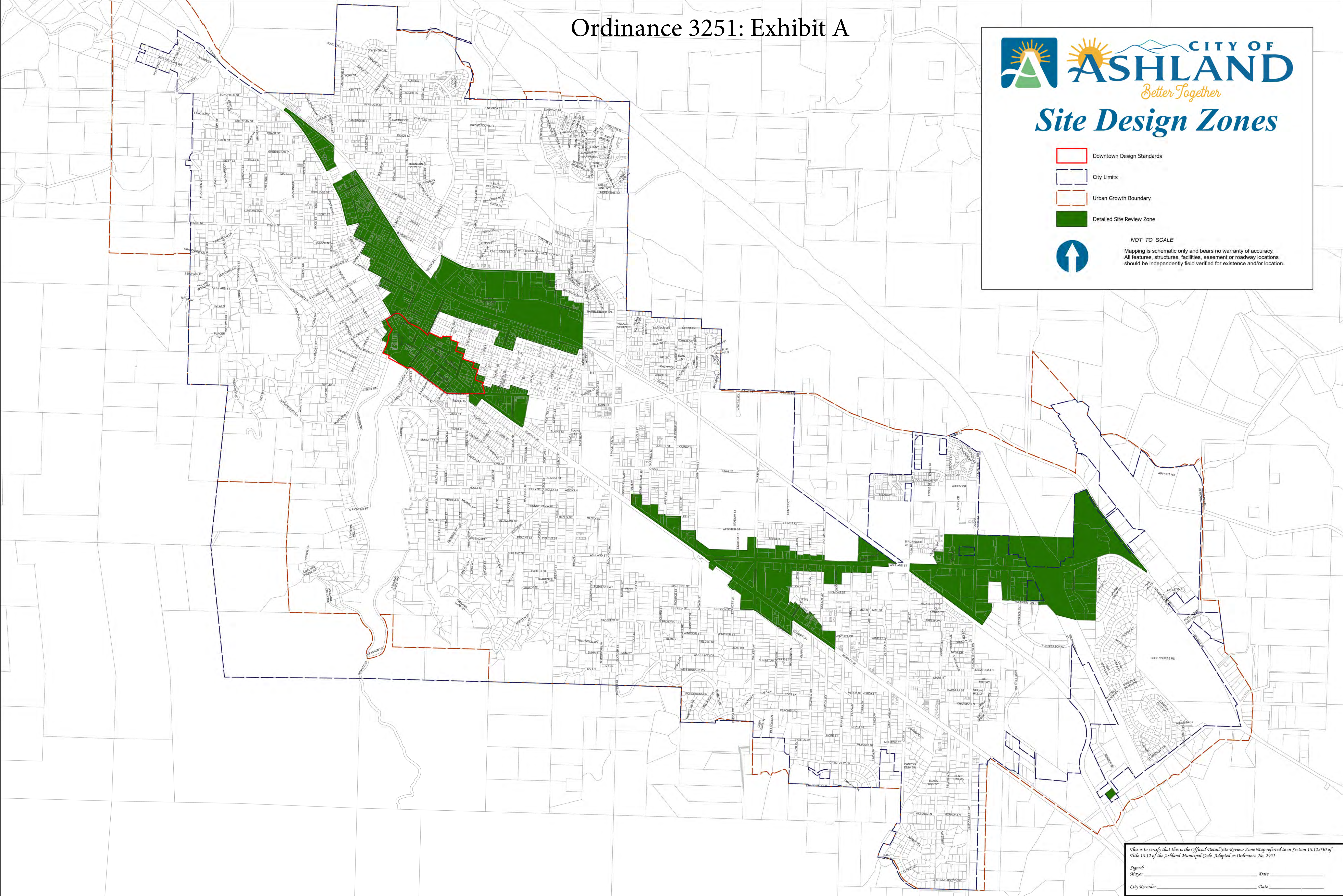
 Urban Growth Boundary

 Detailed Site Review Zone



NOT TO SCALE

Mapping is schematic only and bears no warranty of accuracy. All features, structures, facilities, easement or roadway locations should be independently field verified for existence and/or location.



This is to certify that this is the Official Detail Site Review Zone Map referred to in Section 18.12.030 of Title 18.12 of the Ashland Municipal Code, Adopted as Ordinance No. 2951

Signed: _____ Date: _____
Mayor

City Recorder _____ Date: _____

ORDINANCE NO. 3263

AN ORDINANCE AMENDING CHAPTERS 18.2.1, 18.2.2, 18.2.3.130, 18.2.6, 18.3.12, 18.3.13 & 18.4.2.040.C OF THE ASHLAND LAND USE ORDINANCE TO ALIGN WITH THE NEW CLIMATE FRIENDLY AREA REGULATIONS AND ENSURE IMPLEMENTATION OF APPLICABLE DEVELOPMENT STANDARDS.

(Climate Friendly Area Adoption: Planning Action #PA-T3-2024-00013)

Annotated to show **deletions** and **additions** to the code sections being modified.
Deletions are **~~bold strikethrough~~** and additions are **bold underlined**.

WHEREAS, the Climate-Friendly and Equitable Communities rules adopted by the Land Conservation and Development Commission in July of 2022 require that cities within Oregon's eight Metropolitan Planning Organizations shall identify and re-zone Climate Friendly Areas capable of accommodating 30 percent of each city's future population in pedestrian-friendly, mixed-use areas ; and

WHEREAS, Ashland Municipal Code (AMC) 18.5.9.020.B permits legislative amendments to meet changes in circumstances and conditions. The City Council finds it is necessary to amend the Zoning Map and Land Use Ordinance to adopt two Climate Friendly Areas (CFAs) consistent with statewide requirements including development regulations for those areas that support mixed-use, walkable development consistent with statewide CFA requirements that align with the City's own long-range planning goals adopted in the Comprehensive Plan; and

WHEREAS, the Railroad Property Climate Friendly Area includes 57 acres in the center of the city, just a few blocks north of downtown. The site is zoned Employment (E-1) and has been planned for pedestrian-focused mixed-use development dating back to the 2001 master plan for the site. The application of a new CF Overlay provides an opportunity to update and expand the mixed-use development opportunities for the full site; and

WHEREAS, the Transit Triangle Climate Friendly Area includes 120.35 acres along the major transit corridors on Siskiyou Boulevard and Ashland Street in areas zoned a mix of Commercial (C-1), Employment (E-1) and a small amount of Residential Low Density Multiple Family (R-2) within the existing Transit Triangle (TT) Overlay, which currently offers optional mixed-use provisions beyond the base zone standards to facilitate a mix of housing types and businesses in an environment that is friendly to walking, biking, and using transit; and

WHEREAS, the City's population exceeds 10,000 and is subject to the Oregon Administrative Rules (OAR) section 660-012-0315(2) which requires that Climate Friendly Areas be designated to accommodate at least 30 percent of the City's future housing units, which has been determined to be 3,469 units. Per the methodology established in OAR 660-012-0315(2), the proposed Railroad Property CFA has been shown to have capacity to accommodate 2,226 housing units

and the proposed Transit Triangle CFA has been shown to have capacity to accommodate 5,349 housing units, for a total capacity of 7,575 housing units, well over the required 30 percent of total housing units or 3,469 units determined for Ashland; and

WHEREAS, the purpose of the new Climate Friendly (CF) Overlay is to encourage development and redevelopment within vibrant, walkable mixed-use centers supported by a variety of transportation options. Proposed residential uses include multi-family in mixed-use and stand-alone configurations, and townhouses, and non-residential uses include retail sales and services, restaurants, offices, and public uses. Greater concentrations of housing and businesses are mutually supporting, expanding housing opportunities and providing a better environment for local business development and expansion to help residents meet their daily needs within a walkable setting.

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

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

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. *City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop* 20 Or. App. 293; 531 P 2d no, 734 (1975); and

WHEREAS, the City of Ashland Planning Commission considered the amendment of the City of Ashland Zoning Map to identify two new Climate Friendly (CF) Overlay zones; of the Site Design Zones Map to include the entirety of the two new Climate Friendly (CF) Overlay zones within the Detail Site Review Overlay Zone; of the Ashland Municipal Code and Land Use Ordinances to include a new Chapter 18.3.14 Climate Friendly Overlay; and of Chapters 18.2.1, 18.2.2, 18.2.3.130, 18.2.6, 18.3.12, 18.3.13 and 18.4.2.040.C of the Ashland Municipal Code and Land Use Ordinance to align with new Climate Friendly Area regulations and ensure implementation of applicable development standards, at a duly advertised public hearing on April 29, 2025, following deliberations, recommended approval of the amendments; and

WHEREAS, the City Council of the City of Ashland conducted a duly advertised public hearing on the above-referenced amendments on May 6, 2025; and

WHEREAS, the City Council of the City of Ashland, following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of the Ordinance in accordance with Article 10 of the Ashland City Charter; and

WHEREAS, the City Council of the City of Ashland has determined that in order to protect and benefit the health, safety and welfare of existing and future residents of the City, it is necessary to amend the Ashland Municipal Code and Land Use Ordinance in manner proposed, that an adequate factual base exists for the amendments, the amendments are consistent with the comprehensive plan, that the proposed zoning map and land use code amendments are consistent

with City of Ashland approval criteria for land use ordinance and zoning map amendments as set forth in AMC 18.5.9.020.B and are consistent with the City of Ashland Comprehensive Plan, with other City policies, and with the Oregon Statewide Planning Goals and OAR 660-012-0310 through -0330, and that such amendments are fully supported by the record of this proceeding.

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

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

SECTION 2. Section 18.2.1 [Zoning Regulations and General Provisions] of the Ashland Land Use Ordinance is hereby amended as follows:

Chapter 18.2.1

ZONING REGULATIONS AND GENERAL PROVISIONS

Sections:

- 18.2.1.010 Purpose.
- 18.2.1.020 Zoning Map and Classification of Zones.
- 18.2.1.030 Determination of Zoning Boundaries.
- 18.2.1.040 Applicability of Zoning Regulations.

18.2.1.010 Purpose

Chapter 18.2.1 establishes zoning districts pursuant to the Comprehensive Plan. Every parcel, lot, and tract of land within the City is designated with a zoning district, or zone. The use of land is limited to the uses allowed by the applicable zone.

18.2.1.020 Zoning Map and Classification of Zones

For the purpose of this ordinance, the City is divided into zones designated and depicted on the Zoning Map, pursuant to the Comprehensive Plan Map, and summarized in Table 18.2.1.020.

Table 18.2.1.020.

Base Zones	Overlay Zones
Residential - Woodland (WR)	Airport Overlay
	Detail Site Review Overlay
Residential - Rural (RR)	Downtown Design Standards Overlay
Residential - Single-Family (R-1-10, R-1-7.5, and R-1-5)	Freeway Sign Overlay
Residential - Suburban (R-1-3.5)	Historic District Overlay

Residential - Low Density Multiple Family (R-2)	Pedestrian Place Overlay
Residential - High Density Multiple Family (R-3)	Performance Standards Options Overlay
Commercial (C-1)	Physical and Environmental Constraints Overlay
Commercial - Downtown (C-1-D)	-Hillside Lands
Employment (E-1)	-Floodplain Corridor Lands
	-Severe Constraints Lands
Industrial (M-1)	-Water Resources
	-Wildfire Lands
Special Districts	
Croman Mill District (CM)	Residential Overlay
	Transit Triangle Overlay Climate Friendly Overlay
Health Care Services District (HC)	
Normal Neighborhood District (NN)	
North Mountain Neighborhood District (NM)	
Southern Oregon University District (SOU)	

18.2.1.030 Determination of Zoning Boundaries

Unless otherwise specified, zoning boundaries are lot lines, the centerlines of streets, and railroad right-of-way, or such lines extended. Where due to the scale, lack of scale, lack of detail or illegibility of the Zoning Map, or due to any other reason, there is uncertainty, contradiction or conflict as to the intended location of a zoning boundary, the Staff Advisor or, upon referral, the Planning Commission or City Council, shall determine the boundary as follows:

A. Rights-of-way. Boundaries that approximately follow the centerlines of a street, highway, alley, bridge, railroad, or other right-of-way shall be construed to follow such centerlines. Whenever any public right-of-way is lawfully vacated, the lands formerly within the vacated right-of-way shall automatically be subject to the same zoning designation that is applicable to lands abutting the vacated areas. In cases where the right-of-way formerly

served as a zoning boundary, the vacated lands within the former right-of-way shall be allocated proportionately to the abutting zones.

B. Parcel, lot, tract. Where a zoning boundary splits a lot into two zones and the minimum width or depth of a divided area is 20 feet or less, the entire lot shall be placed in the zone that accounts for the greater area of the lot by the adjustment of the zoning boundary. Where a zoning boundary splits a lot into two zones and the minimum width and depth of both divided areas is greater than 20 feet, the lot shall have split zoning with lot area designated proportionately to each zone.

C. Jurisdiction boundary. Boundaries indicated as approximately following a City or County boundary, or the Urban Growth Boundary, shall be construed as following said boundary.

D. Natural features. Boundaries indicated as approximately following the centerlines of a river or stream, a topographic contour, or similar feature not corresponding to any feature listed in section [18.2.1.030](#), above, shall be construed as following such feature.

18.2.1.040 Applicability of Zoning Regulations

Part [18.2](#) applies to properties with base zone, special district, and overlay zone designations, as follows:

Table 18.2.1.040. Applicability of Standards to Zones, Plan Districts and Overlays

Designation	Applicability
Base Zones	
Residential - Woodland (WR)	Chapter 18.2 Applies Directly
Residential - Rural (RR)	Chapter 18.2 Applies Directly
Residential - Single-family (R-1-10, R-1-7.5, R-1-5)	Chapter 18.2 Applies Directly
Residential - Suburban (R-1-3.5)	Chapter 18.2 Applies Directly
Residential - Low Density Multiple Family (R-2)	Chapter 18.2 Applies Directly
Residential - High Density Multiple Family (R-3)	Chapter 18.2 Applies Directly
Commercial (C-1)	Chapter 18.2 Applies Directly
Commercial - Downtown (C-1-D)	Chapter 18.2 Applies Directly
Employment (E-1)	Chapter 18.2 Applies Directly
Industrial (M-1)	Chapter 18.2 Applies Directly

Designation	Applicability
Special Districts	
Croman Mill District Zone (CM)	CM District Replaces chapter 18.2
Health Care Services Zone (HC)	
Normal Neighborhood District (NN)	NN District Replaces chapter 18.2
North Mountain Neighborhood (NM)	NM District Replaces chapter 18.2
Southern Oregon University (SOU)	
Overlay Zones	
Airport	Overlay Modifies chapter 18.2
Detail Site Review	Overlay Modifies chapter 18.2
Downtown Design Standards	Overlay Modifies chapter 18.2
Freeway Sign	Overlay Modifies chapter 18.2
Historic	Overlay Modifies chapter 18.2
Pedestrian Place	Overlay Modifies chapter 18.2
Performance Standards Options	Overlay Modifies chapter 18.2
Physical and Environmental Constraints	Overlay Modifies chapter 18.2
Residential	Overlay Modifies chapter 18.2
Transit Triangle Climate Friendly	Overlay Modifies chapter 18.2

SECTION 3. Section 18.2.2 [Base Zones and Allowed Uses] of the Ashland Land Use Ordinance is hereby amended as follows:

Chapter 18.2.2

BASE ZONES AND ALLOWED USES

Sections:

- 18.2.2.010 Purpose.
- 18.2.2.020 Applicability.
- 18.2.2.030 Allowed Uses.

18.2.2.010 Purpose

Chapter 18.2.2 regulates allowed land uses pursuant to the Comprehensive Plan and the purposes of this ordinance, per chapter 18.1.2.

18.2.2.020 Applicability

All uses of land in the City are subject to the regulations of chapter 18.2.2. Certain types of land uses are also subject to the Special Use regulations in chapter 18.2.3, and some properties are subject to the overlay zone regulations contained in part 18.3, as applicable.

18.2.2.030 Allowed Uses

A. Uses Allowed in Base Zones. Allowed uses include those that are permitted, permitted subject to special use standards, and allowed subject to approval of a conditional use permit. Where Table 18.2.2.030 does not list a specific use and part 18.6 does not define the use or include it as an example of an allowed use, the City may find that use is allowed, or is not allowed, following the procedures of section 18.1.5.040.

B. Permitted Uses and Uses Permitted Subject to Special Use Standards. Uses listed as “Permitted (P)” are allowed. Uses listed as “Permitted Subject to Special Use Standards (S)” are allowed, provided they conform to chapter 18.2.3, Special Use Standards. All uses are subject to the development standards of the zone in which they are located, any applicable overlay zone(s), and the review procedures of part 18.5. See section 18.5.1.020.

C. Conditional Uses. Uses listed as “Conditional Use Permit Required (CU)” are allowed subject to the requirements of chapter 18.5.4.

D. Prohibited Uses. Uses not listed in Table 18.2.2.030 and not found to be similar to an allowed use following the procedures of section 18.1.5.040 are prohibited. Prohibited uses are subject to the violations, complaints, and penalties sections in 18.1.6.080, 18.1.6.090, and 18.1.6.100.

E. Uses Regulated by Overlay Zones. Notwithstanding the provisions of chapter 18.2.2, additional land use standards or use restrictions apply within overlay zones. An overlay zone may also provide for exceptions to some standards of the underlying zone. For uses allowed in special districts CM, HC, NM, NN and SOU, and for regulations applying to the City’s overlay zones, refer to part 18.3.

F. Accessory Uses. Uses identified as “Permitted (P)” are permitted as primary uses and as accessory uses. For information on other uses that are customarily allowed as accessory, please refer to the description of the land use categories in part 18.6, Definitions.

G. Mixed-Use. Uses allowed in a zone individually are also allowed in combination with one another, in the same structure or on the same site, provided all applicable development standards and building code requirements are met.

H. Temporary Uses. Temporary uses require a conditional use permit under chapter 18.5.4, except as follows:

1. Short-Term Events. The Staff Advisor may approve through ministerial review short-term temporary uses occurring once in a calendar year and lasting not more than 72 hours including set-up and take-down. Activities such as races, parades, and festivals that occur on public property (e.g., street rights-of-way, parks, sidewalks, or other public grounds) require a special event permit pursuant to chapter 13.03.

2. Short-Term Food Truck Event. The Staff Advisor may approve through ministerial review the short-term temporary operation of a food truck occurring not more than once per month and lasting not more than 72 hours including set-up and take-down. In addition to the short-term food truck event permit, food truck vendors shall obtain a business license, register for and pay applicable food and beverage tax, and receive any requisite inspections from the Building and Fire Departments and the Jackson County Environmental Public Health Department. Short-term food truck events are not to be permitted in residential zones.

3. Garage Sales. Garage sales shall have a duration of not more than two days and shall not occur more than twice within any 365-day period. Such activity shall not be accompanied by any off-premises advertisement. For the purpose of this chapter, garage sales meeting the requirements of this subsection shall not be considered a commercial activity.

4. Temporary Buildings. Temporary occupancy of a manufactured housing unit or similar structure may be permitted for a period not to exceed 90 calendar days upon the granting of a permit by the Building Official. Such occupancy may only be allowed in conjunction with construction on the site. Said permit shall not be renewable within a six-month period beginning at the first date of issuance, except with approval of the Staff Advisor.

I. Disclaimer. Property owners are responsible for verifying whether a proposed use or development meets the applicable standards of this chapter.

Table 18.2.2.030. Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
A. Agricultural Uses¹										
Agriculture, except Keeping of Bees, Livestock and Micro-Livestock, Homegrown Marijuana Cultivation, and Marijuana Production	P	P	P	P	P	P	N	N	N	Animal sales, feed yards, keeping of swine, commercial compost, or similar uses not allowed
Keeping of Bees	S	S	S	S	S	S	N	N	N	Sec. <u>18.2.3.160</u>
Keeping of Livestock	S	N	N	N	S	S	N	N	N	
Keeping of Micro-Livestock	S	S	S	S	S	S	N	N	N	
Marijuana Cultivation, Homegrown	S	S	S	S	S	S	S	S	S	Sec. <u>18.2.3.190</u> See General Industrial, Marijuana Production
B. Residential Uses										
Single-Family Dwelling	P	P	P	P	P	P	S	S	N	See Single-Family standards in Sec. <u>18.2.5.090</u>

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
										Sec. <u>18.2.3.130</u> for dwellings in C-1 zone and E-1 zone Dwellings and additions in Historic District Overlay, see Sec. <u>18.2.3.120</u> and <u>18.2.5.070</u>
Accessory Residential Unit	S	S	S	S	S	S	N	N	N	Sec. <u>18.2.3.040</u> and <u>18.5.2.020.C.2</u> Dwellings and additions in Historic District Overlay, see Sec. <u>18.2.3.120</u> and <u>18.2.5.070</u>
Cottage Housing	S	N	N	N	N	N	N	N	N	Sec. <u>18.2.3.090</u> , Cottage Housing
Duplex	S	S	S	S	S	S	S	S	N	Sec. <u>18.2.3.110</u> , Duplex, and <u>18.5.2.020.C.2</u>

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
										Sec. <u>18.2.3.130</u> for dwellings in C-1 zone and E-1 zone Dwellings and additions in Historic District Overlay, see Sec. <u>18.2.3.120</u> and <u>18.2.5.070</u>
Manufactured Home on Individual Lot	S	S	S	S	N	N	N	N	N	Sec. <u>18.2.3.170</u> and not allowed in Historic District Overlay
Manufactured Housing Development	N	S	CU+S	N	N	N	N	N	N	Sec. <u>18.2.3.180</u>
Multifamily Dwelling	N	P	P	P	N	N	S	S	N	Sec. <u>18.2.3.130</u> for C-1 zone and E-1 zone Dwellings in Transit Triangle (TT) Overlay, see chapter 18.3.14 Dwellings and additions in Historic District Overlay, see Sec.

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
										<u>18.2.3.120</u> and <u>18.2.5.070</u>
Rental Dwelling Unit Conversion to For-Purchase Housing	N	N	S	S	N	N	N	N	N	Sec. <u>18.2.3.200</u>
Home Occupation	S	S	S	S	S	S	S	S	N	Sec. <u>18.2.3.150</u>
C. Group Living										
Nursing Homes, Convalescent Homes	CU	CU	CU	CU	CU	CU	N	N	N	See chapter <u>18.3.3</u> , Health Care Services District
Residential Care Home	P	P	P	P	P	P	N	N	N	Subject to State licensing requirements
Residential Care Facility	CU	P	P	P	CU	CU	N	N	N	Subject to State licensing requirements
Room and Boarding Facility	N	P	P	P	N	N	N	N	N	
D. Public and Institutional Uses										

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Airport										See chapter <u>18.3.7</u> , Airport Overlay
Cemetery, Mausoleum, Columbarium	N	N	N	N	CU	N	N	N	N	
Child Care Facility	CU	CU	CU	CU	CU	CU	P	P	P	Family Child Care Home exempt from planning application procedure pursuant to ORS <u>329A.440</u> , see part <u>18.6</u> for definition Subject to State licensing requirements
Club Lodge, Fraternal Organization	CU	CU	CU	CU	CU	CU	P	CU	CU	
Electrical Substation	N	N	N	N	N	N	CU	CU	P	
Hospitals	CU	CU	CU	CU	CU	N	N	N	N	See chapter <u>18.3.3</u> , Health Care Services District

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Governmental Offices and Emergency Services (e.g., Police, Fire); excluding Outdoor Storage	CU	CU	N	N	CU	CU	P	P	P	
Mortuary, Crematorium	N	N	N	N	CU	N	P	P	P	
Park, Open Space, and Recreational Facility, including playgrounds, trails, nature preserves, athletic fields, courts, swim pools, and similar uses	P	P	P	P	P	P	N	N	N	
Public Parking Facility	P	P	P	P	P	P	P	P	P	
Recycling Depot	N	N	N	N	N	N	N	P	P	Not allowed within 200 feet of a residential zone
Religious Institution, Houses of Worship	CU	CU	CU	CU	CU	CU	CU	CU	CU	
School, Private (Kindergarten and up)	CU	CU	CU	CU	CU	CU	N	N	N	
School, Public (Kindergarten and up)	P	P	P	P	P	CU	N	N	N	

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
School, Private College/Trade/Technical School	N	N	N	N	N	N	N	CU	P	
Utility and Service Building, Yard and Structure, Public and Quasi-Public, excluding electrical substations	CU	CU	N	N	CU	CU	P	P	P	Includes public service building, yard, and structures such as public works yards Yards not allowed in the RR, WR, and C-1 zones
Wireless Communication Facility	CU	CU	CU	CU	CU	CU	P or CU	P or CU	P or CU	Chapter <u>18.4.10</u>
E. Commercial Uses										
Amusement/Entertainment, includes theater, concert hall, bowling alley, miniature golf, arcade; excluding drive-up uses	N	N	N	N	N	N	P	CU	P	
Automotive and Truck Repair, or Service; includes fueling station, car wash, tire sales and repair/replacement, painting, and other repair for automobiles,	N	N	N	N	N	N	S or CU	S or CU	P	Sec. <u>18.2.3.050</u> In C-1 zone, fuel sales and service is a permitted use provided within the Freeway

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
motorcycles, aircraft, boats, RVs, trucks, etc.										Overlay, see chapter 18.3.8; conditional use in locations outside of Freeway Overlay In E-1 zone, auto and truck repair is a permitted use if 200 feet or more from residential zones; fuel sales and service requires CU permit
Automotive Sales and Rental, includes motorcycles, boats, RVs, and trucks	N	N	N	N	N	N	CU	CU	P	Not allowed within Historic District Overlay
Accessory Travelers' Accommodation (See also Travelers' Accommodation)	N	N	CU+S	CU+S	N	N	N	N	N	Sec. 18.2.3.220
Bakery, except as classified as Food Processing	N	N	N	N	N	N	P	P	P	
Commercial Laundry, Cleaning, and Dyeing Establishment	N	N	N	N	N	N	S	S	P	Sec. 18.2.3.080

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Commercial Recreation, includes country club, golf course, swimming club, and tennis club; excluding intensive uses such as driving range, race track, or amusement park	CU	CU	N	N	CU	CU	N	N	N	
Commercial Retail Sales and Services, except Outdoor Sales and Services	N	N	CU+S	N	N	N	P	S	S	In R-2 zone, uses limited to personal and professional services, except see Sec. 18.2.3.210 for retail uses allowed in Railroad Historic District In E-1 zone, Retail limited to 20,000 square feet of gross leasable floor space per lot In M-1 zone, uses limited to serving persons working in zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
										See Marijuana Retail Sales
Drive-Up Use	N	N	N	N	N	N	S	N	N	Per Sec. <u>18.2.3.100</u> , Drive-Up uses are limited to area east of Ashland St at intersection of Ashland St/Siskiyou Blvd
Food Trucks and Food Carts	N	N	N	N	N	N	S	S	S	Sec. <u>18.2.3.145</u>
Hostel	N	N	CU	CU	N	N	CU*	N	N	*In C-1 zone, requires annual Type I review for at least the first three years, after which time the Planning Commission may approve a permanent facility through the Type II procedure
Hotel/Motel	N	N	N	N	N	N	CU	CU	P	

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Kennel (See also Veterinary Clinic)	N	N	N	N	N	N	S	S	CU	No animals kept outside within 200 feet of a residential zone
Limited Retail Uses in Railroad Historic District	N	CU	CU	CU	N	N	N	N	N	Sec. <u>18.2.3.210</u> for Retail Uses Allowed in Railroad Historic District
Lumber Yard and Similar Sales and Rental of Building or Contracting Supplies, or Heavy Equipment	N	N	N	N	N	N	CU	CU	P	
Marijuana Retail Sales, includes sale of medical and recreational marijuana	N	N	N	N	N	N	S or CU	S or CU	N	Per Sec. <u>18.2.3.190</u> , marijuana retail sales are limited to the C-1 and E-1 zones and located on a boulevard or 200 feet or more from any residential zone, see Sec. <u>18.2.3.190</u>
Nightclub, Bar	N	N	N	N	N	N	S	CU	P	Not allowed within the Historic District Overlay unless located in C-1-D
Office	N	N	CU	CU	N	N	P	P	P	

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Plant Nursery, Wholesale, except Marijuana Production	N	N	CU	CU	N	N	N	N	N	
Restaurants	N	N	N	N	N	N	P	P	P	
Retail Sales and Services, except Outdoor Sales and Services	N	N	CU+S	N	N	N	P	S	S	In R-2 zone, uses limited to personal and professional services, except see Sec. <u>18.2.3.210</u> for retail uses allowed in Railroad Historic District In E-1 zone, Retail limited to 20,000 square feet of gross leasable floor space per lot In M-1 zone, uses limited to serving persons working in zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
										See Marijuana Retail Sales
Self-Service Storage, Commercial (Mini-Warehouse)	N	N	N	N	N	N	N	CU	P	
Travelers' Accommodation (See also Accessory Travelers' Accommodation)	N	N	CU+S	CU+S	N	N	N	N	N	Sec. <u>18.2.3.220</u>
Veterinary Clinic	N	N	N	N	N	N	P	P	P	
F. Industrial and Employment Uses										
Cabinet, Carpentry, and Machine Shop, and related Sales, Services, and Repairs	N	N	N	N	N	N	N	S or CU	P	In the E-1 zone, uses within 200 feet of a residential zone require CU permit
Commercial Excavation and Removal of Sand, Gravel, Stone, Loam, Dirt or Other Earth Products	N	N	N	N	CU+S	N	N	N	N	Sec. <u>18.2.3.070</u>
Concrete or Asphalt Batch Plant	N	N	N	N	N	N	N	N	CU	

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Dwelling for a caretaker or watchman	N	N	N	N	N	N	N	CU	CU	
Food Products Manufacture/Processing/Preserving, including canning, bottling, freezing, drying, and similar processing and preserving	N	N	N	N	N	N	S	S	P	In the C-1 zone, manufacture or assembly of items sold is a permitted use, provided such manufacturing or assembly occupies 600 square feet or less, and is contiguous to the permitted retail outlet In the E-1 zone, see Sec. 18.2.3.140
Manufacture, General, includes Marijuana Laboratory, Processing, and Production	N	N	N	N	N	N	N	P or S	P or S	In E-1 and M-1 zones, marijuana laboratory, processing, and production are subject to the special use standards in Sec. 18.2.3.190 See Marijuana Cultivation, Homegrown

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Manufacture, Light; excluding saw, planing or lumber mills, or molding plants	N	N	N	N	N	N	S	P	P	Requires assembly, fabricating, or packaging of products from previously prepared materials such as cloth, plastic, paper, cotton, or wood In the C-1 zone, manufacture or assembly of items sold in a permitted use, provided such manufacturing or assembly occupies 600 square feet or less, and is contiguous to the permitted retail outlet
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Television and Radio Broadcasting Studio	N	N	N	N	N	N	N	P	P	

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Wholesale Storage and Distribution, includes Marijuana Wholesale	N	N	N	N	N	N	N	S	S	Deliveries and shipments limited to 7 a.m. - 9 p.m. within 200 feet of a residential zone In E-1 and M-1 zones, marijuana wholesale is subject to the special use standards in Sec. <u>18.2.3.190</u>
Wrecking, Demolition, and Junk Yards	N	N	N	N	N	N	N	N	CU	
G. Other Uses										
Temporary Tree Sales	N	N	N	N	N	N	P	N	N	Allowed from November 1 to January 1
Temporary Use	CU, except uses lasting less than 72 hours are subject to ministerial review, per Sec. <u>18.2.2.030.H</u>									

1 KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

SECTION 4. Section 18.2.3.130 [Dwellings in Non-Residential Zone] of the Ashland Land Use Ordinance is hereby amended as follows:

18.2.3.130 Dwellings in Non-Residential Zone

Where dwellings are allowed in non-residential zones, they are subject to all of the following requirements:

A. Dwellings in the E-1 zone are limited to the R-Overlay **and the CF Overlay** zones. See chapter 18.3.13 Residential Overlay, **and chapter 18.3.14, Climate Friendly Overlay.**

B. Dwellings in the E-1 and C-1 zones shall meet all of the following standards, except that dwellings developed **under in** the **Transit Triangle (TT) Climate Friendly (CF)** Overlay **option** are not subject to this subsection. See section 18.3.14.040 for the allowed uses in the **TT CF** overlay.

1. **Mixed-Use Developments.** If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses. At least 65 percent of the gross floor area of the ground floor shall be designated for permitted uses and uses permitted with special use standards, not including residential uses.

2. **No maximum residential densities shall apply. Residential densities shall not exceed 15 dwelling units per acre in the E-1 zone, 30 dwelling units per acre in the C-1 zone, and 60 dwelling units per acre in the C-1-D zone. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.**

3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the underlying zone.

