



Planning Commission Meeting Agenda

ASHLAND PLANNING COMMISSION STUDY SESSION MEETING AGENDA

Tuesday, April 28, 2026

Note: Anyone wishing to speak at any Planning Commission meeting is encouraged to do so. If you wish to speak, please rise and, after you have been recognized by the Chair, give your name and complete address for the record. You will then be allowed to speak. Please note the public testimony may be limited by the Chair.

I. CALL TO ORDER

7:00 p.m., Civic Center Council Chambers, 1175 E. Main Street

II. ANNOUNCEMENTS

1. Staff Announcements
2. Advisory Committee Liaison Reports

III. PUBLIC FORUM

Note: To speak to an agenda item in person you must fill out a speaker request form at the meeting and will then be recognized by the Chair to provide your public testimony. Written testimony can be submitted in advance or in person at the meeting. If you wish to discuss an agenda item electronically, please contact PC-public-testimony@ashland.or.us by 10:00 a.m. on April 28, 2026 to register to participate via Zoom. If you are interested in watching the meeting via Zoom, please utilize the following link: <https://zoom.us/j/95254705422>

IV. DISCUSSION ITEMS

Manufactured Home Park Zone Amendments Update and Discussion

V. OPEN DISCUSSION

VI. ADJOURNMENT

Next Meeting Date: May 12, 2026

If you need special assistance to participate in this meeting, please contact Brandon Goldman at planning@ashlandoregon.gov or 541.488.5305 (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.



DISCUSSION ITEMS

Manufactured Home Park Zone Amendments Update and Discussion

Memo

DATE: April 28, 2026
TO: Commission
FROM: Brandon Goldman AICP, *Community Development Director*
Linda Reid, MSW, *Housing Program Manager*
RE: Manufactured Home Park Zone Amendments

The purpose of the Ashland Manufactured Dwelling Park Zone (MHPZ) Code Development Project is to prepare hearings-ready development code amendments to comply with and exceed housing-related statutes and facilitate housing production, affordability, and choice. Amendments include code updates for Manufactured Home Parks in accordance with House Bill 2001 and the City's Housing Production Strategy (HPS) goals and actions. This project was identified through the Housing Production Strategy process, and the City received a Technical Assistance Grant from the Oregon Department of Land Conservation and Development (DLCD). Through a joint selection process conducted by the City and DLCD, 3J Consulting was retained to provide technical and policy support for this effort. 3J will lead tonight's presentation.

Preservation of manufactured home parks was identified as a strategic action in Ashland's adopted HPS. The HPS recognizes manufactured home parks as a critical source of naturally occurring affordable housing and calls for regulatory tools that maintain park viability, reduce redevelopment pressure, and support long-term housing stability for residents. Development of a stand-alone MHPZ is intended to directly implement the HPS strategy by establishing a zoning framework focused on preservation, clarity, and compliance with state housing statutes.

The Planning Commission last considered policy concepts and associated development code amendments for the Manufactured Home Park Zone (MHPZ) ordinance at a joint study session of the Planning Commission, Housing and Human Services Advisory Committee, and the City Council on January 27th. Tonight's meeting proceeds on the policy direction of the January 27th joint session to look at specific proposed code amendments to adopt a

COMMUNITY DEVELOPMENT DEPARTMENT

51 Winburn Way
Ashland, Oregon 97520
ashland.or.us

Tel: 541.488.5305
Fax: 541.552.2050
TTY: 800.735.2900



Manufactured Home Park Zone (MHPZ) Ordinance incorporating new Comprehensive Plan and Zoning maps and associated development code revisions.

To inform policy development, the City and consultant team have been working with a Management Advisory Committee (MAC) composed of manufactured home park residents, real estate professionals, affordable housing providers, and a representative from the Housing and Human Services Advisory Committee and Planning Commission. This group has assisted in reviewing existing regulations and identifying issues affecting park preservation and resident stability.

As part of this work, the City, consultant team and MAC have evaluated Ashland's existing Manufactured Housing Development regulations in [Ashland Municipal Code Section 18.2.3.180](#) which governs manufactured home parks within residential zones. This section has provided an important baseline for understanding existing requirements and identifying opportunities for modernization, simplification, removal of regulatory barriers, and alignment with state law.

The Housing and Human Services Advisory Committee reviewed and made a recommendation on the draft code amendments on April 23rd, after tonight's packet was distributed. Copies of that recommendation will be provided at the Planning Commission meeting. Staff are seeking Commission review and comment on the draft code amendments tonight and will bring final code language back for a public hearing and formal recommendation to the Council at next month's meeting. Council hearings for final ordinance adoption are tentatively anticipated to occur between June and July of this year.

Attachments

January 27, 2026 Joint Work Session Summary

April 22, 2026 Code Changes Matrix

April 22, 2026 Draft Code Amendments

April 22, 2026 Zoning Map with Potential MHPZs in Red

COMMUNITY DEVELOPMENT DEPARTMENT

51 Winburn Way
Ashland, Oregon 97520
ashland.or.us

Tel: 541.488.5305
Fax: 541.552.2050
TTY: 800.735.2900





Joint Study Session – Housing and Human Services Advisory Committee (HHSAC), Planning Commission (PC), City Council (CC)

January 27, 2026

7:00–8:30 PM

Purpose

The joint study session focused on potential updates to manufactured housing park (MHP) standards and zoning, with emphasis on affordability, resident stability, fire safety, redevelopment pressures, and housing innovation.

Key Themes and Discussion

Dimensional Standards, Density, and Design Flexibility

Several attendees emphasized the importance of increasing dimensional flexibility, particularly interior setbacks and allowance for structures such as carports, overhangs, yard barns, and community buildings. One participant stated that “the less restrictive, the better,” especially for existing parks.

At the same time, opinions diverged on density.

- One attendee opposed increasing density, arguing that parks should be held to similar lot coverage standards as single-family homes and that additional open space would improve quality of life.
- Others noted recent HUD updates allowing two-story duplexes, triplexes, and quadplexes, and encouraged thinking about stacked units (1–2 stories or up to 35 feet) as a way to increase housing supply without expanding land area.

Questions were raised about how redevelopment thresholds would work, including what triggers full compliance with new standards and whether conditional use permits (CUPs) could allow exceptions while addressing nonconformities.

Housing Types and Innovation

There was broad interest in expanding the range of housing types allowed within parks. Attendees discussed:

- Manufactured homes, modular homes, prefab, panelized homes, RV-style units, tiny homes, flat-pack homes, and 3D-printed housing.
- HB 4064 was referenced, with clarification that certain RV-style or prefab units may need to be treated as manufactured homes.

While some participants saw RVs as an important inclusion point, another attendee cautioned against wholesale allowance of RVs without clearly defining applicable standards. They emphasized the need to fully understand impacts on fire safety, access, utilities, and infrastructure capacity.

Fire Safety, Materials, and Inspections

Fire safety emerged as a major concern, especially given survey data from the community wildfire protection program showing that over half of wildfire plan respondents identified MHPs as vulnerable, with poor defensible space and dense layouts contributing to risk.

Key points included:

- Recommendation to involve the Fire Department in future discussions on setbacks, access, electrical service, water line capacity, and accessory structures.
- Discussion of R327.4 wildfire overlay standards, ignition-resistant materials, and whether smaller unit sizes could reduce risk.
- Mixed views on prescribing exterior materials: some favored flexibility, while others noted that existing code already requires siding and roofing to be similar or superior to wood (with metal noted as more fire-resistant).

Attendees also referenced INSPIRE inspections and housing stability support services, suggesting that livability, appearance, and safety requirements may need to be more clearly defined by housing type.

Affordability, Infrastructure, and Financial Impacts

Affordability was a consistent concern, particularly related to Naturally Occurring Affordable Housing (NOAH). One attendee noted that older housing is often affordable by default, but rebuilding can introduce new infrastructure costs that ultimately fall on tenants.

Concerns raised included:

- Thresholds for rent requirements and tenant protections.
- Fear of out-of-state investors purchasing parks and passing upgrade costs onto residents.

- Questions about whether infrastructure upgrades would be mandatory and how financial hardship for existing parks could be demonstrated.

Staff and attendees discussed System Development Charges (SDCs), clarifying that replacement units typically do not trigger new SDCs, while added density would. Questions remained about how credits would apply when replacing larger units with multiple smaller units.

Resident Stability, Tenant Protections, and Ownership Models

Many participants emphasized the vulnerability of residents who rent the land under their homes, especially if parks are sold. Several attendees supported:

- Exploring right-of-first-refusal policies and funding mechanisms.
- Expanding notice requirements when parks are proposed for sale.
- Encouraging resident organization and cooperative resident-owned community (ROC) models, referencing examples from Talent and other jurisdictions.

One attendee noted that even 120 days may be insufficient time for tenants to organize, secure financing, and compete with private buyers. Others stressed the need to clearly distinguish which policy benefits accrued to residents, park owners, or both.

Zoning Authority, Redevelopment, and Market Constraints

A baseline question was raised about whether changes would be top-down zoning decisions and whether restrictions could trigger claims of “takings.” A two-part approach was discussed:

- Modifications to MHP development standards.
- Modifications to the MHP zone itself.

Some attendees questioned whether removing the ability to redevelop parks into other uses was necessary, while others argued that landowners already benefit from a profitable business model and that stronger protections are justified to maintain housing stock.

From an economic perspective, one participant described resident-owned parks as addressing a market failure, noting that owners benefit from appreciating land while tenants face depreciating assets. They questioned whether zoning alone could address this imbalance or if separate support mechanisms are needed.

Expansion, Annexation, and Future Supply

Discussion included whether MHPs should be allowed beyond current R1–3.5 and R2 zones, potentially extending into R3 or commercial areas. Attendees raised questions about:

- Incentives tied to annexation within the Urban Growth Boundary.
- Requirements for affordability (e.g., 25% of area) if existing parks are annexed.
- Whether such requirements might act as disincentives for annexation.

There was also interest in understanding the city's land inventory and land banking opportunities to support future parks or resident-owned models.

Next Steps and Engagement

Staff noted plans to:

- Conduct public meetings targeted to manufactured housing park residents.
- Present future analyses that clearly identify who benefits from proposed changes.

Several attendees stressed the importance of directly engaging residents to better understand lived experiences, displacement risks, and priorities.



Ashland MHPZ Code Changes

April 2026

Project Purpose

The purpose of the Ashland Manufactured Dwelling Park Zone Code Development Project is to prepare hearings-ready development code amendments to comply with and exceed housing-related statutes and facilitate housing production, affordability, and choice. Amendments will include code updates for Manufactured Home Parks in accordance with House Bill 2001 and the City's Housing Production Strategy goals and actions.

Code Concepts

This memo includes an audit of the city's current development code provisions and an analysis of standards relative to state residential statutes, including ORS 197.478 for manufactured home standards and related administrative rules. The initial audit included an analysis of how the code compares to other example cities that have adopted a manufactured home park protective zone, providing best practices as the basis for review with further opportunity for local refinement. The "Overall Recommendations" column identifies existing regulations that can be updated, modified, or removed, calling on state rulemaking and case study cities.

The code audit evaluated the existing Ashland development regulations that relate to manufactured housing development for both compliance with state regulations, opportunities to enhance clarity and remove barriers to development, and opportunities to support manufactured home developments. Concepts were also influenced by two stakeholder interviews that were conducted over the course of the project. Information garnered from these interviews is woven into the code concepts and code recommendations. Specific concepts identified in the analysis of the code and overall findings include:

- **Density and Lot Standards:** Current code includes minimum and maximum density limits that may constrain redevelopment and park expansion. Removing, or increasing, these limits and relying on site design and

infrastructure capacity is recommended. Reducing, or removing, minimum lot size and lot width would increase flexibility. Allowing two small units (<400 sq ft) per lot and increasing maximum lot coverage above 50% would be better aligned with modern manufactured housing formats.

- **Setbacks and Dimensional Flexibility:** Existing setback standards vary across parent zones, creating unnecessary complexity. Simplifying to a uniform 5 ft setback or maintaining fire code setbacks would increase clarity. Allowing encroachments such as porches and decks into setback areas, if compliant with fire code, and removing references to parent zone standards are recommended to streamline administration and support compact design.
- **Landscaping and Open Space:** Landscaping and open space standards may act as redevelopment barriers. Simplifying requirements to 50 percent of unbuilt area landscaped and a minimum 5 percent of total site area as open space is recommended. Combining or cross-referencing landscaping and open space areas could provide additional flexibility.
- **Redevelopment and Nonconforming Parks:** Many older manufactured home parks face challenges modernizing due to nonconforming status or aging infrastructure. Allowing modernization or expansion of nonconforming parks through conditional use review and offering compliance flexibility or incentives would encourage reinvestment without displacing residents.
- **Use and Design Flexibility:** Allowing limited nonresidential and community-serving uses within manufactured housing parks would support livability and integration. A maximum size cap of community serving buildings is recommended to ensure scale compatibility.
- **Tenant and Affordability Protections:** To balance improvements with resident stability, tenant protection measures should be considered. Expanding provisions similar to Ashland's condominium tenant rights or Bellingham's first right of refusal could provide a good model.

Code Recommendations and Text Changes

The following sections of the Ashland Municipal Code (AMC) were reviewed for compliance with applicable state residential statutes and with case study examples in mind, with a focus on manufactured housing.

- AMC 18.2.2.030
- AMC 18.2.3.170
- AMC 18.2.3.180
- AMC 18.3.9.020
- AMC 18.3.9.030
- AMC 18.3.9.040
- AMC 18.3.9.050
- AMC 18.6.1.030
- *New - AMC Chapter 10.XXX*

The development code below has been organized by the order of the code, with recommendations and state requirements, and suggested text changes below.

Code Update Matrix

Current Code Text	Overall Recommendations	Updated Code Text
Table 18.2.2.030 Uses Allowed by Zone		
*see current table at the end of the document	Align table with recommendations of zones where manufactured home parks and manufactured homes are permitted.	*see table changes below
18.2.3.170 Manufactured Home on Individual Lot		
Manufactured dwellings relocated into the City shall conform to City standards. Manufactured homes are permitted on individual lots, subject to all of the following design standards.	Keep text	*Kept
A. Floor Plan. The manufactured home shall be multi-sectional and have an enclosed floor area of not less than 1,000 square feet.	Remove it all together. Single family homes in the different zones do not have a minimum floor area, but rather are dictated by lot area, height, setbacks, and minimum lot coverage. Keep the same standards for a single-family home and zone requirements in AMC 18.2.5.030.	*removed

Current Code Text	Overall Recommendations	Updated Code Text
B. Roof. The manufactured home shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees).	Remove all text	*removed
C. Residential Building Materials. The manufactured home shall have exterior siding and roofing which in color, material, and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered "superior" to metal siding and roofing).	Keep text	*Kept
D. Garages and Carports. If the manufactured home has a garage or carport, the garage or carport shall be constructed of materials like those used on the house.	Align or reference AMC 18.4.2.030.D and E for Garage and Building Materials standards.	D. <u>Garages and Carports.</u> Garages and carports shall utilize materials, colors, and design elements that are visually compatible with the primary dwelling. Compatibility shall be consistent with sections 18.4.2.030 (D.) and (E.).

Current Code Text	Overall Recommendations	Updated Code Text
E. Thermal Envelope. The manufactured home shall be certified by the manufacturer to meet the thermal envelope requirements equivalent to those for a single-family dwelling constructed under the building code. Evidence demonstrating that the manufactured home meets “Super Good Cents” energy efficiency standards, or equivalent standard, is deemed to satisfy the exterior thermal envelope certification requirement.	Keep- an exception for requirements for manufactured homes	*Kept
F. Placement. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that it complies with the applicable building code requirements, including the height above grade, and the minimum set-up standards of the adopted state Administrative Rules for Manufactured Dwellings, OAR 918.	Update text. Remove “The manufactured home shall be placed on excavated and back-filled..... the height above grade”. Replace with “The manufactured home shall conform with building code requirements in chapter 18.4 and the minimum set-up standards of the adopted state Administrative Rules for Manufactured Dwellings, OAR 918.”	F. Placement. The manufactured home shall conform with building code requirements in chapter 18.4 and the minimum set-up standards of the adopted state Administrative Rules for Manufactured Dwellings, OAR 918.
G. Floodplain. Manufactured homes shall comply with chapter 18.3.10 Physical and Environmental Constraints.	Keep text but also note that manufactured homes shall comply with and meet FEMA requirements and AMC 15.10.080. Manufactured	G. Floodplain. Manufactured homes located within flood hazard areas shall comply with chapter 18.3.10 Physical and Environmental Constraints and chapter

Current Code Text	Overall Recommendations	Updated Code Text
	homes must also meet the same flood protection requirements as a “stick built” or typical housing.	15.10.080 Provisions for Flood Hazard Protection, along with all applicable floodplain management requirements of the Federal Emergency Management Agency (FEMA), including but not limited to standards adopted through the National Flood Insurance Program (NFIP).
H. Foundation Skirt. The foundation area of the manufactured home shall be fully skirted with concrete, horizontal wood, or vinyl siding, or other materials, pursuant to applicable building codes.	Keep Text, although may need to remove vinyl siding as an option. Solid materials such as masonry, concrete, or treated wood are in the HUD requirements section. Also include metal siding as a viable option for fire safety promotion.	H. <u>Foundation Skirt.</u> The foundation area of the manufactured home shall be fully skirted with concrete, metal siding, or other solid materials, pursuant to applicable building codes.
I. Design Features. The manufactured home shall incorporate at least two of the single-family design features in section 18.2.5.090.	Keep text. Two design features are also required for single family units.	*Kept
J. Prohibited. The manufactured home shall not be located in a designated historic district.	Keep text	*Kept

Current Code Text	Overall Recommendations	Updated Code Text
18.2.3.180 Manufactured Housing Developments		
A. Purpose. The purpose of this section is to encourage the most appropriate use of land for manufactured housing development purposes, to encourage design standards which will create pleasing appearances, to provide sufficient open space for light, air, and recreation, to provide adequate access to manufactured housing sites, and to refer minimum utility service facilities to appropriate City codes.	Remove “pleasing appearances” term from this statement.	A. Purpose. The purpose of this section is to encourage the most appropriate use of land for manufactured housing development purposes, to encourage design standards to provide sufficient open space for light, air, and recreation, to provide adequate access to manufactured housing sites, and to refer minimum utility service facilities to appropriate City codes.
B. General Provisions. 1. Manufactured housing development may be located or relocated only in R-1-3.5 and R-2 zones. 2. No manufactured housing developments may be located, relocated, or increased in size or number of units within any other zone. 3. No manufactured housing developments may be located within the Historic District Overlay. 4. Manufactured housing developments shall be subject to regulations of this chapter and shall be located only on sites approved for use under the provisions of such chapter. No person shall establish, operate, manage, maintain, alter, or enlarge any manufactured housing development contrary to the provisions of this ordinance. 5. In addition to the requirements of this chapter, all	1. Keep text – unless expanding to more zones, perhaps R-1 or R-3, is wanted (especially if allowed density is increased in parks) 2. Remove. 3. Keep 4. Keep 5. Keep	B. General Provisions. 1. Manufactured housing development may be located or relocated only in R-1-3.5 and R-2 zones, or the MHP zone. 2. No manufactured housing developments may be located within the Historic District Overlay. 3. Manufactured housing developments shall be subject to regulations of this chapter and shall be located only on sites approved for use under the provisions of such chapter. No person shall establish, operate, manage, maintain, alter, or enlarge any manufactured housing development contrary to the provisions of this ordinance.

Current Code Text	Overall Recommendations	Updated Code Text
manufactured housing developments shall conform to the regulations of ORS 446, together with such administrative rules as may be adopted from time to time, except where such regulations are exceeded by the requirements of this chapter, in which case the more stringent requirements shall apply.		4. In addition to the requirements of this chapter, all manufactured housing developments shall conform to the regulations of ORS 446, together with such administrative rules as may be adopted from time to time, except where such regulations are exceeded by the requirements of this chapter, in which case the more stringent requirements shall apply.
C. Procedure for Approval. The procedure for approving a manufactured home development is the same as for the Performance Standards Option (Outline Plan and Final Plan), pursuant to chapter 18.3.9.	Keep text	*Kept

Current Code Text	Overall Recommendations	Updated Code Text
D. Manufactured Housing Development Design Standards. 1. Minimum Court Size. A manufactured housing development shall occupy a site of not less than one acre in size. 2. Density. The maximum density permitted shall be eight manufactured housing units per acre of developed court area. Manufactured housing, which is 14 feet wide or less, or which is less than 800 square feet in size will count as 0.75 units for this calculation. 3. Manufactured Housing Sites or Lots. All manufactured housing sites or lots must be at least 2,000 square feet in size, at least 35 feet wide, and at least 40 feet deep. 4. Lot Coverage. Maximum lot coverage of any individual manufactured housing lot or site shall be 65 percent in the R-2 zone and 55 percent in the R-1-3.5 zone. In addition, the general lot coverage requirements of the parent zone shall also be complied with for the entire project site. 5. Setbacks. a. Exterior Setbacks. Manufactured housing sites along the exterior boundary of the court shall have the same setbacks as required in the parent zone, and no less than a minimum of five feet from a property boundary line. b. Interior Front Yard Setbacks. There shall be a front yard on each manufactured home lot or space of at least ten feet. c. Interior Side and Rear Yard Setbacks. There shall be side or rear yards of at least five feet. There shall be a minimum separation of ten feet between manufactured housing units. 6. Street Standards. Public streets shall comply with the design standards contained in chapter 18.4.6. Private streets shall be a minimum of 20 feet in width, and constructed to the same standards as specified for an alley. A private street may be a	1. Keep text. 2. Refer to “Manufactured Dwelling Park” for a definition of minimum units and proximity. Density should be the same across all zones. Change all parks to 18 units per acre max density. 3. Consider reducing size of lots and consider removing or reducing dimensional requirements (width & depth). 4. Consider standardizing lot coverage across all zones to 65%. 5. Consider changing internal setbacks to 5 ft on all sides – or the fire code setback requirement. Consider allowing porches or decks to be built over the setback area, although they must comply with fire code specifications. a. Exterior Setbacks- keep b. Consider changing interior setbacks to comply with building code / fire code standards. c. Consider changing interior setbacks to comply with building code / fire code standards. 6. Keep, although add that private streets serving manufactured home parks do not count towards	<u>D. Manufactured Housing Development Design Standards.</u> 1. <u>Minimum Court Size.</u> A manufactured housing development shall occupy a site of not less than one acre in size. 2. <u>Density.</u> The maximum density permitted shall be 18 manufactured dwelling units per acre, regardless of zoning district. Density calculations, minimum unit counts, and proximity standards shall be determined in accordance with the definition of Manufactured Dwelling Park in this title. 3. <u>Manufactured Housing Sites or Lots.</u> Manufactured housing sites or lots shall meet the minimum dimensional standards established by applicable building and fire codes. No minimum lot width or depth shall be required, provided that each site or lot accommodates required setbacks, access, utilities, and fire separation standards. 4. <u>Lot Coverage.</u> Maximum lot coverage of any individual manufactured housing lot or site shall be 65 percent regardless of zoning district. The general lot coverage