4. Commercial-Ready Exception in C-1-D zone. The limitations in this subsection on ground-floor residential uses do not apply to buildings in the C-1-D zone developed with commercial-ready space on the ground floor complying with the following:

a. The entire ground floor space must be constructed to accommodate nonresidential uses.

b. If residential uses are provided immediately above the ground floor level (i.e., second floor residential), horizontal occupancy separation must be provided to accommodate future commercial occupancies as required by the Oregon Structure Specialty Code at the time of construction.

c. The ground floor must have an interior height of not less than 12 feet measured from the entry level finished floor to the bottom of the structural members of the floor above.

d. Residential densities shall achieve a minimum of 30 dwelling units per acre.

SECTION 5. Section 18.2.6 [Standards for Non-Residential Zones] of the Ashland Land Use Ordinance is hereby amended as follows:

Chapter 18.2.6

STANDARDS FOR NON-RESIDENTIAL ZONES

Sections:

18.2.6.010 Purpose.

18.2.6.020 Applicability.

18.2.6.030 Unified Standards for Non-Residential Zones.

18.2.6.010 Purpose

18.2.6 sets forth lot and development standards, including minimum dimensions, area, density, coverage, structure height, and other provisions that control the intensity, scale, and location of development, for Ashland's base employment zones, pursuant to the Comprehensive Plan and the purposes of this ordinance.

18.2.6.020 Applicability

The standards contained in this chapter apply to all uses and development in the city's employment zones. Property owners are responsible for verifying whether a proposed use or development meets the applicable standards of this ordinance, and for obtaining Zoning Permits.

18.2.6.030 Unified Standards for Non-Residential Zones

Table 18.2.6.030. Standards for Non-Residential Zones

(Except as modified under chapter 18.5.5 Variances.)

Standard	C-1	C-1-D	E-1	M-1
Maximum Residential Density ¹ (dwelling units/acre)	30 du/ac None	60 du/ac None	15 du/ac None	NA
¹ where allowed per section <u>18.2.3.130</u> ; within E-1 zone, per R-Overlay (see chapter <u>18.3.13</u> Residential Overlay).				
Lot Area, Width, Depth Lot Coverage	There is no minimum lot area, width or depth, or maximum lot coverage; or minimum front, side or rear yard, except as required to comply with the special district and overlay zone provisions of part <u>18.3</u> or the site development and design standards of part <u>18.4</u> .			
Setback Yards (feet)	There is no minimum front, side, or rear yard required, except where buildings on the subject site abut a residential zone, in which case a side of not less than 10 ft and a rear yard of not less than 10 ft per story is required.			There is no minimum front, side, or rear yard, except 20 ft where adjoining a residential zone.
	The solar setback standards of chapter <u>18.4.8</u> do not apply to structures in the C-1-D zone.			
	Except for buildings within 100 feet of a residential zone, the solar setback standards of chapter <u>18.4.8</u> do not apply to structures in the C-1 zone.			
	See also section <u>18.2.4.030</u> Arterial Street Setback.			
Building Height ^{2&3} – Maximum (feet)	40 ft, except:	50 ft, except:	40 ft	40 ft
	-Where located more than 100 feet from a residential zone, buildings greater than 40 ft and less than 55 ft are permitted in C-1 zone with	- Buildings greater than 40 50 ft and less than 55 60 ft are permitted if they contain at least 25% of the dwelling units as affordable housing		

Standard	C-1	C-1-D	E-1	M-1
	approval of a Conditional Use Permit.	meeting the affordability standards in 18.2.5.050 in C-1-D zone or with approval of a Conditional Use Permit.		
² See definition of “height of building” in section 18.6.1.030.				
³ Parapets may be erected up to five feet above the maximum building height; see also, 18.4.4.030.G.4 for mechanical equipment screening requirements, and 18.5.2.020 for Site Design Review for mechanical equipment review process.				
Landscape Area – Minimum (% of developed lot area)	15%	None, except parking areas and service stations shall meet the standards of chapters 18.4.3 Parking, Access, and Circulation, and 18.4.4 Landscaping, Lighting, and Screening.	15%	10%

SECTION 6. Section 18.3.12 [Site Development and Design Overlays] of the Ashland Land Use Ordinance is hereby amended as follows:

Chapter 18.3.12
SITE DEVELOPMENT AND DESIGN OVERLAYS

Sections:

18.3.12.010	Purpose.
18.3.12.020	Applicability.

- 18.3.12.030 Detail Site Review Overlay.
- 18.3.12.040 Downtown Design Standards Overlay.
- 18.3.12.050 Historic District Overlay.
- 18.3.12.060 Pedestrian Place Overlay.
- 18.3.12.070 **Transit Triangle Climate Friendly** Overlay.

18.3.12.010 Purpose

The Site Development and Design overlays provide special regulations and standards that supplement the base zoning regulations which are implemented through Site Design Review.

18.3.12.020 Applicability

This chapter applies to the Detail Site Review, Downtown Design Standards, Historic District, Pedestrian Place, and **Transit Triangle Climate Friendly** overlays. Development located within these overlays is required to meet all other applicable sections of this ordinance, except as modified by this chapter. Where the provisions of this chapter conflict with comparable standards described in any other ordinance or regulation, the provisions of this chapter apply.

18.3.12.030 Detail Site Review Overlay

- A. The Detail Site Review Overlay is that area defined in the Site Design Zones map.
- B. Development in the Detail Site Review Overlay is subject to subsection 18.4.2.040.C in addition to all other applicable sections of this ordinance.
- C. Any development in the Detail Site Review Overlay which exceeds 10,000 square feet or is longer than 100 feet in length or width shall be reviewed according to the Type II procedure in section 18.5.1.060.

18.3.12.040 Downtown Design Standards Overlay

- A. The Downtown Design Standards Overlay is that area defined in the Site Design Zones map.
- B. Development in the Downtown Design Standards Overlay is subject to section 18.4.2.060 Downtown Design Standards in addition to all other applicable sections of this ordinance.
- C. Any development in the Downtown Design Standards Overlay which exceeds 2,500 square feet shall be reviewed according to the Type II procedure in section 18.5.1.060.

18.3.12.050 Historic District Overlay

- A. The Historic District Overlay, also referred to as the Historic Interest Area, is that area defined in the Historic Districts map.
- B. Development in the Historic District Overlay is subject to section 18.4.2.050 Historic District Standards in addition to all other applicable sections of this ordinance.

18.3.12.060 Pedestrian Place Overlay

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

B. Applicability.

1. This section applies to properties designated as Pedestrian Places overlay on the Site Design Zones map.

2. Review Procedure. The Pedestrian Place overlay requirements apply to proposed development located in the Pedestrian Place overlay that requires a planning application approval, and involves development of new structures or additions other than single-family dwellings, accessory residential units, duplexes, and other associated accessory structures and uses. The provisions of the Pedestrian Place overlay supplement those of the applicable base zoning district and other applicable ordinance requirements.

3. Mixed-Use Buildings in Residential Zones. Mixed-use buildings located in an underlying residential zone require Site Design Review approval in accordance with chapter [18.5.2](#), and are subject to the standards in subsection [18.4.2.040.B](#), Basic Site Review Standards, rather than section [18.4.2.030](#), Residential Development. Mixed-use buildings are subject to all other applicable provisions of part [18.4](#), Site Development and Design Standards.

~~4. The Pedestrian Places overlay and development standards do not apply to properties electing to develop under the Transit Triangle (TT) overlay option. See chapter [18.3.14](#), Transit Triangle Overlay.~~

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

D. **Development Standards**. The following standards shall apply to development in the Pedestrian Places overlay in addition to all applicable provisions of this chapter:

1. Building Setbacks. The solar access setback in chapter [18.4.8](#), Solar Access, applies only to those lots abutting a residential zone to the north.
2. Plazas and Landscaping Ratio. Outdoor seating areas, plazas, and other useable paved surfaces may be applied toward meeting the landscaping area requirements in chapter [18.4.4](#), Landscaping, Lighting, and Screening, but shall not constitute more than 50 percent of the required area.

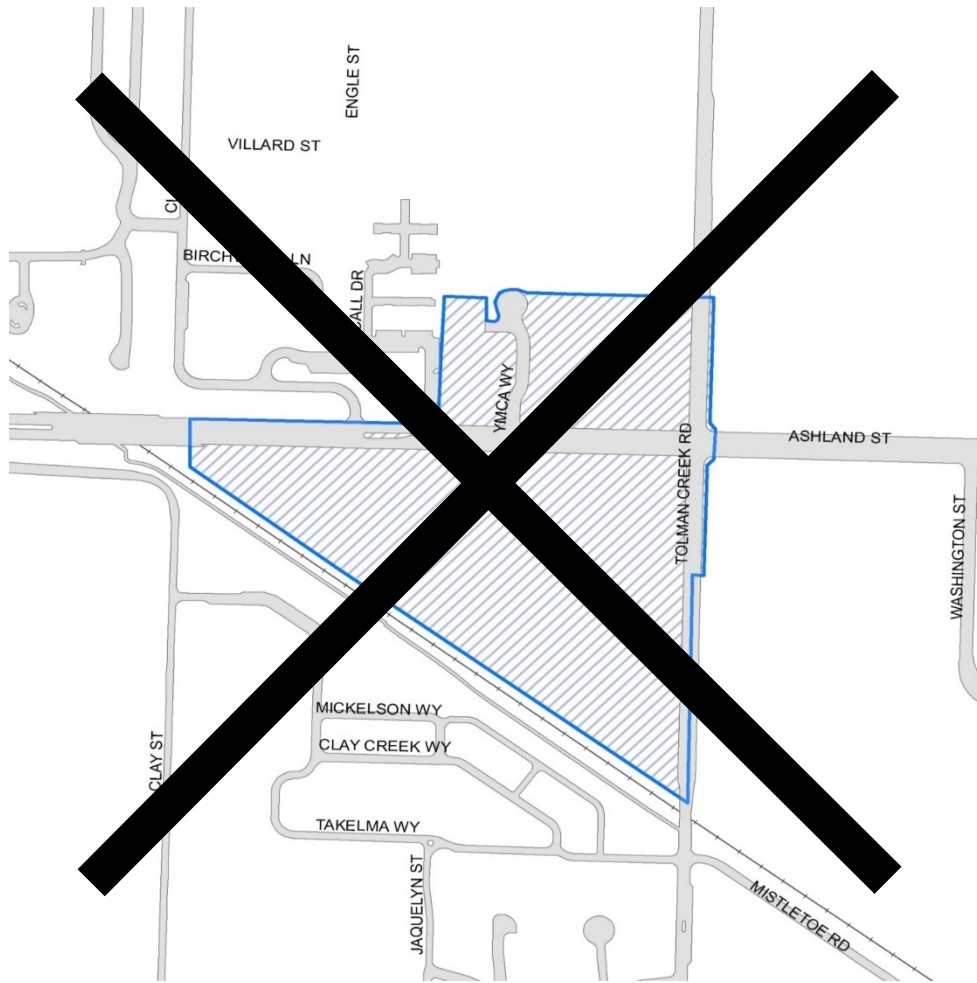
E. **Development in Residential Zone**. The following standards apply to development located in the Pedestrian Places overlay and a residential zone, in addition to all applicable provisions of this chapter:

1. Special Permitted Uses. In addition to the permitted uses in the underlying residential zone, the following uses and their accessory uses are permitted subject to the requirements of this section:

- a. Professional, financial, business and medical offices, and personal service establishments.
- b. Stores, shops, and offices supplying commodities or performing services.
- c. Restaurants.

2. Development Standards and Limitations.

- a. The maximum gross floor area occupied by a special permitted use shall be 2,500 square feet.
- b. Special permitted uses shall be allowed in a building or in a group of buildings including a mixture of businesses and housing. At least 50 percent of the total gross floor area of a building, or of where there is more than one building on a site, 50 percent of the total lot area including accessory uses such as parking, landscaping and public space, shall be designated for residential uses.
- c. The development shall meet the minimum housing density requirements of the underlying zone.
- d. Mixed-use buildings shall be set back not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement.
- e. Mixed-use developments shall have a minimum floor area ratio (FAR) of 0.50. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Projects including existing buildings or vacant parcels of one-half acre or greater in size shall achieve the required minimum FAR or provide a shadow plan (see graphic) that demonstrates how development may be intensified over time to meet the required minimum FAR.





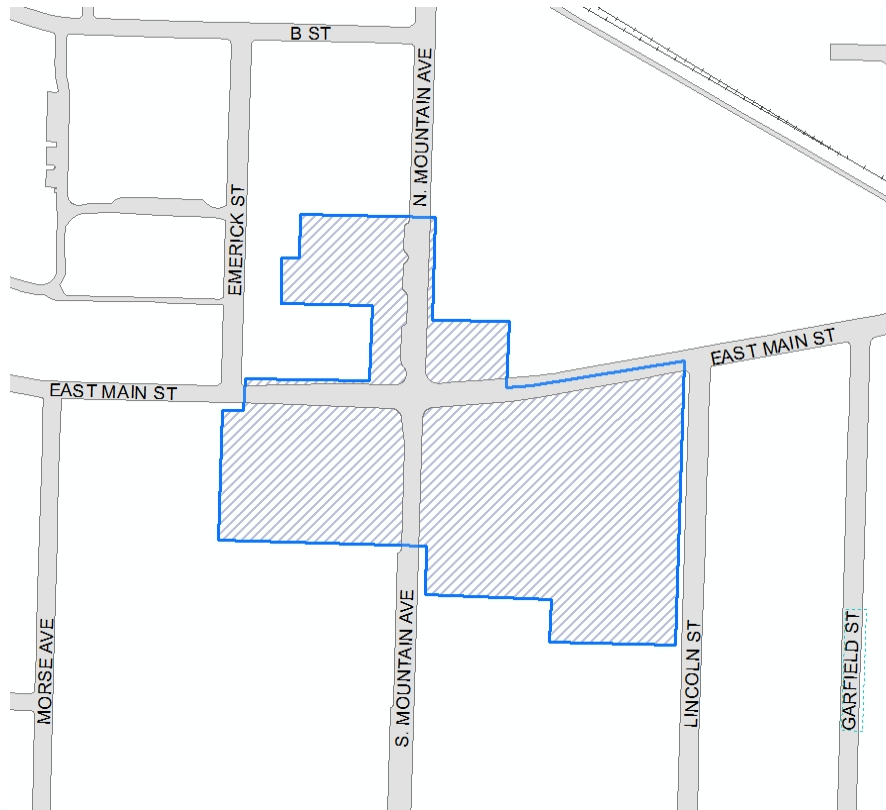


Figure 18.3.12.060. Pedestrian Places Overlay



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

City of Ashland TSP Update

N. Mountain Avenue and E. Main Street Pedestrian Place



March 2011
Revised October 2011



Concept Plan.

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

Development Summary

Building A: 2-Story Apartment Building

- 8 Apartments

Building B: 2-Story Mixed-use Building

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

Building C: 2-Story Mixed-use Building

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

Historic Home as Potential Studio / Gallery Space

Flexible Parking Standards

- Various parking credit options

Achievable Density

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

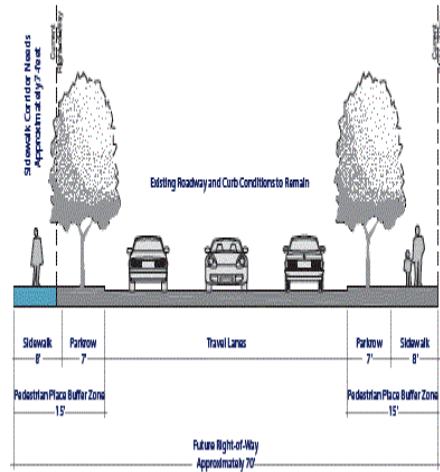
Arts, Education and Affordability

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

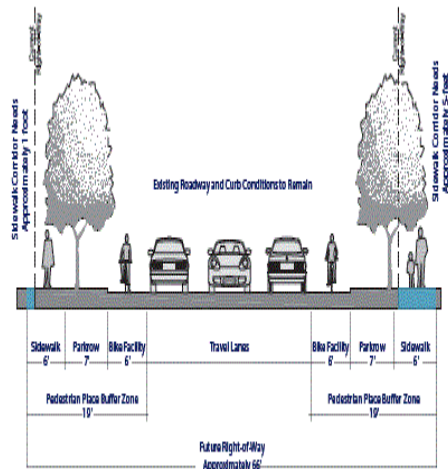
Transportation and Streetscape Improvements

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

Streetscape and Public Art



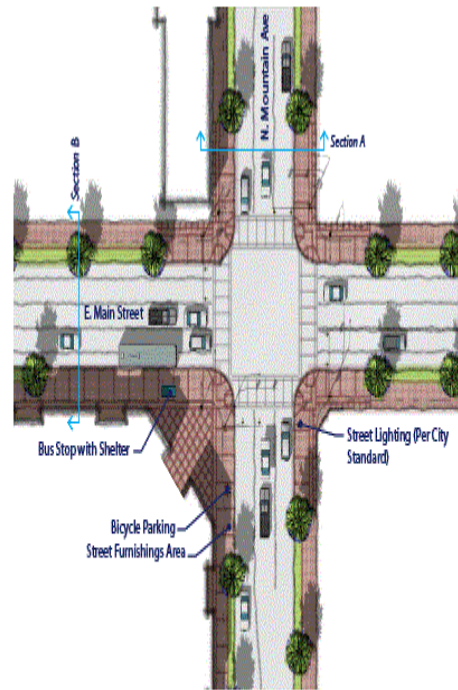
N. Mountain Avenue Future Improvements
Section A - Looking North



E. Main Street Future Improvements
Section B - Looking West



Public Art



Pedestrian Place Streetscape Features



Public Realm Features

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

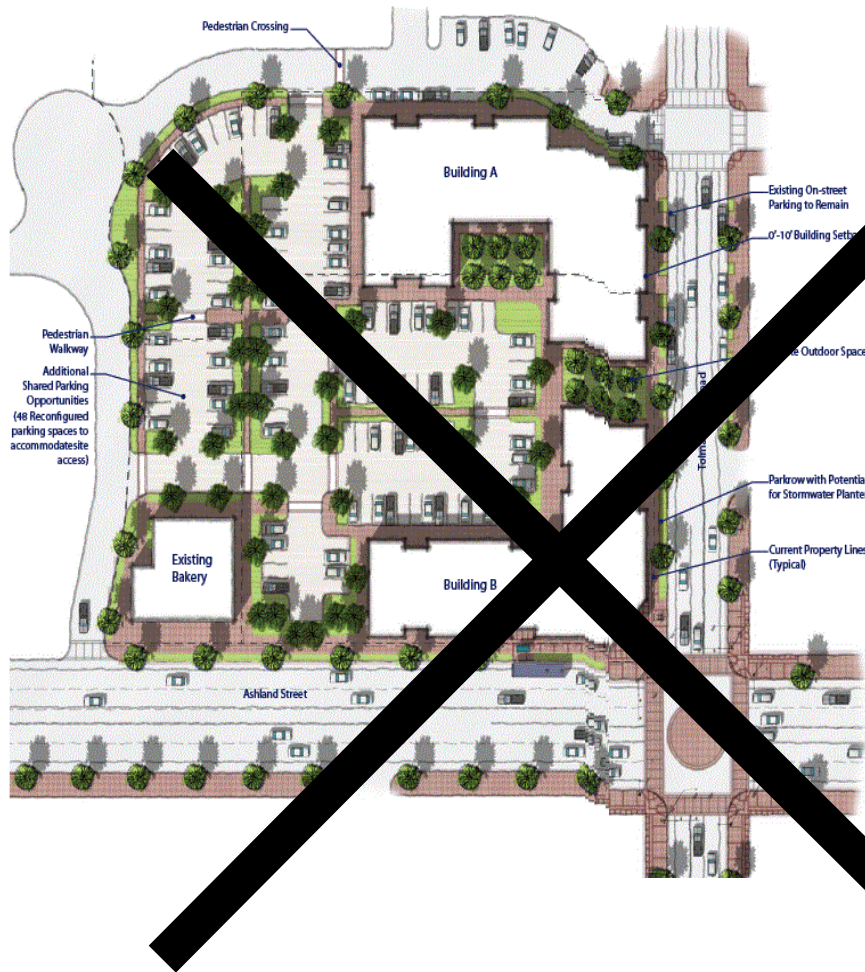


Creating a pedestrian-friendly environment requires increased pedestrian activity, and a balance between residential and commercial uses.

City of Ashland
TSP Update
Tolman Creek Road and Ashland Street
Pedestrian Place



March 2011
Revised October 2011



Concept Plan

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

Development Summary

Building A: 2-Story Apartment Building
60 Apartments

Building B: 2-Story Mixed-use Building

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

Flexible Parking Standards

- Various parking credit options

Achievable Density

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

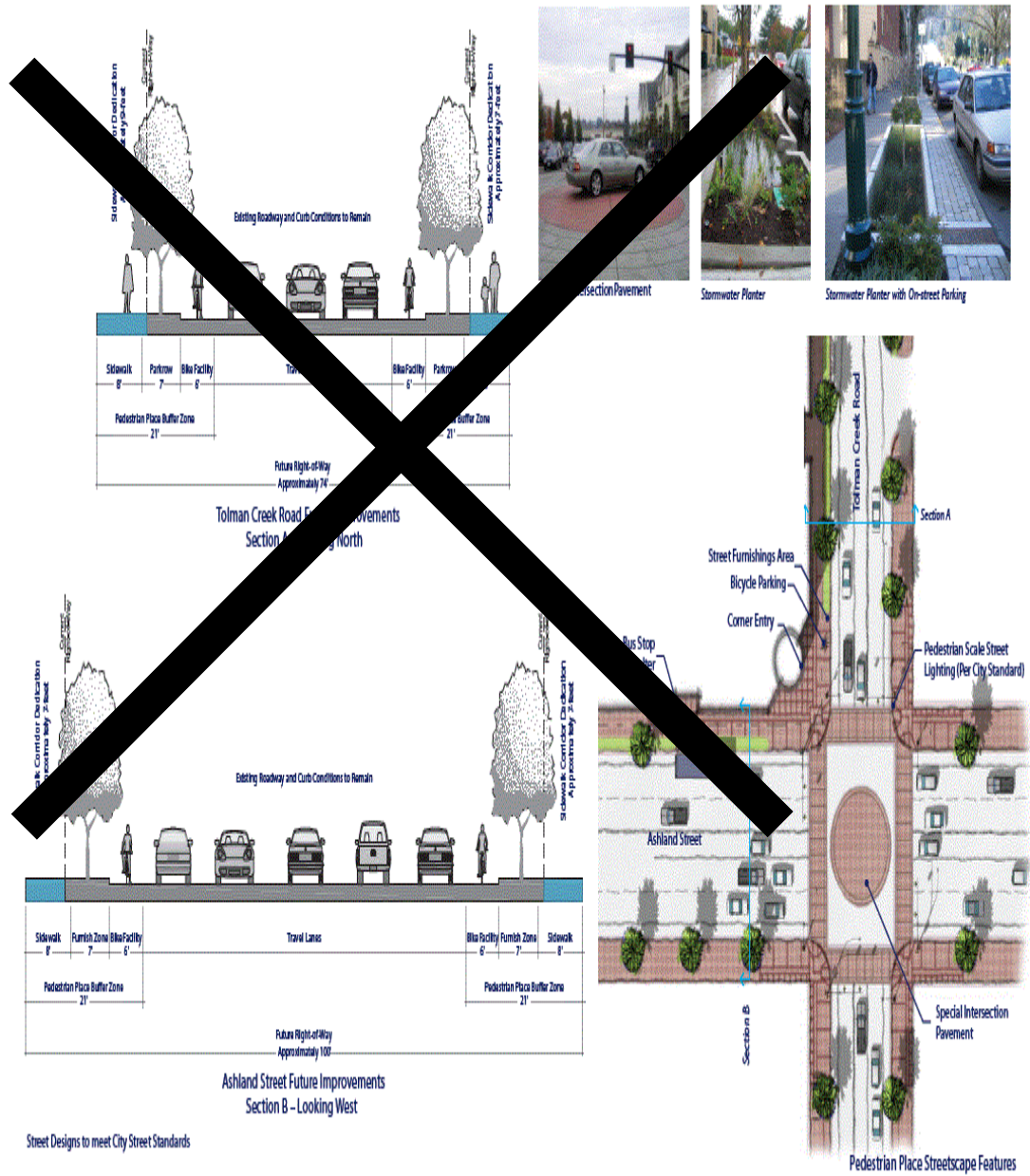
Balancing Residential and Commercial Uses

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

Transportation and Streetscape Improvements

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

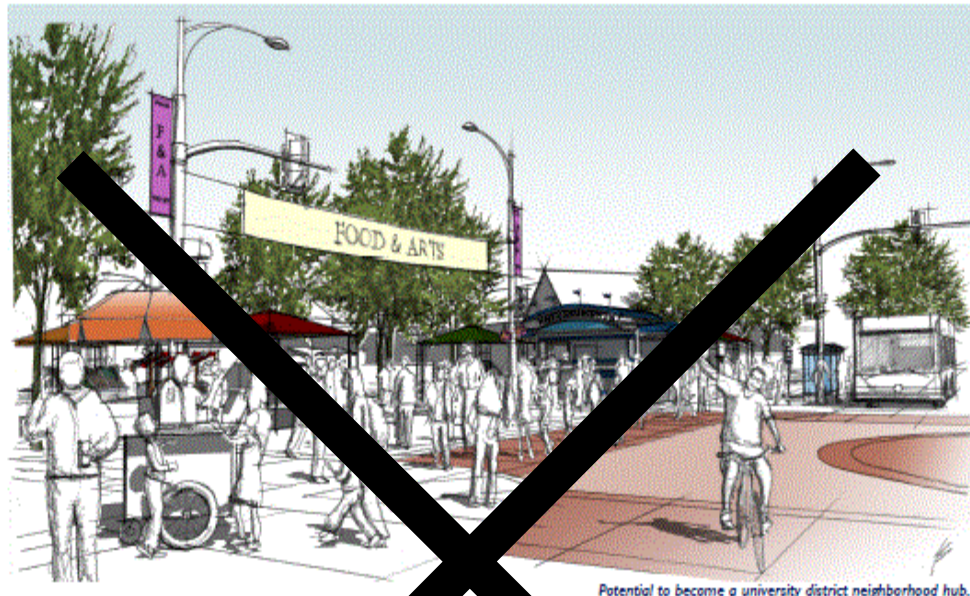
Green Street and Intersection Design Features





Public Realm Features

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



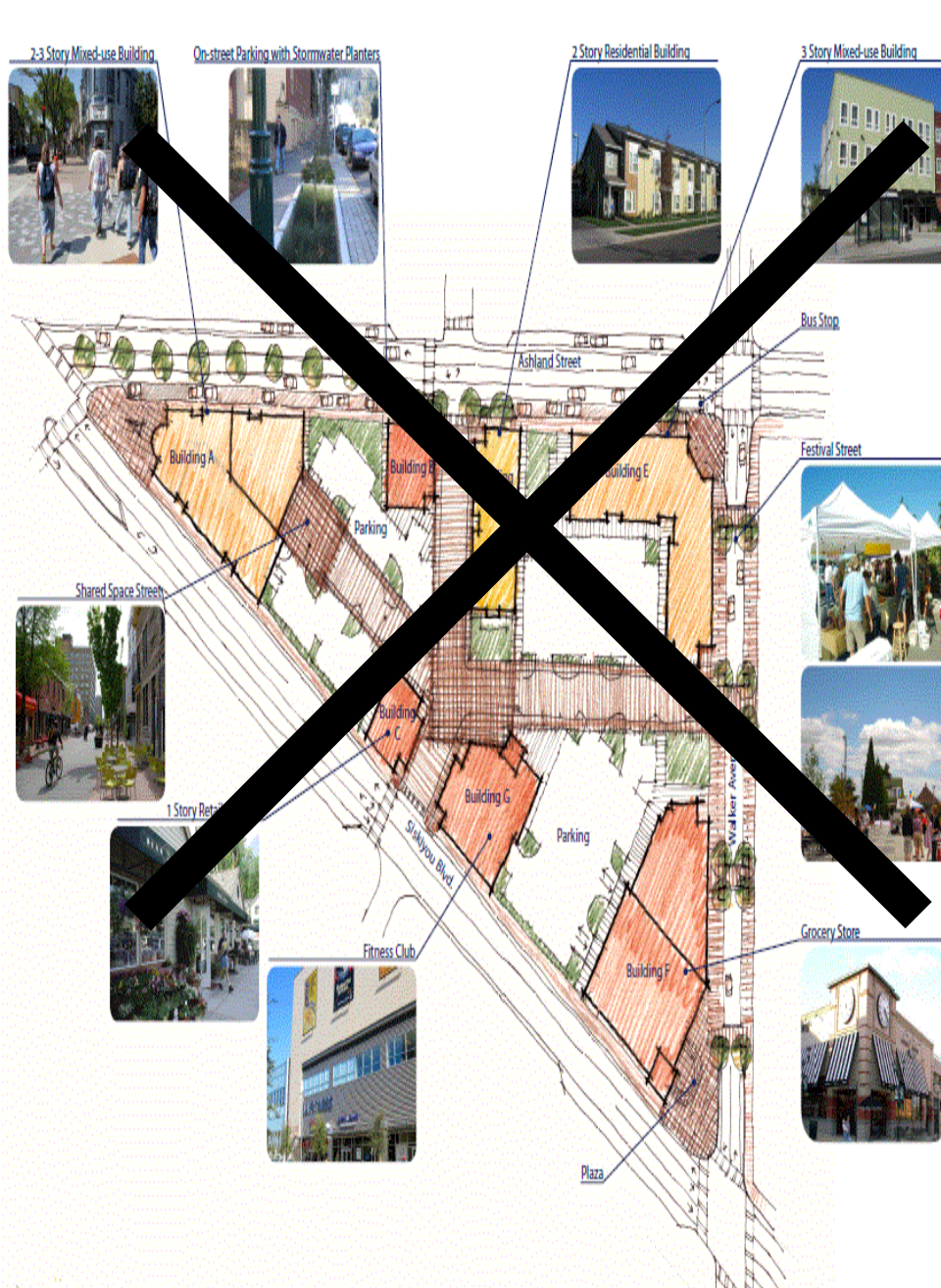
Potential to become a university district neighborhood hub.