Current Code Text	Overall Recommendations	Updated Code Text
dead-end street no more than 300 feet in depth from a higher order road. Adequate turn-around shall be provided according to standards established by the Planning Commission. 7. Sidewalk Standards. Every manufactured housing development shall have a permanent pedestrian walkway at least 48 inches wide connecting all manufactured housing units to public or private streets, common open spaces, parks, and commonly owned buildings and facilities. 8. Utilities. Provisions for electric, water, and sanitary service shall be made in accordance with established City procedures and law, including number, size, quality, and location of fixtures, connections, and facilities. Telephone and electric lines shall be placed underground. 9. Landscaping. a. All areas of the development not occupied by paved roadways, pathways, parking areas, or not occupied by other facilities shall be landscaped. Areas that contain significant natural vegetation may be left in a natural state, if approved on the final landscaping plans. b. Manufactured housing developments located in an R-1-3.5 zone shall have 45 percent of the entire site landscaped. Developments located in the R-2 zone shall have 35 percent of the entire site landscaped. 10. Fencing. Fencing shall comply with all fencing requirements as per section 18.4.4.060. 11. Common Open Space. All developments are required to provide a minimum of five percent of the total lot area in common open space. 12. Play Area. If the manufactured housing development accommodates children less than 14 years of age, a separate	required 'lots' served. (Currently three lots are the maximum amount that a private street can serve.) 7. Change to "Every manufactured housing development shall have a permanent pedestrian walkway at least 48 inches wide within public rights of way. Private streets must be ADA compliant when connecting all manufactured housing units to public or private streets, common open spaces, parks, and commonly owned buildings and facilities" 8. Keep 9. Review/revise landscaping standards - make sure that this is not an additional requirement for a MHP - 50% of the unbuilt area can be landscaped 10. Keep 11. Combine with 12 12. Combine with 11 and keep at 5% of the total area for open space. **Consider new section on community-serving buildings here. Consider adding non-residential community serving buildings (manager office, common kitchen, club house, childcare, storage,	requirements of the parent zone shall apply to the entire project site. 5. <u>Setbacks.</u> a. <u>Exterior Setbacks.</u> Manufactured housing sites along the exterior boundary of the court shall have the same setbacks as required in the parent zone, and no less than a minimum of 5 feet from a property boundary line. b. <u>Interior Setbacks.</u> Interior setbacks for manufactured housing sites or lots shall comply with applicable building code and fire code separation standards. c. <u>Encroachments.</u> Porches, decks, and similar appurtenances may encroach into required interior setback areas, provided they comply with all applicable building and fire code requirements. 6. <u>Street Standards.</u> Public streets shall comply with the design standards contained in Chapter 18.4.6. Private streets shall be constructed a minimum of 20 feet in width, consisting of a minimum 16-foot paved vehicular travel lane and a separated pedestrian walkway of at least four feet in width meeting the requirements of

Current Code Text	Overall Recommendations	Updated Code Text
general play area a minimum of 2,500 square feet in size, or 100 square feet of play area per unit, whichever is greater, shall be provided.	coffee shop? etc.) to be permitted with review in the MHP Zone. Consider an allowance for a percentage of the overall lot to be used for commercial or mixed-use dev. - like landscaping requirements.	subsection 18.2.3.180.D.7, or an 18-foot paved shared street designed to accommodate both vehicles and pedestrians. A private street may be a dead-end street no more than 300 feet in depth from a higher order road. If the road is 150 feet or greater, adequate turn-around shall be provided according to standards established by the applicable fire code. 7. <u>Sidewalk Standards.</u> Every manufactured housing development shall have a permanent pedestrian walkway at least 48 inches wide within public rights of way. Private streets must be ADA compliant when connecting all manufactured housing units to public or private streets, common open spaces, parks, and commonly owned buildings and facilities. 8. <u>Utilities.</u> Provisions for electric, water, and sanitary service shall be made in accordance with established City procedures and law, including number, size, quality, and location of fixtures, connections, and facilities. Telephone and electric lines shall be placed underground. 9. <u>Landscaping.</u>

Current Code Text	Overall Recommendations	Updated Code Text
		a. All areas of the development not occupied by paved roadways, pathways, parking areas, or not occupied by other facilities shall be landscaped. Areas that contain significant natural vegetation may be left in a natural state, if approved on the final landscaping plans. Landscaping and all plantings must comply with wildfire protection standards. b. Manufactured housing parks shall have 50 percent of the unbuilt area landscaped. 10. <u>Fencing</u>. Fencing shall comply with all fencing requirements as per section 18.4.4.060. 11. <u>Common Open Space</u>. All developments are required to provide a minimum of five percent of the total lot area in common open space. Common open space may be supplemented with outdoor amenities such as benches, water features, a children's play structure, garden, or a fenced dog run. 12. <u>Community Serving Buildings</u>. Community-serving buildings are intended to support the daily needs of residents of a manufactured housing development and to enhance on-site

Current Code Text	Overall Recommendations	Updated Code Text
		services, social interaction, and management functions without altering the primarily residential character of the development. Non-residential community-serving buildings may be permitted within a manufactured housing development, although such buildings shall be accessory to and primarily serve residents of the development. a. Permitted Uses. The following community serving uses are permitted outright within a Manufactured Home Park: Resident serving uses, including: 1. Manager or administrative office; 2. Clubhouse or community building; 3. Resident gathering spaces, including facilities for extreme weather shelter (e.g., heat, smoke, or similar events); 4. Laundry facilities; 5. Recreation and wellness facilities (e.g., fitness room, game room, or library);

Current Code Text	Overall Recommendations	Updated Code Text
		6. Shared community kitchen or food preparation space; 7. Resident storage, maintenance, and operations buildings; 8. Mail and package facilities; 9. Childcare facilities and childcare centers, which may serve park residents and the general public. b. Conditional Uses. Commercial uses open to the public, other than childcare, may be permitted subject to a Conditional Use Permit pursuant to AMC 18.5.4, including retail, general office, professional or personal service offices, food service (e.g., café), and personal services. c. Scale Limitation. The combined gross floor area of all uses authorized under this section, whether permitted outright or approved through a Conditional

Current Code Text	Overall Recommendations	Updated Code Text
		Use Permit, shall not exceed the greater of: 1. 100 square feet per unit; or 2. 2,500 square feet of gross floor area. d. Compatibility. Uses shall be subordinate to and compatible with the residential character of the park. Conditional uses shall demonstrate compliance with AMC 18.5.4. e. Outdoor seating, play areas, or gathering spaces associated with community-serving uses shall be integrated into the site's open space and pedestrian network.

Current Code Text	Overall Recommendations	Updated Code Text
E. Manufactured Housing Unit Standards. All manufactured housing units located in approved manufactured housing developments shall comply with all of the following requirements. 1. Manufactured housing units shall be a minimum of 650 square feet in size. 2. Manufactured housing units shall be at least 12 feet wide. 3. Manufactured housing units shall have the Oregon Department of Commerce “Insignia of Compliance.” The Building Official shall inspect the manufactured housing unit and occupancy shall be approved only if the Building Official has determined that the manufactured housing unit has a valid insignia of compliance and has not deteriorated beyond an acceptable level of compliance. 4. Manufactured housing units shall be placed on permanent foundations, with wheels and hitches removed, be fully skirted or bermed, and shall have no uncovered openings except for vents of sufficient strength to support the loads imposed by the manufactured housing unit, based on accepted engineering design standards, as approved by the Building Official. 5. Manufactured housing units shall be provided with City water, sewer, electricity, telephone, and storm drainage, with easements dedicated where necessary. 6. Manufactured housing units shall comply with the thermal envelope requirements for heat loss required by the building code for single-family detached homes. 7. Manufactured housing units shall have a deck or patio area adjacent to the home. The deck or patio shall be constructed of a permanent material and shall be at least 80 square feet in size, with a minimum width of eight feet in its least dimension.	1. Consider reducing or eliminating the minimum square footage requirement for manufactured housing units from 650 square feet to 400 square feet or less, with the option to allow up to two units per lot when both units are 500 square feet or smaller to support greater density and flexibility. 2. Consider changing to 10 feet in width or having no standard and letting setback requirements determine size. Did not change per joint work session meeting. 3. Keep 4. Keep 5. Keep 6. Keep 7. Many new manufactured homes do not need a large patio or deck – consider removing this requirement. 8. Keep	E. <u>Manufactured Housing Unit Standards.</u> All manufactured housing units located in approved manufactured housing developments shall comply with all of the following requirements. 1. Manufactured housing units shall not be subject to a maximum floor area requirement. For the purposes of densification, manufactured housing units with a floor area of less than 500 square feet shall be counted as one-half (0.5) of a dwelling unit. 2. Manufactured housing units shall have the Oregon Department of Commerce “Insignia of Compliance.” The Building Official shall inspect the manufactured housing unit and occupancy shall be approved only if the Building Official has determined that the manufactured housing unit has a valid insignia of compliance and has not deteriorated beyond an acceptable level of compliance. 5. Manufactured housing units shall be placed on permanent foundations, with wheels and hitches removed, be fully skirted or bermed, and shall have no uncovered openings except for vents of sufficient strength to support the loads imposed by the manufactured housing unit, based on

Current Code Text	Overall Recommendations	Updated Code Text
8. Notwithstanding the above, any manufactured home legally located within the Ashland Urban Growth Boundary prior to July 1, 1990, may be relocated to an approved manufactured home development, subject to a fire and life safety inspection by the Building Official.		accepted engineering design standards, as approved by the Building Official. 6. Manufactured housing units shall be provided with City water, sewer, electricity, telephone, and storm drainage, with easements dedicated where necessary. 7. Manufactured housing units shall comply with the thermal envelope requirements for heat loss required by the building code for single-family detached homes. 8. Notwithstanding the above, any manufactured home legally located within the Ashland Urban Growth Boundary prior to July 1, 1990, may be relocated to an approved manufactured home development, subject to a fire and life safety inspection by the Building Official.

Current Code Text	Overall Recommendations	Updated Code Text
F. Storage and Temporary Occupancy of Manufactured Homes. 1. A no-charge permit from the Staff Advisor is required for the storage of any manufactured housing unit on the home premises of the owner for any length of time when not used for living purposes; provided, however, that all units so stored shall abide by the yard requirements for accessory buildings in this chapter. 2. No manufactured housing unit shall be stored on a public street except for temporary maneuvering purposes. 3. For temporary occupancy of a manufactured housing unit, see subsection 18.2.2.030.H.3.	Keep text	*Kept
G. Nonconforming Manufactured Housing Developments. Notwithstanding the provisions of chapter 18.1.4, Nonconforming Situations, manufactured housing development and an individual manufactured housing unit utilized for living purposes on the effective date of this ordinance or of amendments thereto, which do not conform to the regulations of this chapter, shall be deemed to be nonconforming and may be continued, subject to the following regulations: 1. Routine maintenance and repairs may be performed within the manufactured housing development or upon individual manufactured housing units. 2. No nonconforming manufactured housing development shall be enlarged, remodeled, or modernized except in conformance with all requirements of this chapter, except that an area of less than two acres for a development to be enlarged, remodeled, or modernized may be approved through the conditional use permit procedure contained in this ordinance.	1. Keep text. Either in this section or in a new section, the owners could demonstrate financial burden or hardship during the review of a conditional use permit. The goal is to bring the park into compliance without requiring them to address every issue in the park. The conditional use process should consider the positive impacts on the health and safety of park residents without mandating full compliance. 2. Keep text 3. Keep text 4. Keep text	G. <u>Nonconforming Manufactured Housing Developments.</u> Notwithstanding the provisions of chapter 18.1.4, Nonconforming Situations, manufactured housing development and an individual manufactured housing unit utilized for living purposes on the effective date of this ordinance or of amendments thereto, which do not conform to the regulations of this chapter, shall be deemed to be nonconforming and may be continued, subject to the following regulations: 1. Routine maintenance and repairs may be performed within the manufactured housing development or upon individual manufactured housing units.

Current Code Text	Overall Recommendations	Updated Code Text
3. No manufactured housing unit shall be located on the site of, or substituted for, a nonconforming manufactured housing unit, the use of which has been discontinued, except within a manufactured housing development holding a certificate of sanitation issued by the Board of Health, State of Oregon, issued prior to the effective date of this chapter. Relocation of existing units within the Ashland Urban Growth Boundary is exempted as provided in subsection 18.2.3.180.E.8. 4. If a nonconforming manufactured housing development holding a certificate of sanitation issued by the Board of Health, State of Oregon, ceases operation for a period of six months or more, said development shall be considered abandoned and shall be reinstituted only in conformance with the requirements of this chapter.		2. No nonconforming manufactured housing development shall be enlarged, remodeled, or modernized except in conformance with all requirements of this chapter; however, enlargement, remodeling, or modernization of an area of less than two acres may be approved through the conditional use permit procedure contained in this ordinance. a. Phased Compliance and Hardship Consideration. As part of a conditional use permit review for a nonconforming manufactured housing development, the applicant may request approval of phased or partial compliance with current standards where full compliance would result in demonstrable financial hardship. b. Review Criteria. In evaluating such a request, the decision-making body shall consider: i. The extent to which the proposal improves the health, safety, and habitability of the manufactured housing development; ii. Whether the proposed improvements represent a reasonable progression toward conformance with this chapter;

Current Code Text	Overall Recommendations	Updated Code Text
		iii. The documented financial burden of requiring full compliance at the time of application; and iv. Whether the proposal avoids expanding or intensifying the nonconforming aspects of the development. v. Where the proposal provides fire apparatus access and egress. c. Limitations. Approval under this subsection shall not: i. Allow an increase in the number of manufactured housing spaces beyond what legally existed at the time the development became nonconforming; or ii. Permanently exempt the development from future compliance with this chapter. 3. No manufactured housing unit shall be located on the site of, or substituted for, a nonconforming manufactured housing unit, the use of which has been discontinued, except within a manufactured housing development holding a certificate of sanitation issued by the Board of Health, State of Oregon, issued prior to the effective date of this chapter. Relocation of existing

Current Code Text	Overall Recommendations	Updated Code Text
		units within the Ashland Urban Growth Boundary is exempted as provided in subsection 18.2.3.180.E.8. 4. If a nonconforming manufactured housing development holding a certificate of sanitation issued by the Board of Health, State of Oregon, ceases operation for a period of six months or more, said development shall be considered abandoned and shall be reinstituted only in conformance with the requirements of this chapter.
H. Special Conditions. For the mitigation of adverse impacts, the City may impose conditions, including, but not limited to, requiring view-obscuring shrubbery, walls, or fences, and requiring retention of specified trees, rocks, water ponds or courses, or other natural features. (Ord. 3229 § 3, amended, 12/19/2023; Ord. 3191 § 4, amended, 11/17/2020)	Keep text	*Kept

Current Code Text	Overall Recommendations	Updated Code Text
NEW 10.XXX Manufactured Home Parks (MHP) – Notice of Sale, Opportunity to Purchase, and Relocation Standards		
Manufactured Home Parks (MHP) – Notice of Sale, Opportunity to Purchase, and Relocation Standards	Consider adding a tenant protection policy, similar to Bellingham. Expand on the Tenants’ Rights for Condos code section (AMC 10.115.010) to MHs. This could apply to all parks, even those not in a MHPZ (i.e. Lower Pines which is in a CFA). Oregon’s first right of refusal is 14 days, if we use Bellingham as an example, we could add a longer time needed for purchase. (BMC 20.10.033(B) <i>“If the MHP owner accepts the organization’s proposal, the organization shall have 120 days in addition to the 60-day notice period in which to obtain any necessary financing or guarantees and to close on the purchase. If no qualified tenant organization exists at the time the MHP owner gives its notice of sale, the homeowners may form one for the purpose of considering whether to exercise the purchase opportunity.”</i>)	10.XXX.010 Declaration of Policy It is hereby declared to be the policy of the City of Ashland, Oregon, to exercise its municipal authority and police powers to protect the public health, safety, and general welfare by ensuring that residents of manufactured home parks are afforded meaningful notice, opportunity to purchase, and relocation protections when a park is sold, closed, or converted to another use as permitted in the underlying zone. This Chapter is intended to supplement and be consistent with state law governing manufactured dwelling parks, including ORS Chapter 90. 10.XXX.020 Notice of Sale and Tenant Rights A. The owner of a mobile or manufactured home park shall not make a final unconditional acceptance of any offer for the sale or transfer of the park without first providing written notice of sale to all tenants of the park, as required by ORS Chapter 90. B. The notice of sale shall be delivered to each tenant by personal delivery

Current Code Text	Overall Recommendations	Updated Code Text
		or by certified mail and shall include, at a minimum: 1. A statement that the landlord intends to sell or transfer the manufactured dwelling park; 2. The name, address, and contact information of the landlord or the landlord's authorized agent responsible for communications regarding the sale; 3. The price, terms, and conditions that the landlord intends to accept for the sale of the park, including a copy of any pending purchase and sale agreement, if available; and 4. A statement describing the rights of tenants under this Chapter and under applicable provisions of ORS Chapter 90 and City Ordinance, including the opportunity to purchase and relocation protections. C. If a purchase and sale agreement is executed prior to delivery of the

Current Code Text	Overall Recommendations	Updated Code Text
		notice required by this section, such agreement shall expressly acknowledge the notice and tenant protection requirements of this Chapter and applicable Oregon statutes, and shall provide sufficient time to allow tenants a meaningful opportunity to exercise their rights. 10.XXX.030 Opportunity to Purchase A. Following receipt of a notice of sale, tenants may organize or act through an eligible tenant organization, cooperative, or other entity permitted under Oregon law to express interest in purchasing the manufactured dwelling park. B. If a qualified tenant organization or other eligible organization, after receiving the notice of sale, wishes to purchase the MHP, it shall submit a proposed purchase and sale agreement in writing via certified or registered mail to the MHP owner within 120 days of receipt of the MHP owner's notice of sale. The MHP owner shall engage in good faith negotiations with the qualified tenant organization or other eligible organization. If no qualified tenant organization exists at the time the

Current Code Text	Overall Recommendations	Updated Code Text
		MHP owner gives its notice of sale, the homeowners may form one for the purpose of considering whether to exercise the purchase opportunity. C. Nothing in this section shall be construed to require a park owner to accept an offer to purchase, but failure to comply with notice and good-faith negotiation requirements shall constitute a violation of this Chapter. 10.XXX.040 Relocation Standards and Assistance A. The owner of a manufactured dwelling park that is closing, being converted to another use, or otherwise requiring tenant displacement shall comply with all applicable notice and relocation assistance requirements of ORS Chapter 90. B. Where relocation assistance is required by state law, the park owner shall provide relocation payments and assistance to affected tenants in the manner and amounts required by Oregon statute. C. Relocation assistance obligations under this Chapter are in addition

Current Code Text	Overall Recommendations	Updated Code Text
		to, and not in lieu of, any other duties imposed by state or federal law. 10.XXX.050 Relocation Plan and City Review A. Prior to issuing any termination notices associated with closure or change of use of a manufactured dwelling park, the park owner shall submit a relocation report and plan to the City for review. B. The relocation report and plan shall describe how the park owner will comply with applicable relocation requirements and assist tenants in relocating their manufactured homes or securing alternative housing, including: 1. An inventory of available relocation resources; 2. Actions the owner will take to assist tenants in identifying alternative housing options; 3. Actions the owner will take to assist with the physical relocation of manufactured homes, where feasible; and 4. The anticipated timing of park closure or conversion.

Current Code Text	Overall Recommendations	Updated Code Text
		C. The City may require designation of a relocation coordinator to administer the approved relocation plan. D. No manufactured dwelling park may close or convert until the City determines that the owner has complied with the approved relocation plan and applicable state law. 10.XXX.060 Prohibited Harassment or Frustration of Tenant Rights No park owner or agent shall engage in conduct that has the effect of harassing, intimidating, coercing, or interfering with a tenant's exercise or enjoyment of rights granted by this Chapter or ORS Chapter 90. Prohibited conduct includes, but is not limited to: A. Interfering with a tenant's right to receive required notices or to organize with other tenants; B. Attempting to force a tenant to vacate through improper rent increases, service reductions, or threats; C. Interfering with a tenant's right to receive relocation assistance or to pursue an opportunity to purchase the park; and D. Any action taken for the purpose of avoiding or frustrating compliance

Current Code Text	Overall Recommendations	Updated Code Text
		with this Chapter or applicable state law. 10.XXX.070 Additional Notice to City Housing Staff Notice of Conversion given pursuant to this ordinance shall be served as provided in ORS 100.305, except that a copy of said notice and list of all recipients shall be provided by regular mail or personal delivery to the City of Ashland Housing Program Specialist within 7 days of its delivery or mailing to tenants 10.XXX.080 Penalties A. It shall be unlawful for any park owner or agent to violate or fail to strictly comply with the notice, opportunity to purchase, relocation, or prohibited conduct provisions of this Chapter. B. Any violation of this Chapter shall constitute a civil violation subject to penalties as provided in the Ashland Municipal Code. Each affected household shall constitute a separate violation.
18.3.9.020 Applicability		

Current Code Text	Overall Recommendations	Updated Code Text
Developments exercising the Performance Standards option, including developments that are required to apply the option pursuant to this ordinance, shall meet the provisions of this chapter and all other applicable sections of this ordinance; except that developments subject to this chapter are not required to meet the minimum lot size, lot width, lot depth, and setback standards of part 18.2, and other standards as specifically provided by this chapter. The Performance Standards option may be used to divide residential and non-residential zoned land.	Change text to: “Developments exercising the Performance Standards option, including developments that are required to apply the option pursuant to this ordinance, shall meet the provisions of this chapter and all other applicable sections of this ordinance; except that developments subject to this chapter are not required to meet the minimum lot size, lot width, lot depth, and setback standards of part 18.2, and other standards as specifically provided by this chapter. The Performance Standards option may be used to divide residential and non-residential zoned land, <u>or to approve cottage housing developments and-manufactured housing developments.</u>”	Developments exercising the Performance Standards option, including developments that are required to apply the option pursuant to this ordinance, shall meet the provisions of this chapter and all other applicable sections of this ordinance; except that developments subject to this chapter are not required to meet the minimum lot size, lot width, lot depth, and setback standards of part 18.2, and other standards as specifically provided by this chapter. The Performance Standards option may be used to divide residential and non-residential zoned land, or to approve cottage housing developments and manufactured housing developments.
18.3.9.030 PSO-Overlay		
D. Development Outside PSO-Overlay. If a parcel is not in a PSO overlay, then development under this chapter may only be approved if one or more of the following conditions exist.	Include additional conditions, citing manufactured home developments: “5. The property is proposed for development as a manufactured housing development consistent	D. <u>Development Outside PSO-Overlay.</u> If a parcel is not in a PSO overlay, then development under this chapter may only be approved if one or more of the following conditions exist.

Current Code Text	Overall Recommendations	Updated Code Text
	with the standards in section 18.2.3.180 .”	1. The parcel is larger than two acres and is greater than 200 feet in average width. 2. That development under this chapter is necessary to protect the environment and the neighborhood from degradation which would occur from development to the maximum density allowed under subdivision standards, or would be equal in its aesthetic and environmental impact. 3. The property is zoned R-2, R-3 or CM. 4. The property is developed as a cottage housing development or as a manufactured housing development consistent with the standards in section 18.2.3.090 and 18.2.3.180. (Ord. 3147 § 6, amended, 11/21/2017).
18.3.9.040 Review Procedures and Criteria		
A. Outline Plan. A proposed outline plan shall accompany applications for subdivision approval under this chapter. For developments of fewer than ten lots, the outline plan may be filed concurrently with the final plan, as that term is defined in subsection 18.3.9.040.B.4. For developments of ten or more lots, prior outline plan approval is mandatory.	Update text to: “A proposed outline plan shall accompany applications for subdivision approval under this chapter. For developments of fewer than ten lots, or for manufactured housing developments or cottage housing developments regardless of the number of lots, the outline plan may be filed concurrently with the final plan, as that term is defined in subsection	A. Outline Plan. A proposed outline plan shall accompany applications for subdivision approval under this chapter. For developments of fewer than ten lots, the outline plan may be filed concurrently with the final plan, as that term is defined in subsection 18.3.9.040.B.4. For developments of ten or more lots, other than manufactured housing developments or cottage housing developments, prior outline plan approval is mandatory.