City of Ashland TSP Update Walker Avenue and Ashland Street Pedestrian Place



March 2011

Revised October 2011



Long Term Concept Plan Development Summary

Building A: 2-3 Story Mixed-use

- 7 shops
- 30 apartments

Building B: 1 Story Retail

- 1-2 shops

Building C: 1 Story Retail

- 1-2 shops

Building D: 2 Story Residential

- 16 apartments

Building E: 3 Story Mixed-use

- 6 shops
- 34 apartments

Building F: 1-2 Story Grocery Store

- 20,000-30,000 sf

Building G: 2 Story Fitness Club

- 8,000 sf

Parking:

- Various parking credit options

FAR= 0.59:1

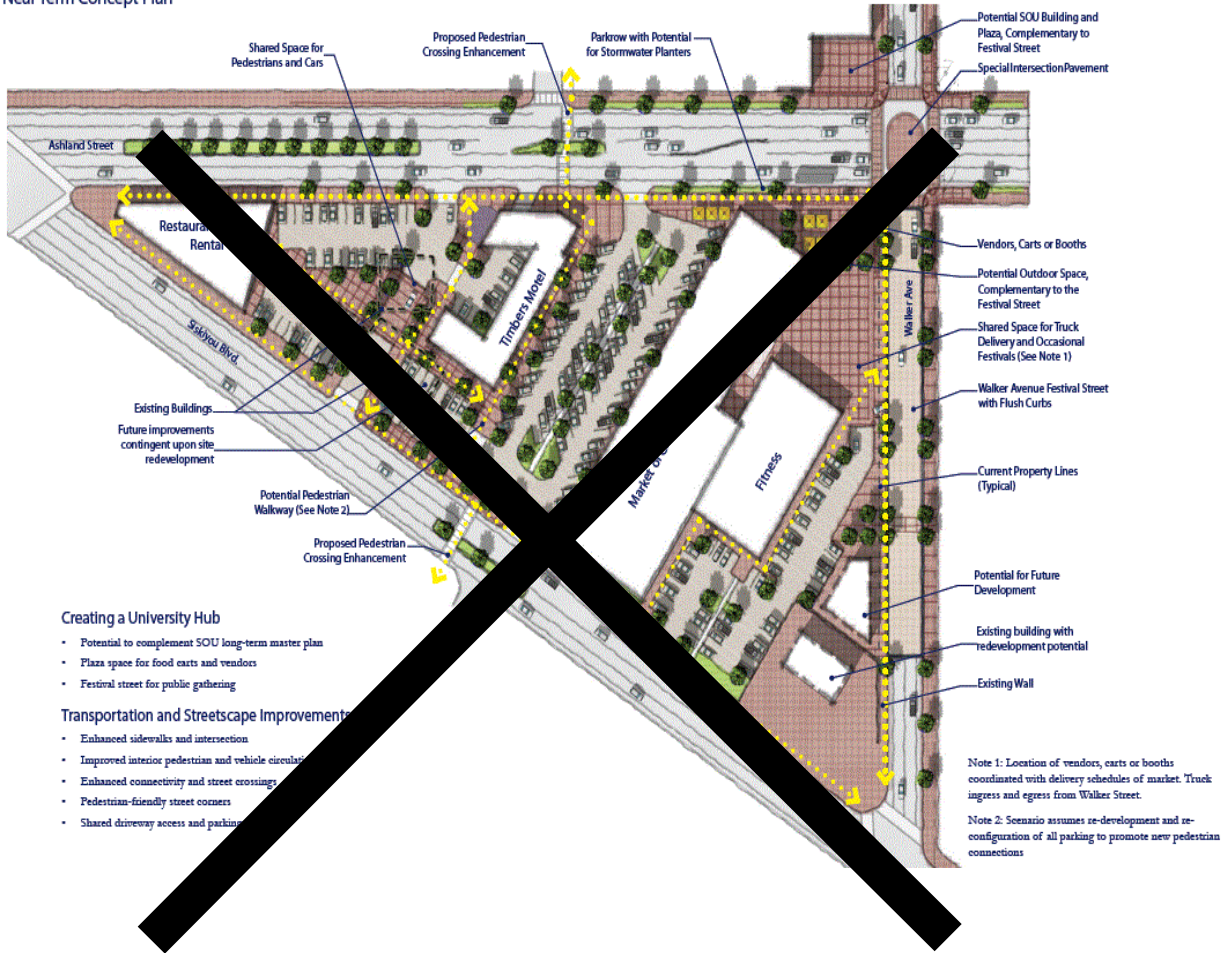
Creating a University Hub

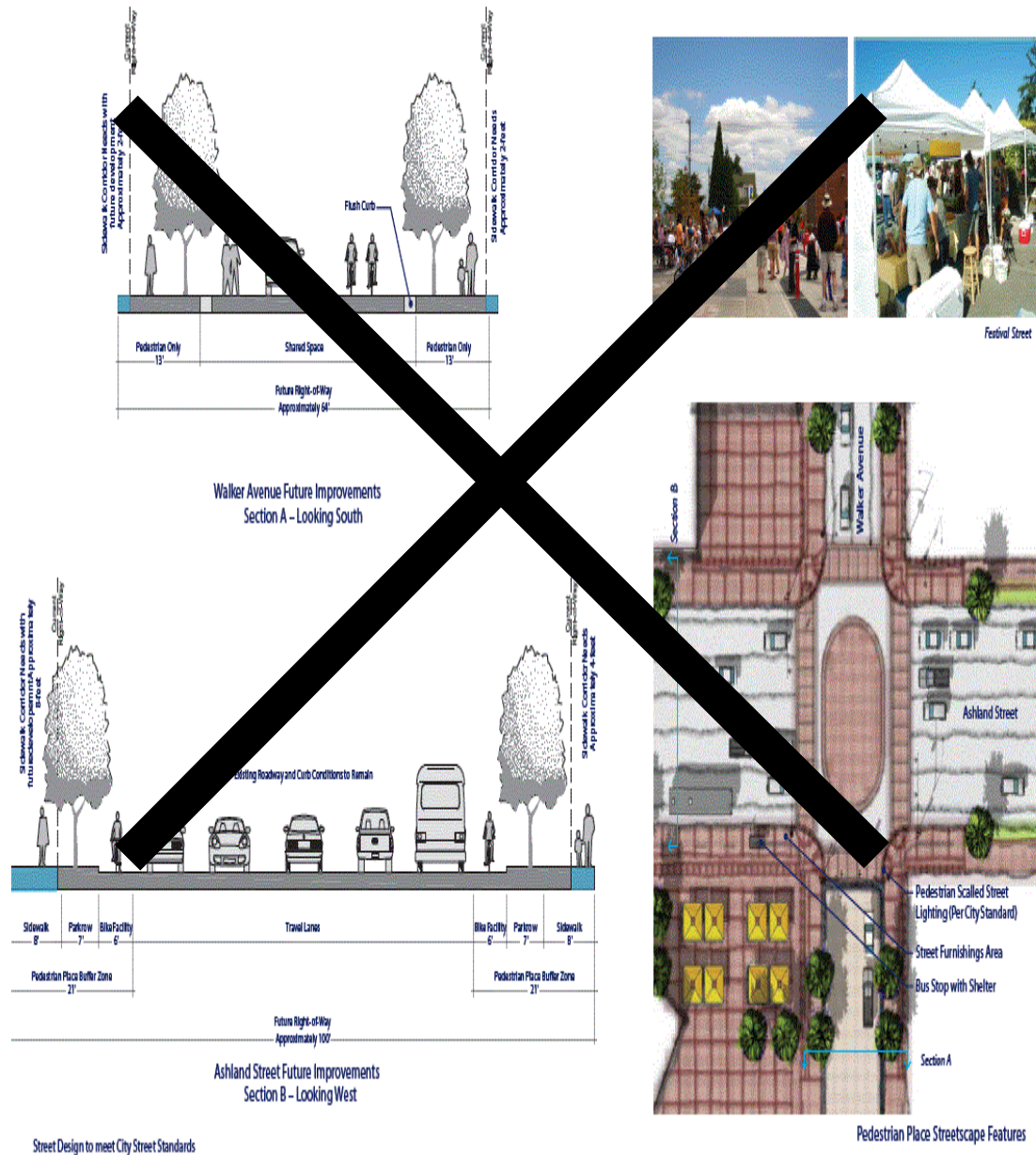
- Multiple, affordable housing choices and locations not currently available
- New retail, grocery and entertainment uses
- Potential to complement SOU long-term master plan
- Festival street for public gathering

Transportation and Streetscape Improvements

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

Near Term Concept Plan





18.3.12.070 **Transit Triangle Climate Friendly Overlay**

A. The **Transit Triangle (TT) Climate Friendly (CF)** overlay **is that area defined in the Site Design Zones map applies to properties designated CF on the Zoning Map.**

B. Development in the **Transit Triangle Climate Friendly** overlay is subject to chapter [18.3.14](#), **Transit Triangle Climate Friendly** Overlay, in addition to all other applicable sections of the ordinance codified in this section

SECTION 7. Section 18.3.13 [Residential Overlay] of the Ashland Land Use Ordinance is hereby amended as follows:

Chapter 18.3.13
RESIDENTIAL OVERLAY

Sections:

18.3.13.010 Residential Overlay Regulations.

18.3.13.010 Residential Overlay Regulations

A. Purpose. The Residential overlay is intended to encourage a concentration and mix of businesses and housing that provide a variety of housing types, support resource and energy conservation, and promote walking, bicycling, and transit use.

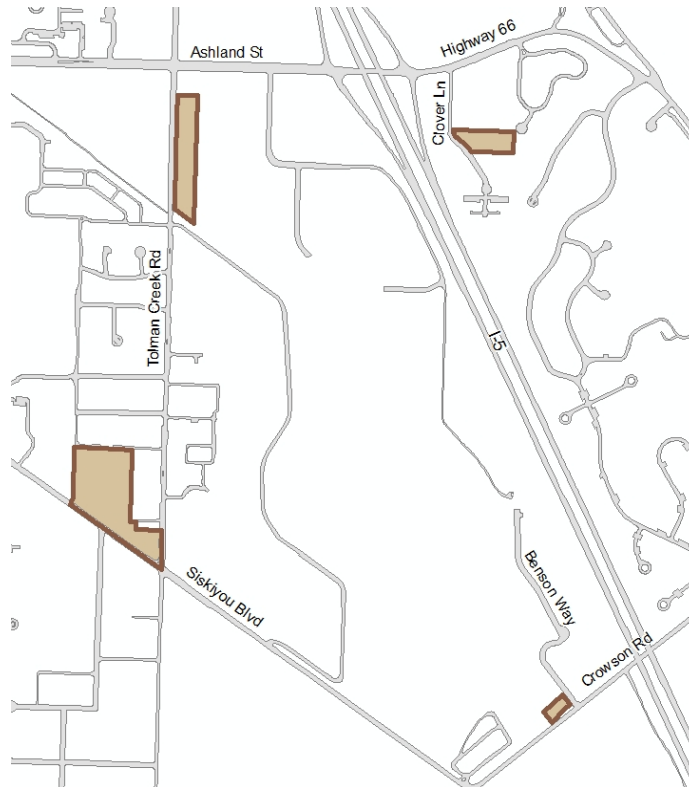
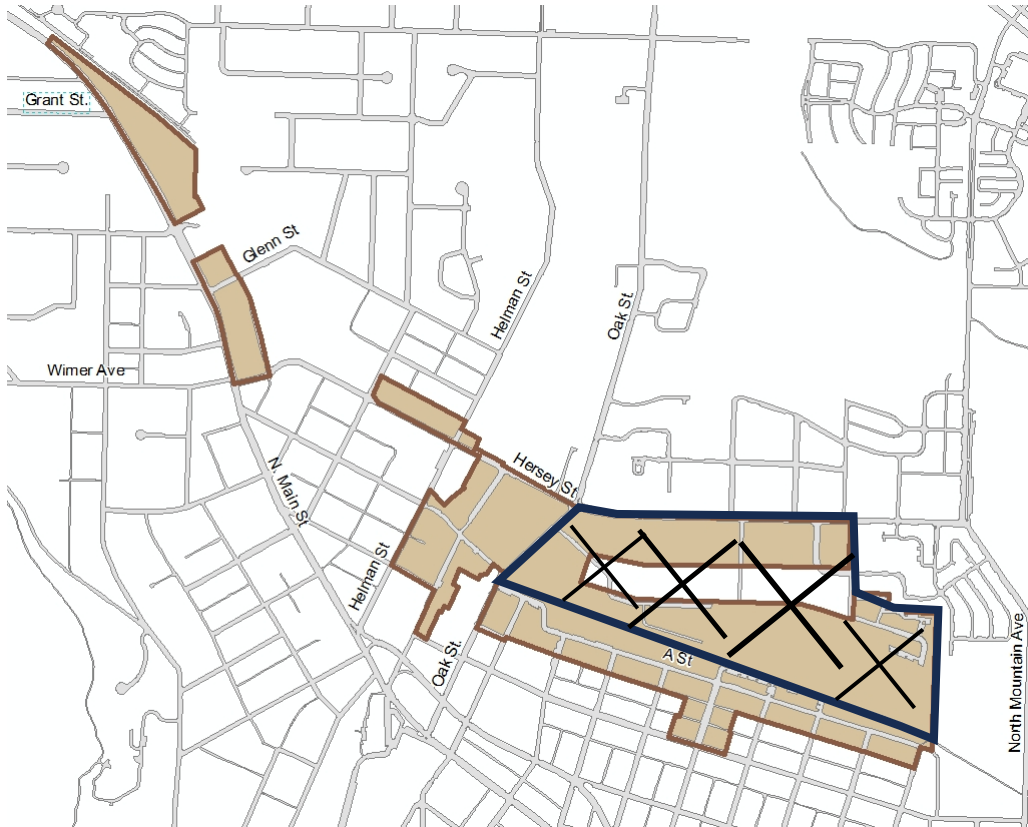
B. Applicability. The Residential overlay applies to all property where 'Residential Overlay' (R) is indicated on the Zoning map.

C. Requirements. The Residential overlay requirements are as follows, **except that dwellings developed under the Transit Triangle (TT) overlay option are not subject to this subsection. See section 18.3.14.040 for the allowed uses in the TT overlay.**

1. Mixed-Use Developments. If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses. At least 65 percent of the gross floor area of the ground floor shall be designated for permitted uses and uses permitted with special use standards, not including residential uses.

2. **Residential densities shall not exceed 15 dwelling units per acre. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit. No maximum residential densities shall apply.**

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



SECTION 8. Section 18.4.2.040.C [Detailed Site Review Standards] of the Ashland Land Use Ordinance is hereby amended to incorporate revised Detail Site Review overlay maps as follows:

C. Detailed Site Review Standards. Development that is within the Detail Site Review overlay shall, in addition to complying with the standards for Basic Site Review in subsection [18.4.2.040.B](#), above, conform to the following standards. See conceptual site plan of detail site review development in Figure [18.4.2.040.C.1](#) and maps of the Detail Site Review overlay in Figures [18.4.2.040.C.2](#) through [5](#).

1. Orientation and Scale.

- a. Developments shall have a minimum Floor Area Ratio (FAR) of 0.50. Where a site is one-half an acre or greater in size, the FAR requirement may be met through a phased development plan or a shadow plan that demonstrates how development may be intensified over time to meet the minimum FAR. See shadow plan example in Figure [18.4.2.040.C.1.a](#). Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR.

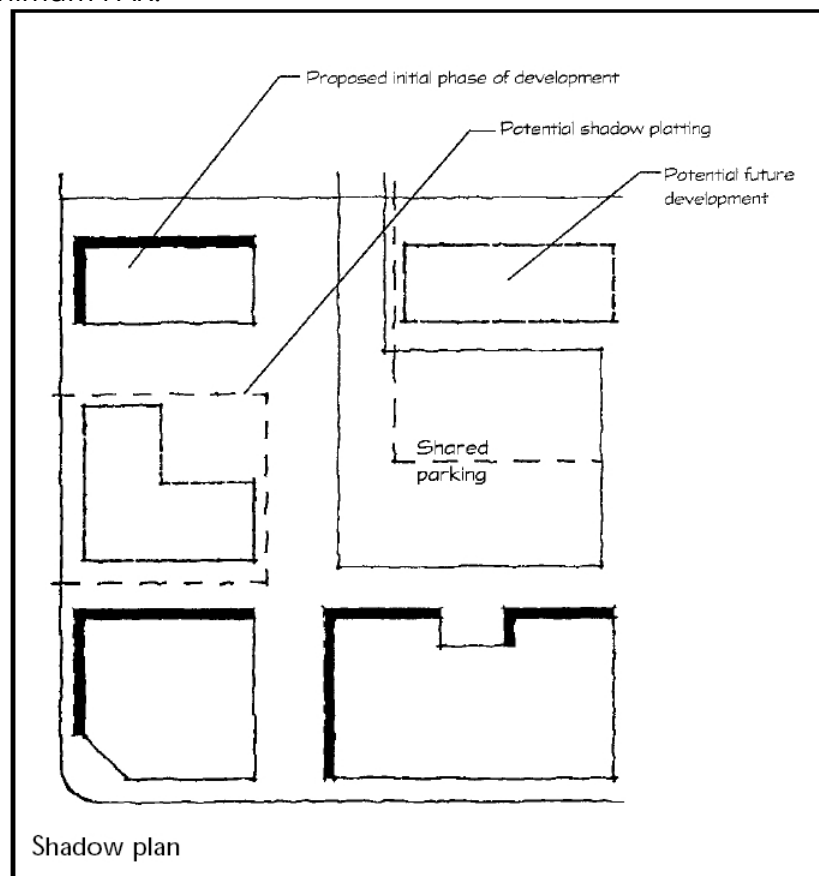


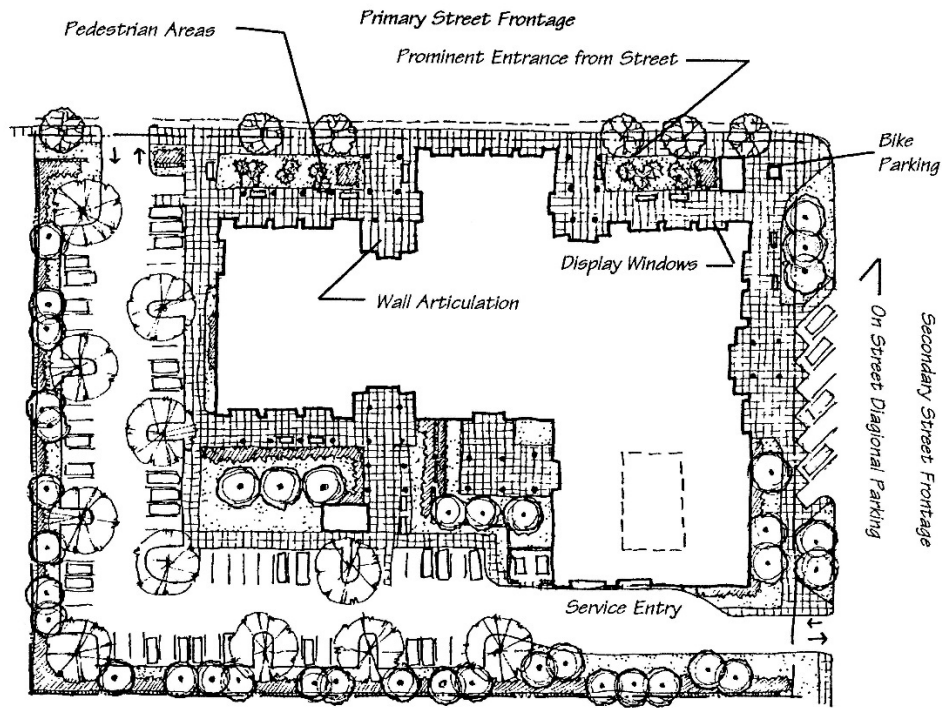
Figure 18.4.2.040.C.1.a. Shadow Plan

- b. Building frontages greater than 100 feet in length shall have offsets, jogs, or have other distinctive changes in the building façade.

- c. Any wall that is within 30 feet of the street, plaza, or other public or common open space shall contain at least 20 percent of the wall area facing the street in display areas, windows, or doorways. Windows must allow view into working areas, lobbies, pedestrian entrances, or display areas. Blank walls within 30 feet of the street are prohibited. Up to 40 percent of the length of the building perimeter can be exempted for this standard if oriented toward loading or service areas.
 - d. Buildings shall incorporate lighting and changes in mass, surface or finish to give emphasis to entrances.
 - e. Infill or buildings, adjacent to public sidewalks, in existing parking lots is encouraged and desirable.
 - f. Buildings shall incorporate arcades, roofs, alcoves, porticoes, and awnings that protect pedestrians from the rain and sun.
2. Streetscape.
- a. Hardscape (paving material) shall be utilized to designate “people” areas. Sample materials could be unit masonry, scored and colored concrete, grasscrete, or combinations of the above.
 - b. A building shall be set back not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement. This standard shall apply to both street frontages on corner lots. If more than one structure is proposed for a site, at least 65 percent of the aggregate building frontage shall be within five feet of the sidewalk.
3. Buffering and Screening.
- a. Landscape buffers and screening shall be located between incompatible uses on an adjacent lot. Those buffers can consist of either plant material or building materials and must be compatible with proposed buildings.
 - b. Parking lots shall be buffered from the main street, cross streets, and screened from residentially zoned land.
4. Building Materials.
- a. Buildings shall include changes in relief such as cornices, bases, fenestration, and fluted masonry, for at least 15 percent of the exterior wall area.
 - b. Bright or neon paint colors used extensively to attract attention to the building or use are prohibited. Buildings may not incorporate glass as a majority of the building skin.

Figure 18.4.2.040.C.1. Detail Site Review Conceptual Site Plan

DETAIL SITE REVIEW CONCEPTUAL SITE PLAN



**Figure 18.4.2.040.C.2. Detail Site Review Overlay
North Main, Historic District and Oak Street**

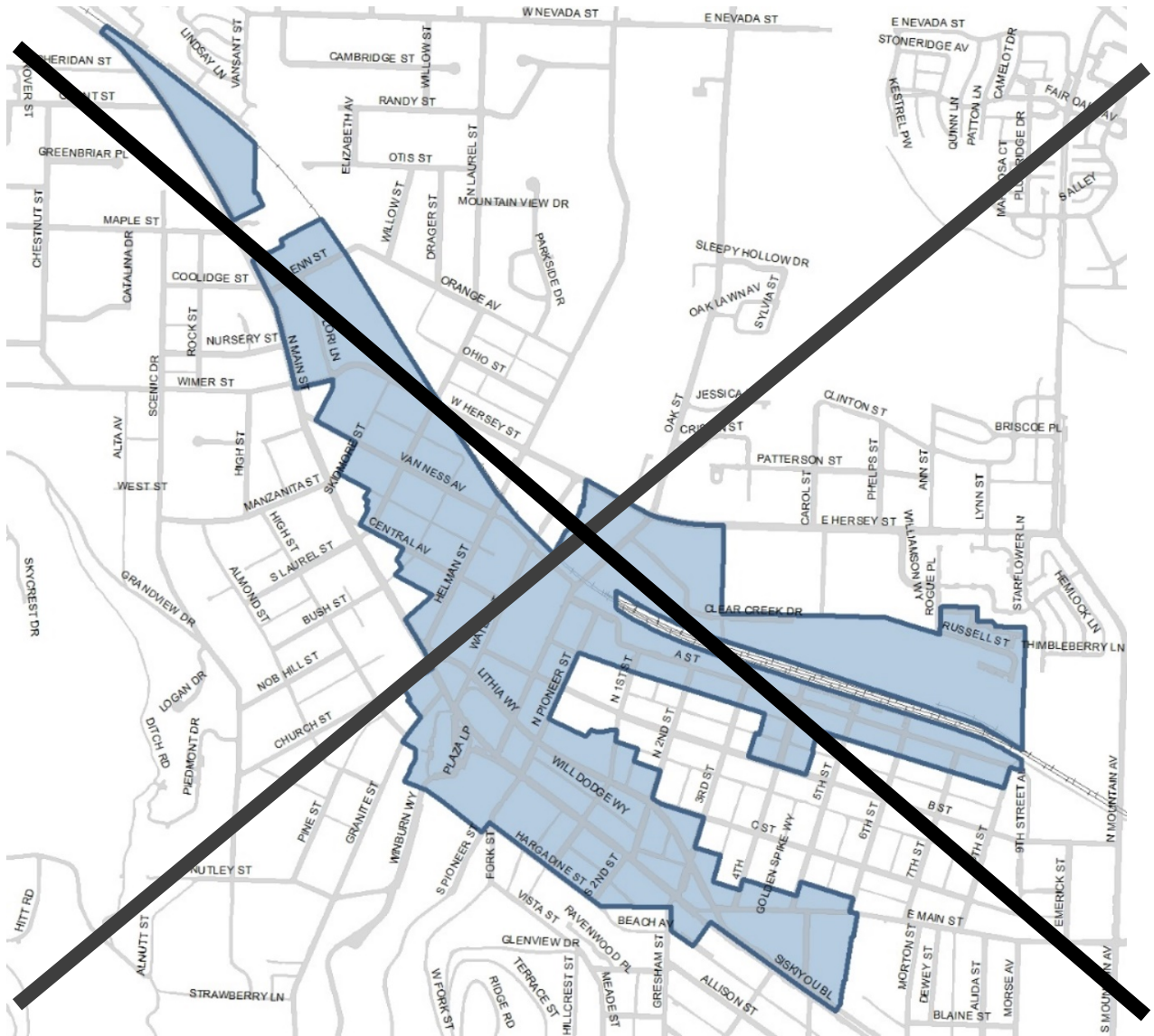


Figure 18.4.2.040.C.2. Detail Site Review Overlay
North Main, Historic District and, Oak Street, and Hersey Street

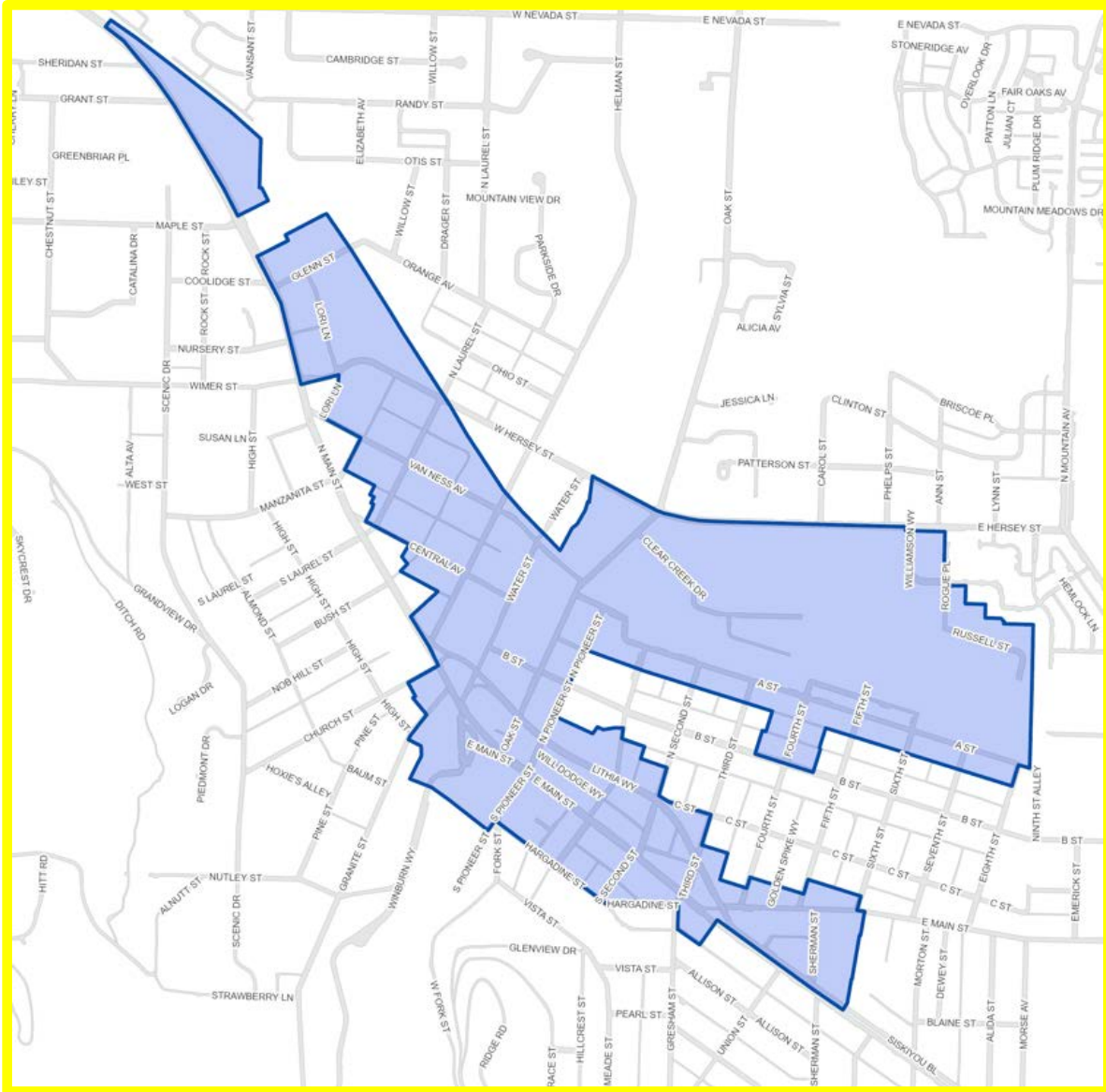
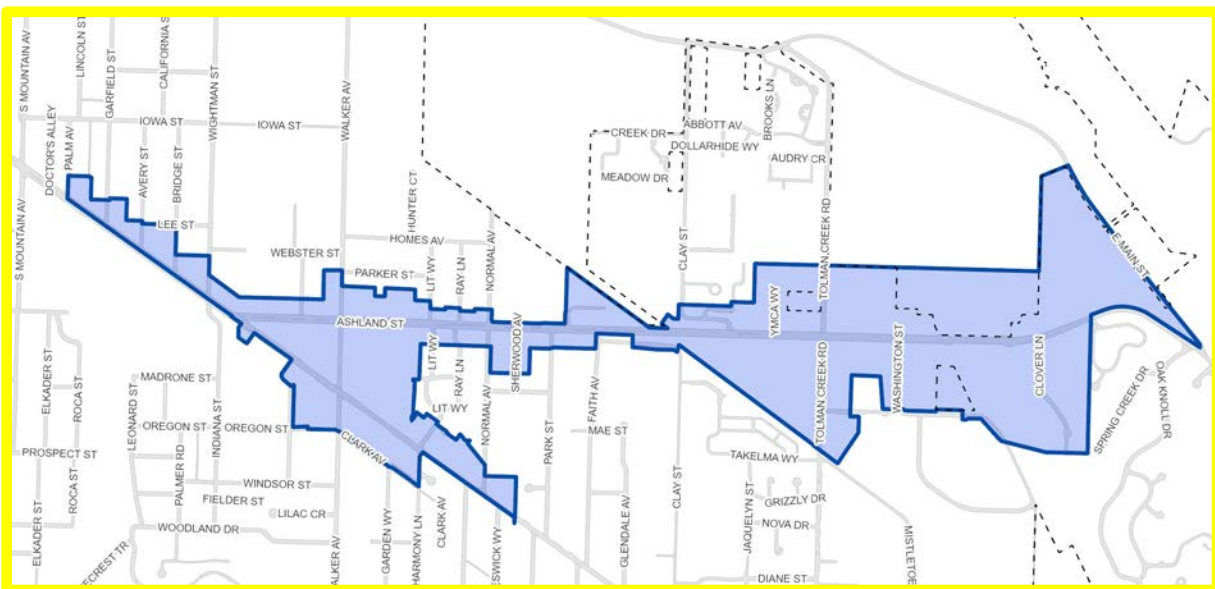
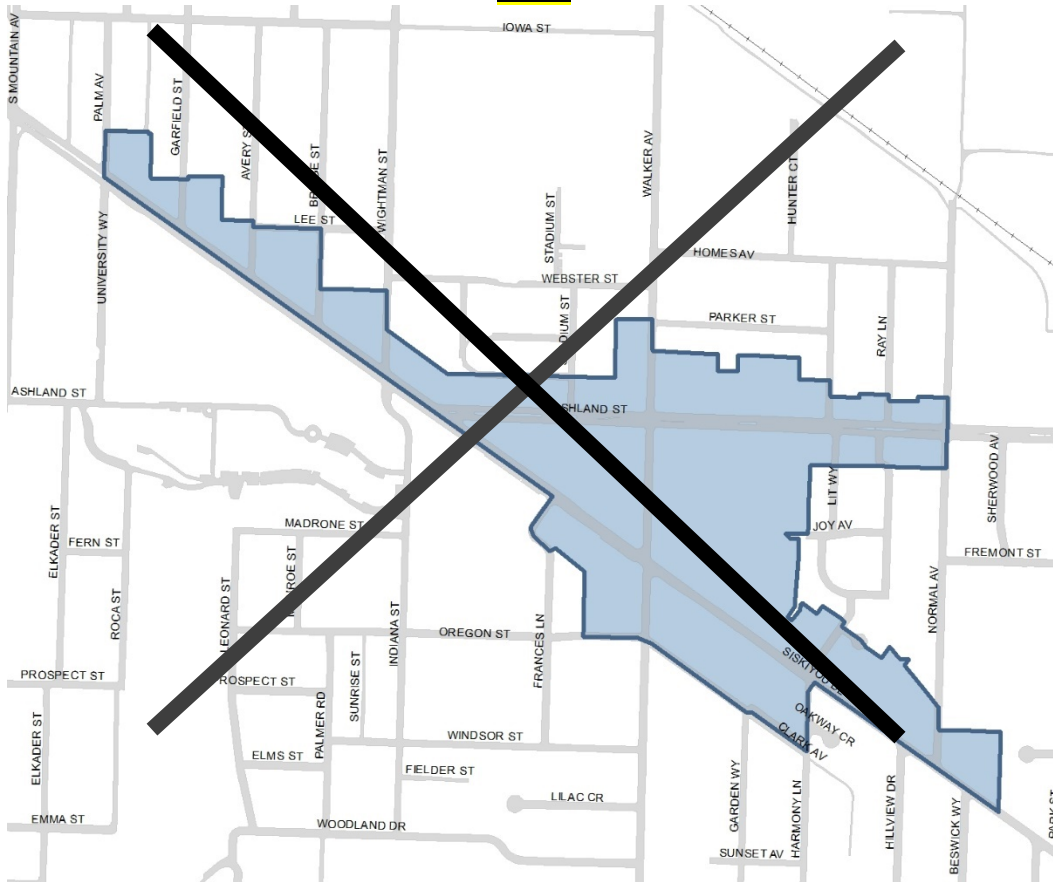
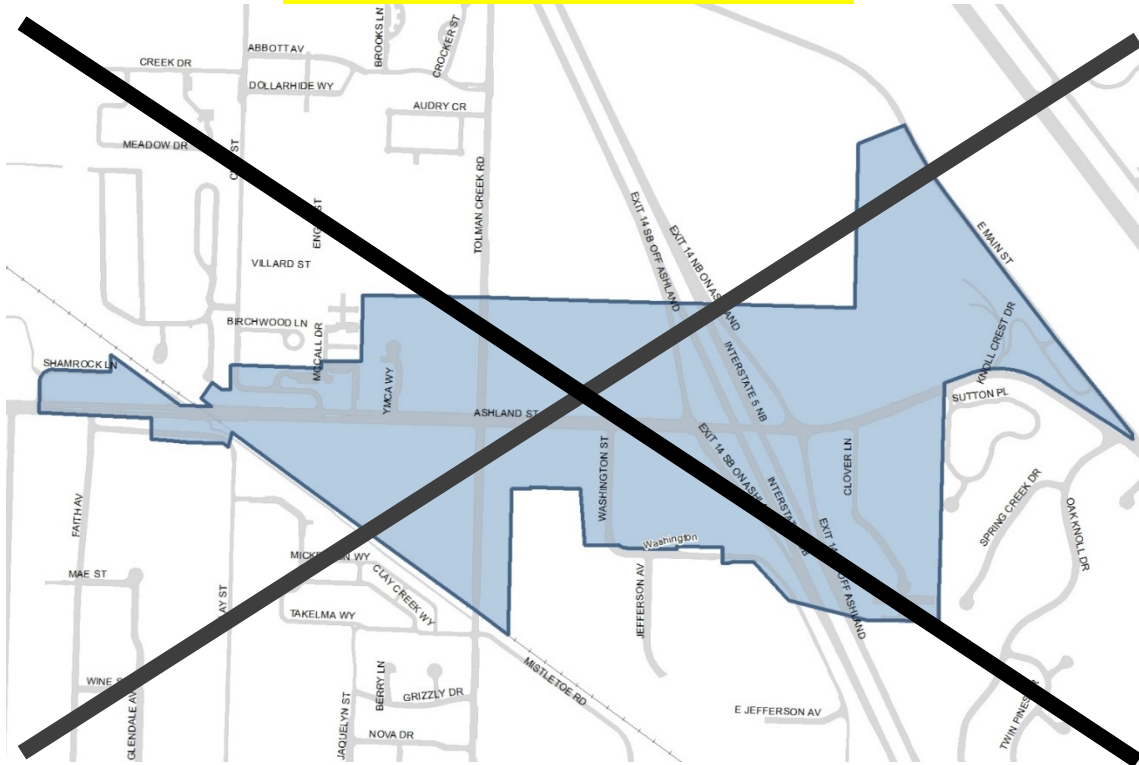


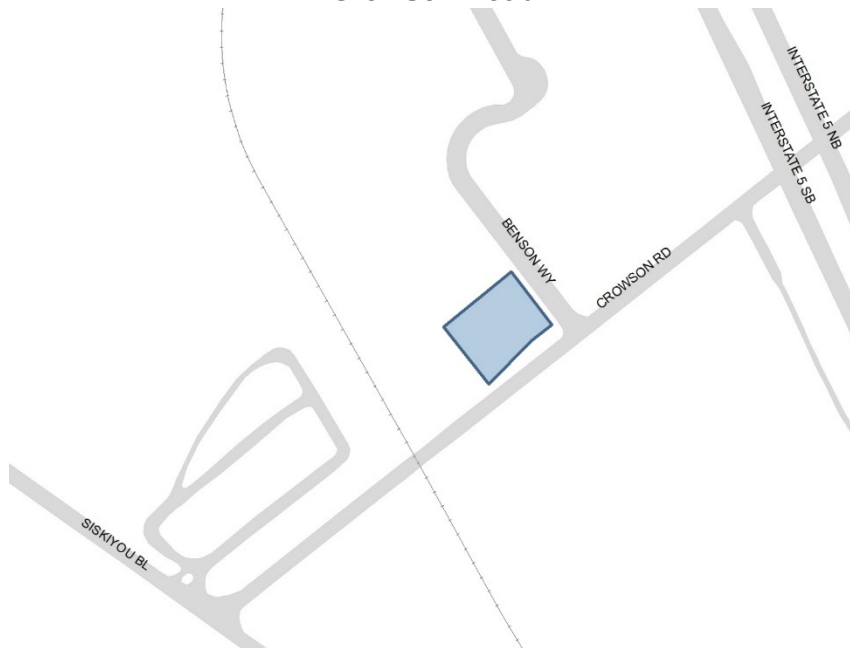
Figure 18.4.2.040.C.3. Detail Site Review Overlay
Siskiyou Boulevard, Ashland Street and Walker Avenue and Tolman Creek Road



**Figure 18.4.2.040.C.4. Detail Site Review Overlay
Ashland Street and Tolman Creek Road**



**Figure 18.4.2.040.C.5.4. Detail Site Review Overlay
Crowson Road**



SECTION 9. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

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

The foregoing ordinance was first reading 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.
ATTEST:

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2025.