Current Code Text	Overall Recommendations	Updated Code Text
	18.3.9.040.B.4. For developments of ten or more lots, other than manufactured housing developments or cottage housing developments, prior outline plan approval is mandatory."	
18.5.8.050 Approval Criteria and Standards		
F. For all residential annexations, a plan shall be provided demonstrating that the development of the annexed area will ultimately occur at a minimum density of 90 percent of the base density for the zone, unless reductions in the total number of units are necessary to accommodate significant natural features, topography, access limitations, or similar physical constraints. The owner or owners of the annexed area shall sign an agreement, to be recorded with the County Clerk after approval of the annexation, ensuring that future development will occur in accord with the minimum density indicated in the development plan. For purposes of computing maximum density, portions of the annexed area containing unbuildable lots, parcels, or portions of the annexed area such as existing streets and associated rights-of-way, railroad facilities and property, wetlands, floodplain corridor lands, slopes greater than 35 percent, or land area dedicated as a public park, shall not be included. G. Except as provided in subsection 18.5.8.050.G.7, below, annexations with a density or potential density of four residential units or greater and involving residential zoned lands, or	Update annexation criteria to allow manufactured home parks to not require that 25% of the development should be affordable housing. Also exclude compliance with minimum density requirements when annexed into the UGB, keeping at 18 units per acre.	F. For all residential annexations, except manufactured home parks, a plan shall be provided demonstrating that the development of the annexed area will ultimately occur at a minimum density of 90 percent of the base density for the zone, unless reductions in the total number of units are necessary to accommodate significant natural features, topography, access limitations, or similar physical constraints. Manufactured Home Parks. Annexed manufactured home parks shall not be required to comply with minimum density standards applicable to other residential development, provided that the manufactured home park is developed and maintained at a density not exceeding 18 dwelling units per acre.

Current Code Text	Overall Recommendations	Updated Code Text
commercial, employment or industrial lands with a Residential Overlay (R-Overlay) shall meet the following requirements: 1. The total number of affordable units provided to qualifying buyers, or to qualifying renters, shall be equal to or exceed 25 percent of the base density as calculated using the unit equivalency values set forth herein. The base density of the annexed area for the purpose of calculating the total number of affordable units in this section shall exclude any unbuildable lots, parcels, or portions of the annexed area such as existing streets and associated rights-of-way, railroad facilities and property, wetlands, floodplain corridor lands, water resource areas, slopes greater than 35 percent, or land area dedicated as a public park. a. Ownership units restricted to households earning at or below 120 percent of the area median income shall have an equivalency value of 0.75 unit. b. Ownership units restricted to households earning at or below 100 percent of the area median income shall have an equivalency value of 1.0 unit. c. Ownership or rental units restricted to households earning at or below 80 percent of the area median income shall have an equivalency value of 1.25 unit. 2. As an alternative to providing affordable units per section 18.5.8.050.G.1, above, the applicant may provide title to a sufficient amount of buildable land for development complying with subsection 18.5.8.050.G.1.b, above, through transfer to a non-profit (IRC 501(3)(c)) affordable housing developer or public corporation created under ORS 456.055 to 456.235.		The owner or owners of the annexed area shall sign an agreement, to be recorded with the County Clerk after approval of the annexation, ensuring that future development will occur in accord with the minimum density indicated in the development plan. For purposes of computing maximum density, portions of the annexed area containing unbuildable lots, parcels, or portions of the annexed area such as existing streets and associated rights-of-way, railroad facilities and property, wetlands, floodplain corridor lands, slopes greater than 35 percent, or land area dedicated as a public park, shall not be included. G. Except as provided in subsection 18.5.8.050.G.7 and G.8, below, annexations with a density or potential density of four residential units or greater and involving residential zoned lands, or commercial, employment or industrial lands with a Residential Overlay (R-Overlay) shall meet the following requirements: 1. The total number of affordable units provided to qualifying buyers, or to qualifying renters, shall be equal to or exceed 25 percent of the base density as calculated using the unit equivalency values set forth herein.

Current Code Text	Overall Recommendations	Updated Code Text
a. The land to be transferred shall be located within the project meeting the standards set forth in sections 18.5.8.050.G.5 and 18.5.8.050.G.6. b. All needed public facilities shall be extended to the area or areas proposed for transfer. c. Prior to commencement of the project, title to the land shall be transferred to the City, an affordable housing developer which must either be a unit of government, a non-profit 501(c)(3) organization, or a public corporation created under ORS 456.055 to 456.235. d. The land to be transferred shall be deed restricted to comply with Ashland's affordable housing program requirements. e. Transfer of title of buildable land in accordance with this subsection shall exempt the project from the development schedule requirements set forth in subsection 18.5.8.050.G.4. 3. The affordable units shall be comparable in bedroom mix with the market rate units in the development. a. The number of bedrooms per dwelling unit in the affordable units within the residential development shall be in equal proportion to the number of bedrooms per dwelling unit in the market rate units within the residential development. This provision is not intended to require the same floor area in affordable units as compared to market rate units. The minimum square footage of each affordable unit shall comply with the minimum required floor area based as set forth in Table 18.5.8.050.G.3, or as established by the U.S. Department		The base density of the annexed area for the purpose of calculating the total number of affordable units in this section shall exclude any unbuildable lots, parcels, or portions of the annexed area such as existing streets and associated rights-of-way, railroad facilities and property, wetlands, floodplain corridor lands, water resource areas, slopes greater than 35 percent, or land area dedicated as a public park. a. Ownership units restricted to households earning at or below 120 percent of the area median income shall have an equivalency value of 0.75 unit. b. Ownership units restricted to households earning at or below 100 percent of the area median income shall have an equivalency value of 1.0 unit. c. Ownership or rental units restricted to households earning at or below 80 percent of the area median income shall have an equivalency value of 1.25 unit. 2. As an alternative to providing affordable units per section 18.5.8.050.G.1, above, the applicant

Current Code Text	Overall Recommendations	Updated Code Text
of Housing and Urban Development (HUD) for dwelling units developed under the HOME program. Table 18.5.8.050.G.3. Minimum Required Floor Area for Affordable Units 4. A development schedule shall be provided that demonstrates that the affordable housing units per subsection 18.5.8.050.G shall be developed, and made available for occupancy, as follows: - That 50 percent of the affordable units shall have been issued building permits prior to issuance of a certificate of occupancy for the last of the first 50 percent of the market rate units. - Prior to issuance of a building permit for the final ten percent of the market rate units, the final 50 percent of the affordable units shall have been issued certificates of occupancy. 5. That affordable housing units shall be constructed using comparable building materials and include equivalent amenities as the market rate units. - The exterior appearance of the affordable units in any residential development shall be visually compatible with the market rate units in the development. External building materials and finishes shall be substantially the same in type and quality for affordable units as for market rate units. - Affordable units may differ from market rate units with regard to floor area, interior finishes and materials, and housing type; provided, that the affordable housing units are provided with comparable features to the market rate units, and shall have generally comparable		may provide title to a sufficient amount of buildable land for development complying with subsection 18.5.8.050.G.1.b, above, through transfer to a non-profit (IRC 501(3)(c)) affordable housing developer or public corporation created under ORS 456.055 to 456.235. - The land to be transferred shall be located within the project meeting the standards set forth in sections 18.5.8.050.G.5 and 18.5.8.050.G.6. - All needed public facilities shall be extended to the area or areas proposed for transfer. - Prior to commencement of the project, title to the land shall be transferred to the City, an affordable housing developer which must either be a unit of government, a non-profit 501(c)(3) organization, or a public corporation created under ORS 456.055 to 456.235. - The land to be transferred shall be deed restricted to comply with Ashland's affordable housing program requirements.

Current Code Text	Overall Recommendations	Updated Code Text
improvements related to energy efficiency, including plumbing, insulation, windows, appliances, and heating and cooling systems. 6. Exceptions to the requirements of subsections 18.5.8.050.G.2 through 18.5.8.050.G.5, above, may be approved by the City Council upon consideration of one or more of the following: a. That an alternative land dedication as proposed would accomplish additional benefits for the City, consistent with the purposes of this chapter, than would development meeting the on-site dedication requirement of subsection 18.5.8.050.G.2. b. That the alternative phasing proposal not meeting subsection 18.5.8.050.G.4 provided by the applicant provides adequate assurance that the affordable housing units will be provided in a timely fashion. c. That the materials and amenities applied to the affordable units within the development, that are not equivalent to the market rate units per subsection 18.5.8.050.G.5, are necessary due to local, state, or federal affordable housing standards or financing limitations. 7. The total number of affordable units described in this subsection shall be determined by rounding up fractional answers to the nearest whole unit. A deed restriction or similar legal instrument shall be used to guarantee compliance with affordable criteria for a period of not less than 60 years for units qualified as affordable rental housing, or 30 years for units qualified as affordable for-purchase housing.		e. Transfer of title of buildable land in accordance with this subsection shall exempt the project from the development schedule requirements set forth in subsection 18.5.8.050.G.4. 3. The affordable units shall be comparable in bedroom mix with the market rate units in the development. a. The number of bedrooms per dwelling unit in the affordable units within the residential development shall be in equal proportion to the number of bedrooms per dwelling unit in the market rate units within the residential development. This provision is not intended to require the same floor area in affordable units as compared to market rate units. The minimum square footage of each affordable unit shall comply with the minimum required floor area based as set forth in Table 18.5.8.050.G.3, or as established by the U.S. Department of Housing and Urban Development (HUD) for dwelling units developed under the HOME program.

Current Code Text	Overall Recommendations	Updated Code Text
		Table 18.5.8.050.G.3. Minimum Required Floor Area for Affordable Units 4. A development schedule shall be provided that demonstrates that the affordable housing units per subsection 18.5.8.050.G shall be developed, and made available for occupancy, as follows: a. That 50 percent of the affordable units shall have been issued building permits prior to issuance of a certificate of occupancy for the last of the first 50 percent of the market rate units. b. Prior to issuance of a building permit for the final ten percent of the market rate units, the final 50 percent of the affordable units shall have been issued certificates of occupancy. 5. That affordable housing units shall be constructed using comparable building materials and include equivalent amenities as the market rate units. a. The exterior appearance of the affordable units in any residential development shall be visually compatible with the market rate

Current Code Text	Overall Recommendations	Updated Code Text
		units in the development. External building materials and finishes shall be substantially the same in type and quality for affordable units as for market rate units. b. Affordable units may differ from market rate units with regard to floor area, interior finishes and materials, and housing type; provided, that the affordable housing units are provided with comparable features to the market rate units, and shall have generally comparable improvements related to energy efficiency, including plumbing, insulation, windows, appliances, and heating and cooling systems. 6. Exceptions to the requirements of subsections 18.5.8.050.G.2 through 18.5.8.050.G.5, above, may be approved by the City Council upon consideration of one or more of the following: a. That an alternative land dedication as proposed would accomplish additional benefits for the City, consistent with the purposes of this chapter, than would development meeting the

Current Code Text	Overall Recommendations	Updated Code Text
		on-site dedication requirement of subsection 18.5.8.050.G.2. b. That the alternative phasing proposal not meeting subsection 18.5.8.050.G.4 provided by the applicant provides adequate assurance that the affordable housing units will be provided in a timely fashion. c. That the materials and amenities applied to the affordable units within the development, that are not equivalent to the market rate units per subsection 18.5.8.050.G.5, are necessary due to local, state, or federal affordable housing standards or financing limitations. 7. The total number of affordable units described in this subsection shall be determined by rounding up fractional answers to the nearest whole unit. A deed restriction or similar legal instrument shall be used to guarantee compliance with affordable criteria for a period of not less than 60 years for units qualified as affordable rental housing, or 30 years for units qualified as affordable for-purchase housing. 8. Manufactured Home Parks.