Tonya Graham, Mayor

Reviewed as to form:

Johan Pietila, City Attorney

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

June 3, 2025

In the matter of Planning Action PA-T3-2024-00013)
which includes amendments to the Ashland Municipal)
Code (AMC) Title 18 Land Use concerning the addition) FINDINGS OF FACT AND
of Chapter 18.3.14 Climate Friendly Overlay and) CONCLUSIONS OF LAW
associated amendments, the repeal of existing Chapter)
18.3.14 Transit Triangle Overlay, and to the Zoning and)
Land Use Controls Map and to the Site Design Zones Map.)

PURPOSE:

The proposal includes a series of map and zoning code amendments intended to implement a new Climate Friendly (CF) Overlay for two proposed Climate Friendly Areas (CFAs) consistent with state Climate Friendly and Equitable Communities (CFEC) rules to promote vibrant, mixed-use walkable neighborhoods. The Railroad Property CFA is proposed for the area north of downtown bounded by Oak Street, Hersey Street, Williamson Way/Russell Street, and the railroad tracks. The Transit Triangle CFA is proposed for the area in southeast Ashland along Ashland Street between Siskiyou Boulevard and I-5 and along Siskiyou Boulevard between Ashland Street and Beswick Way.

Implementation is achieved by four distinct ordinances. The first ordinance amends the land use ordinance to include a new chapter 18.3.14 Climate Friendly Overlay as implementing regulations for the land use designation, and to repeal the existing chapter 18.3.14 Transit Triangle Overlay. The second ordinance amends the Zoning and Land Use Controls Map to add the CF Overlay. The third ordinance amends the Site Design Zones Map to align the Detailed Site Design Review extent with the proposed CFA boundaries. The fourth ordinance includes a series of amendment to AMC Title 18 Land Use for clarity and consistency.

PUBLIC HEARINGS:

Notice was published in The Ashland News on April 8, 2025 for public hearings before the Planning Commission and the Ashland City Council. A public hearing was held at the Planning Commission on April 29, 2025 and at the City Council on May 6, 2025. Notice was also sent to the Department of Land Conservation and Development on March 4, 2025.

SUMMARY OF AMENDMENTS

The CF Overlay is proposed for two CFAs:

- The **Railroad Property CFA** includes approximately 57 acres in the center of the city, just a few blocks north of downtown. (see Figure 1 on page 2). The site is zoned Employment (E-1) with the Residential (R) Overlay for the majority of the

site. The site has been planned for a pedestrian-focused mixed-use area dating back to the 2001 master plan for the site, and the CF Overlay provides an opportunity to update and expand the mixed-use development opportunities for the full site.

- The **Transit Triangle CFA** includes approximately 117 acres along the major transit corridors on Siskiyou Boulevard and Ashland Street (see Figure 2 on page 3). The site is zoned a mix of Commercial (C-1), Employment (E-1) and a small amount of Residential Low Density Multiple Family (R-2) with the Transit Triangle (TT) Overlay applying to the entire site, offering optional mixed-use provisions beyond the base zone standards to facilitate a mix of housing types and businesses in an environment that is friendly to walking, biking, and using transit.

The purpose of the new Climate Friendly (CF) Overlay is to encourage development and redevelopment within vibrant, walkable mixed-use centers supported by a variety of transportation options. Proposed residential uses include multifamily in mixed-use and standalone configurations, and townhouses, and nonresidential uses include retail sales and services, restaurants, offices, and public uses. Greater concentrations of housing and businesses are mutually supporting, expanding housing opportunities and providing a better environment for local business development and expansion to help residents meet their daily needs within a walkable setting.

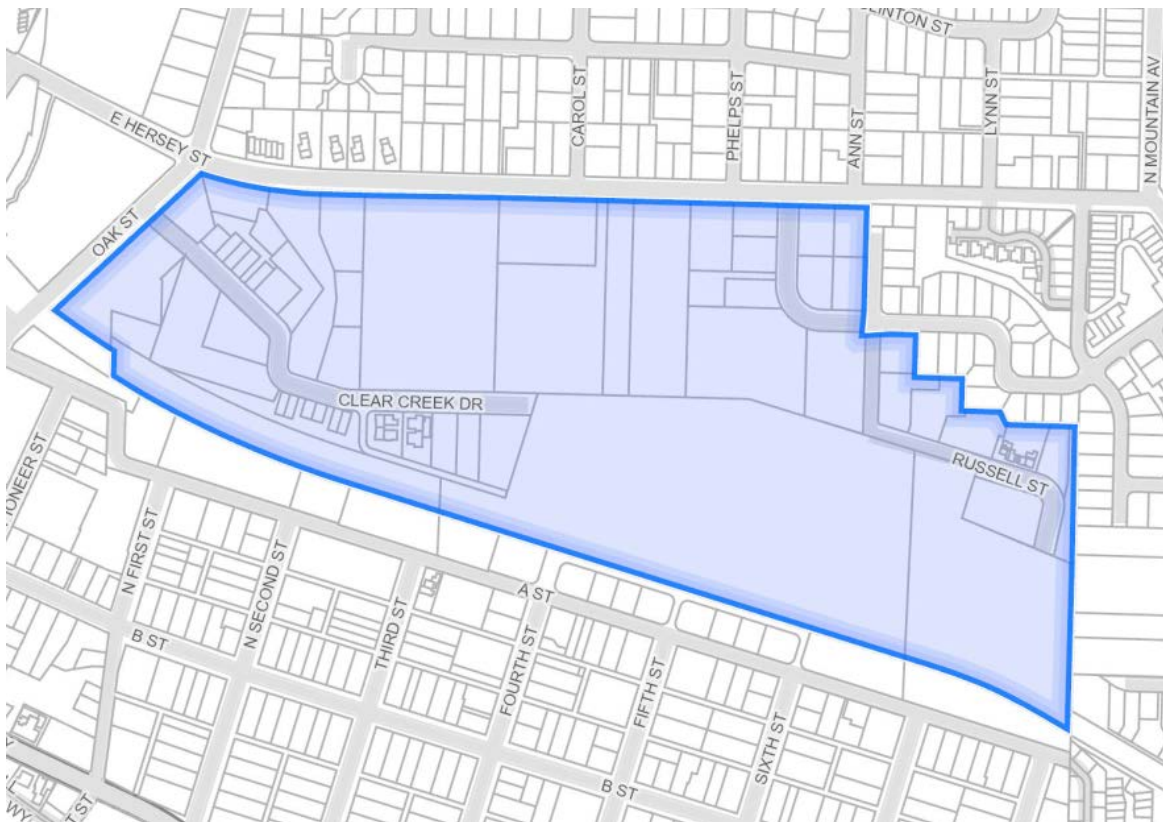


Figure 1: Railroad Property CFA

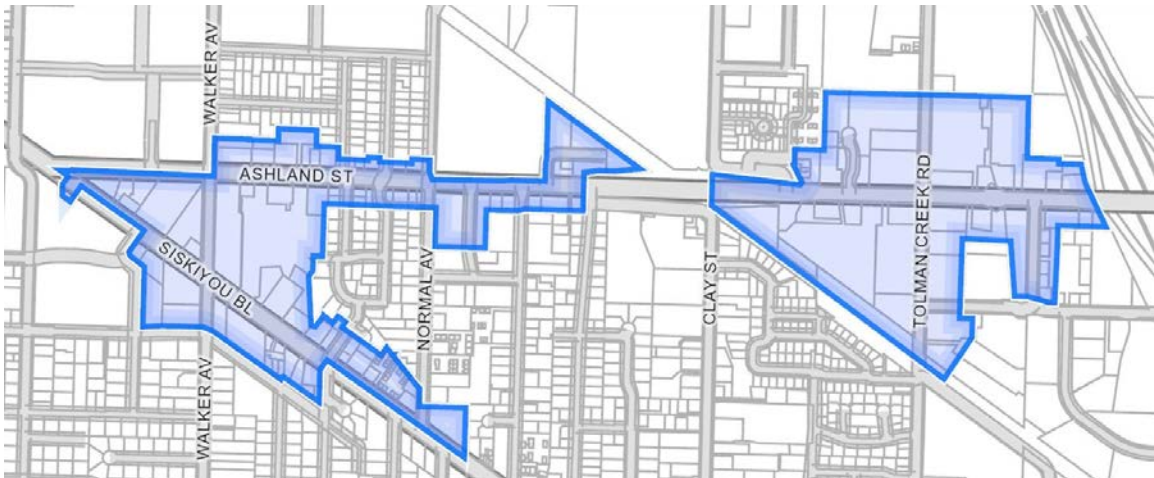


Figure 2: Transit Triangle CFA

Proposed Code Amendments

New CF Overlay implementing regulations proposed in Chapter 18.3.14 Climate Friendly Overlay include:

AMC 18.3.14.010, .020, .030	Establish new CF Overlay that applies in addition to and supersedes base zone requirements, to be designated on the Zoning Map.
AMC 18.3.14.040	Revise use standards in underlying zones: • Add attached single-family dwellings, multifamily dwellings, retail uses, restaurants, schools and parks as permitted uses for C-1 and E-1 zoned areas within the overlay. • Prohibit self-service storage in E-1 which are otherwise permitted conditionally; maintain existing prohibition in C-1 zones. • Require conditional use permit for wholesale storage and distribution in E-1 zoned areas which are otherwise permitted as special uses. • Continue to permit automotive repair or service and automotive sales as conditional or special uses in C-1 and E-1 zoned areas, recognizing the presence of existing uses within the proposed CFAs. • Continue to permit drive-up uses as special uses within C-1 zoned areas, which are already capped and subject to design standards. • Add child care centers, governmental offices, offices, retail sales and services as permitted uses for R-2 zoned areas.

AMC 18.3.14.040.C	• Add special use standards for attached single-family dwellings that link access and lot frontage standards, promoting the use of alleys to serve any townhouse lots and steering developments away from arterials. Intended to create walkability and limit curb cuts. • Add special use standards for multifamily dwellings to retain mixed-use requirement (minimum 35 percent nonresidential use on ground floor, both vertical and horizontal options). Add exemptions for: • Affordable housing projects, as required by state law. • Buildings developed with ‘commercial-ready’ ground floor space.
AMC 18.3.14.050	Supersede dimensional standards in base zones to include: • New minimum density to meet or exceed minimum 15 du/ac CFA requirement. 15 du/ac proposed in R-2, 20 du/ac proposed in E-1, and 25 du/ac proposed in C-1 for more robust development tilted towards multifamily rather than townhouses. • Exceptions to minimum density proposed, consistent with state rules, for mixed use buildings that have a FAR of 2.0+ or renovations of existing structures. • Minimum FAR of 0.5 proposed, similar to existing TT overlay, to encourage robust development; not required by state rules. • Setbacks only required for development abutting residential zones outside of the overlay. • Solar setbacks limited to buildings within 100 feet of a residential zone. • Increase maximum height to 50 feet, with bonus up to 60 feet allowed for affordable housing (or bonus permitted by state rules, whichever is greater).
AMC 18.3.14.060.A	Apply maximum block length standard of 350 feet for new developments larger than 5.5 acres, to implement state rules. All development subject to City’s block length standard of 300 to 400 feet.
AMC 18.3.14.060.B	Apply 10-foot step-back for portions of buildings over 25 feet tall abutting residential zones outside of the overlay.

The proposed amendments would repeal the existing Transit Triangle (TT) provisions in AMC 18.3.14 in their entirety.

Additional changes to the C-1-D standards that apply to downtown are proposed for parity with the proposed CFAs, including:

- Increasing the allowed height from 40 to 50 feet outright, and from 55 to 60 feet permitted conditionally.
- Removing the maximum density of 60 dwelling units/acre (du/ac).
- Permitting multifamily residential outright, without a ground-floor commercial component, when the ground floor is built to ‘commercial-ready’ standards and meets a minimum density of 30 du/ac. (Proposed AMC Table 18.2.6.030.)

Similarly, changes are proposed to remove the maximum density standards in C-1 (currently 30 du/ac) and in E-1 (currently 15 du/ac, limited to the Residential Overlay) to better support residential development citywide. (Proposed AMC Table 18.2.6.030.) Mixed-use development requirements and existing dimensional standards, including a maximum height of 40 feet, would continue to apply.

Additional edits and clarifications to the Land Use Ordinance that align with the proposed CF Overlay include:

AMC Table 18.2.1.020	Add CF Overlay and remove TT Overlay from list of City zones and overlays.
AMC Table 18.2.2.030	Remove special use standards referencing the TT Overlay for Multifamily Dwellings. Note that references to use exceptions within the new CF Overlay are not proposed within the table to limit the number of exceptions; instead, the overarching statement in AMC 18.2.2.030(E) establishes that the base zone standards may be amended by specific overlay standards.
AMC Table 18.2.2.030	Delete ‘Commercial Retail Sales and Services’ category that duplicates existing ‘Retail Sales and Services’ category, which is the preferred, defined term in 18.6.1.
AMC 18.2.3.130	Clarify option to develop residential uses within the C-1 and E-1 zones within the CF Overlay, separate from special use standards that otherwise apply in base zones.
AMC 18.2.3.130.B.2	Remove maximum density standards for residential uses within the C-1 and E-1 zones (citywide), consistent with change to base zone standards.
AMC 18.2.3.130.B.4	Add option for multifamily uses outright in C-1-D, exempt from mixed-use standards. Such developments must meet commercial-ready ground-floor requirements and achieve a minimum density of 30 du/ac.
AMC 18.3.12.030	Expand the extent of the Detail Site Review Overlay on the Site Design Zones figures to include the entirety of both CFAs; the majority but not all of those areas are currently included. Applying the Detail Site Review Overlay will make the CFAs subject to additional design standards in

	18.4.2.040 that align with the CFEC walkable urban design standards, and will require Type II review for developments over 10,000 SF.
AMC 18.3.12.060	Limit Pedestrian Places (PP) overlay to only apply outside of CF Overlay, to avoid overlap. • Delete TT Overlay reference in 18.3.12.060.B.4. • Remove first two of three map figures in Figure 18.3.12.060, limiting extent of overlay to Main St/Mountain Ave vicinity. • Delete concept plan figures for the Tolman Creek Rd/Ashland St and Walker Ave/Ashland St pedestrian places.
AMC 18.3.12.070.A	In list of overlays, establish that CF overlay applies to properties zoned CF on the Zoning Map.
AMC 18.3.13.010.C	Remove reference to Transit Triangle Overlay in Residential Overlay requirements.
AMC Figure 18.3.13.010	Exclude Railroad Property from the Residential (R) Overlay by revising map figure; CF Overlay will replace and expand upon the R Overlay.
AMC 18.3.13.C.2	Remove maximum density standards within the R Overlay, consistent with change to base zone standards.
AMC Figures 18.4.2.040.C.2, 3, 4	Expand Detail Site Review Overlay to include full extent of both CFAs by revising map figures.

Proposed Map Amendments

Proposed map changes to implement the CF Overlay and related changes include:

- On the Zoning Map, adding the CF Overlay for the two proposed CFAs.
- On the Zoning Map, removing the Residential (R) Overlay from the Railroad Property.
- On the Zoning Map, removing the Pedestrian Places (P) Overlay from portions of both CFAs.
- On the Site Design Zones Map, expanding the extent of the Detail Site Review Zone to fully align with the CFA boundaries.

The Transit Triangle (TT) Overlay is also proposed to be removed, but is mapped in existing AMC 18.3.14, rather than on the Zoning Map.

REVIEW CRITERIA

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

- A. Consistency with City of Ashland approval criteria for legislative amendments, AMC 18.5.9.020.B.

- B. Consistency with City of Ashland Comprehensive Plan and Other City Policies.
- C. Consistency with Oregon Statewide Planning Goals.
- D. Consistency with OAR Chapter 660 Division 12, Sections 0310 through 0330 related to Climate Friendly Areas

EVALUATION AND COUNCIL FINDINGS:

A. Consistency with City of Ashland approval criteria for legislative amendments and zoning map amendments, AMC 18.5.9.020.B

18.5.9.020 Applicability and Review Procedure

Applications for Plan Amendments and Zone Changes are as follows:

B. Type III. *It may be necessary from time to time to make legislative amendments in order to conform with the Comprehensive Plan or to meet other changes in circumstances or conditions. The Type III procedure applies to the creation, revision, or large-scale implementation of public policy requiring City Council approval and enactment of an ordinance; this includes adoption of regulations, zone changes for large areas, zone changes requiring comprehensive plan amendment, comprehensive plan map or text amendment, annexations (see chapter 18.5.8 for annexation information), and urban growth boundary amendments. The following planning actions shall be subject to the Type III procedure.*

- 1. Zone changes or amendments to the Zoning Map or other official maps, except where minor amendments or corrections may be processed through the Type II procedure pursuant to subsection 18.5.9.020.A, above.*
- 2. Comprehensive Plan changes, including text and map changes or changes to other official maps.*
- 3. Land Use Ordinance amendments.*
- 4. Urban Growth Boundary amendments.*

Ashland Municipal Code (AMC) 18.5.9.020.B permits legislative amendments to meet changes in circumstances and conditions. The City Council finds it is necessary to amend the Zoning Map and Land Use Ordinance to adopt two Climate Friendly Areas (CFAs) consistent with statewide requirements including development regulations for those areas that support mixed-use, walkable development consistent with statewide CFA requirements that align with the City's own long-range planning goals adopted in the Comprehensive Plan, as detailed in Section B.

The Council finds the land use ordinance and map amendments are consistent with Ashland Municipal Code (AMC) 18.5.9.020.B.

B. Consistency with the Ashland Comprehensive Plan and other City Policies

The *Ashland Comprehensive Plan* Goal 6.10.1 states, “Ensure a range of different dwelling types that provide living opportunities for the total cross section of Ashland’s population.” Policy 3 states, “Integrate housing with other compatible land uses through flexible zoning provisions.” The proposed CF Overlay will provide expanded opportunities for

multifamily and townhouse development, which can support future development that expands the range of dwelling types available in Ashland. Because both of the proposed CFAs are located in areas with commercial or employment zoning where residential development opportunities are currently limited, the CF Overlay provisions specifically address Policy 3 to integrate more housing opportunities with compatible retail, office, employment and civic land uses in those areas.

The *Ashland Comprehensive Plan* Housing Goal 6.10.2 states, “Support the creation and preservation of housing that is affordable to low and moderate income households and that is commensurate with the incomes of Ashland’s workforce.” The proposed CF Overlay expands opportunities to develop higher density housing that has potential to be affordable to lower income households and includes specific provisions to allow bonus height for affordable housing developments. Additionally, proposed amendments to the C-1-D zoning district would incorporate similar incentives, allowing additional building height when at least 25% of the residential units meet Ashland’s Affordable Housing Standards outlined in AMC 18.2.5.050. These targeted incentives support the City’s broader strategy to encourage affordable housing production in centrally located, walkable areas.

The *Ashland Comprehensive Plan* Housing Goal 6.10.3 states, “Encourage the development of housing in ways that protect the natural environment and encourage development patterns that reduce the effects of climate change.” Related policies reference “infill and compact development patterns” and “housing efficiency policies, programs and standards” in line with the *Ashland Climate and Energy Action Plan*. The proposed CFAs and implementing CF Overlay support residential infill patterns in areas that are already developed and served by existing infrastructure. The development standards support compact development through increased heights, minimum densities, and no maximum densities. Development in areas with existing infrastructure and smaller housing units at higher densities creates more efficient development patterns, while the smaller and attached housing types permitted in the CFAs will have lower energy needs per unit compared to single-family detached units. Developing housing opportunities in mixed-use settings also creates more opportunities for residents to minimize number and length of vehicle trips to meet daily needs.

The *Ashland Comprehensive Plan* Economic Development Goal 7.07.03, Policy 1 states, “The City shall zone and designate within the Plan Map sufficient quantity of lands for commercial and industrial uses to provide for the employment needs of its residents and a portion of rural residents consistent with the population projection for the urban area.” There are no changes proposed to the extent of the current Commercial (C-1) and Employment (E-1) base zones. Proposed changes to remove the maximum density for mixed-use developments within those zones citywide will not decrease land for commercial and industrial uses because mixed-use development standards will continue to require a percentage of the site to be devoted to nonresidential uses. (AMC 18.2.3.130.)

The proposed changes to the C-1-D zone downtown to remove density, increase height, and allow limited residential-only multifamily development are intended to enhance the Findings of Fact and Conclusions of Law

residential population downtown to increase demand for commercial uses, better supporting a vibrant mix of uses across downtown. (Proposed AMC Table 18.2.6.030, 18.2.3.130.B.4.)

The proposed CFAs will allow a range of commercial, office, employment and civic uses, providing for employment. The addition of the CF Overlay to areas zoned C-1 and E-1 will not convert any commercial or employment land into residential, but will enhance mixed-use development opportunities on both individual sites and across the CFAs, with limited opportunities for ground-floor residential to limit competition with commercial and employment ground-floor uses.

Policy 2 of the aforementioned Economic Development Goal states that the City will design the Land Use Ordinance to provide for:

- *“Land division and development within employment and manufacturing districts, and continue the employment zoning district which will provide for service, retail, and light industrial uses consistent with specific performance standards relative to heavy truck traffic, noise, dust, vibration, and single-passenger vehicle trips.”* Service, retail and light industrial uses will continue to be permitted within the CFAs subject to adopted performance standards. (AMC Table 18.2.2.030 and 18.2.3.) Proposed changes are limited to prohibiting self-service storage and requiring a conditional use permit for wholesale storage and distribution within the CFAs.
- *“Development along Siskiyou Boulevard and Ashland Street will not primarily be automobile-oriented, but will also include attractive landscaping and designs that encourage pedestrian, bicycle, and mass transit forms of travel.”* Existing standards require attractive streetscape design along Siskiyou Boulevard and Ashland Street, including Ashland Street streetscape standards that require landscaped medians, streets trees, wider sidewalks, and pedestrian amenities. (AMC 18.4.6.040.) Development standards align with the proposed right-of-way standards, to eliminate front yard setbacks and require buildings to be located along the front property line to engage the pedestrian realm. (AMC 18.4.2.040.) The Transit Triangle CFA was selected in part because of the alignment between CFA goals and the City’s existing standards for vibrant streetscapes along these streets.
- *“Commercial or employment zones where business and residential uses are mixed. This is especially appropriate as buffers between residential. and employment or commercial areas, and in the Downtown.”* Proposed CFA changes focus on mixing commercial and residential uses, and proposed C-1-D changes further enhance residential development opportunities mixed with existing commercial uses, in line with this policy.

The *Ashland Comprehensive Plan* includes several transportation goals and policies in Section 10.09.02 that apply to the project, including the following:

- “Provide zoning that allows for a mix of land uses and traditional neighborhood development, which promotes walking and bicycling.” The proposed CF Overlay creates zoning for mixed-use development, with a focus on pedestrian and bicycle connectivity, in line with this policy.
- “Design the Land Use Ordinance to ensure Ashland Street is developed as a multi-modal corridor including attractive landscaping, sidewalks, bike lanes and controlled access. Development along Ashland Street shall be compatible with and support a multi-modal orientation.” Ashland Street streetscape standards have been adopted that require bicycle lanes, landscaped medians, street trees, wider sidewalks, and pedestrian amenities. (AMC 18.4.6.040.K.) No changes to these standards are proposed with these amendments, rather, the Transit Triangle CFA location is proposed in part to take advantage of these existing standards.
- “Design the Land Use Ordinance to ensure that Siskiyou Boulevard is developed as a multi-modal corridor with sidewalk and bike lane facilities appropriate to the volume and speed of motor vehicle traffic.” Boulevard streetscape standards, which apply to Siskiyou Boulevard, have been adopted that require bicycle lanes, landscaped medians, street trees, wider sidewalks, and pedestrian amenities. (AMC 18.4.6.040.G.1.) No changes to these standards are proposed with these amendments, rather, the Transit Triangle CFA location is proposed in part to take advantage of these existing standards.
- Public transportation goals in Section 10.19.02 include the policy that, “Zoning shall allow for residential densities and a mix of commercial businesses with walking distance (One-quarter to one-half mile) of existing and planned public transit service which support use of public transportation.” Both CFAs are served by existing public transportation as discussed in response to Statewide Goal 12 below, and the proposed CF Overlay zoning standards expand allowed residential densities and commercial business opportunities within walking distance of the transit facilities, in line with this policy.

The *Transportation System Plan (TSP)* includes two projects within the Railroad Property development, the Clear Creek Drive extension (R24) and Railroad Property development (R34). The TSP identifies four projects in the Transit Triangle related to improving sidewalks, bus shelters and intersections enhancements for pedestrians including two projects for Ashland Street Streetscape Enhancements (R38 for Siskiyou Boulevard to Walker Avenue and R-39 for Walker Avenue to Normal Avenue), Ashland Street/Tolman Creek Road (R41) and the Walker Avenue festival street (R40). Proposed development will be consistent with planned projects, and will benefit from proposed enhancements. Additionally, the City is preparing to update the City’s TSP to reflect additional changes

within the broader Climate Friendly and Equitable Communities (CFEC) rules that include new state rules for TSP updates to promote multimodal connectivity; the updated TSP will further enhance transportation options within the CFAs.

The proposed CFAs also relate to policies included in the City's *Climate and Energy Action Plan (CEAP)*. Specifically, the plan includes strategies to address residential travel and the emissions associated with passenger cars and trucks. Common strategies for replacing residential travel trips in passenger cars and trucks include promoting land use development patterns that utilize existing public infrastructure and making using transit and alternate modes of transportation possible and even desirable. CFAs are predicated on this very idea of mixing land uses in areas served by existing public infrastructure in order to reduce vehicle trips, miles traveled, and associated emissions, consistent with the CEAP.

The *Ashland Comprehensive Plan* includes a regional plan element with performance indicators including a committed residential density for the city limits of 6.6 dwelling units per acre and targets for mixed-use/pedestrian-friendly areas. The City of Ashland participated in the regional planning process that resulted in the adoption of the *Greater Bear Creek Valley Regional Plan* in 2012. Cities throughout the region identified urban reserve areas (URAs) to accommodate housing for future population growth. The City of Ashland decided to accommodate housing for future population with the Ashland's current boundaries rather than identify future growth areas on the perimeter of the city. Changes to the zoning and land use ordinance that encourage development of residential units within the CF Overlay can provide needed multifamily residential units to contribute toward accommodating future housing needs. Proposed minimum densities with the CF Overlay of 15 to 25 units per acre will ensure that the City meets the adopted performance indicators for residential density.

The City Council finds and determines that the proposed land use ordinance and map amendments are consistent with the *Ashland Comprehensive Plan* and other adopted long-range plans.

C. Consistency with Oregon Statewide Planning Goals

The *Ashland Comprehensive Plan* was originally adopted by the City Council on November 2, 1982 and acknowledged by the Land Conservation and Development Commission on Oct 7, 1983. Numerous updates were completed and acknowledged since the originally acknowledged plan including but not limited to: Chapter III Citizens Participation and Involvement (2016), Chapter IV Environmental Resources (1991), Chapter V Population Projection and Growth (1991), Chapter VI Housing Element (2019), Chapter VII Economy (1991), Chapter VIII Parks, Open Space and Aesthetics (1991), Chapter X Transportation (1996), Chapter XI Energy, Air, Water, Conservation (1991), and Chapter XIC Regional Plan Element (2012). Technical reports and supporting documents were also acknowledged and adopted as part of the *Ashland Comprehensive Plan* and include but are not limited to the following: Croman Mill Site Redevelopment Plan (2008), Normal Neighborhood Plan Framework (2015), Local Wetland Inventory and Assessment and Riparian Corridor Inventory (2009), Housing Capacity Analysis, (2021),

Buildable Lands Inventory (2019), and Transportation System Plan Update (2013). The City follows the post-acknowledgement plan amendment (PAPA) process to update the Plan with new state and regional regulations as necessary and relies in part upon these prior state review processes to demonstrate compliance with all necessary requirements.

GOAL 1: CITIZEN INVOLVEMENT

To develop a citizen involvement program that ensures the opportunity for cities to be involved in all phases of the planning process.

Finding: The City of Ashland meets this requirement by having the Planning Commission serve as the Committee on Citizen Involvement, as well as having various citizen commissions with opportunities for the public to testify on general or specific matters.

The proposed Climate Friendly Areas (CFAs) were reviewed by the Historic Preservation Advisory Committee on September 4, 2024; by the Climate and Environment Policy Advisory Committee on September 12, 2024; by the Transportation Advisory Committee on September 19, 2024; by the Housing and Human Services Advisory Committee on September 26, 2024; and by the Social Equity and Racial Justice Advisory Committee on October 3, 2024. An open house was held on September 17, 2024, advertised to the public and attracting nearly 30 participants. Additional feedback was received through an online survey, open from September 17 to November 19, 2024, that generated 70 responses.

The Planning Commission reviewed the proposed CFAs and the implementing maps and code amendments at two study sessions on October 22, 2024, and February 25, 2025. The Planning Commission held a public hearing on April 29, 2025, and recommended the adoption of the Railroad Property Climate Friendly Area and the Transit Triangle Climate Friendly Area and associated code amendments. The City Council reviewed the project at the November 4, 2024, and March 17, 2025, study sessions.

Opportunities to provide written and oral testimony were available at all of the commission meetings. All of the aforementioned meetings were conducted as hybrid meetings to allow multiple ways to engage in person or virtually.

A project web page at <http://www.ashlandoregon.gov/climatefriendly> with the project background materials, meeting materials and proposed map and code amendments was available throughout the duration of the project and was included in all meeting notices and announcements. This Goal is met.

GOAL 2: LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual bases for such decisions and actions.

Finding: The proposed zoning map amendments revise the extent of existing overlays, remove the Transit Triangle Overlay, and introduce a new CF Overlay centered around the Railroad Property and a significant portion of the Transit Triangle. No changes to base

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zones are proposed. Thus, the zoning and overlays will remain consistent with the land use framework and designations established in the *Ashland Comprehensive Plan* to implement Goal 2.

Similarly, the proposed land use code amendments seek to refine the existing zoning district and overlay district standards. The repeal of the Transit Triangle overlay and introduction of the CF overlay for the majority of that area, along with the shift away from the Residential Overlay in the Railroad Property CFA towards the CF Overlay, will continue to support mixed-use, walkable development patterns serving commercial, employment, residential and civic uses consistent with the adopted *Comprehensive Plan* goals and policies, as demonstrated in Section B above. This Goal is met.

GOAL 3: AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

Finding: Not applicable because the proposal does not propose any land use regulation changes to agricultural lands outside of the Ashland UGB.

GOAL 4: FOREST LANDS

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Finding: Not applicable because the proposal does not propose any land use regulation changes to forest lands outside of the Ashland UGB.

GOAL 5: NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACES

To protect natural resources and conserve scenic and historic areas and open spaces.

Finding: The City of Ashland has an acknowledged comprehensive plan that complies with this goal and the proposal does not modify the existing goals and policies related to Goal 5. This Goal is met.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

Finding: The City of Ashland has an acknowledged comprehensive plan that complies with this goal and the proposal does not modify the existing goals and policies related to Goal 6. This Goal is met.

GOAL 7: AREAS SUBJECT TO NATURAL HAZARDS

To protect people and property from natural hazards.

Finding: The City of Ashland has an acknowledged comprehensive plan that complies with this goal and the proposal does not modify the existing goals and policies related to Goal 7. This Goal is met.

GOAL 8: RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding: The City of Ashland has an acknowledged comprehensive plan that complies with this goal and the proposal does not modify the existing goals and policies related to Goal 8 and recreational needs. This Goal is met.

GOAL 9: ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for a variety of economic activities vital to health, welfare, and prosperity of Oregon's citizens.

Finding: The proposed zoning map amendments maintain the existing C-1 and E-1 zoning within both CFAs, and expand existing opportunities for mixed uses within both CFAs through introduction of the CF Overlay in place of the R Overlay and TT Overlay. The proposed land use code amendments continue to permit a wide variety of commercial and employment land uses to support economic development, consistent with the adopted *Ashland Comprehensive Plan*. The expansion of allowed residential uses within areas zoned C-1 and E-1 continues to require a mix of uses rather than outright residential development, with the exception of townhouse development required by state CFA rules, affordable housing required by state rules, and residential uses with commercial-ready ground floor spaces which can serve as either/both commercial and residential spaces over the building's lifespan. This Goal is met.

GOAL 10: HOUSING

To provide for the housing needs of citizens of the state.

Finding: The Statewide Planning Program requires each city to inventory its buildable residential lands, project future housing needs, and provide the appropriate types and amounts of land within the UGB necessary to meet those needs. The Housing Element of the *Ashland Comprehensive Plan* was amended and acknowledged in 2019. The City of Ashland has an acknowledged Housing Capacity Analysis (2021) and Buildable Lands Inventory (2024) which provide a factual basis for needed housing types and available land supply. The City has acknowledged zoning standards relating to residential development including provisions for housing density, setbacks, parking requirements, lot coverage, types, and development in environmentally or physically constrained areas.

The map and code amendments do not change the zoning standards for residential areas, but rather, expand opportunities for additional residential uses within compact, mixed-use neighborhoods with existing commercial and employment zoning. Specific changes include:

- Eliminating maximum density in all areas zoned C-1 and E-1 citywide, where residential uses are permitted as mixed-use.
- In downtown area zoned C-1-D, eliminating maximum density, increasing allowed height from 40 feet to 50 feet outright and from 55 feet to 60 feet conditionally, and allowing multifamily residential outright without a commercial component if ground floor is built to commercial ready standards and project meets minimum density of 30 du/ac.
- In the Railroad Property CFA, expanding the extent of areas where residential is permitted through introduction of the CF Overlay to replace the R Overlay, allowing townhouses as a residential type in addition to multifamily residential, introducing a new minimum density of 20 du/ac, eliminating the current maximum density of 15 du/ac, and increasing the allowed height to 50 feet.
- In the Transit Triangle CFA, maintaining the area where residential is permitted as part of a broader mix of uses within the CF Overlay to replace the TT Overlay, allowing townhouses as a residential type in addition to multifamily residential, increasing minimum densities while retaining no maximum density, and maintaining the current 50-foot height limit.

The City of Ashland has an acknowledged comprehensive plan that complies with this goal and the proposed amendments do not modify the existing goals and policies related to Goal 10, nor do the amendments modify the *Ashland Comprehensive Plan* designations for area within the Ashland UGB. The proposed map and code amendments expand housing opportunities in ways consistent with comprehensive plan goals and policies as discussed in Section B, above. This Goal is met.

GOAL 11: PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The City of Ashland has master plans in place for water, wastewater and stormwater that address project population growth in the Ashland city limits and UGB. The Water Master Plan was completed in 2020 and projects and plans for an adequate water supply for a 20-year planning period. The Wastewater Master Plan was completed in 2012 and projects and plans for an adequate water supply for a 20-year planning period. The Stormwater and Drainage Master Plan was completed in 2020 and projects and plans for an adequate water supply for a 20-year planning period.

The proposed map and code amendments refine existing provisions for a mix of uses in affected areas, to be served by planned infrastructure. Individual development projects will be required to demonstrate that existing infrastructure can serve the development or to develop needed infrastructure identified in master plans, at the time of development. This Goal is met.

GOAL 12: TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

Finding: The City has an acknowledged *Transportation System Plan* (2013). The transportation system is planned to accommodate the population growth of the community for the 20-year planning period. The proposed amendments to the approval standards clarify the improvements required for the transportation system bordering and within an annexed area, as well as safe and accessible bicycle and pedestrian facilities according to the safety analysis and standards of the governing jurisdiction of the facility or facilities. The proposed map and code amendments affect areas with existing and planned transportation facilities designed to support an intensity of mixed-use development comparable to that proposed.

The City is beginning the process to update the TSP to comply with additional CFEC-related transportation planning requirements, which will explore further enhancements to multimodal transportation options planned for the proposed CFAs and broader community. This Goal is met.

GOAL 13: ENERGY CONSERVATION

To conserve energy.

Finding: The City of Ashland has an acknowledged comprehensive plan that complies with this goal and the proposal does not modify the existing goals and policies related to Goal 5. This Goal is met.

GOAL 14: URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Finding: The proposed amendments are within the acknowledged UGB and do not propose to add additional land to the UGB or affect rural areas outside of the UGB. The proposed map and code amendments enhance opportunities for mixed-use development within the existing city limits and UGB to ensure efficient use of land. This Goal is met.

Statewide Planning Goal 15: “Willamette River Greenway” The affected areas are not located within or adjacent to the Willamette River Greenway. Therefore, Goal 15 is not applicable.

Statewide Planning Goal 16: ‘Estuarine Resources’ The affected areas are not located within the or adjacent to a designated estuarine resource. Therefore, Goal 16 is not applicable.

Statewide Planning Goal 17: “Coastal Shorelands” There are no coastal shorelands within the vicinity of Ashland, therefore, Goal 17 is not applicable.

Statewide Planning Goal 18: “Beaches & Dunes” There are no designated beaches or dunes within the vicinity of Ashland, therefore, Goal 18 is not applicable.

Statewide Planning Goal 19: “Ocean Resources” There are no designated ocean resources within the vicinity of Ashland, therefore, Goal 19 is not applicable.

D. Consistency with State Climate Friendly Area Rules (OAR 660-012-0310 to 660-012-0330)

OAR 660-012-0310: Climate-Friendly Areas

(1) This rule, OAR 660-012-0315, and OAR 660-012-0320 apply to cities and counties that:

- (a) Are within a metropolitan area other than the Portland Metropolitan Area;*
- (b) Are inside incorporated cities or areas within an urban growth boundary as provided in section (3); and*
- (c) Have a population of more than 5,000 within an urban growth boundary.*

(2) Cities and counties shall study and zone climate-friendly areas for locations that meet the following requirements.

- (a) Locations able to support development consistent with the land use requirements of OAR 660-012-0320.*
- (b) The locations shall be in existing or planned urban centers, including downtowns, neighborhood centers, transit-served corridors, or similar districts. To the extent practicable, climate-friendly areas should be located within, or in close proximity to, areas planned for, or provided with, high-density residential uses and a high concentration of employment opportunities.*
- (c) The locations shall be in areas that are served, or planned for service, by high quality pedestrian, bicycle, and transit services.*
- (d) The locations shall not be in areas where development is limited or disallowed by provisions adopted pursuant to Statewide Planning Goal 7. Climate-friendly areas may be designated in such areas if the local government has adopted requirements for development that will mitigate potential hazards to life and property, in compliance with Statewide Planning Goal 7.*
- (e) Cities may designate climate-friendly areas within the urban growth boundary, but outside the city limits boundary, if the following requirements are met:*

- (A) The area is contiguous with the city limits boundary;*
- (B) The provision of urban services is contingent upon annexation into the city limits and the area is readily serviceable with urban water, sewer, stormwater, and transportation. “Readily serviceable” means that urban infrastructure services are nearby and could be provided to allow*

construction on the site within one year of an application for a building permit;

(C) The zoning that will be applied upon annexation, based on the city's comprehensive plan designation for the area, is consistent with climate-friendly area requirements;

(D) The county in which the subject area is located has adopted a consistent comprehensive plan designation for the area; and

(E) The city can demonstrate that at least 70 percent of complete annexation applications within the last five years have been approved within one year of the date of complete annexation application.

(f) Climate-friendly areas shall have a minimum width of 750 feet, including any internal rights of way that may be unzoned. Contiguous climate-friendly areas with distinct land use requirements may be considered cumulatively to demonstrate compliance with the minimum width requirement. Exceptions to these minimum dimensional requirements are allowed due to natural barriers, such as rivers; or due to long-term barriers in the built environment, such as freeways. Exceptions are also allowed if potential climate-friendly areas are constrained by adjacent areas planned and zoned to meet industrial land needs.

Finding: The City of Ashland is subject to the CFA requirements, per section (1). The proposed CFAs are located within planned urban centers: the Railroad Property CFA is within a neighborhood center and the Transit Triangle CFA combines a neighborhood center and transit-served corridor along Ashland Street. Both areas have already been planned for a mix of uses including residential, commercial and employment opportunities, with additional proposed code amendments to fully align with the CFA land use requirements in OAR 660-012-0320, satisfying subsections (2)(a) and (b). (Proposed AMC 18.3.14.)

Both CFAs are served by existing transit: The Rogue Valley Transportation District (RVTD) operates Line 17 serving Hersey Street, on the north edge of the Railroad Property CFA, and Lines 17, 10 and 1X all serve the Transit Triangle CFA along Ashland Street and/or Siskiyou Boulevard. Bicycle lanes and sidewalks are present along all arterials and collectors within the CFAs, including enhanced painted bike lanes and bike boxes installed along Ashland Street through the CFA in 2024. These bicycle, pedestrian and transit facilities provide high-quality service to the proposed CFAs, satisfying subsection (2)(c),

There are no areas within the proposed CFAs that are Goal 7 identified hazard areas, satisfying subsection (2)(d). (Comprehensive Plan Environmental Resources Element.)

The entirety of the proposed CFAs is within the City limits, satisfying subsection (2)(e).

The proposed Railroad Property CFA is an irregular rectangle, and averages approximately 850 feet north-south and 2,400 feet east-west that easily accommodates a 750-foot-diameter circle within the majority of the area. The proposed Transit Triangle CFA is an irregular shape, with a central node originating at the Ashland Street/Siskiyou Boulevard

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intersection that is roughly triangular, with sides ranging from 1,700 to 2,000 ft and that can easily accommodate a 750-ft diameter circle. There are additional areas that extend along Ashland Street and Siskiyou Boulevard to take advantage of transit corridors and existing land use patterns that are as narrow as 250 feet included within this CFA, consistent with state guidance. (Climate-Friendly Areas Methods Guide, page 14.) Subsection (2)(f) is satisfied for both proposed CFAs. This OAR is met.

OAR 660-012-0315, Designation of Climate Friendly Areas

(1) *The designation of climate-friendly areas refers to the process of studying potential climate-friendly areas and adopting land use requirements and climate-friendly elements into comprehensive plans, as provided in this rule. Cities and counties subject to the requirements of OAR 660-012-0310 with a population greater than 10,000 shall designate climate-friendly areas sufficient to accommodate at least 30 percent of the total identified number of housing units necessary to meet all current and future housing needs by calculating zoned building capacity as provided in section (2), or using an alternative methodology as provided in OAR 660-012-0320(10).*

(a) A local government may designate one or more climate-friendly areas to accommodate at least 30 percent of housing units.

(b) The total number of housing units necessary to meet all current and future housing needs shall be determined from the local government's most recently adopted and acknowledged analysis of housing capacity and needed housing consistent with ORS 197.296 at the time it was adopted, by adding the total number of existing dwelling units identified in the buildable land inventory to the anticipated number of future needed housing units over the planning period of the housing capacity analysis.

Finding: The City's population exceeds 10,000 and is subject to this section. Two CFAs are proposed to accommodate at least 30 percent of housing units, determined to be 3,469 units. (See calculation of housing need in CFA Study, page 21.) This OAR is met.

(2) *Cities and counties subject to section (1) shall calculate the housing unit capacity within climate-friendly areas, as follows:*

(a) Regardless of existing development in a climate-friendly area, determine the potential square footage of zoned building capacity for each net developable area based on proposed development standards for the climate-friendly area, including applicable setbacks, allowed building heights, open space requirements, on-site parking requirements, and all other applicable regulations that would impact the developable site area. Within developed areas with no blocks greater than 5.5 acres, analysis of net developable areas may be conducted for each city block, without regard to property boundaries within the block. Within areas of 5.5 acres or more bounded by streets, the local government shall assume the same ratio of gross land area to net land area as that which exists in the most fully developed urban center within the city or county.

(b) Where the local government has not established a maximum building height, assumed building height shall be 85 feet. For the purpose of calculating zoned

building capacity, cities and counties may assume the following number of floors within multistory buildings, based on allowed building heights:

- (A) Thirty feet allows two floors.*
- (B) Forty feet allows three floors.*
- (C) Fifty feet allows for four floors.*
- (D) Sixty feet allows for five floors.*
- (E) Seventy-five feet allows for six floors.*
- (F) Eighty-five feet allows for seven floors.*

(c) If a local government allows height bonuses above the maximum building heights used for calculations in subsection (b), the local government may include 25 percent of that additional zoned building capacity when the bonuses:

- (A) Allow building heights above the minimums established in OAR 660-012-0320(8); and,*
- (B) Allow height bonuses for publicly-subsidized housing serving households with an income of 80 percent or less of the area median household income, or height bonuses for the construction of accessible dwelling units, as defined in OAR 660-008-0050(4)(a), in excess of minimum requirements.*

(d) Local governments shall assume that residential dwellings will occupy 30 percent of the zoned building capacity calculated in subsections (a), (b), and (c) within climate-friendly areas. Public parks and open space areas within climate-friendly areas that are precluded from development shall not be included in calculations of zoned building capacity, but may be counted towards minimum area and dimensional requirements for climate-friendly areas. Zoning and development standards for public parks and open space areas are exempted from compliance with the land use requirements in OAR 660-012-0320 if the existing zoning standards do not allow residential, commercial, or office uses.

(e) Local governments shall assume an average dwelling unit size of 900 square feet. Local governments shall use the average dwelling unit size to convert the square footage of zoned residential building capacity calculated in subsection (d) into an estimate of the number of dwelling units that may be accommodated in the climate-friendly area.

Finding, OAR 660-012-0315(2): The proposed Railroad Property CFA has been shown to have capacity to accommodate 2,226 housing units and the proposed Transit Triangle CFA has been shown to have capacity to accommodate 5,349 housing units, using the methodology in this section, for a total capacity of 7,575 housing units. (See Housing Capacity Analysis Update in Exhibit E.) This OAR is met.

[...]

(6) Cities and counties must adopt land use requirements as provided in OAR 660-012-0320, and clearly identify the climate-friendly areas in their comprehensive plan maps, comprehensive plans, zoning maps, or zoning codes; indicated by land use designation,

overlay zone, or similar mechanisms. Adoption of land use requirements and findings for the plan, code, or map amendment shall include the following:

- (a) Cities and counties subject to section (1) shall provide maps showing the location of all adopted climate-friendly areas, and supplemental materials to demonstrate that climate-friendly areas contain sufficient zoned residential building capacity to accommodate 30 percent of total housing units as provided in section (2), or using an alternative methodology as provided in OAR 660-012-0320(10), and based on adopted land use requirements in these areas as provided in OAR 660-012-0320. Cities and counties subject to section (3) shall provide maps showing the location of the adopted climate-friendly area. Local governments subject to (1) or (3) shall include findings containing the information and analysis required in section (4) for any climate-friendly areas that were not included in the initial study specified in section (4).*
- (b) Documentation of the number of total existing dwelling units, accessible dwelling units, and income-restricted dwelling units within all climate-friendly areas. Where precise data is not available, local governments may provide estimates based on best available information.*
- (c) Documentation that all adopted and applicable land use requirements for climate-friendly areas are consistent with the provisions of OAR 660-012-0320.*
- (d) Adopted findings shall demonstrate compliance with the provisions of OAR 660-012-0310 through 660-012-0325, and shall include:*

(A) Identification of all ongoing and newly-added housing production strategies the local government shall use to promote the development of affordable housing in climate-friendly areas. The local government may use the Housing Production Strategy Guidance for Cities to review and identify potential strategies, as provided in OAR 660-008-0050(3). These strategies shall be incorporated into future housing production strategy reports, as provided in OAR chapter 660, division 8.

(B) Identification of all ongoing and newly-added housing production strategies the local government shall use to prevent the displacement of members of state and federal protected classes in climate-friendly areas. Findings shall include a description of how the strategies will be implemented based on consideration of identified neighborhood typologies and the most effective measures to prevent displacement based on typology. The local government may use the Housing Production Strategy Guidance for Cities, along with the department's "Anti-Displacement and Gentrification Toolkit" to identify the most effective measures to prevent displacement based on neighborhood typologies. These strategies shall be incorporated into future housing production strategy reports, as provided in OAR chapter 660, division 8.

Finding: Proposed zoning map amendments include a proposed Climate Friendly (CF) Overlay to clearly identify the CFAs, as shown in Exhibit B. Exhibit E includes supplemental documentation of the CFAs' housing capacity showing that there is capacity

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for 7,575 housing units, well over the required 30 percent of total housing units or 3,469 units determined for Ashland.

Documentation of existing dwelling units by category is provided in Exhibit F, in response to subsection (6)(b). The Railroad Property is estimated to have 45 existing dwelling units, and the Transit Triangle is estimated to have 270 existing dwelling units.

These findings include documentation that the existing and proposed land use requirements for the proposed CFAs meet the CFA rules in -0310 to -0325, satisfying subsections (6)(c) and (d). Relevant housing production strategies that promote affordable housing and prevent displacement are detailed in the Climate Friendly Area studies prepared by the Rogue Valley Council of Governments (RVCOG) and included here with Exhibit G, satisfying subsection (6)(d). This OAR is met.

OAR 660-012-0320, Land Use Requirements in Climate Friendly Areas

(1) Cities and counties subject to the provisions of OAR 660-012-0310 shall incorporate the requirements in sections (2) through (7) of this rule into policies and development regulations that apply in all climate-friendly areas. Cities and counties shall either incorporate the provisions in section (8) into development regulations for climate-friendly areas, or shall demonstrate with adopted findings and analysis that alternative development regulations for climate-friendly areas will comply with the requirements in section (9). If adopting more than one climate-friendly area, a city or county may demonstrate compliance with either section (8) or section (9) for each climate-friendly area, provided that all requirements for each respective climate-friendly area are met.

(2) Except as noted in subsection (a) and section (3), development regulations for a climate-friendly area shall allow single-use and mixed-use development within individual buildings and development sites, including the following outright permitted uses:

(a) Multi-unit housing and attached single-unit housing. Other residential building types may be allowed, subject to compliance with applicable minimum density requirements in section (8) of this rule, or alternative land use requirements as provided in section (9). Notwithstanding this section, local governments may require ground floor commercial and office uses within otherwise single-use multi-unit buildings, unless a multi-unit building will contain units subject to a recorded agreement that runs with the land and requires affordability for an established income level for a defined period of time.

(b) Office-type uses.

(c) Non-auto dependent retail, services, and other commercial uses.

(d) Child care, schools, and other public uses, including public-serving government facilities.

Finding: Single uses and mix of uses are permitted with no restrictions on mixing within buildings or sites within the CF Overlay. (Proposed AMC 18.3.14.040.B.) The following uses are permitted or proposed to be permitted for all base zones within the overlay (R-2, C-1 and E-1), through a combination of proposed use standards in proposed AMC Table 18.3.14.040 and existing use standards in AMC Table 18.2.2.030:

- Attached single-family dwellings.
- Multifamily dwellings (3+ units), with mixed-use requirements to incorporate at least 35 percent of the ground floor as commercial or office uses, with exceptions for affordable housing projects and residential uses built to commercial-ready standards. (Proposed AMC 18.3.14.040.C.2.)
- Office.
- Retail sales and service and restaurants.
- Child care facility, schools (public and private), government offices and parks.

The above uses are permitted and subject to Site Plan Review, which requires Type I or II review for all new development within the CF Overlay and citywide. (AMC 18.5.2.030.) This OAR is met.

(3) Portions of abutting residential or employment-oriented zoned areas within a half-mile walking distance of a mixed-use area zoned as provided in section (1) may count towards climate-friendly area requirements, if in compliance with subsections (a) or (b). Notwithstanding existing development, zoned residential building capacity shall be calculated for the abutting areas based on allowed building heights and existing development standards in these areas, as provided in OAR 660-012-0315(2) or using an alternative methodology as provided in OAR 660-012-0320(10). Residential densities for abutting areas shall correspond to the climate-friendly area type, provided in subsections (8)(a), (b), or (c) or (9)(a), (b), or (c). Employment densities for abutting areas shall comply with the thresholds in subsection (b). If subsections (a) or (b) are met, no changes to existing zoning or development standards are required for these areas.

*(a) Residential areas with minimum residential densities or existing residential development equal to or greater than the densities provided in section (8); or
[...]*

Finding: No abutting residential or employment-oriented zoned areas are proposed to be included within the CFAs under these provisions. This OAR is not applicable.

(4) Local governments shall prioritize locating government facilities that provide direct service to the public within climate-friendly areas and shall prioritize locating parks, open space, plazas, and similar public amenities in or near climate-friendly areas that do not contain sufficient parks, open space, plazas, or similar public amenities. Local governments shall amend comprehensive plans to reflect these policies, where necessary. Streetscape requirements in climate-friendly areas shall include street trees and other landscaping, where feasible.

Finding: There are no existing governmental facilities within the Railroad Property CFA; Ashland Fire and Rescue Station No. 2 is located within the Transit Triangle CFA along Ashland St. The Transit Triangle CFA also borders the Southern Oregon University campus.

There are no parks within the Railroad Property CFA, however, Railroad Park and the Central Ashland Bike Path abut the CFA's southern perimeter, and North Mountain Park and Ashland Creek Park are both within one-quarter mile of the CFA. One additional site along the eastern edge of the CFA is proposed for future park and trail development, the Willows site. (Parks & Open Space Map 2024.) There is one small park, Sherwood Park, within the Transit Triangle CFA, with several additional facilities within one-quarter mile including Garden Way Park, Clay Street Park, Mountain View Cemetery, and Hunter Park.

The City operates and sites general facilities, Fire & Rescue, and recreational facilities. Additional government facilities are sited by special districts independent of the City: Schools are sited by the Ashland School District and libraries by Jackson County Library Services. The Public Services element of the Comprehensive Plan includes the general goal, "To provide public utilities, services and facilities in an orderly, efficient and environmentally sensitive way and in sufficient quantity to meet city needs now and in the future." (Goal 9.01.03.) The goal will ensure services exist citywide to serve CFAs and drive location of additional services and facilities within the CFAs if needed to support future development.

Street trees are required for all new developments fronting public and private streets, and this requirement will be applied within the CFA. (AMC 18.4.4.030.E.) Existing street trees are present along portions of Hersey Street, Clear Creek Drive and local streets within the Railroad Property CFA, and along Ashland Street, Siskiyou Boulevard, and local streets within the Transit Triangle CFA; future development within these areas will help to fill in existing gaps in street trees and private landscaping within front yard setbacks. This OAR is met.

(5) Local governments shall establish maximum block length standards as provided below. For the purpose of this rule, a development site consists of the total site area proposed for development, absent previously dedicated rights-of-way, but including areas where additional right-of-way dedication may be required.

(a) For development sites less than 5.5 acres in size, a maximum block length of 500 feet or less. Where block length exceeds 350 feet, a public pedestrian through-block easement shall be provided to facilitate safe and convenient pedestrian connectivity in climate-friendly areas. Substantial redevelopment of sites of two acres or more within an existing block that does not meet the standard shall provide a public pedestrian accessway allowing direct passage through the development site such that no pedestrian route will exceed 350 feet along any block face. Local governments may grant exceptions to street and accessway requirements as provided in OAR 660-012-0330(2).

(b) For development sites of 5.5 acres or more, a maximum block length of 350 feet or less. Local governments may grant exemptions to street requirements as provided in OAR 660-012-0330(2).

Finding: Block length standards for all development within the City are a maximum of 300 to 400 feet for public streets. Block spacing may be modified based on site-specific Findings of Fact and Conclusions of Law

factors. (AMC 18.4.6.040.E.9.) Specifically, within the proposed CFAs, a maximum block length of 350 feet will apply to development sites of 5.5 acres or more. (proposed AMC 18.3.14.060.A.) This OAR is met.

(6) Development regulations may not include a maximum density limitation.

Finding: No maximum density limits are proposed within the CF Overlay. (proposed AMC Table 18.3.14.050.) Additionally, no minimum lot area or maximum FAR standards are proposed within the CF Overlay in order to avoid creating de facto maximum densities. (Proposed AMC Table 18.3.14.050.) This OAR is met.

(7) Local governments shall adopt policies and development regulations in climate-friendly areas that implement the following:

- (a) The transportation review process in OAR 660-012-0325;*
- (b) The land use requirements as provided in OAR 660-012-0330;*
- (c) The applicable parking requirements as provided in OAR 660-012-0435; and*
- (d) The applicable bicycle parking requirements as provided in OAR 660-012-0630.*

Finding: See findings below for each applicable OAR. This OAR is met.

(8) Local governments shall adopt either the following provisions into development regulations for climate-friendly areas, or the requirements in section (9). Local governments are not required to enforce the minimum residential densities below for mixed-use buildings (buildings that contain residential units, as well as office, commercial, or other non-residential uses) if the mixed-use buildings meet a minimum floor area ratio of 2.0. A floor area ratio is the ratio of the gross floor area of all buildings on a development site, excluding areas within buildings that are dedicated to vehicular parking and circulation, in proportion to the net area of the development site on which the buildings are located. A floor area ratio of 2.0 would indicate that the gross floor area of the building was twice the net area of the site. Local governments are not required to enforce the minimum residential densities below for redevelopment that renovates and adds residential units within existing buildings, but that does not add residential units outside the existing exterior of the building.

(a) Local governments with a population greater than 5,000 up to 25,000 shall adopt the following development regulations for climate-friendly areas:

- (A) A minimum residential density requirement of 15 dwelling units per net acre; and*
- (B) Maximum building height no less than 50 feet.*

[...]

Finding: Minimum densities are proposed within the CFAs as follows: 15 units per acre in areas zoned R-2, 20 units per acre in areas zoned E-1 and 25 units per acre in areas zoned C-1. (Proposed AMC Table 18.3.14.050.) A maximum height of 50 feet is proposed for all zones within the CF Overlay, with up to 60 feet permitted with bonus height available for

Findings of Fact and Conclusions of Law Page 25

affordable housing developments. (Proposed AMC Table 18.3.14.050.) This OAR is met.

(9) As an alternative to adopting the development regulations in section (8), local governments may demonstrate with adopted findings and analysis that their adopted development regulations for climate-friendly areas will provide for equal or higher levels of development in climate-friendly areas than those allowed per the standards in section (8). Additional zoned building capacity of 25 percent may be included for development regulations that allow height bonuses for additional zoned building capacity above established maximums that are consistent with OAR 660-012-0315(2)(c)(B). Specifically, the local government must demonstrate that the alternative development regulations will consistently and expeditiously allow for the levels of development described in subsections (a)-(c). Alternative development regulations must require either a minimum residential density of 15 dwelling units per net acre or a minimum floor area ratio of 1.0, as described in section (8).

[...]

(10) A local government may provide an alternative methodology for zoned residential building capacity calculations that differs from OAR 660-012-0315(2). The methodology must clearly describe all assumptions and calculation steps, and must demonstrate that the methodology provides an equal or better system for determining the zoned residential building capacity sufficient to accommodate at least 30 percent of the total identified number of housing units necessary to meet all current and future housing needs within climate-friendly areas. The alternative methodology shall be supported by studies of development activity in the region, market studies, or similar research and analysis.

Finding: The City does not propose alternative development regulations or alternative methodology for zoned building capacity. These OARs are not applicable.

OAR 660-12-0325, Transportation Review in Climate Friendly Areas

(1) Cities or counties shall use the provisions of this rule to review amendments to comprehensive plans or land use regulations in lieu of the provisions of OAR 660-012-0060 when the amendment is:

(a) To adopt a climate-friendly area as provided in OAR 660-012-0310 through OAR 660-012-0320, or a Metro Region 2040 center; or

(b) Within an adopted climate-friendly area or Metro Region 2040 center.

(2) Cities and counties considering amendments to comprehensive plans or land use regulations to adopt or expand a climate-friendly area as provided in OAR 660-012-0310 through OAR 660-012-0320, or a Metro Region 2040 center, must make findings, including:

(a) A multimodal transportation gap summary as provided in section (4); and

(b) The multimodal transportation gap summary must include a highway impacts summary as provided in section (5) if the designated climate-friendly area as provided in OAR 660-012-0315 or Region 2040 center contains a ramp terminal intersection, state highway, interstate highway, or adopted ODOT Facility Plan.

Finding: The proposed action is to adopt CFAs including amendments to the zoning code for consistency with OARs pertaining to CFAs. A multimodal transportation gap summary has been prepared and is provided in Exhibit H, which identifies bicycle, pedestrian and transit opportunities existing and proposed within the CFAs. A highway impacts summary has been prepared and is provided in Exhibit I, owing to the presence of OR 66 and OR 99E state highways within the Transit Triangle CFA and the I-5 ramp terminals at the eastern edge of the Transit Triangle CFA. This OAR is met.

OAR 660-12-0330, Land Use Requirements

(1) Cities and counties shall implement plans and land use regulations to support compact, pedestrian-friendly, mixed-use land use development patterns in urban areas. Land use development patterns must support access by people using pedestrian, bicycle, and public transportation networks.

Finding: This rule applies to the entire city of Ashland and must be met at the time the City adopts its next Transportation System Plan (TSP) update. The rule applies specifically to the proposed CFAs per OAR 660-012-0320(7)(b) and the findings below are specific to the proposed CFAs. The City is separately developing code updates to support walkable urban design that comply with this rule that will be adopted prior to the next TSP update. This OAR is met.