Current Code Text	Overall Recommendations	Updated Code Text
		Annexations consisting solely of a manufactured home park shall be exempt from the affordable housing requirements of subsection 18.5.8.050.G, including but not limited to the requirement that 25 percent of the base density be provided as affordable housing.
18.6.1.030 Definitions		
Manufactured Home: A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.	Keep, it is the same as DLCD definition.	
Mobile Home: A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.	Keep, it is the same as DLCD definition.	

Current Code Text	Overall Recommendations	Updated Code Text
NEW	Use DLCD Definition- Manufactured dwelling. A residential trailer, mobile home, or manufactured home.	Manufactured Dwelling: A residential trailer, mobile home, or manufactured home.
NEW	Use DLCD Definition-Prefabricated dwelling. A prefabricated structure, as defined in ORS 455.010, that is designed for residential occupancy in accordance with Ashland's building regulations.	Prefabricated Dwelling: A prefabricated structure, as defined in ORS 455.010, that is designed for residential occupancy in accordance with Ashland's building regulations.
M. Manufactured Housing Development: A subdivision or park comprised of manufactured homes occupied for dwelling purposes, regardless of whether a charge is made for such accommodation.	Use DLCD Definition-Manufactured dwelling park. Any place where four or more manufactured dwellings, prefabricated dwellings, or recreational vehicles are located within 500 feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person. A manufactured dwelling park does not include a lot or lots located within an approved subdivision being rented or leased	Manufactured Dwelling Park: Any place where four or more manufactured dwellings, prefabricated dwellings, or recreational vehicles are located within 500 feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person. A manufactured dwelling park does not include a lot or lots located within an approved subdivision being rented or leased for occupancy by one manufactured dwelling per lot.

Current Code Text	Overall Recommendations	Updated Code Text
	for occupancy by one manufactured dwelling per lot.	
NEW	Recreational Vehicle. A vehicular-type camping unit certified by the manufacturer as complying with ANSI A1 19.2 or A1 19.5, Oregon Revised Statutes, and primarily designed to provide travel and destination RVing that either has its own motive power or is mounted on or towed by another vehicle.	Recreational Vehicle: A vehicular-type camping unit certified by the manufacturer as complying with ANSI A1 19.2 or A1 19.5, Oregon Revised Statutes, and primarily designed to provide travel and destination RVing that either has its own motive power or is mounted on or towed by another vehicle.

Table 18.2.2.030 –Uses Allowed by Zone

	MHPZ	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Manufactured Home on Individual Lot	S	S	S	S	S	N	N	N	N	N	Sec. 18.2.3.170 and not allowed in Historic District Overlay
Manufactured Housing Development	S	N	S	CU+S	N	N	N	N	N	N	Sec. 18.2.3.180

KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed

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

MHPZA. Agricultural Uses¹

Agriculture, except Keeping of Bees, Livestock and Micro-Livestock, Homegrown Marijuana Cultivation, and Marijuana Production	<u>N</u>	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	<u>N</u>	S	S	S	S	S	S	N	N	N	Sec. 18.2.3.160
Keeping of Livestock	<u>N</u>	S	N	N	N	S	S	N	N	N	
Keeping of Micro-Livestock	<u>N</u>	S	S	S	S	S	S	N	N	N	
Marijuana Cultivation, Homegrown	<u>N</u>	S	S	S	S	S	S	S	S	S	Sec. 18.2.3.190
											See General Industrial, Marijuana Production

B. Residential Uses

Single-Family Dwelling	<u>N</u>	P	P	P	P	P	P	S	S	N	See Single-Family standards in Sec. 18.2.5.090
------------------------	----------	---	---	---	---	---	---	---	---	---	--

Sec. [18.2.3.130](#) for dwellings in C-1 zone and E-1 zone

Dwellings and additions in Historic District Overlay, see Sec. [18.2.3.120](#) and [18.2.5.070](#)

Accessory Residential Unit	<u>S</u>	S	S	S	S	S	S	N	N	N	Sec. 18.2.3.040 and 18.5.2.020.C.2
											Dwellings and additions in Historic District Overlay, see Sec. 18.2.3.120 and 18.2.5.070
Cottage Housing	<u>N</u>	S	N	N	N	N	N	N	N	N	Sec. 18.2.3.090 , Cottage Housing
Duplex	<u>N</u>	S	S	S	S	S	S	S	S	N	Sec. 18.2.3.110 , Duplex, and 18.5.2.020.C.2
											Sec. 18.2.3.130 for

dwellings in C-1
zone and E-1 zone

Dwellings and
additions in Historic
District Overlay, see
Sec. [18.2.3.120](#) and
[18.2.5.070](#)

Manufactured Home on Individual Lot	<u>S</u>	S	S	S	S	N	N	N	N	N	Sec. 18.2.3.170 and not allowed in Historic District Overlay
Manufactured Housing Development	<u>S</u>	N	S	CU+S	N	N	N	N	N	N	Sec. 18.2.3.180
Multifamily Dwelling	<u>N</u>	N	P	P	P	N	N	S	S	N	Sec. 18.2.3.130 for C-1 zone and E-1 zone Dwellings and additions in Historic District Overlay, see Sec. 18.2.3.120 and 18.2.5.070

Rental Dwelling Unit Conversion to For-Purchase Housing	<u>N</u>	N	N	S	S	N	N	N	N	N	Sec. 18.2.3.200
Home Occupation	<u>S</u>	S	S	S	S	S	S	S	S	N	Sec. 18.2.3.150
C. Group Living											
Nursing Homes, Convalescent Homes	<u>N</u>	CU	CU	CU	CU	CU	CU	N	N	N	See chapter 18.3.3 , Health Care Services District
Residential Care Home	<u>P</u>	P	P	P	P	P	P	N	N	N	Subject to State licensing requirements
Residential Care Facility	<u>P</u>	CU	P	P	P	CU	CU	N	N	N	Subject to State licensing requirements
Room and Boarding Facility	<u>N</u>	N	P	P	P	N	N	N	N	N	
D. Public and Institutional Uses											
Airport	<u>N</u>										See chapter 18.3.7 , Airport Overlay
Cemetery, Mausoleum, Columbarium	<u>N</u>	N	N	N	N	CU	N	N	N	N	

Child Care Facility	<u>P</u>	CU	CU	CU	CU	CU	CU	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
Club Lodge, Fraternal Organization	<u>CU</u>	CU	CU	CU	CU	CU	CU	P	CU	CU	
Electrical Substation	<u>N</u>	N	N	N	N	N	N	CU	CU	P	
Hospitals	<u>N</u>	CU	CU	CU	CU	CU	N	N	N	N	See chapter 18.3.3 , Health Care Services District
Governmental Offices and Emergency Services (e.g., Police, Fire); excluding Outdoor Storage	<u>N</u>	CU	CU	N	N	CU	CU	P	P	P	
Mortuary, Crematorium	<u>N</u>	N	N	N	N	CU	N	P	P	P	
Park, Open Space, and Recreational Facility, including playgrounds,	<u>P</u>	P	P	P	P	P	P	N	N	N	

trails, nature preserves, athletic fields, courts, swim pools, and similar uses

Public Parking Facility	<u>N</u>	P	P	P	P	P	P	P	P	P	
Recycling Depot	<u>N</u>	N	N	N	N	N	N	N	P	P	Not allowed within 200 feet of a residential zone
Religious Institution, Houses of Worship	<u>CU</u>	CU	CU	CU	CU	CU	CU	CU	CU	CU	
School, Private (Kindergarten and up)	<u>N</u>	CU	CU	CU	CU	CU	CU	N	N	N	
School, Public (Kindergarten and up)	<u>N</u>	P	P	P	P	P	CU	N	N	N	
School, Private College/Trade/Technical School	<u>N</u>	N	N	N	N	N	N	N	CU	P	
Utility and Service Building, Yard and Structure, Public and Quasi-Public, excluding electrical substations	<u>N</u>	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	<u>N</u>	CU	CU	CU	CU	CU	CU	P or CU	P or CU	P or CU	Chapter 18.4.10
---------------------------------	----------	----	----	----	----	----	----	------------	---------------	------------	---------------------------------

E. Commercial Uses

Amusement/Entertainment, includes theater, concert hall, bowling alley, miniature golf, arcade; excluding drive-up uses	<u>N</u>	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, motorcycles, aircraft, boats, RVs, trucks, etc.	<u>N</u>	N	N	N	N	N	N	S or CU	S or CU	P	Sec. 18.2.3.050 In C-1 zone, fuel sales and service is a permitted use provided within the Freeway 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	<u>N</u>	N	N	N	N	N	N	CU	CU	P	Not allowed within Historic District Overlay
Accessory Travelers' Accommodation (See also Travelers' Accommodation)	<u>N</u>	N	N	CU+S	CU+S	N	N	N	N	N	Sec. 18.2.3.220
Bakery, except as classified as Food Processing	<u>CU</u>	N	N	N	N	N	N	P	P	P	
Commercial Laundry, Cleaning, and Dyeing Establishment	<u>N</u>	N	N	N	N	N	N	S	S	P	Sec. 18.2.3.080
Commercial Recreation, includes country club, golf course, swimming club, and tennis club; excluding intensive uses such as driving range, race track, or amusement	<u>CU</u>	CU	CU	N	N	CU	CU	N	N	N	

park

Drive-Up Use	<u>N</u>	N	N	N	N	N	N	S	N	N	Per Sec. 18.2.3.100 , Drive-Up uses are limited to area east of Ashland St at intersection of Ashland St/Siskiyou Bld
Food Trucks and Food Carts	<u>N</u>	N	N	N	N	N	N	S	S	S	Sec. 18.2.3.145
Hostel	<u>N</u>	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	<u>N</u>	N	N	N	N	N	N	CU	CU	P	

Kennel (See also Veterinary Clinic)	<u>N</u>	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	<u>N</u>	N	CU	CU	CU	N	N	N	N	N	Sec. 18.2.3.210 for Retail Uses Allowed in Railroad Historic District
Lumber Yard and Similar Sales and Rental of Building or Contracting Supplies, or Heavy Equipment	<u>N</u>	N	N	N	N	N	N	CU	CU	P	
Marijuana Retail Sales, includes sale of medical and recreational marijuana	<u>N</u>	N	N	N	N	N	N	S or CU	S or CU	N	Per Sec. 18.2.3.190 , 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. 18.2.3.190
Nightclub, Bar	<u>N</u>	N	N	N	N	N	N	S	CU	P	Not allowed within

the Historic District
Overlay unless
located in C-1-D

Office	<u>CU</u>	N	N	CU	CU	N	N	P	P	P	
Outdoor Storage of Commodities or Equipment associated with an allowed use	<u>N</u>	N	N	N	N	N	N	CU	CU	P	
Plant Nursery, Wholesale, except Marijuana Production	<u>N</u>	N	N	CU	CU	N	N	N	N	N	
Restaurants	<u>CU</u>	N	N	N	N	N	N	P	P	P	
Retail Sales and Services, except Outdoor Sales and Services	<u>CU</u>	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

See Marijuana Retail
Sales

Self-Service Storage, Commercial (Mini-Warehouse)	<u>N</u>	N	N	N	N	N	N	N	CU	P
Travelers' Accommodation (See also Accessory Travelers' Accommodation)	<u>N</u>	N	N	CU+S	CU+S	N	N	N	N	N
Veterinary Clinic	<u>N</u>	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	<u>N</u>	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	<u>N</u>	N	N	N	N	CU+S	N	N	N	N	Sec. 18.2.3.070
Concrete or Asphalt Batch Plant	<u>N</u>	N	N	N	N	N	N	N	N	CU	
Dwelling for a caretaker or watchman	<u>N</u>	N	N	N	N	N	N	N	CU	CU	
Food Products Manufacture/Processing/Preserving, including canning, bottling, freezing, drying, and similar processing and preserving	<u>N</u>	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,	<u>N</u>	N	N	N	N	N	N	N	P or	P or	In E-1 and M-1 zones, marijuana

and Production

S S laboratory, processing, and production are subject to the special use standards in Sec. [18.2.3.190](#)

See Marijuana Cultivation, Homegrown

Manufacture, Light; excluding saw, planing or lumber mills, or molding plants

N 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	<u>N</u>	N	N	N	N	N	N	CU	CU	P
--	----------	---	---	---	---	---	---	----	----	---

Television and Radio Broadcasting Studio	<u>N</u>	N	N	N	N	N	N	N	P	P
---	----------	---	---	---	---	---	---	---	---	---

Wholesale Storage and Distribution, includes Marijuana Wholesale	<u>N</u>	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.
---	----------	---	---	---	---	---	---	---	---	---	--

[18.2.3.190](#)

Wrecking, Demolition, and Junk Yards	<u>N</u>	N	N	N	N	N	N	N	N	CU
---	----------	---	---	---	---	---	---	---	---	----

G. Other Uses

Temporary Tree Sales	<u>N</u>	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. 18.2.2.030.H
---------------	--

1 KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

(Ord. 3263 § 3, amended, 06/03/2025; Ord. 3229 § 2, amended, 12/19/2023; Ord. 3216 §§ 2, 3, amended, 03/15/2023; Ord. 3199 § 3, amended, 06/15/2021; Ord. 3191 § 2, amended, 11/17/2020; Ord. 3167 § 3, amended, 12/18/2018; Ord. 3155 § 1, amended, 07/17/2018; Ord. 3147 § 1, amended, 11/21/2017)

The Ashland Land Use Ordinance is current through Ordinance 3268, passed November 4, 2025.