(2) Cities and counties may allow exemptions to provisions in this rule when conditions on a site or class of sites would make those provisions prohibitively costly or impossible to implement. Cities or counties may adopt land use regulations that provide for exemptions as provided in this section. Any allowed exemption shall advance the purposes of this rule to the extent practical. Conditions that may provide for an exemption include, but are not limited to:

- (a) Topography or natural features;*
- (b) Railroads, highways, or other permanent barriers;*
- (c) Lot or parcel size, orientation, or shape;*
- (d) Available access;*
- (e) Existing or nonconforming development;*
- (f) To provide for accessibility for people with disabilities; or*
- (g) Other site constraints.*

Finding: Block length standards for all development within the City may be modified based on site-specific factors such as topography, permanent barriers, existing buildings, or natural resources. (AMC 18.4.6.040.E.9.) This OAR is met.

(3) Cities and counties shall have land use regulations that provide for pedestrian-friendly and connected neighborhoods. Land use regulations must meet the following requirements for neighborhood design and access:

- (a) Neighborhoods shall be designed with connected networks of streets, paths,*

accessways, and other facilities to provide circulation within the neighborhood and pedestrian and bicycle system connectivity to adjacent districts. A connected street network is desirable for motor vehicle traffic but may be discontinuous where necessary to limit excessive through-travel, or to protect a safe environment for walking, using mobility devices, and bicycling in the neighborhood.

(b) Neighborhoods shall be designed with direct pedestrian access to key destinations identified in OAR 660-012-0360 via pedestrian facilities.

(c) Cities and counties shall set block length and block perimeter standards at distances that will provide for pedestrian network connectivity. Cities and counties may allow alleys or public pedestrian facilities through a block to be used to meet a block length or perimeter standard.

(d) Cities and counties shall set standards to reduce out-of-direction travel for people using the pedestrian or bicycle networks.

Finding: All development in Ashland, including within CFAs, is required to contribute to a connected network of streets, alleys and multi-use pathways. (AMC 18.4.6.040.E.) Connectivity within and with adjacent streets is prioritized. Block lengths shall be a maximum of 300 to 400 feet and block perimeters shall be a maximum of 1,200 to 1,600 feet. (AMC 18.4.6.040.E.9.a.) Streets, alleys and pathways are required to meet design standards integrating multimodal facilities for pedestrians and bicyclists to ensure that direct pedestrian access is provided, and out-of-direction travel is reduced. (AMC 18.4.6.040.G.) This OAR is met.

(4) Cities and counties shall have land use regulations in commercial and mixed-use districts that provide for a compact development pattern, easy ability to walk or use mobility devices, and allow direct access on the pedestrian, bicycle, and public transportation networks. Commercial or mixed-use site design land use regulations must meet the following requirements:

(a) Primary pedestrian entrances to buildings must be oriented to a public pedestrian facility and be accessible to people with mobility disabilities. An uninterrupted accessway, courtyard, plaza, or other pedestrian-oriented space must be provided between primary pedestrian entrances and the public pedestrian facility, except where the entrance opens directly to the pedestrian facility. All pedestrian entrances must be designed to be barrier-free.

(b) Motor vehicle parking, circulation, access, and loading may be located on site beside or behind buildings. Motor vehicle parking, circulation, access, and loading must not be located on site between buildings and public pedestrian facilities on or along the primary facing street. Bicycle parking may be permitted.

(c) On-site accessways must be provided to directly connect key pedestrian entrances to public pedestrian facilities, to any on-site parking, and to adjacent properties, as applicable.

(d) Any pedestrian entrances facing an on-site parking lot must be secondary to primary pedestrian entrances as required in this section. Primary pedestrian entrances for uses open to the public must be open during business hours.

(e) Large sites must be designed with a connected network of public pedestrian

facilities to meet the requirements of this section.

(f) Development on sites adjacent to a transit stop or station on a priority transit corridor must be oriented to the transit stop or station. The site design must provide a high level of pedestrian connectivity and amenities adjacent to the stop or station. If there is inadequate space in the existing right of way for transit infrastructure, then the infrastructure must be accommodated on site.

(g) Development standards must be consistent with bicycle parking requirements in OAR 660-012-0630.

(h) These site design land use regulations need not apply to districts with a predominantly industrial or agricultural character.

Finding: Existing site development and design standards apply to new development and redevelopment in Ashland, including within the CFAs. The CFAs are proposed to be subject to the Detail Site Review overlay, which has a lower threshold for design review and enhanced standards: new structures or additions greater than 10,000 SF in gross floor area, or longer than 100 feet are subject to Type II review, and most smaller development and redevelopment is subject to a Type I review unless exempt. (AMC 18.5.2.020.) Commercial, mixed-use and residential development are all subject to review. Existing design standards address the land use requirements for commercial and mixed-use development as follows:

- *Addressing subsection (a):* Building entrances must be oriented towards the street, accessed from a public sidewalk, and located within 30 feet of the public right-of-way. (AMC 18.4.2.040.B.1.)
- *Addressing subsection (b):* Off-street parking and vehicle circulation areas are prohibited between the building and the street, and must be located behind or to the side of the building. (AMC 18.4.2.040.B.1.a). Parking areas adjacent to the sidewalk or residential zones are required to screen parking with landscaping (AMC 18.4.3.080.E.6.)
- *Addressing subsections (c) and (e):* Development in all zones must provide a connected, continuous system of walkways linking building entrances, on-site parking, common and public open spaces, and commons area, and connecting off-site adjacent uses to the site. (AMC 18.4.3.090.)
- *Addressing subsection (d):* There are no specific standards for secondary entrances, but main entrances must be oriented toward the street and located within 20 feet of the public right-of-way, rather than oriented towards parking areas. (AMC 18.4.2.090.B.1.) Building entrances must be open during all business hours. (AMC 18.4.2.090.B.1.c.)
- *Addressing subsection (f):* Large scale non-residential projects, applying to projects greater than 10,000 square feet in gross floor area, more than 100 feet of building frontage, or projects in the Ashland Street Corridor, are required to provide transit amenities as part of site design review. (AMC 18.4.2.040.D.) Amenities may include bus shelters, pullouts, and designated bus lanes in accordance with the Ashland Transportation System Plan and guidelines established by the Rogue

Valley Transportation Districts. Ashland's Street Design Standards. (AMC 18.4.6.040.D.21.)

- *Addressing subsection (g):* See response to bike parking requirements below.
- *Addressing subsection (h):* There are not areas of predominately industrial or agricultural character within the proposed CFAs; this provision is not applicable.

This OAR is met.

(5) Cities and counties shall have land use regulations in residential neighborhoods that provide for slow neighborhood streets comfortable for families, efficient and sociable development patterns, and provide for connectivity within the neighborhood and to adjacent districts. Cities and counties must adopt land use regulations to meet these objectives, including but not limited to those related to setbacks, lot size and coverage, building orientation, and access.

Finding: Existing development and permitted future development within the proposed CFAs include employment, commercial, and mixed-use development; there are currently not exclusive residential neighborhoods present or permitted within these areas. This OAR is not applicable.

(6) Cities and counties shall have land use regulations that ensure auto-oriented land uses are compatible with a community where it is easy to walk or use a mobility device. Auto-oriented land uses include uses related to the operation, sale, maintenance, or fueling of motor vehicles, and uses where the use of a motor vehicle is accessory to the primary use, including drive-through uses. Land use regulations must meet the following requirements:

(a) Auto-oriented land uses must provide safe and convenient access opportunities for people walking, using a mobility device, or riding a bicycle. Ease of access to goods and services must be equivalent to or better than access for people driving a motor vehicle.

(b) Outside of climate-friendly areas, cities and counties may provide for exemptions to this rule in cases where an auto-oriented land use cannot reasonably meet the standards of this rule. Standards developed in cases of an exemption must protect pedestrian facilities.

Finding: There are several auto-oriented uses that will continue to be permitted within the proposed CFAs, based on the existing base zoning and unmodified by the proposed CF Overlay, including: automotive and truck repair or service, fuel sales subject to conditional use review in most locations, and automotive sales and rental subject to conditional use review. (AMC Table 18.2.2.030.) There was robust discussion about whether to continue permitting these uses within the proposed CFAs by the Planning Commission and City Council, but the preferred direction was to continue permitting them because there were several such uses already in operation within the proposed CFAs, where their location in proximity to other uses like shopping and recreation center allowed for multiple activities in a single trip, and the conditional use review gave the opportunity to ensure the site design was consistent with the CFAs. All of these uses will be required to meet the site design

Findings of Fact and Conclusions of Law Page 30

standards in AMC 18.4 that address pedestrian access and circulation, discussed above.

Drive-up uses are already strictly regulated within Ashland, including capping the total number of drive-ups and restricting their location to the stretch of Ashland Street east of the intersection of Ashland Street and Siskiyou Boulevard. (AMC Table 18.2.2.030.) Drive-ups are subject to additional special use standards: limitations on average waiting time in line for vehicles; waiting areas to accommodate customers requiring excessive waiting time; a way for customers to leave the waiting line; flat grade for stacking areas; design to allow natural ventilation; sufficient stacking area to not obstruct public-right-of-way; and limitations on the sound level of the communications system. (AMC 18.2.3.100.) This OAR is met.

OAR 660-12-0435, Parking Reform in Climate-Friendly Areas

(1) This rule applies to cities and counties that:

- (a) Are within a metropolitan area; and*
 - (b) Have not adopted land use regulations without parking mandates as provided in OAR 660-012-0420.*
- [...]*

Finding: The City adopted land use regulations without parking mandates consistent with OAR 660-012-0420 with Ordinance 3229 effective January 19, 2024. Per AMC Table 18.4.3.040, no minimum off-street parking standards apply to development citywide including within the proposed CFAs. Therefore, this OAR specific to CFAs does not apply.

OAR 660-12-0630, Bicycle Parking

(1) Cities and counties shall require and plan for adequate parking to meet the increasing need for travel by bicycle and other small-scale mobility devices.

(2) Cities and counties shall require bicycle parking for the following uses:

- (a) All new multi-unit development or mixed-use development of five residential units or more as provided in section (3);*
- (b) All new retail development;*
- (c) All new office and institutional developments;*
- (d) All major transit stops, and any park-and-ride lots that require land use approval; and*
- (e) Any land use where off-street motor vehicle parking is mandated.*

(3) Cities and counties shall require a minimum of one-half of a covered bicycle parking space per unit for multi-unit and mixed-use residential uses. Cities and counties may:

- (a) Allow for reductions or exemptions to the minimum parking requirement based on development-specific considerations; and*
- (b) Exempt or reduce the minimum parking requirement for certain types of residential uses that are likely to have less future demand for bicycle parking.*

(4) Cities and counties shall adopt development regulations requiring all required bicycle

parking provided must:

- (a) Either allow ways to lock at least two points on a bicycle, or be within a lockable space only available to authorized users;*
- (b) Be installed in a manner to allow space for the bicycle to be maneuvered to a position where it may be secured without conflicts from stairs, other parked bicycles, walls, or other obstructions;*
- (c) Be in a location that is convenient and well-lit; and*
- (d) Include bicycle parking spaces to accommodate large bicycles, including family and cargo bicycles.*

Finding: Minimum bicycle parking ratios for multifamily residential (1-2 sheltered space per unit, depending on unit size), commercial, office, industrial, institutional, public and transit stations apply to new development. (AMC Table 18.4.3.040.) Design standards require that bike parking be located near regularly used entrances with access from the right-of-way. Spaces must meet minimum 72-inch by 30-inch dimensions, with maneuvering aisles, thorough illumination, and hard surfacing. Larger spaces for family and cargo bicycles are required with additional length. Secure bicycle racks such as staple racks are required. (AMC 18.4.3.070.) This OAR are met.

(5) Cities and counties shall provide for public bicycle parking and allow and provide for parking and ancillary facilities for shared bicycles or other small-scale mobility devices in climate-friendly areas, Metro Region 2040 centers, and near key destinations identified as provided in OAR 660-012-0360.

Finding: It is premature to provide public bicycle parking within the CFA because there has not been significant mixed-use development as of yet. The City has developed a series of bike corrals to provide for public bicycle parking within Downtown, where current demand is highest, and will explore expanding that program or other similar options within the CFA as they are developed. (<https://ashlandoregon.gov/DocumentCenter/View/1909/City-of-Ashland-Downtown-Parking-Map-PDF?bidId=>)

Any public uses that are proposed will be required to provide bicycle parking meeting the City's adopted minimums. (AMC Table 18.4.3.040.) The City has no prohibitions on facilities for shared bicycles or other small-scale mobility devices and would work with any operator proposing to locate such a service within the CFAs and/or elsewhere in the City. This OAR is met.

OVERALL COUNCIL CONCLUSIONS

The City Council finds and determines the approval criteria for this decision have been fully met, based on the detailed findings set forth herein, the detailed findings and analysis of the Planning Commission, and supporting documents together with all staff reports, addenda and supporting materials in the whole record.

Specifically, the Council finds that the proposed zoning map and land use code amendments are consistent with City of Ashland approval criteria for land use ordinance and zoning map amendments as set forth in AMC 18.5.9.020.B and are consistent with the *City of Ashland Comprehensive Plan* and other City policies. The Council finds and determines that the proposed amendments are consistent the Oregon Statewide Planning Goals and OAR 660-012-0310 through -0330.

Accordingly, based on the above Findings of Fact and Conclusions of Law, and based upon the evidence in the whole record, the City Council hereby APPROVES the ADOPTION of the following amendments to AMC Title 18 Land Use, to the Zoning and Land Use Controls Map, and to the Site Design Zones Map as reflected in the attached ordinance.

Ashland City Council Approval

Tonya Graham, Mayor

Date

Signature authorized and approved by the full Council this xxst day of June, 2025.

Attest:

Alissa Kolodzinski, City Recorder

Date

Approved as to form:

Johan Pietila, City Attorney

Date

EXHIBITS

- A. Ordinance #3249 amending the Ashland Land Use Ordinance to repeal Chapter 18.3.14 Transit Triangle Overlay and replacing it with a new Chapter 18.3.14 Climate Friendly Overlay (new Chapter 18.3.14 attached as Ordinance Exhibit A).
- B. Ordinance #3250 amending the adopted Zoning Map to add the Climate Friendly (CF) Overlay (new Zoning Map attached as Ordinance Exhibit A).
- C. Ordinance #3251 amending the adopted Site Design Zones Map to align the extent of the Detailed Site Design Review Overlay Zone to include the full extent of two newly proposed Climate Friendly Area Overlay Zones (new Site Design Zones Map attached as Ordinance Exhibit A) .
- D. Ordinance #3263 amending Chapters 18.2.1, 18.2.2, 18.2.3.130, 18.2.6, 18.3.12, 18.3.13 & 18.4.2.040.C of the Ashland Land Use Ordinance to align with the new Climate Friendly Area regulations and ensure implementation of applicable development standards.
- E. Housing Capacity Analysis of the CFAs
- F. Estimates of Existing Dwellings within the CFAs
- G. Housing Production Strategies to promote affordable housing and prevent displacement within the CFAs, ongoing and newly adopted
- H. Multimodal Transportation Gap Summaries

Climate Friendly Area Ordinance Findings

Exhibit E

Housing Capacity Analysis of the Climate Friendly Areas (CFAs)

The Rogue Valley Council of Governments (RVCOG) Climate Friendly Area (CFA) Study completed in 2023 analyzed the housing capacity of three of the four potential Climate Friendly Areas (CFAs) being considered at the time using the methodology from the Oregon Administrative Rules (OAR) section 660-012-0315(2).

RVCOG looked at the capacity of potential CFAs for the former Croman Mill site, the Transit Triangle Overlay, and the Railroad Property and surroundings. A fourth area, the C-1-D downtown zone was considered as a potential CFA but was not subject to a detailed capacity analysis as the C-1-D zone is largely built-out with only approximately 0.44 acres of vacant land and is a National Register of Historic Places-listed historic district.

After a lengthy public engagement process, the City of Ashland ultimately selected only two of the four CFAs initially considered: the Railroad Property CFA, which was adopted with the same boundaries originally considered by the Rogue Valley Council of Governments in their initial study, and the Transit Triangle CFA, with boundaries amended to remove already-developed High-Density Residential Property along Siskiyou Boulevard near the southeastern portion of the triangle. On January 26, 2025, RVCOG completed a *"Transit Triangle Housing Unit Capacity Recalculation"* based on the updated boundaries.

Both the initial RVCOG Climate Friendly Area Study, which speaks to the Railroad Property CFA's housing unit capacity, and the supplementary *"Transit Triangle Housing Unit Capacity Recalculation"* based on adjusted Transit Triangle boundaries are incorporated herein by reference and made a part of the record in support of these findings and the adoption of the proposed zoning and land use amendments. The housing unit capacity for each CFA is discussed in more detail below, based on the final boundaries selected by the City Council.

Climate Friendly Area Ordinance Findings

Exhibit E

Transit Triangle Climate Friendly Area (CFA)

Subsequent to the January 26, 2025 recalculation by RVCOG, areas zoned R-1-5, R-1-7.5, R-3 and SO were removed from the final boundaries of the Transit Triangle CFA, as well as removing Mountain View Cemetery and adjacent Normal Avenue right-of-way. With those adjustments, the Transit Triangle CFA as adopted includes 116.64 gross acres along the major transit corridors on Siskiyou Boulevard and Ashland Street. The site is zoned a mix of Commercial (C-1), Employment (E-1) and a small amount of Residential Low Density Multiple Family (R-2). A revised zoning calculation breakdown is provided below:

Figure 1. Transit Triangle CFA Final Zoning Calculation Breakdown

Zoning	Gross Acres	Net Block Area	Housing Unit Capacity
C-1	98.63	78.9	4582.61
E-1	12.31	9.85	571.84
R-2	5.7	3.35	194.62
TOTAL	116.64	92.1	5349.07

Railroad Property Climate Friendly Area (CFA)

The Railroad Property CFA includes approximately 57 acres in the center of the city, just a few blocks north of downtown. The site is zoned Employment (E-1). The housing unit capacity as originally calculated by RVCOG is presented in Figure 2 below.

Figure 2. Railroad Property CFA Final Zoning Calculation Breakdown

Zoning	Acres	Net Block Area	Housing Unit Capacity
E-1	57.27	38.34	2,226.8
TOTAL	57.27	38.34	2,226.8

Conclusion

The proposed Railroad Property CFA has been shown to have capacity to accommodate 2,226 housing units. The proposed Transit Triangle CFA has been shown to have capacity to accommodate **5,349** housing units, using the methodology in this section, for a total capacity of 7,575 housing units. This exceeds the projected needed housing withing CFAs of 3,469 housing units.

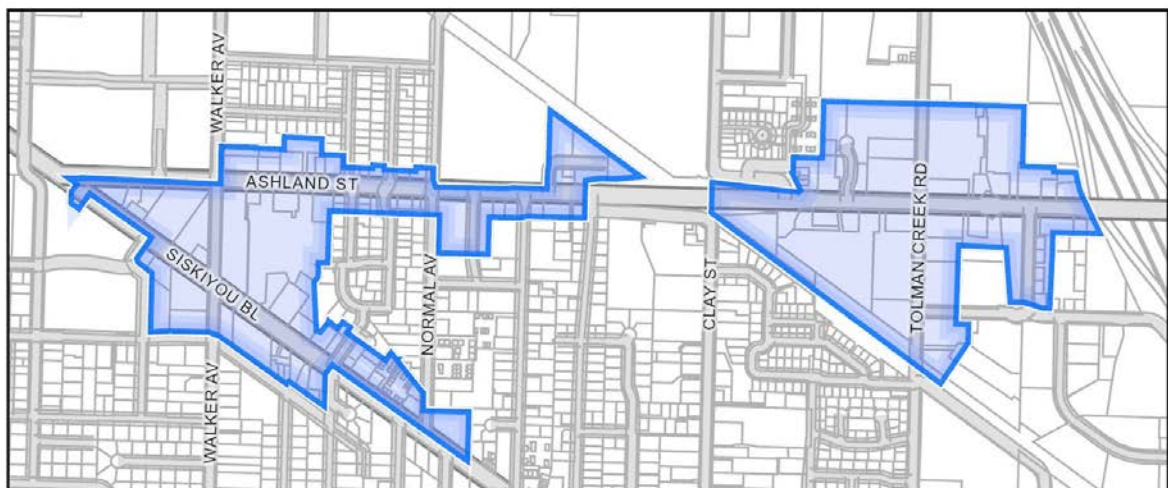
Climate Friendly Area Ordinance Findings

Exhibit F – Estimate of Existing Dwellings within the CFAs

Transit Triangle Climate Friendly Area (CFA)

The Transit Triangle CFA includes approximately 117 acres along the major transit corridors on Siskiyou Boulevard and Ashland Street, as illustrated in Figure 1 below. The site is zoned a mix of Commercial (C-1), Employment (E-1) and a small amount of Residential Low-Density Multi-Family (R-2). Using the methodology of Oregon Administrative Rules (OAR) section 660-012-0315(2), the proposed Transit Triangle CFA has been shown to have capacity to accommodate 5,349 housing units.

Figure 1. Transit Triangle CFA Boundaries



Existing dwelling unit counts within the boundaries of the proposed Transit Triangle CFA are detailed in Figure 2 below. There are 270 existing dwelling units within this CFA, and a total of 76 of these are deed-restricted affordable housing units.

Climate Friendly Area Ordinance Findings

Exhibit F – Estimate of Existing Dwellings within the CFAs

Figure 2. Estimate of Existing Dwelling Units within the Transit Triangle Climate Friendly Area

Address	Existing Dwelling Units	Affordable Units	Zoning
1651-75 Ashland St	29	28	C-1
2205 Ashland St	32	8	C-1
2255 Ashland St	2		C-1
1621 Clark Ave	3		C-1
1631 Clark Ave	3		C-1
1641 Clark Ave	3		C-1
1661 Clark Ave	1		C-1
1671-1673 Clark	2		C-1
677 Harmony Ln	1		C-1
1710 Harmony Cir	1		C-1
555 Lit Way	1		C-1
545 Normal Ave	1		C-1
1565 Oregon St	20		C-1
550 Ray Ln	1		C-1
1520 Siskiyou Blvd	24		C-1
1565 Siskiyou Blvd	52		C-1
1665 Siskiyou Blvd	20		C-1
1675 Siskiyou Blvd	1		C-1
1731-1741 Siskiyou Blvd	9		C-1
1749 Siskiyou Blvd	15		C-1
455 Tolman Creek Road	1		(County)
500 YMCA Way	40	40	C-1
498 Walker Avenue	8		C-1
Total Existing Dwelling Units	270	76	

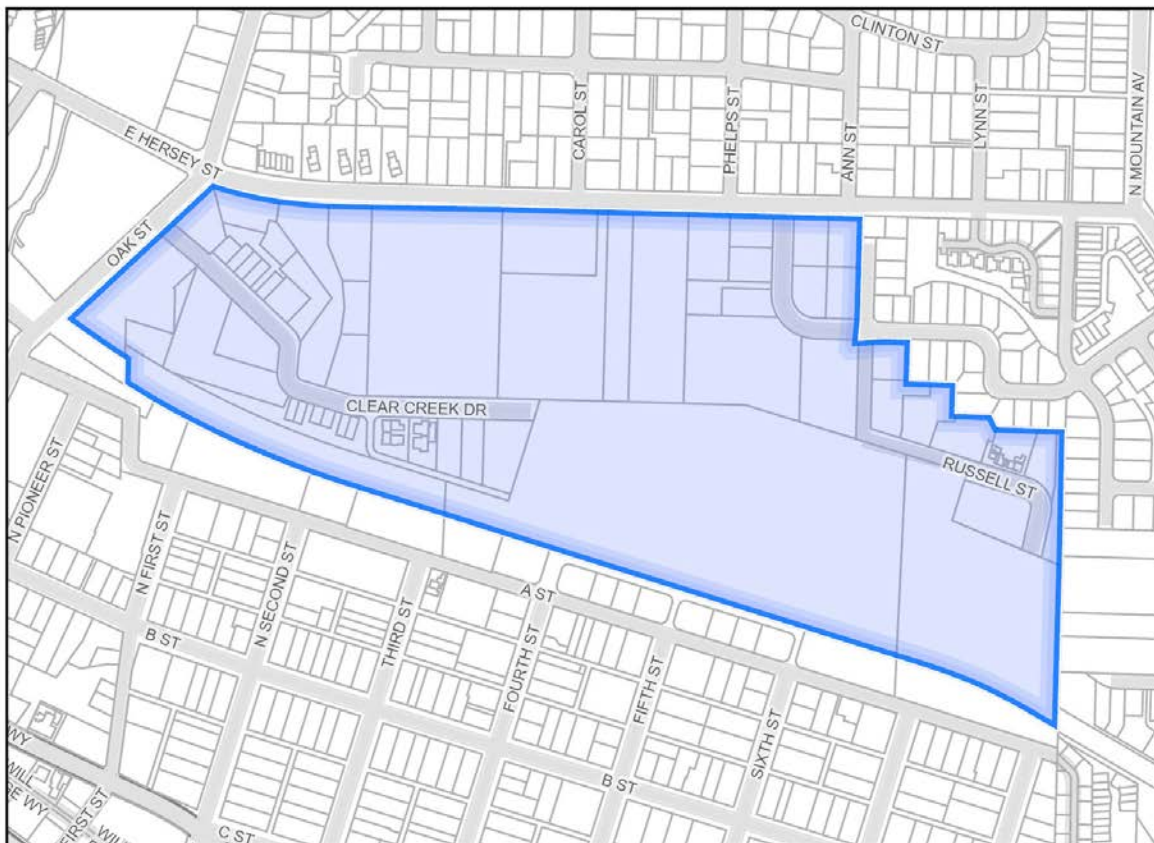
Climate Friendly Area Ordinance Findings

Exhibit F – Estimate of Existing Dwellings within the CFAs

Railroad Property Climate Friendly Area (CFA)

The Railroad Property CFA includes approximately 57 acres in the center of the city, just a few blocks north of downtown as illustrated in Figure 3 below. The site is currently zoned Employment (E-1), with a Residential (-R) Overlay in place for the majority of the site. The site has been planned as a pedestrian-focused mixed-use area dating back to the 2001 master plan for the site, and the CF Overlay provides an opportunity to update and expand the mixed-use development opportunities for the full site. Using the methodology of Oregon Administrative Rules (OAR) section 660-012-0315(2), the proposed Railroad Property CFA has been shown to have capacity to accommodate 2,226 housing units.

Figure 3. Railroad Property CFA Boundaries



Climate Friendly Area Ordinance Findings

Exhibit F – Estimate of Existing Dwellings within the CFAs

Existing dwelling unit counts within the boundaries of the proposed Railroad Property CFA are detailed in Figure 4 below. There are 45 existing dwelling units within this CFA. None of these are deed-restricted affordable housing units, although one currently-vacant property within the CFA has obtained land use approval to construct four deed-restricted affordable housing units.

Figure 4. Estimate of Existing Dwelling Units within the Railroad Property Climate Friendly Area

Address	Existing Dwelling Units	Affordable Units	Zoning
200 Clear Creek	1		E-1
184 Clear Creek (3,4,5,6)	4		E-1
180 Clear Creek (201-203)	3		E-1
172 Clear Creek (201)	1		E-1
164 Clear Creek (201)	1		E-1
153 Clear Creek (201)	1		E-1
151 Clear Creek (201)	1		E-1
149 Clear Creek (201-203)	3		E-1
146 Clear Creek (201)	1		E-1
127 Clear Creek	1		E-1
123 Clear Creek (201, 202)	2		E-1
121 Clear Creek (201, 202)	2		E-1
109 Clear Creek (301, 302)	2		E-1
108 E Hersey St	1		E-1
394 E. Hersey	1		E-1
496 Oak Street	1		E-1
498 Oak Street	2		E-1
479 Russell (201-205)	5		E-1
474 Russell (201-204)	4		E-1
478 Russell (201-205, 207)	6		E-1
441 Williamson	1		E-1
443 Williamson	1		E-1
Total Dwelling Units	45		

Climate Friendly Area Ordinance Findings

Exhibit G

Anti-Displacement Evaluation

In accordance with the Climate-Friendly and Equitable Communities (CFEC) rule requirements, the City of Ashland evaluated potential displacement risks associated with the designation of Climate Friendly Areas (CFAs). Using the Oregon Department of Land Conservation and Development's (DLCD) Anti-Displacement Toolkit as a guide, the evaluation focused on minimizing impacts to existing vulnerable populations while promoting equitable development opportunities. The Railroad Property CFA and the Transit Triangle CFA were in part selected based on a spatial analysis of neighborhood vulnerability, with additional refinements made to avoid stable residential areas at risk of displacement.

Ashland's CFA implementation strategy prioritizes development on underutilized commercial (C-1) and employment (E-1) lands, where increased building heights (up to 50 feet outright and 60 feet for affordable housing) and the elimination of maximum density caps create new opportunities for housing and mixed-use redevelopment. These zoning adjustments, combined with citywide elimination of minimum off-street parking requirements and targeted affordable housing incentives, align with anti-displacement best practices. This approach is particularly important given many of Ashland's neighborhoods are experiencing "late-stage gentrification" where housing pressures are increasing as noted in the Council approved RVCOG Climate Friendly Area Study. The RVCOG Climate Friendly Area (CFA) Study, including the Anti-Displacement Analysis and associated spatial equity evaluation, is incorporated herein by reference and made a part of the record in support of these findings and the adoption of the proposed zoning and land use amendments.

By designating CFA areas within where significant redevelopment opportunities still exist along targeted commercial corridors, and excluding stable residential neighborhoods, Ashland aims to promote equitable growth while reducing the risk of involuntary displacement of existing residents.

Spatial Analysis and Neighborhood Typologies

A spatial analysis of housing inequities and neighborhood typologies across Ashland was conducted at the census tract level as part of the Ashland CFA Study. The analysis evaluated five key indicators—income vulnerability, the presence of historically disadvantaged populations, precarious housing conditions, housing market activity, and demographic change—to assess varying levels of vulnerability across different neighborhoods.

Climate Friendly Area Ordinance Findings

Exhibit G

Neighborhoods were then compared against Jackson County averages and classified into typologies reflecting different degrees of housing insecurity and susceptibility to market-driven pressures.

The selected CFAs—Railroad Property and Transit Triangle—were identified as having relatively low residential vulnerability and classified as "emerging opportunity" areas in the RVCOG study. These areas are characterized by underutilized commercial and employment lands rather than concentrations of precarious housing. To further minimize displacement risk, the final boundaries of the Transit Triangle CFA were adjusted to exclude R-2 and R-3 residentially zoned areas along Siskiyou Blvd., containing existing stable residential neighborhoods with limited redevelopment opportunities. This deliberate exclusion prevents the imposition of new minimum densities or heightened redevelopment pressures on established residential communities. As a result, the CFA implementation supports compact, walkable growth along transit corridors without exacerbating housing insecurity in vulnerable areas.

Ashland Housing Production Strategy (HPS)

In implementing Climate Friendly Areas (CFAs) consistent with Oregon Administrative Rule (OAR) 660-012-0400, the City of Ashland recognizes the critical importance of ensuring equitable access to housing opportunities while minimizing displacement risks for existing residents. Building upon the adopted 2023 Housing Production Strategy (HPS), this exhibit identifies targeted actions and policy tools to promote the development and retention of affordable housing within CFAs. These strategies focus on expanding housing choice and implementing anti-displacement measures. The goal is to align Ashland's CFA implementation with the City's broader housing affordability, equity, and sustainability objectives, ensuring that all residents — particularly lower-income and historically underserved populations — can benefit from the opportunities CFAs are intended to create. In May 2023, the City of Ashland adopted its Housing Production Strategy (HPS), which identifies specific actions and implementation steps to address housing affordability, promote a diverse range of housing types, and support the preservation of existing affordable housing. The HPS outlines a coordinated strategy to expand partnerships with affordable housing developers, encourage new development opportunities, and strengthen housing stability for Ashland residents.

Climate Friendly Area Ordinance Findings

Exhibit G

The implementation of Climate Friendly Areas (CFAs) — specifically the Railroad Property CFA and Transit Triangle CFA — directly advances several key strategies identified in the HPS. The actions outlined below describe how the proposed CFA adoption supports the City's broader housing goals as identified in the adopted HPS.

HPS Strategy F

Evaluate Increasing Allowances for Residential Dwellings in Commercial and Employment Zones: *“The City could evaluate increasing allowances for residential dwellings in commercial and employment zones, such as removing residential density caps and allowing an increased amount of residential uses in ground floor commercial spaces. [This strategy] Encourages the development of more dense multifamily housing in commercial and mixed-use zones.”*

Although the Housing Production Strategy ‘F’ does not directly create new housing units, it establishes critical zoning changes that expand opportunities for residential development within commercial and employment zones. The Strategy was developed in recognition that traditional zoning practices, which often limited or discouraged residential uses in these areas, contributed to constraints on housing supply and affordability. By allowing greater residential use, removing density caps, and encouraging mixed-use development, Strategy F helps create more flexible land use patterns that accommodate a broader range of housing types. This approach not only supports increased housing production but also promotes more vibrant, walkable neighborhoods where housing, jobs, and services are integrated, further advancing the City’s goals for sustainable and equitable growth.

CFA Implementation Actions:

- Building Height Increases:
 - o 50 feet allowed outright in CFAs; up to 60 feet for affordable housing.
- Elimination of Maximum Density Standards:
 - o No maximum density within CFAs
 - o No maximum densities in C-1 and E-1 (with Residential Overlay) zones citywide.
- Minimum Residential Densities Established within CFAs:
 - o 15 du/ac in R-2 zones, 20 du/ac in E-1, and 25 du/ac in C-1.
- Removal of Off-Street Parking Requirements:
 - o Eliminated citywide in 2023.

Climate Friendly Area Ordinance Findings

Exhibit G

- Expanded Permitted uses in Downtown C-1-D Zone (not in a CFA):
 - o Multifamily development permitted outright at 30 du/ac minimum density with commercial-ready ground floor standards
 - o Height increased from 40 feet to 50 feet (60 feet conditionally).

HPS Strategy F Linkages:

- Facilitates development of multifamily and mixed-use projects by removing density caps and newly permitting single use residential consistent with CFA density minimums.
- Reduces construction costs and land consumption by removing parking mandates.
- Enables more residential development along transit-served corridors and in walkable centers.

Anti-Displacement Measures Linked to Strategy F

- Reduced Regulatory Barriers: Lowering density restrictions and parking requirements supports development of smaller, more affordable units, mitigating economic displacement pressures.
- Height Bonuses for Affordable Housing: Encouraging taller affordable projects can maintain affordability levels in high-demand areas, consistent with DLCD's Anti-Displacement Toolkit.
- Preservation of Mixed-Income Communities: Allowing standalone residential projects at minimum densities without requiring ground floor commercial use helps ensure affordable housing production is feasible even in higher-cost zones.

HPS Strategy H

Increase Development Capacity of Multifamily Residential (MFR) Dwellings through Changes to the Land Use Ordinance: *"The City could amend the Land Use Ordinance to allow for a wider range of development. Zoning changes could include increased density, increased allowable height, and reduced parking requirements. [This strategy] Allows for a wider range of development will help ensure there are development opportunities for needed housing type."*

Housing Production Strategy 'H' focuses on increasing the development capacity for multifamily housing by amending land use regulations to allow greater height, density, and flexibility. Recognizing that restrictive zoning can limit the supply of needed housing types, the

Climate Friendly Area Ordinance Findings

Exhibit G

changes implemented under Strategy H remove barriers to multifamily development and encourage more efficient use of urban land. By enabling higher-density residential projects, particularly in areas with existing infrastructure and transit access, Strategy H directly supports Ashland's efforts to address housing affordability and meet future housing needs.

CFA Implementation Actions:

- Building Height and Density Flexibility:
 - o 50 feet allowed, 60 feet for affordable projects.
 - o No maximum density citywide for C-1, E-1, and C-1-D zones.
- New Minimum Residential Densities:
 - o 15–25 du/ac depending on zoning designation.
- Reduced Parking Requirements:
 - o Full elimination citywide, reducing land costs and barriers for multifamily projects.
- Permitted Residential Development in Downtown (not in aCFA):
 - o Standalone multifamily housing allowed outright with minimum density and commercial-ready ground floor standards.
- Enhanced Walkable Design Standards:
 - o Application of Detail Site Review Overlay to entire CFA areas. Detail Site review includes pedestrian orientation requirements and design standards.
 - o An ordinance amendment relating to Walkable Design Standards is a separate project presently underway, to be implemented City wide.

HPS Strategy H Linkages:

- Increases overall site capacity for multifamily housing types.
- Lowers barriers for affordable housing developers by reducing minimum parking standards.
- Encourages pedestrian-oriented development that supports smaller, less auto-dependent households

Anti-Displacement Measures Linked to Strategy H

- Incentives for Affordable Development: Height bonuses and removal of density caps provide cost advantages critical to nonprofit and mission-driven housing providers.

Climate Friendly Area Ordinance Findings

Exhibit G

- Expanded Housing Opportunities in Transit Areas: By enabling affordable multifamily near transit, Ashland increases access for low-income and historically marginalized populations.
- Walkable, Amenity-Rich Neighborhoods: Mixed-use zoning with expanded housing types can reduce long-term housing cost burdens and stabilize communities vulnerable to gentrification.

HPS Strategy L

Evaluate Opportunities to Improve Energy Efficiency and Reduce Greenhouse Gas (GHG)

Emissions During Housing Development: *“The City can evaluate opportunities to incorporate elements of the Climate and Energy Action Plan CEAP into housing developments. The City could also facilitate access to energy efficiency incentives available from the federal and state government, particularly for development of affordable housing. Helps the City meet its CEAP goals and can lower-long term energy costs.”*

Although the adoption of CFAs and associated code changes does not directly regulate greenhouse gas (GHG) emissions during the construction of housing, it supports broader climate goals by influencing land use and transportation patterns. The Climate-Friendly & Equitable Communities (CFEC) rules were established in response to Oregon’s recognition that it was falling behind in meeting its 2050 GHG reduction commitments. Because a significant portion of Oregon’s GHG emissions are tied to transportation choices, land use decisions that promote compact, mixed-use development can directly reduce emissions. By creating development patterns where more residents can meet their housing, employment, and recreational needs within a walkable distance or through access to transit, reliance on single-occupancy vehicles decreases, thereby contributing to meaningful GHG emission reductions.

CFA Implementation Actions:

- Transit-Oriented Development Focus:
 - CFAs located along existing high-frequency bus lines (RVTD Lines 1X, 10, and 17).
- Compact Development Standards:
 - Minimum densities, reduced parking, and vertical mixed-use promoted to lower carbon footprints.
- Mixed-Use Development Encouraged:

Climate Friendly Area Ordinance Findings

Exhibit G

- o Residential, retail, civic, and employment uses all permitted, reducing transportation emissions through proximity.
- Affordability Incentives:
 - o Height bonuses linked specifically to affordable housing creation.

HPS Strategy L Linkages:

- Supports CEAP-aligned compact development, reducing transportation-related GHG emissions.
- Promotes energy-efficient, higher-density housing typologies (attached and multifamily units).
- Reduces household transportation costs and energy burdens for low-income residents.

Anti-Displacement Measures Linked to Strategy L

- Neighborhood Stability through Energy Efficiency: Lower long-term utility costs for residents support financial stability for low-income households.
- Proximity to Transit and Services: Facilitating access to employment, education, and services without vehicle dependence reduces displacement risks tied to transportation costs.
- Focus on Climate Justice: Compact, equitable development patterns explicitly support climate resilience for vulnerable populations per DLCDC Anti-Displacement Guidance.

Conclusion

The City of Ashland's Climate Friendly Area adoption advances key Housing Production Strategies while aligning with the DLCDC Anti-Displacement Toolkit recommendations. Through regulatory changes that promote housing affordability, expand housing options near transit, and incentivize compact, mixed-use development, the City is proactively working to mitigate displacement pressures, promote equitable access to housing opportunities, and support a sustainable future for all Ashland residents.



Climate Friendly Area Ordinance Findings Exhibit H

City of Ashland

Railroad Climate Friendly Area

Multimodal GAP Summary

*Produced by the Rogue Valley Council of Governments,
in collaboration with the City of Ashland*

2024



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Multimodal GAP Summary

“A multimodal gap summary must be prepared when a new Climate Friendly Area (CFA) is created or an expansion to a CFA is adopted. The gap summary will implement OAR 660-012-0325 (4), which requires local governments to perform a Multimodal Transportation Gap Summary with the adoption of a CFA.

The gap summary includes:

- a. A summary of the existing multimodal transportation network within the climate-friendly area;
- b. A summary of the gaps in the pedestrian and bicycle networks in the climate-friendly area, including gaps needed to be filled for people with disabilities, based on the summary of the existing multimodal transportation network;
- c. If applicable as provided in section (2), a highway impacts summary as provided in section (5); and
- d. A list of proposed projects to fill multimodal network gaps identified in subsection (b).”

A. Workplan

The Oregon Department of Transportation has committed to providing an initial highway impact summary if required. A highway impact summary for the Railroad CFA is not required.

Vehicular (local street connectivity), pedestrian (sidewalks and multiuse pathways), bicycle (lanes, routes, multiuse pathways), and public transit (routes, stations, transit stops, supporting infrastructure facilities) inventory information on all classified (local street and higher) facilities. This data may be extracted/derived from existing planning documents such as TSPs, facility plans, sub-area plans, and transit plans, with field verification as needed.

Summary of gaps in the pedestrian network on all classified (local and higher) facilities and state highways, as applicable. Summary of gaps in the bicycle network on all collector and higher roadways and state highways, as applicable. Summary of the general condition of sidewalks, major impediments on the sidewalk network that limit the mobility for people with disabilities (e.g., utility pinch points, sidewalks without curb ramps at major intersections, accessible pedestrian push buttons etc.).

A pedestrian and bicycle project list extracted/derived from existing planning documents such as TSPs, facility plans, sub-area plans, or transit plans. In the absence (or in addition to) of planned project lists, a preliminary list of pedestrian and bicycle projects to fill identified gaps on the infrastructure network.

B. Ashland Railroad CFA

The Ashland Railroad CFA is approximately 57 acres with 16+ acres undeveloped. A master plan was developed for the Ashland Railroad property in 2001 with a Transportation and Growth Management program grant. Once designated a CFA, the City of Ashland plans to designate the entire CFA Residential Overlay (Land Use Ordinance, Chapter 18.3.13) or eliminate the overlay and make residential a permitted use.



The CFA includes the railyard parcel currently owned by Union Pacific. A portion of the railyard parcel is being cleaned up by Union Pacific with some oversight from Oregon's Department of Environmental Quality (DEQ). Restrictions for single family residential will exist on part of the railyard parcel. (See <https://www.oregon.gov/deq/Programs/Pages/Ashland-Railroad-Yard.aspx>)

1. Existing Conditions

With a population over 10,000, Ashland is subject to the requirements of OAR 660-012-0310, Climate-Friendly Areas, OAR-660-012-0315, Designation of Climate-Friendly Areas and OAR-660-012-320, Land Use Requirements in Climate-Friendly Areas. To meet the requirements, the City of Ashland is adopting prescriptive standards which include a minimum residential density of 15 dwelling units per net acre and maximum building height of no less than 50 feet. Ashland has designated multiple CFAs to accommodate the required 30% of their current and projected housing.

i. Street Network

The Railroad CFA is bounded on the north by E Hersey Street, the west by Oak Street and on the south by the Union Pacific railroad. The CFA can be accessed off E Hersey Street by turning south on Williamson Way. Williamson Way intersects with Rogue Place and becomes Russell Street. Russell Street ends at the Union Pacific railyard property. The CFA can also be accessed off Oak Street by turning east on Clear Creek Drive.

The E Hersey Street and Oak Street intersection, adjacent to the northwest corner of the CFA, is an all-way stop with marked crosswalks and curb ramps. The Oak Street and Clear Creek Drive intersection has unmarked crosswalks and curb ramps. The E Hersey Street and Williamson Way intersection has a marked crosswalk, an unmarked crosswalk and curb ramps.

ii. Pedestrian Network

The Central Ashland Bikeway (CAB) or Creek to Crest multiuse trail runs along the railroad to the south. Another multiuse trail starts at a mid-block crosswalk on East Hersey Street. It travels south where it intersects with Clear Creek Drive before turning east and ending at the railyard property. The north side of East Hersey Street and both sides of Oak Street have sidewalk. Clear Creek Drive has sidewalk on both sides. Williamson Way has sidewalk on its eastern side and along a portion of its west.

iii. Bicycle Network

The Central Ashland Bikeway (CAB) or Creek to Crest multiuse trail runs along the railroad on the southern boundary. Another multiuse trail starts at a mid-block crosswalk on East Hersey Street. It then travels south where it intersects with Clear Creek Drive before turning east and ending at the railyard property. E Hersey Street has bike lanes in both directions. Oak Street has a shared bike lane.

iv. Transit

The Ashland Circulator, Rogue Valley Transit District (RVTB) Route 17, provides hourly transit service along E Hersey Street on the northern boundary of the Railroad CFA. The Ashland Circulator also provides hourly service along N Mountain Avenue and Clear Creek Drive near the eastern side of the CFA.



2. GAP Summary

A summary of the gaps in the current pedestrian and bicycle network, including gaps that need to be filled for people with disabilities.

Table 1- Sidewalk Details

Sidewalk		
Street	Side (linear foot)	
<i>E Hersey Street</i>	<i>South</i>	
	1,125	
<i>Williamson Way</i>	<i>West & South</i>	<i>North</i>
	170	105
<i>Rogue Place</i>	<i>West</i>	<i>East</i>
	625	275
<i>Russell Street</i>	<i>South</i>	<i>North</i>
	325	325
<i>Clear Creek Drive</i>	<i>North</i>	
	125	

Table 2 – Bike Project Details

Bike Lane/Shared Lane Marking	
Street	Length (linear foot)
<i>Clear Creek Drive</i>	1,350
<i>Williamson Way</i>	560
<i>Rogue Place</i>	565
<i>Russell Street</i>	700

Intersection

Williamson Way and Rogue Place have unmarked crosswalks and only 1 completed curb ramp on the northeast corner.

C. Planned Projects

The planned projects listed in the Transportation System Plan are below. Note that a large portion of the CFA is subject to the residential overlay. Also, development on portions of the railyard parcel may be restricted.

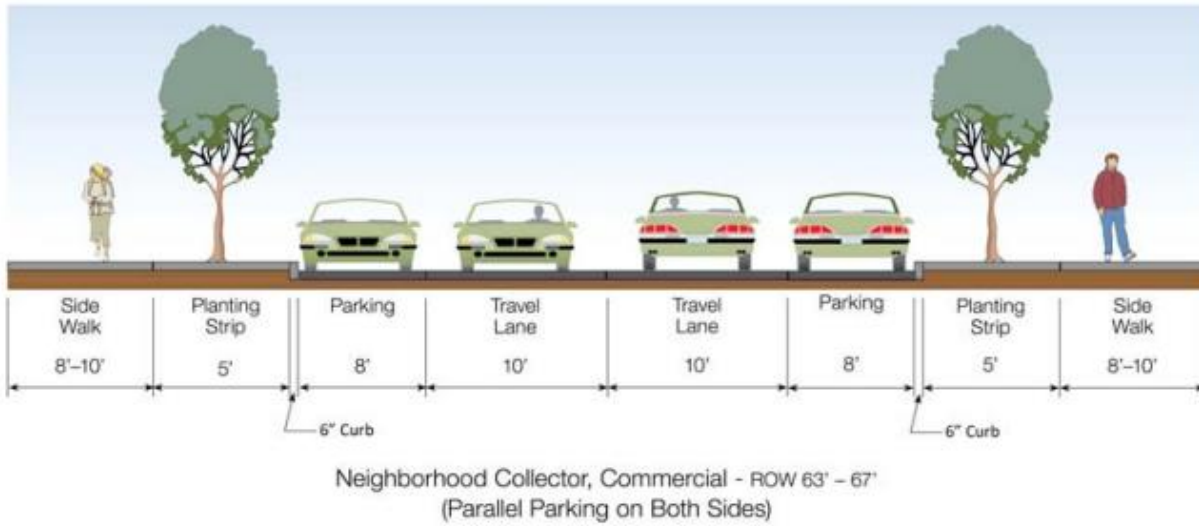
Table 3 - Railroad CFA Planned Projects

Railroad CFA Ashland TSP Projects			
Project # - Name	Description	Priority	Cost (2012)
<i>R24 – Clear Creek Drive Extension</i>	<i>Construct a New Roadway to connect the two existing segments of Clear Creek Drive providing a continuous east-west roadway between Oak St and N Mountain Avenue</i>	<i>Development & Access Management Driven</i>	<i>\$2,505,000</i>
<i>R34 – Railroad Property Development</i>	<i>Extend existing adjacent streets to provide connectivity within, to and from the property</i>	<i>Development Driven</i>	<i>Developer responsibility</i>
<i>TR1 – Northside Trail</i>	<i>Multi-use path – From Orchid Avenue to Tolman Creek Road (Partially constructed. Estimate is for entire trail including portion outside RR CFA)</i>	<i>High 0 -5 years</i>	<i>\$2,000,000</i>
<i>TR3 – New Trail</i>	<i>Multi-use Path – From new trail to Hersey Street (Partially constructed within new development)</i>	<i>Development Driven</i>	<i>\$220,000</i>

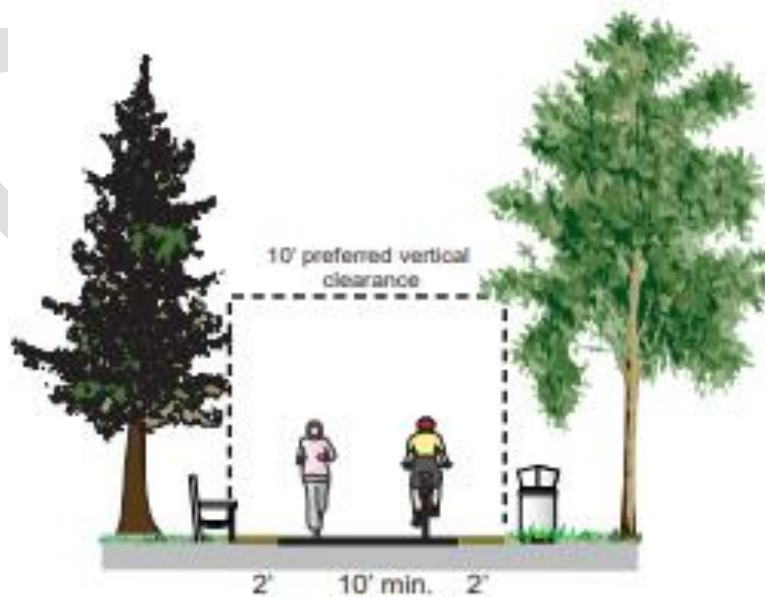
TR4 – New Trail	Multi-use Path – From A Street to Clear Creek Drive Extension	Development Driven	\$110,000
B35 – Railroad Property	Bike Lane – From proposed bike path to N Mountain Avenue	Low (15-25 years)	\$40,000
X1 – 4 th Street at-grade railroad crossing	Pursue a new at-grade ped/bike railroad crossing at 4 th Street. Coordinate with Project TR4.	Development Driven	\$275,000

Planning level cost estimates are for construction and engineering at grade crossings and do not include right-of-way costs.

Graphic 1 - Clear Creek Drive Extension



Graphic 2 – Typical Multi-use Trail



D. Maps



CLIMATE FRIENDLY AREA

Ashland
Railroad CFA
Multimodal GAP Analysis

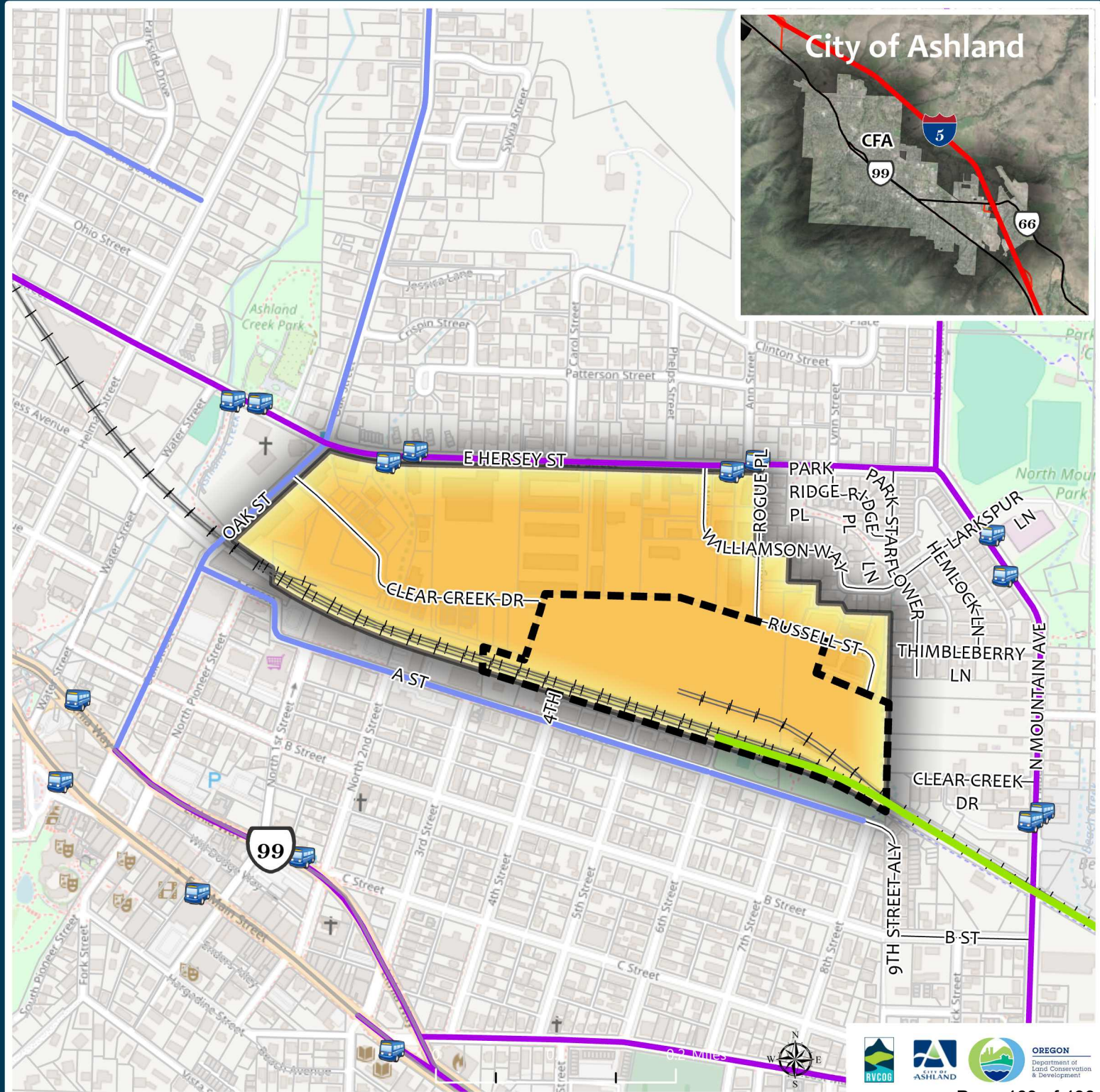
- Railroad CFA
- Railyard Parcel
- Existing Bike Route**
 - Bike Lane
 - Sharrow
 - Shared Lane
 - Multi-use (Greenway)
- RVTD Stop
- Rail Network



This map product is for planning purposes only and has not been prepared for, nor is suitable for legal, engineering, or surveying purposes.

Data: (C) OpenStreetMap and contributors, CC-BY-SA, Oregon Statewide Imagery Program (OSIP) - Oregon Imagery Framework Team. Jackson County, State of Oregon, ODOT, ESRI.

Created: J. Stump, RVCOG, 2024



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CLIMATE FRIENDLY AREA

Ashland
Railroad CFA
Multimodal GAP Analysis

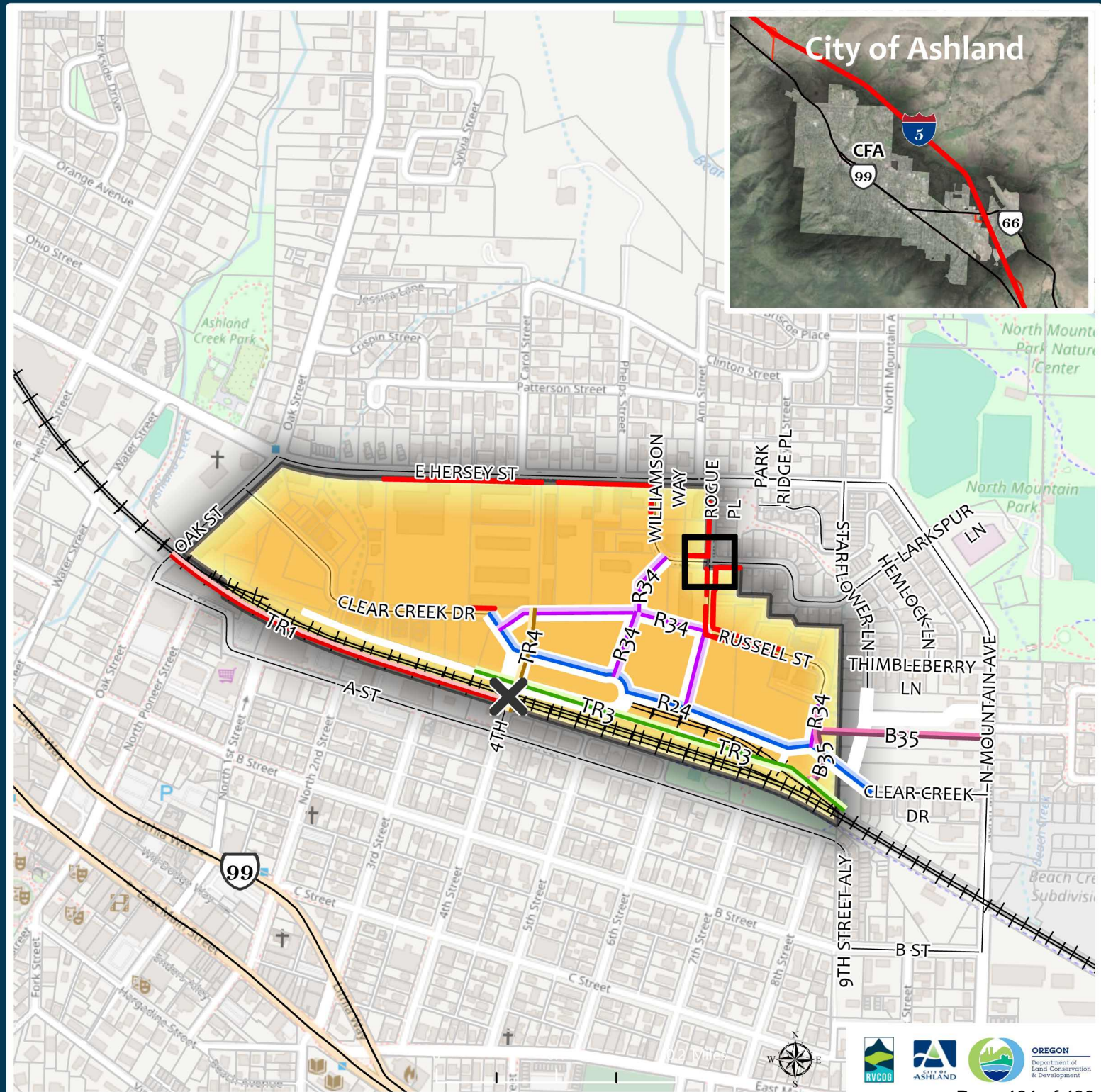
- Railroad CFA
- Sidewalk Gap
- R24 - Clear Creek Drive Extension
- R34 - Railroad Property Development
- B35 - Railroad Property Bike Lane
- TR1 - Northside Trail - Multi-use Path
- TR3 - New Trail - Multi-use Path
- TR4 - New Trail - Multi-use Path
- Intersection Improvement
- Railroad Crossing
- Rail Network



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Data: (C) OpenStreetMap and contributors, CC-BY-SA, Oregon Statewide Imagery Program (OSIP) - Oregon Imagery Framework Team. Jackson County, State of Oregon, ODOT, ESRI.

Created: J. Stump, RVCOC, 2024



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Climate Friendly Area Ordinance Findings Exhibit H

City of Ashland

Transit Triangle Climate Friendly Area

Multimodal Gap Summary

*Produced by the Rogue Valley Council of
Governments, in collaboration with the City
of Ashland*



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Multimodal Gap Summary

Transportation Review in Climate-Friendly Areas and Centers, OAR 660-012-0325.

(4) A multimodal transportation gap summary must be coordinated between the local jurisdiction, transportation facility providers, and transportation services providers to consider multimodal transportation needs in each climate-friendly area as provided in OAR 660-012-0320 or Region 2040 center. The multimodal transportation gap summary must include:

- (a) A summary of the existing multimodal transportation network within the climate-friendly area;
- (b) A summary of the gaps in the pedestrian and bicycle networks in the climate-friendly area, including gaps needed to be filled for people with disabilities, based on the summary of the existing multimodal transportation network;
- (c) If applicable as provided in section (2), a highway impacts summary as provided in section (5); and
- (d) A list of proposed projects to fill multimodal network gaps identified in subsection (b).

The multimodal transportation gap summary must include a highway impacts summary as provided in section (5) if the designated climate-friendly area as provided in OAR 660-012-0315 or Region 2040 center contains a ramp terminal intersection, state highway, interstate highway, or adopted ODOT Facility Plan.

(5) A highway impacts summary must identify how the transportation system may be affected by implementation of the climate-friendly area. The highway impacts summary must include:

- (a) A summary of changes between existing and proposed development capacity of the climate-friendly area based on the proposed changes to the comprehensive plan and land use regulations;
- (b) A summary of the additional motor vehicle traffic generation that may be expected in the planning period, considering reductions for expected complementary mixed-use development, additional multimodal options, and assuming meeting goals for reductions in vehicle miles traveled per capita; and
- (c) A summary of traffic-related deaths and serious injuries within the climate-friendly area in the past five years.

A. Workplan

Vehicular (local street connectivity), pedestrian (sidewalks and multiuse pathways), bicycle (lanes, routes, multiuse pathways), and public transit (routes, stations, transit stops, supporting infrastructure facilities) inventory information on all classified (local street and higher) facilities. This data may be extracted/derived from existing planning documents such as TSPs, facility plans, sub-area plans, and transit plans, with field verification as needed.

Summary of gaps in the pedestrian network on all classified (local and higher) facilities and state highways, as applicable. Summary of gaps in the bicycle network on all collector and higher roadways and state highways, as applicable. Summary of the general condition of sidewalks, major impediments



on the sidewalk network that limit the mobility for people with disabilities (e.g., utility pinch points, sidewalks without curb ramps at major intersections, accessible pedestrian push buttons etc.).

A pedestrian and bicycle project list extracted/derived from existing planning documents such as TSPs, facility plans, sub-area plans, or transit plans. In the absence (or in addition to) of planned project lists, a preliminary list of pedestrian and bicycle projects to fill identified gaps on the infrastructure network.

B. Ashland Transit Triangle CFA

The Transit Triangle (TT) Climate Friendly Area is 169 acres located in southern Ashland between Southern Oregon University and the Croman Mill CFA. The TT has significant existing transit, bicycle and pedestrian infrastructure. The Transit Triangle overlay, Chapter 18.3.14 of the Ashland Municipal Code, guides future development. The Pedestrian Place site development and design overlay, Chapter 18.3.12.060, as well, provides multiple concept plans encouraging neighborhood centers that focus on bicycle, pedestrian and transit. Approximately ~5 acres of TT fall within the Southern Oregon University zone where student housing is planned.

1. Existing Conditions

With a population over 10,000, Ashland is subject to the requirements of OAR 660-012-0310, Climate-Friendly Areas, OAR-660-012-0315, Designation of Climate-Friendly Areas and OAR-660-012-320, Land Use Requirements in Climate-Friendly Areas. To meet the requirements, the City of Ashland is adopting prescriptive standards which include a minimum residential density of 15 dwelling units per net acre and maximum building height of no less than 50 feet. Ashland has designated multiple CFAs to accommodate the required 30% of their current and projected housing.

i. Street Network

Ashland Street, Siskiyou Boulevard, and Tolman Creek Road form the 3 sides of the Transit Triangle. Ashland Street (Highway 66) is an east/west arterial intersecting Interstate 5, exit 14 east of the Transit Triangle. From I-5, Ashland Street travels west through Transit Triangle intersecting with Siskiyou Boulevard. The Siskiyou Boulevard (Highway 99) intersection forms the western point of the Transit Triangle. The Transit Triangle follows the Siskiyou Boulevard arterial southeast to its intersection with Tolman Creek Road. The Tolman Creek Road intersection is the southeastern tip of Transit Triangle. Tolman Creek Road is a major north/south collector which travels north to intersect with Ashland Street. Walker Avenue, also a major north/south collector, is 1 block east of the Ashland Street and Siskiyou Boulevard intersection.

ii. Pedestrian Network

Ashland Street has quality sidewalks with ADA-compliant curb ramps. Recent mid-block pedestrian islands with ramps, stop bars, and signage have improved street crossing along Ashland Street. Siskiyou Boulevard has quality sidewalks with ADA compliant curb-ramps on the southwest. Recent mid-block crosswalks, ramps and signage along Siskiyou Boulevard have improved street crossing. Tolman Creek Road has quality sidewalks, ADA compliant curb-ramps and street crossings. Walker Avenue has sidewalks along the east side and ADA compliant ramps

iii. Bicycle Network

Ashland Street, Siskiyou Boulevard, Tolman Creek Road and Walker Avenue all have bike lanes. The Ashland Bike Trail runs through Transit Triangle along the railroad tracks parallel to Siskiyou Boulevard and intersecting Ashland Street and Tolman Creek Road.

iv. Transit

The Rogue Valley Transit District (RVT) Route 10 provides service every 30 minutes along Ashland Street, Siskiyou Boulevard, and Tolman Creek Road. The RVT Ashland Circulator, Route 17, provides hourly service on Ashland Street as does RVT Medford Ashland Express, Route 1x.