Disclaimer: The City Recorder's office has the official version of the Ashland Land Use Ordinance. 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.](#)

18.2.3.170 Manufactured Home on Individual Lot

Manufactured dwellings relocated into the City shall conform to City standards. Manufactured homes are permitted on individual lots, subject to all of the following design standards.

A. Floor Plan. ~~The manufactured home shall be multi-sectional and have an enclosed floor area of not less than 1,000 square feet.~~

B. Roof. ~~The manufactured home shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees).~~

C. Residential Building Materials. The manufactured home shall have exterior siding and roofing which in color, material, and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered “superior” to metal siding and roofing).

D. Garages and Carports. ~~Garages and carports shall utilize materials, colors, and design elements that are visually compatible with the primary dwelling. Compatibility shall be consistent with sections 18.4.2.030 (D.) and (E.) If the manufactured home has a garage or carport, the garage or carport shall be constructed of materials like those used on the house.~~

E. Thermal Envelope. The manufactured home shall be certified by the manufacturer to meet the thermal envelope requirements equivalent to those for a single-family dwelling constructed under the building code. Evidence demonstrating that the manufactured home meets “Super Good Cents” energy efficiency standards, or equivalent standard, is deemed to satisfy the exterior thermal envelope certification requirement.

F. Placement. ~~The manufactured home shall conform with building code requirements in chapter 18.4 and the minimum set-up standards of the adopted state Administrative Rules for Manufactured Dwellings, OAR 918. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that it complies with the applicable building code requirements, including the height above grade, and the minimum set-up standards of the adopted state Administrative Rules for Manufactured Dwellings, OAR 918.~~

G. Floodplain. ~~Manufactured homes shall comply with chapter 18.3.10 Physical and Environmental Constraints~~ Manufactured homes located within flood hazard areas shall comply

with chapter 18.3.10 Physical and Environmental Constraints and chapter 15.10.080 Provisions for Flood Hazard Protection, along with all applicable floodplain management requirements of the Federal Emergency Management Agency (FEMA), including but not limited to standards adopted through the National Flood Insurance Program (NFIP).

H. Foundation Skirt. The foundation area of the manufactured home shall be fully skirted with concrete, ~~horizontal wood, or vinyl siding,~~ or other solid materials, pursuant to applicable building codes. Metal siding shall be encouraged to increase fire safety and protection.

I. Design Features. The manufactured home shall incorporate at least two of the single-family design features in section [18.2.5.090](#).

J. Prohibited. The manufactured home shall not be located in a designated historic district.

The Ashland Land Use Ordinance is current through Ordinance 3268, passed November 4, 2025.

Disclaimer: The City Recorder's office has the official version of the Ashland Land Use Ordinance. 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.](#)

18.2.3.180 Manufactured Housing Developments

A. Purpose. The purpose of this section is to encourage the most appropriate use of land for manufactured housing development purposes, to encourage design standards ~~which will create pleasing appearances,~~ to provide sufficient open space for light, air, and recreation, to provide adequate access to manufactured housing sites, and to refer minimum utility service facilities to appropriate City codes.

B. General Provisions.

1. Manufactured housing development may be located or relocated only in R-1-3.5 and R-2 zones, ~~or the MHP zone.~~
2. ~~No manufactured housing developments may be located, relocated, or increased in size or number of units within any other zone.~~
3. No manufactured housing developments may be located within the Historic District Overlay.
4. Manufactured housing developments shall be subject to regulations of this chapter and shall be located only on sites approved for use under the provisions of such chapter. No person shall establish, operate, manage, maintain, alter, or enlarge any manufactured housing development contrary to the provisions of this ordinance.
5. In addition to the requirements of this chapter, all manufactured housing developments shall conform to the regulations of ORS [446](#), together with such administrative rules as may be adopted from time to time, except where such regulations are exceeded by the requirements of this chapter, in which case the more stringent requirements shall apply.

C. Procedure for Approval. The procedure for approving a manufactured home development is the same as for the Performance Standards Option (Outline Plan and Final Plan), pursuant to chapter [18.3.9](#).

D. Manufactured Housing Development Design Standards.

1. Minimum Court Size. A manufactured housing development shall occupy a site of not less than one acre in size.

2. Density. The maximum density permitted shall be 18 manufactured dwelling units per acre, regardless of zoning district. Density calculations, minimum unit counts, and proximity standards shall be determined in accordance with the definition of Manufactured Dwelling Park in this title~~eight manufactured housing units per acre of developed court-area. Manufactured housing which is 14 feet wide or less, or which is less than 800 square feet in size will count as 0.75 units for this calculation.~~

3. Manufactured Housing Sites or Lots. Manufactured housing sites or lots shall meet the minimum dimensional standards established by applicable building and fire codes. No minimum lot width or depth shall be required, provided that each site or lot accommodates required setbacks, access, utilities, and fire separation standards.~~All manufactured housing sites or lots must be at least 2,000 square feet in size, at least 35 feet wide, and at least 40 feet deep.~~

4. Lot Coverage. Maximum lot coverage of any individual manufactured housing lot or site shall be 65 percent in the R-2 zone and 55 percent in the R-1-3.5 zone~~regardless of zoning district. The general lot coverage requirements of the parent zone shall apply to the entire project site.~~~~In addition, the general lot coverage requirements of the parent zone shall also be complied with for the entire project site.~~

5. Setbacks.

a. Exterior Setbacks. Manufactured housing sites along the exterior boundary of the court shall have the same setbacks as required in the parent zone, and no less than a minimum of ~~five~~ 5 feet from a property boundary line.

b. Interior Front Yard Setbacks. Interior setbacks for manufactured housing sites or lots shall comply with applicable building code and fire code separation standards.~~There shall be a front yard on each manufactured home lot or space of at least ten feet.~~

c. Interior Side and Rear Yard Setbacks~~Encroachments.~~ Porches, decks, and similar appurtenances may encroach into required interior setback areas, provided they comply with all applicable building and fire code requirements.~~There shall be side or rear yards of at least five feet. There shall be a minimum separation of ten feet between manufactured housing units.~~

-
6. Street Standards. Public streets shall comply with the design standards contained in Chapter [18.4.6](#). Private streets shall be constructed a minimum of 20 feet in width, consisting of a minimum 16-foot paved vehicular travel lane and constructed to a separated pedestrian walkway of at least four feet in width meeting the same standards as specified for requirements of subsection 18.2.3.180.D.7, or an alley 18-foot paved shared street designed to accommodate both vehicles and pedestrians. ~~A private street may be a dead-end street no more than 300 feet in depth from a higher order road. Adequate~~ If the road is 150 feet or greater, adequate turn-around shall be provided according to standards established by ~~the Planning Commission~~ applicable fire code.
7. Sidewalk Standards. Every manufactured housing development shall have a permanent pedestrian walkway at least 48 inches wide within public rights of way. Private streets must be ADA compliant when connecting all manufactured housing units to public or private streets, common open spaces, parks, and commonly owned buildings and facilities. ~~connecting all manufactured housing units to public or private streets, common open spaces, parks, and commonly owned buildings and facilities.~~
8. Utilities. Provisions for electric, water, and sanitary service shall be made in accordance with established City procedures and law, including number, size, quality, and location of fixtures, connections, and facilities. Telephone and electric lines shall be placed underground.
9. Landscaping.
- a. All areas of the development not occupied by paved roadways, pathways, parking areas, or not occupied by other facilities shall be landscaped. Areas that contain significant natural vegetation may be left in a natural state, if approved on the final landscaping plans. Landscaping and all plantings must comply with wildfire protection standards.
 - b. Manufactured housing developments parks shall have 50 percent of the unbuilt area landscaped. located in an R-1-3.5 zone shall have 45 percent of the entire site landscaped. Developments located in the R-2 zone shall have 35 percent of the entire site landscaped.
10. Fencing. Fencing shall comply with all fencing requirements as per section [18.4.4.060](#).
-

11. Common Open Space. All developments are required to provide a minimum of five percent of the total lot area in common open space. Common open space may be supplemented with outdoor amenities such as benches, water features, a children's play structure, garden, or a fenced dog run.

12. Community Serving Buildings. Community-serving buildings are intended to support the daily needs of residents of a manufactured housing development and to enhance on-site services, social interaction, and management functions without altering the primarily residential character of the development. Non-residential community-serving buildings may be permitted within a manufactured housing development, although such buildings shall be accessory to and primarily serve residents of the development.

1. Permitted Uses. The following community serving uses are permitted outright within a Manufactured Home Park.

Resident serving uses, including:

- a. Manager or administrative office;
- b. Clubhouse or community building;
- c. Resident gathering spaces, including facilities for extreme weather shelter (e.g., heat, smoke, or similar events);
- d. Laundry facilities;
- e. Recreation and wellness facilities (e.g., fitness room, game room, or library);
- f. Shared community kitchen or food preparation space;
- g. Resident storage, maintenance, and operations buildings;
- h. Mail and package facilities;
- i. Childcare facilities and childcare centers, which may serve park residents and the general public.

2. Conditional Uses. Commercial uses open to the public, other than childcare, may be permitted subject to a Conditional Use Permit pursuant to AMC 18.5.4, including

retail, general office, professional or personal service offices, food service (e.g., café), and personal services.

3. Scale Limitation. The combined gross floor area of all uses authorized under this section, whether permitted outright or approved through a Conditional Use Permit, shall not exceed the greater of:

a. 100 square feet per unit; or

b. 2,500 square feet of gross floor area.

4. Compatibility. Uses shall be subordinate to and compatible with the residential character of the park. Conditional uses shall demonstrate compliance with AMC 18.5.4.

1. ~~5.~~ Outdoor seating, play areas, or gathering spaces associated with community-serving uses shall be integrated into the site's open space and pedestrian network.

12. ~~Play Area. If the manufactured housing development accommodates children less than 14 years of age, a separate general play area a minimum of 2,500 square feet in size, or 100 square feet of play area per unit, whichever is greater, shall be provided.~~

E. Manufactured Housing Unit Standards. All manufactured housing units located in approved manufactured housing developments shall comply with all of the following requirements.