2. Gap Summary

The Gap summary identifies the gaps in the current pedestrian and bicycle network, including gaps that need to be filled for people with disabilities. A large part of the CFA enjoys a significant pedestrian and bicycle network; however, TT does cover more than 3 miles so gaps do exist.

i. Pedestrian

Table 1 - Sidewalk Gaps

Siskiyou Boulevard (Northeast Side)	
Cross-streets	Length (linear foot)
Walker Avenue to Harmony Lane	836
Harmony Avenue to Normal Avenue	568
Normal Avenue to Park Street	394
Faith Avenue to Glendale Avenue	220
Glendale Avenue to Clay Street	337
Clay Street to Blackberry Lane	306
Blackberry Lane to Bellview Avenue	193
Siskiyou Blvd Total	2,854

Walker Avenue (West Side)	
Cross-streets	Length (linear foot)
Siskiyou Blvd to Ashland St	241

Harmony Lane	
Cross-streets	Length (linear foot)
Siskiyou Blvd to Harmony Cir (NW Side)	214
Siskiyou Blvd to Harmony Cir (SW Side)	211

Normal Avenue (West Side)	
Cross-streets	Length (linear foot)
Siskiyou Blvd	221

Glendale Ave (West Side)	
Cross-streets	Length (linear foot)
Siskiyou Blvd	143

Lit Way (West Side)	
Cross-streets	Length (linear foot)
Ashland St	157

Clay Street	
Cross-streets	Length (linear foot)
Siskiyou Boulevard (W Side)	330
Siskiyou Boulevard (E Side)	181

ii. Bike

Ashland Street, Siskiyou Boulevard, Tolman Creek Road and Walker Avenue all have bike lanes. The Ashland Bike Path is a multi-use path that intersects Ashland Street and Tolman Creek Road.

iii. Intersection

Siskiyou Boulevard does have intersections which require ADA accessible ramps. The intersections coincide, largely, with the sidewalk gaps.

Table 2 Intersection Gaps

Intersections
Siskiyou Boulevard & Harmony Lane
Siskiyou Boulevard & Normal Avenue
Siskiyou Boulevard & Glendale Avenue
Siskiyou Boulevard & Clay Street
Siskiyou Boulevard & Blackberry Lane

C. Planned Projects

Projects planned for the City of Ashland Transit Triangle.

Table 3 Transit Triangle Planned Projects

Ashland Transportation System Plan (TSP), October 2012			
Project # - Name	Description	Priority	Cost (2012)
B26 – Normal Ave	Bike Lane – East Main St to Siskiyou Blvd	High	\$40,000
B28 - Clay Street	Bicycle Blvd from rail line to Siskiyou Blvd	Low	\$50,000
B29 - Walker Avenue	Bicycle Blvd from Siskiyou Blvd to Peachey Rd	High	\$40,000
P37 - Clay Street	Sidewalk from Faith Ave to Siskiyou Blvd	Medium	\$1,000,000
P65 - Faith Avenue	Sidewalk from Ashland St to Siskiyou Blvd	High	\$350,000
P70 - Park Street	Sidewalk from Ashland St to Siskiyou Blvd	High	\$650,000
P81 - Bellview Ave	Sidewalk Greenmeadows Way to Siskiyou Blvd	Medium	\$250,000
R13 – Siskiyou Boulevard (OR 99)/Park Street Intersection Improvements	Realign Park Street approach to eliminate offset	Development Driven	\$296,000
R14 – Siskiyou Boulevard (OR 99)/Terra Avenue-Faith Avenue	Realign Terra Avenue approach to eliminate offset	Development Driven	\$216,000
R38 – Ashland Street Streetscape Enhancements (Siskiyou Boulevard to Walker Avenue)	Widen and reconstruct sidewalks with street trees, stormwater planters and bus shelters. Ashland Street/Walker Avenue intersection enhancements to include concrete crosswalks, paving, and ornamental lights.	Medium	\$1,100,000
R39 – Ashland Street Streetscape Enhancements (Walker Avenue to Normal Avenue)	Widen and reconstruct sidewalks with street trees, stormwater planters and bus shelters	Development Driven	\$1,300,000
R40 – Walker Avenue Festival Street (Siskiyou Boulevard to Ashland Street)	Street construction with flush curbs and scored concrete roadway surface. Sidewalk treatments to include decorative bollards to delineated pedestrian space, street trees, LID stormwater facilities and ornamental lights	High	\$780,000
R41 – Ashland Street/Tolman Creek Road Streetscape Enhancements	Widen and reconstruct sidewalks with street trees, stormwater planters and bus shelters. Ashland Street/Tolman Creek Road intersection enhancements to include concrete crosswalks, paving, and ornamental lights.	Development Driven	\$1,500,000

Planning level cost estimates are for construction and engineering at grade crossings and do not include right-of-way costs.



D. Maps

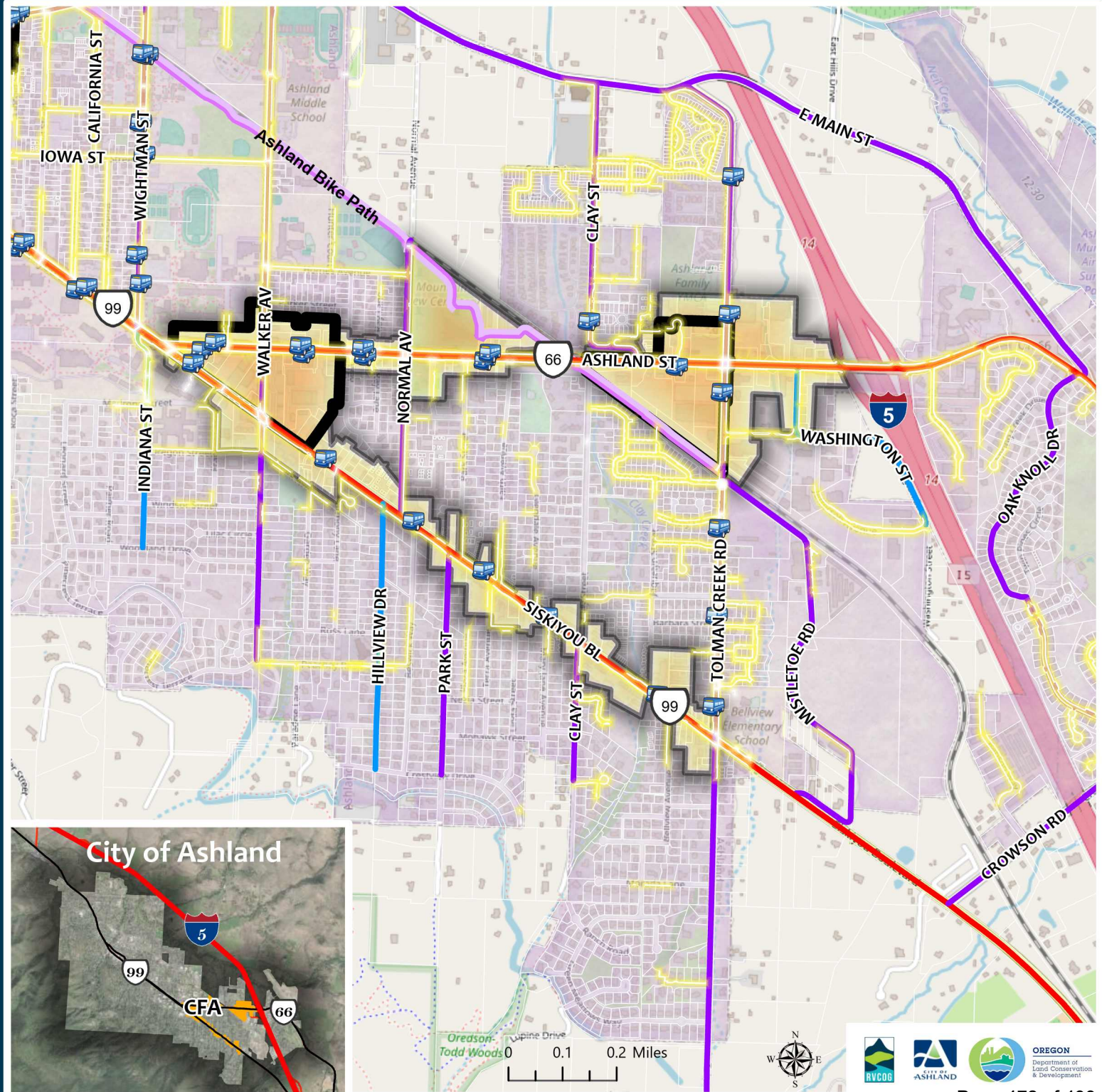
Below, Map 1 displays existing conditions in the Transit Triangle area. Transit Triangle is shown in light orange and follows the main arterials, Ashland Street and Siskiyou Boulevard which are shown in red. Tolman Creek Road, shown in purple, is a major collector that forms the eastern north/south edge of Transit Triangle. Map 2 indicates the existing bicycle facilities, gaps in the pedestrian network, the proposed trails, and the intersections requiring additional ADA (American with Disabilities Act) improvements.

DRAFT

CLIMATE FRIENDLY AREA

Ashland
Transit Triangle
Multimodal GAP Summary

- ARTERIAL
- MAJOR COLLECTOR
- MINOR COLLECTOR
- Pedestrian Place
- Sidewalk
- Crosswalk
- Trails and Paths
- City Limits
- Transit Triangle CFA



This map product is for planning purposes only and has not been prepared for, nor is suitable for legal, engineering, or surveying purposes.

Data: (C) OpenStreetMap and contributors, CC-BY-SA, Oregon Statewide Imagery Program (OSIP) - Oregon Imagery Framework Team. Jackson County, State of Oregon, ODOT, ESRI.

Created: J. Stump, RVCOC, 2024

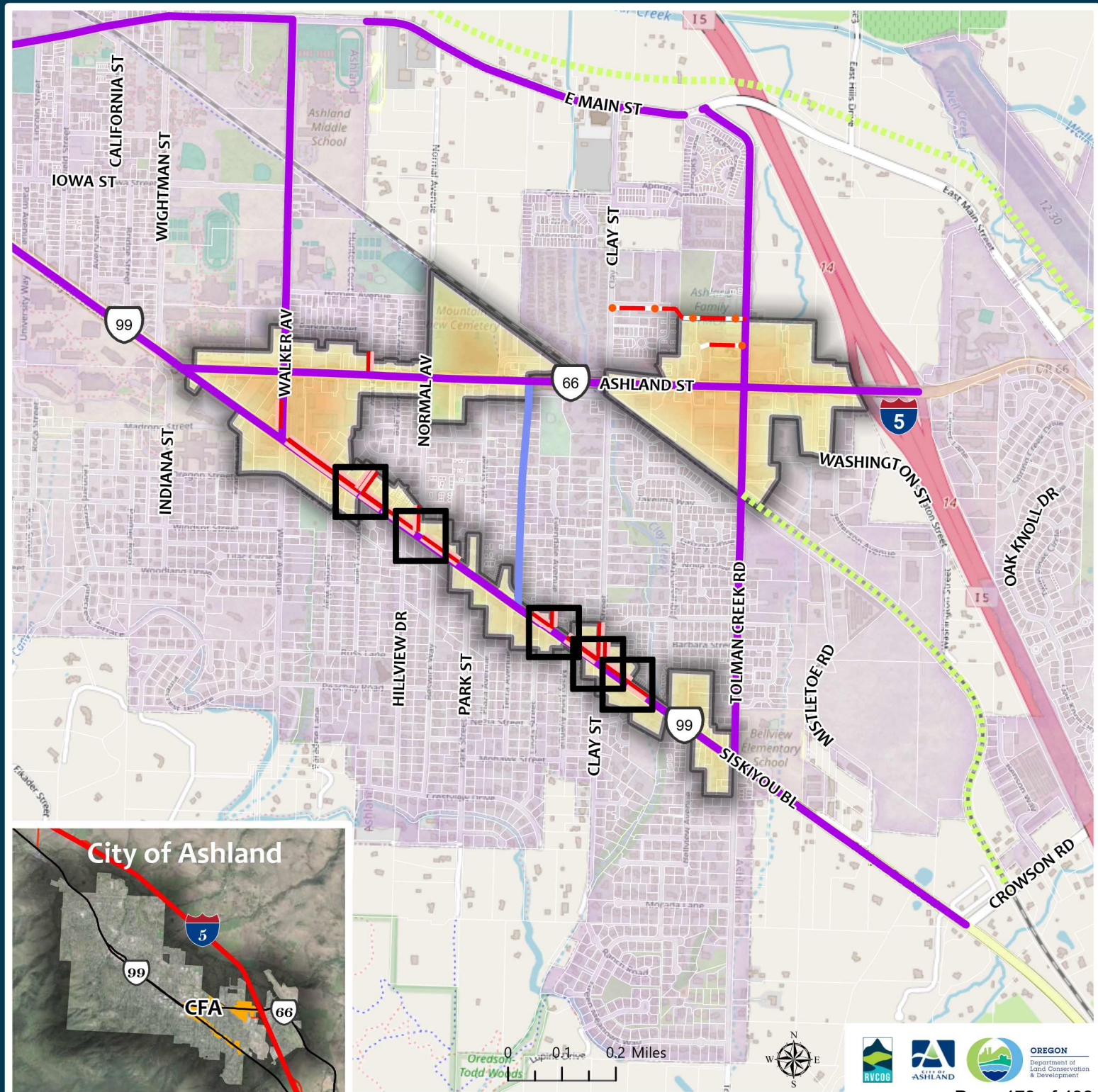


OREGON
Department of
Land Conservation
& Development

CLIMATE FRIENDLY AREA

Ashland
Transit Triangle
Multimodal GAP Summary

- Bike Lane
- Sharrow
- Shared Lane
- Proposed Trails
- - - Regional (Greenway), Planned
- Pedestrian Gaps
- Intersection Improvement
- Transit Triangle CFA
- City Limits



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Created: J. Stump, RVCOC, 2024



OREGON
Department of
Land Conservation
& Development



Council Business Meeting

Date: June 3, 2025

Agenda Item	Assistance Program - Adoption
Department	Finance
From	Bryn Morrison, Deputy Finance Director , Mariane Berry, Finance Director

TIME ESTIMATE

15 minutes

CATEGORY

Action Needed - Motion to approve an action

SUMMARY

Staff returns with adoption of Assistance Program by resolution after reviewing the program with, and receiving guidance from Council in two previous study sessions. Since it is necessary to repeal an earlier resolution on the Senior Discount, Staff put together a new resolution that will define the updated program,

The program must be implemented on July 1st with the updated Council direction given the new budget cycle.

POLICIES, PLANS & GOALS SUPPORTED

Vision Statements for Success

Organization:

Sustainability through creativity, affordability and rightsized service delivery

Administrative/Governance Goal:

"To ensure ongoing fiscal ability to provide desired and required services at an acceptable level."

BACKGROUND AND ADDITIONAL INFORMATION

Staff presented information regarding Assistance Programs to Council in earlier study sessions, March 31 and April 14, 2025, powerpoint slides attached. The request by Council was to return with information on the number of SNAP-eligible Ashland residents and potentially addresses. DHS has not been able to provide this information, and OHP has also responded that they cannot provide Ashland-specific data.

Staff recommends that we use the historical data that we have (see previous/attached staff reports), make plausible assumptions about the number of applicants that will apply under the new income qualifier (which is less than our current income threshold), establish a cap to ensure we stay within budget, and continue to publicize the program in all the various ways that the City has been (website, utility billing insert, press releases, ad highlights in local papers as needed).

The proposed income threshold that Council has indicated interest in is 200% Federal Poverty Level (FPL). As a review, Ashland Low Income Energy Assistance Program (ALIEAP) is currently at 265% FPL, SNAP is at 200% FPL, and OHP is 100% FPL.

New Program Attributes:

- 1) Income threshold 200% FPL = SNAP qualifier
 - * Auto-qualify with SNAP letter, OHP card/letter
 - * Auto-qualify all seniors/disabled this first year as they have been pre-qualified at 125% FPL
 - * Manually qualifying some applicants still necessary because not everyone has SNAP or OHP
- 2) 30% discount on their bill (Electric, Water, Sewer only)
- 3) \$400 cap per household annually - this can be increased or decreased at a later date once more data is received





Council Business Meeting

FISCAL IMPACTS

Updated budget for Assistance Program for BN 25-27 is \$565,730.

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

Staff recommends adopting the resolution with the above attributes and repealing the resolution pertaining to the Senior Discount.

I move to adopt Resolution 25-21 that establishes the utility discount based on income threshold, qualifiers and cap in the Staff report for the Utility Assistance Program effective July 1, 2025, and repeals Resolution 1992-22 on the Senior Citizen Utility Discount.

REFERENCES & ATTACHMENTS

1. Resolution #2025-21 Assistance Program, Repealing 1992-22
2. Resolution #1992-22 Senior Utility Discount
3. Powerpoint: AssistanceUpdate_04.15.25
4. Powerpoint: AssistanceProgram_033125 Final



RESOLUTION NO. 2025-21

A RESOLUTION ESTABLISHING THE UTILITY ASSISTANCE PROGRAM AND REPEALING RESOLUTION 1992-22.

RECITALS:

- A. The City of Ashland operates water, electric, and sewer utilities to provide all residential and commercial customers within the City of Ashland.
- B. The City of Ashland has historically offered a utility discount on services to qualified applicants based on income and senior citizen status via three programs, the Ashland Low Income Energy Assistance Program (ALIEAP), the Senior/Disabled Utilities Discount, and the Emergency HEAT Assistance Program.
- C. The City wishes to simplify the application process with an income qualifier and proxy, as outlined below.

THE CITY OF ASHLAND HEREBY RESOLVES AS FOLLOWS:

SECTION 1. Resolution 1992-22 is repealed and replaced with the following utility assistance criteria.

SECTION 2. An applicant shall be automatically qualified and approved for utility assistance if the applicant provides a current-year, authorized letter or card with the applicant's name from SNAP (Supplemental Nutrition Assistance Program) or OHP (Oregon Health Plan).

SECTION 3. An applicant shall also be considered qualified and approved if the applicant submits evidence of income, such as a filed tax return, demonstrating income is at or below 200% Federal Poverty Level.

SECTION 4. Qualifying applicants will receive a 30% assistance benefit on their water, electric, and sewer bills – either combined or on a single service, as applicable. The total annual assistance provided shall not exceed \$400 per residence.

SECTION 5. The City's ability to operate and fund the utility assistance program is subject to the availability of allocated budget funds.

SECTION 6. This resolution is effective July 1, 2025.

This resolution was duly PASSED and ADOPTED this _____ day of _____, 2025 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, Assitant City Attorney

RESOLUTION NO. 92-22

A RESOLUTION ADOPTING A SENIOR CITIZEN UTILITY DISCOUNT PURSUANT TO SECTIONS 14.04.030, 14.08.035 AND 14.16.030 OF THE ASHLAND MUNICIPAL CODE, AND REPEALING RESOLUTION NO. 92-18.

THE MAYOR AND CITY COUNCIL OF THE CITY OF ASHLAND DO RESOLVE AS FOLLOWS:

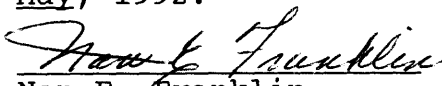
SECTION 1. Senior Citizen Utility Discount. If the applicant has met all of the requirements of the Ashland Municipal Code, the City shall, beginning with the next billing cycle after the date of the application, discount the total amount billed for water, sewer and electric service, not including connect fees, reconnect fees and similar charges. The amount of discount for the applicant's own residence shall be ~~twenty-five percent (25%)~~ thirty percent for water, ~~and electric and sewer bills if the applicant's household income does not exceed the poverty guidelines of the Federal Community Services Administration, or fifteen percent (15%)~~ twenty percent for water, ~~and electric and sewer bills if the applicant's household income does not exceed one hundred twenty-five percent of the poverty guidelines of the Federal Community Services Administration. In special hardship cases, a committee of two (2) Council members and the Senior Program Director, may grant exceptions to the foregoing income limitations where the circumstances justify such exceptions.~~

SECTION 2. The effective date of this resolution is July 1, 1992.

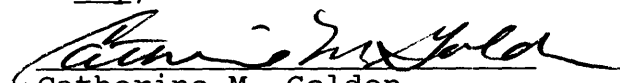
SECTION 3. Resolution No. 92-18 is repealed.

SECTION 4. Three (3) copies of this Resolution shall be maintained in the office of the City Recorder and shall be available for public inspection during regular business hours.

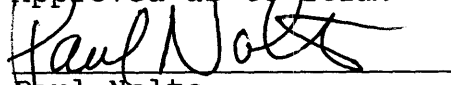
The foregoing Resolution was READ and DULY ADOPTED at a regular meeting of the City Council of the City of Ashland on the 5th day of May, 1992.


Nan E. Franklin
City Recorder

SIGNED and APPROVED this 6th day of May, 1992.


Catherine M. Golden
Mayor

Approved as to form:


Paul Nolte
City Attorney
(d:\council\resos92\senutil.dsc)



Assistance Program Update

April 14, 2025

Current Utility Assistance Programs

❖ Ashland Low-Income Assistance Program (ALIEAP)

- Assists low-income residents with 50% reduction of electric bill
 - *Based on 65% of Oregon median income*
 - *Discount December 1 through end of February or May*
 - *Maximum \$300 credit*

❖ Senior/Disable Utilities Discount

- 20% or 30% off electric, water, sewer, street user, storm drain
 - *Year-round discount for income-qualified persons age 65 or older, qualified disabled persons age 60 or older*
 - *Based on 125% and 100% below federal poverty level, respectively*

❖ Emergency HEAT Assistance

- \$100 toward past due balance, once per 12-month period
 - *150% below federal poverty level*



Data Request

❖ OHP

- County-wide data only
 - *Jackson County 40% enrolled*
- 133% of federal poverty level
- Bridge Program 200% fed poverty level

Data not
specific to
Ashland

❖ DHS/SNAP

- Submitted records request
- 200% federal poverty level

Look to
current
program for
intel

❖ Access (Pacific Power)

- 200% federal poverty level



Review

Eligibility Comparisons

2025 Income Table (per 1 person HH)	Federal Poverty Level					
	100%	125%	150%	200%	235%	+/> 250%
Federal Poverty Level	15,650	19,563	23,475	31,300		39,125
60% OR Median Income					36,811	
65% OR Median Income						39,878

Assistance Programs	Eligibility Requirement
OHP & OHP Bridge	100% / 200% Federal Poverty Level
SNAP	200% Federal Poverty Level
ACCESS	200% Federal Poverty Level
Oregon LIHEAP	60% of Oregon Median Income
Ashland Programs	
Yr round Sr/Disabled Disct (20/30% off util)	125% & 100% below poverty level
ALIEAP (50% off electric)	65% of OR median income

Currently for Ashland's program, 65% Oregon median income qualifies



What we know

Ashland Assistance Program updated 2024-2025

Ashland Stats	2025
Current count	562
Total annual discount	\$204,978.00
Average monthly bill	\$96.21
Average annual disct per HH	\$364.73
Average annual bill	\$1,154.52
Median monthly bill	\$77.68
Median annual discount per HH	\$290.78
Median annual bill	\$932.19
Capped discount	varies
Avg percentage discount	32%

Regardless of other program statistics (registrants under OHP, Snap, etc) applicants for ALIEAP have stayed within the range of 477-562 since 2019

- ✓ 562 qualified customers 65% of OR median income *applied*
- ✓ Average annual bill = \$1,155



Extrapolating

Ashland Assistance Program updated 2024-2025

Ashland Stats	2025	2026 est	2027 est	notes
Current count	562	590	620	5% increase
Total annual discount	\$204,978.00	\$236,040.00	\$247,842.00	count x capped
Average monthly bill	\$96.21			
Average annual disct per HH	\$364.73	\$380.99	\$419.09	avg annual x %
Average annual bill	\$1,154.52	\$1,269.97	\$1,396.97	10% increase
Median monthly bill	\$77.68			
Median annual discount per HH	\$290.78	\$307.62	\$338.38	med annual x %
Median annual bill	\$932.19	\$1,025.41	\$1,127.95	10% increase
Capped discount	varies	\$400.00	\$400.00	
Avg percentage discount	32%	30%	30%	

- ✓ Eligibility stays at 65% Oregon median income
- ✓ Application process generally remains the same
- ✓ Stays within annual budget of \$286,000



Updates to program includes:

- ❖ Year-round assistance
- ❖ Simplifies eligibility processing – qualifies only by income
- ❖ Qualified applicants will receive 30% discount on bill
- ❖ Cap at \$400 per household annually
- ❖ Existing seniors & qualified applicants will receive automatic approval for next funding year
- ❖ New applicants can begin applying June 1st under new program
- ❖ Conservation audits done within a year of application
- ❖ Repeal of Ordinance 1992-22 on Senior/Disabled Discount



QUESTIONS?





Utility Assistance Program Update & Proposal

March 31, 2025

Proposed Assistance Program

❖ Objectives

- Expand the program
- Mindful of the population that is currently being served
 - *Not taking away current benefits*
- Stay within appropriate levels of funding
- Mindful of administrative load on staff



Current Utility Assistance Programs

❖ Ashland Low-Income Assistance Program (ALIEAP)

- Assists low-income residents with 50% reduction of electric bill
 - *Based on 65% of Oregon median income (or 265% federal poverty level)*
 - *Discount December 1 through end of February or May*
 - *Maximum \$300 credit*

❖ Senior/Disable Utilities Discount

- 20% or 30% off electric, water, sewer, street user, storm drain
 - *Year-round discount for income-qualified persons age 65 or older, qualified disabled persons age 60 or older*
 - *Based on 125% and 100% below federal poverty level, respectively*

❖ Emergency HEAT Assistance

- \$100 toward past due balance, once per 12-month period
 - *150% below federal poverty level*



Current Utility Assistance Programs

City-funded Assistance Program	FY 2016 Actual	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Actual
Low Income Energy Assistance									
Customers	517	485	463	477	498	519	545	563	517
Distributed	\$ 88,012	\$ 87,083	\$ 86,614	\$ 84,253	\$ 91,656	\$ 109,310	\$ 112,626	\$ 97,470	\$ 106,740
Average relief/applicant-family	\$ 170	\$ 180	\$ 187	\$ 177	\$ 184	\$ 211	\$ 207	\$ 173	\$ 206
Senior/Disabled Program									
Customers	165	174	181	195	216	237	263	281	281
Distributed	\$ 45,523	\$ 50,285	\$ 55,487	\$ 60,370	\$ 73,527	\$ 90,482	\$ 96,878	\$ 101,854	\$ 101,188
Average relief/applicant-family	\$ 276	\$ 289	\$ 307	\$ 310	\$ 340	\$ 382	\$ 368	\$ 362	\$ 360
Total Assistance Programs									
Distributed Amount									
Low Income Energy Assistance	\$ 88,012	\$ 87,083	\$ 86,614	\$ 84,253	\$ 91,656	\$ 109,310	\$ 112,626	\$ 97,470	\$ 106,740
Senior/Disabled Program	45,523	50,285	55,487	60,370	73,527	90,482	96,878	101,854	101,188
Heat Program	4,800	2,800	2,900	2,800	3,600	1,100	800	1,400	1,400
Total Distributed	\$ 138,335	\$ 140,168	\$ 145,001	\$ 147,423	\$ 168,783	\$ 200,892	\$ 210,304	\$ 200,724	\$ 209,328
Budget	\$ 149,500	\$ 149,500	\$ 156,000	\$ 159,120	\$ 160,038	\$ 160,038	\$ 190,700	\$ 190,700	\$ 190,700
% of Distributed/Budget	93%	94%	93%	93%	105%	126%	110%	105%	110%



Current Utility Assistance Programs

❖ Customers served – based on FY24

- Total 517 customers annually
- Total annual budget \$190,700
- Total distributed \$209,328
- Average relief for Senior Discount \$360
- Average relief for ALIEAP \$206

❖ Operational requirements

- 1 FTE in Utility Billing Division



Proposed Assistance Program

❖ New Program

- Year-round assistance
- Income qualifier, such as OHP, SNAP or other
- Potential BN 25-27 Budget = \$573K
 - Increase of \$191K from BN 23-25
 - Breakdown:
 - \$490K Electric
 - \$ 83K Water, Wastewater, Streets



Proposed Assistance Program

❖ Considerations

- OHP & SNAP are lower thresholds than City's current
 - OHP: 100% Federal Poverty level
 - *Income cannot exceed \$1,255/month*
 - *Reaches only 50% of current ALIEAP customers*
 - SNAP: 200% Federal Poverty level
 - *Income cannot exceed \$2,510 per month*
 - *Reaches 82% of current ALIEAP customers*
 - ALIEAP: 265% of Federal Poverty level
 - *income cannot exceed \$3,323 per month*

* based on single person family



Proposed Assistance Program

❖ Considerations

▪ Averages

- Average bill \$96 a month
- Average discount \$358 a year, ~\$30 a month

▪ Breakdown of discounts received annually

- 3% receive over \$1,000
 - 15% receive \$600–999
 - 81% receive \$250–599
- } 95–105 customers
- 420–450 customers

▪ Seniors

- 48–55% are seniors



Proposed Assistance Program

❖ Pilot Program

- Income Qualifier: Current City's threshold
 - 265% Federal Poverty level
 - *Income cannot exceed \$3,323/month*
- Application process opens each May
 - Non-existing seniors apply May 1st
 - Year-round starting July 1st, received 30% discount monthly
 - *Excludes Internet*
 - *Applies to Public Safety & AFR Fees*
 - In order to not harm Seniors:
 - *On Dec 1st, automatic \$200 discount for winter months*



Proposed Assistance Program

❖ Pilot Program

- Estimated Program Cost
 - *Within annual budget of \$286K*
 - *Estimated assistance at approx. \$256-\$286K per year*
- Will assess program metrics July 2025
 - ✓ Expands program
 - ✓ Considers current population served
 - ✓ Maintains reasonable staff workload
 - ✓ Stays within funding levels and/or be easily adjusted after Year 1



QUESTIONS?





Council Business Meeting

Date: June 3, 2025

Agenda Item	Voting and Appointment of Council Member
Department	City Manager's Office
From	Sabrina Cotta

TIME ESTIMATE

30

CATEGORY

Action Needed - Motion to approve an action

SUMMARY

City Council shall appoint an individual to fill the Council vacancy due to the resignation of former Councilor Doug Knauer. City Council must do this within 60 days (June 14th, 2025) per the City Charter. The appointed individual will service until the next biennial election.

POLICIES, PLANS & GOALS SUPPORTED

BACKGROUND AND ADDITIONAL INFORMATION

The City has 8 applicants to fill the current Council vacancy.

- Mark Brouillard
- Stephen Gagne
- George Kramer
- Mark Morrison
- Linda Peterson Adams
- Russell Phillips
- Derek Sherrell
- Meg Wade

Relevant Charter:

City Charter Article III – Elective Officers, Section 4 – Vacancies specifies the City Council has sixty (60) days from an effective resignation date to fill a vacated Elected Officer position:

Section 4. Vacancies. An office shall be deemed vacant upon the incumbent's death; adjudicated incompetence; conviction of a felony; other offense pertaining to his/her office, or unlawful destruction of public records; resignation; recall from office or ceasing to possess the qualifications for the office; or, in the case of the Mayor or Council Member, upon his/her absence from the City for thirty (30) days without the consent of the Council or upon his/her absence from meetings of the Council for sixty (60) days without like consent, and subsequent declaration of the vacancy by a two-thirds affirmative vote of the Council.

A vacant elective office in the City shall be filled within sixty (60) days by the Council electing some qualified person to fill such vacancy. The appointee's term of office shall begin immediately upon appointment and shall continue until a successor, elected at the next biennial election, takes office for the unexpired term. The Council





Council Business Meeting

shall have the power, by a two-thirds affirmative vote, to expel any member of the Council for disorderly conduct in Council or inattention to duties. No Council member shall be expelled without notice and a hearing by the Council.

Council will appoint the position using a voting method of their choice to be determined at the June 2nd, 2025 study session.

FISCAL IMPACTS

NA

SUGGESTED ACTIONS, MOTIONS, AND/OR OPTIONS

I move to appoint (insert name) to the City Council.

REFERENCES & ATTACHMENTS

None