1. Manufactured housing units shall not be subject to a maximum floor area requirement. For the purposes of densification, manufactured housing units with a floor area of less than 500 square feet shall be counted as one-half (0.5) of a dwelling unit. ~~Manufactured housing units shall be a minimum of 650 square feet in size.~~

2. ~~Manufactured housing units shall be at least 12 feet wide.~~

2. Manufactured housing units shall have the Oregon Department of Commerce "Insignia of Compliance." The Building Official shall inspect the manufactured housing unit and occupancy shall be approved only if the Building Official has determined that the manufactured housing unit has a valid insignia of compliance and has not deteriorated beyond an acceptable level of compliance.

3. Manufactured housing units shall be placed on permanent foundations, with wheels and hitches removed, be fully skirted or bermed, and shall have no uncovered openings except for vents of sufficient strength to support the loads imposed by the manufactured housing unit, based on accepted engineering design standards, as approved by the Building Official.
4. Manufactured housing units shall be provided with City water, sewer, electricity, telephone, and storm drainage, with easements dedicated where necessary.
5. Manufactured housing units shall comply with the thermal envelope requirements for heat loss required by the building code for single-family detached homes.
- ~~7. Manufactured housing units shall have a deck or patio area adjacent to the home. The deck or patio shall be constructed of a permanent material and shall be at least 80 square feet in size, with a minimum width of eight feet in its least dimension.~~
6. Notwithstanding the above, any manufactured home legally located within the Ashland Urban Growth Boundary prior to July 1, 1990, may be relocated to an approved manufactured home development, subject to a fire and life safety inspection by the Building Official.

F. Storage and Temporary Occupancy of Manufactured Homes.

1. A no-charge permit from the Staff Advisor is required for the storage of any manufactured housing unit on the home premises of the owner for any length of time when not used for living purposes; provided, however, that all units so stored shall abide by the yard requirements for accessory buildings in this chapter.
2. No manufactured housing unit shall be stored on a public street except for temporary maneuvering purposes.
3. For temporary occupancy of a manufactured housing unit, see subsection [18.2.2.030.H.3.](#)

G. Nonconforming Manufactured Housing Developments. Notwithstanding the provisions of chapter [18.1.4](#), Nonconforming Situations, manufactured housing development and an individual manufactured housing unit utilized for living purposes on the effective date of this ordinance or of amendments thereto, which do not conform to the regulations of this chapter,

shall be deemed to be nonconforming and may be continued, subject to the following regulations:

1. Routine maintenance and repairs may be performed within the manufactured housing development or upon individual manufactured housing units.

2. No nonconforming manufactured housing development shall be enlarged, remodeled, or modernized except in conformance with all requirements of this chapter; however, enlargement, remodeling, or modernization of an area of less than two acres may be approved through the conditional use permit procedure contained in this ordinance, except that an area of less than two acres for a development to be enlarged, remodeled, or modernized may be approved through the conditional use permit procedure contained in this ordinance.

a. Phased Compliance and Hardship Consideration. As part of a conditional use permit review for a nonconforming manufactured housing development, the applicant may request approval of phased or partial compliance with current standards where full compliance would result in demonstrable financial hardship.

b. Review Criteria. In evaluating such a request, the decision-making body shall consider:

- i. The extent to which the proposal improves the health, safety, and habitability of the manufactured housing development;
- ii. Whether the proposed improvements represent a reasonable progression toward conformance with this chapter;
- iii. The documented financial burden of requiring full compliance at the time of application; and
- iv. Whether the proposal avoids expanding or intensifying the nonconforming aspects of the development.
- v. Where the proposal provides fire apparatus access and egress.

c. Limitations. Approval under this subsection shall not:

i. Allow an increase in the number of manufactured housing spaces beyond what legally existed at the time the development became nonconforming; or

ii. Permanently exempt the development from future compliance with this chapter.

3. No manufactured housing unit shall be located on the site of, or substituted for, a nonconforming manufactured housing unit, the use of which has been discontinued, except within a manufactured housing development holding a certificate of sanitation issued by the Board of Health, State of Oregon, issued prior to the effective date of this chapter. Relocation of existing units within the Ashland Urban Growth Boundary is exempted as provided in subsection [18.2.3.180.E.8](#).

4. If a nonconforming manufactured housing development holding a certificate of sanitation issued by the Board of Health, State of Oregon, ceases operation for a period of six months or more, said development shall be considered abandoned and shall be reinstituted only in conformance with the requirements of this chapter.

H. Special Conditions. For the mitigation of adverse impacts, the City may impose conditions, including, but not limited to, requiring view-obscuring shrubbery, walls, or fences, and requiring retention of specified trees, rocks, water ponds or courses, or other natural features. (Ord. 3229 § 3, amended, 12/19/2023; Ord. 3191 § 4, amended, 11/17/2020)

The Ashland Land Use Ordinance is current through Ordinance 3268, passed November 4, 2025.

Disclaimer: The City Recorder's office has the official version of the Ashland Land Use Ordinance. 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.](#)

18.3.9.020 Applicability

Developments exercising the Performance Standards option, including developments that are required to apply the option pursuant to this ordinance, shall meet the provisions of this chapter and all other applicable sections of this ordinance; except that developments subject to this chapter are not required to meet the minimum lot size, lot width, lot depth, and setback standards of part [18.2](#), and other standards as specifically provided by this chapter. The Performance Standards option may be used to divide residential and non-residential zoned land, or to approve cottage housing developments and manufactured housing developments.

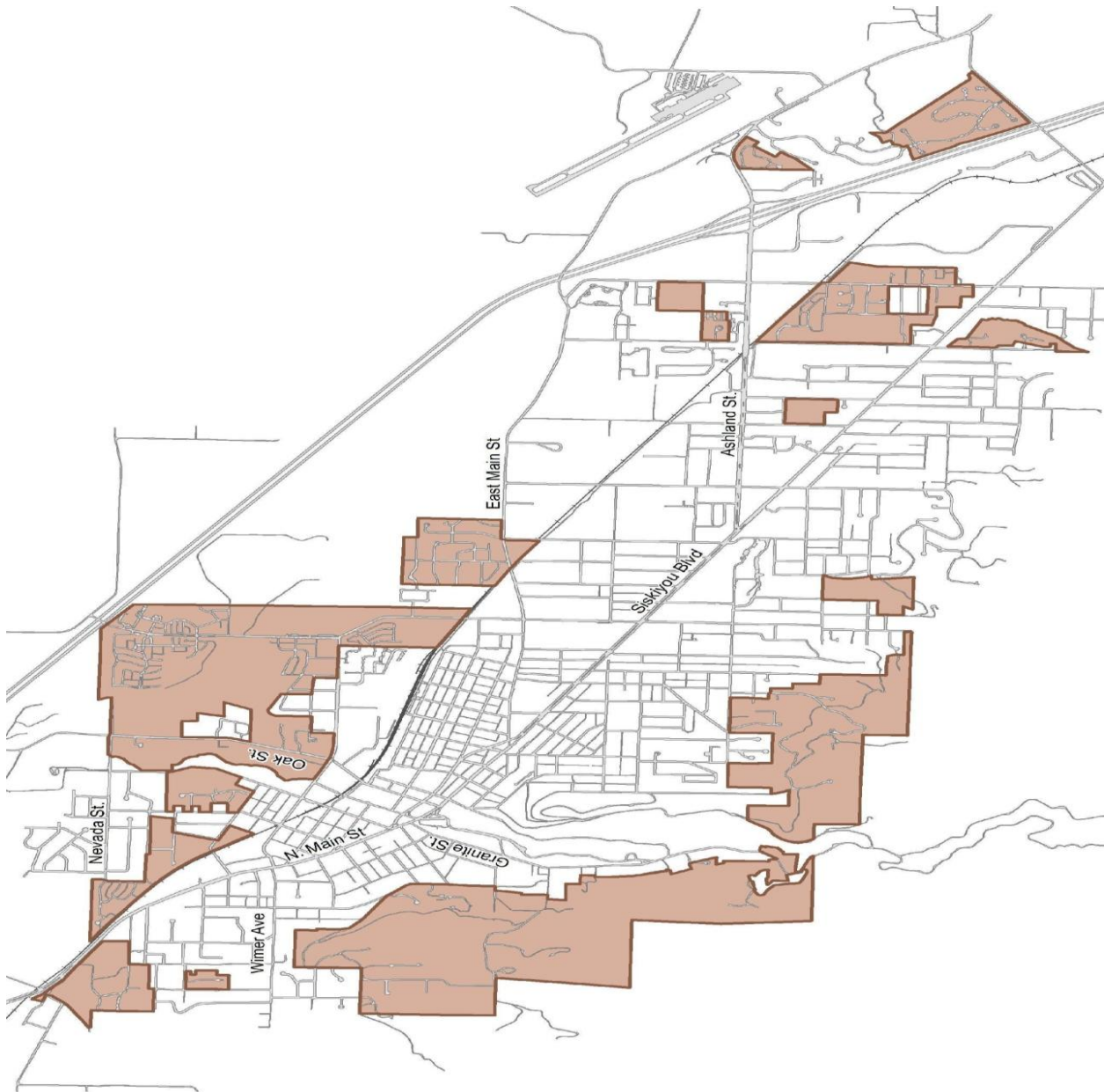


Figure 18.3.9.020. Performance Standards Option Overlay

The Ashland Land Use Ordinance is current through Ordinance 3268, passed November 4, 2025.

The Ashland Land Use Ordinance is current through Ordinance 3268, passed November 4, 2025.

Disclaimer: The City Recorder's office has the official version of the Ashland Land Use Ordinance. 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.](#)

18.3.9.030 PSO-Overlay

A. Purpose. The purpose of the PSO overlay is to distinguish between those areas that have been largely developed under the subdivision code, and those areas which, due to the undeveloped nature of the property, sloping topography, or the existence of vegetation or natural hazards, are more suitable for development under Performance Standards.

B. Applicability. This chapter applies to properties located in the Performance Standards Option Overlay (PSO) as depicted on the Zoning Map. All developments in the PSO overlay, other than partitions and development of individual dwelling units, shall be processed under this chapter. The minimum number of dwelling units for a Performance Standards Subdivision within residential zoning districts is three.

C. Permitted Uses. In a PSO overlay, the granting of the application shall be considered an outright permitted use, subject to review by the Planning Commission for compliance with the standards set forth in this ordinance and the guidelines adopted by the City Council.

D. Development Outside PSO-Overlay. If a parcel is not in a PSO overlay, then development under this chapter may only be approved if one or more of the following conditions exist.

1. The parcel is larger than two acres and is greater than 200 feet in average width.
2. That development under this chapter is necessary to protect the environment and the neighborhood from degradation which would occur from development to the maximum density allowed under subdivision standards, or would be equal in its aesthetic and environmental impact.
3. The property is zoned R-2, R-3 or CM.
4. The property is developed as a cottage housing development or as a manufactured housing development consistent with the standards in sections 18.2.3.090 and 18.2.3.180.

(Ord. 3147 § 6, amended, 11/21/2017)

The Ashland Land Use Ordinance is current through Ordinance 3268, passed November 4, 2025.

Disclaimer: The City Recorder's office has the official version of the Ashland Land Use Ordinance. 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.](#)

18.3.9.040 Review Procedures and Criteria

Review Steps. There are two required steps to Performance Standards Options and PSO Overlay approval, which may be completed individually or combined for concurrent review pursuant to subsection [18.3.9.040.A](#).

1. Application for outline plan approval.
2. Application for final plan approval.

Permitting and guarantees for public improvements, including bonding, and the creation of common areas shall follow the same procedures as for a subdivision.

A. Outline Plan. A proposed outline plan shall accompany applications for subdivision approval under this chapter. For developments of fewer than ten lots, the outline plan may be filed concurrently with the final plan, as that term is defined in subsection [18.3.9.040.B.4](#). For developments of ten or more lots, other than manufactured housing developments or cottage housing developments, prior outline plan approval is mandatory.

1. Review Procedure. The Type II procedure in section [18.5.1.060](#) shall be used for the approval of the outline plan.
2. Application Submission Requirements. The following information is required for a performance standards subdivision outline plan application submittal:
 - a. A topographic map showing contour intervals of five feet.
 - b. The proposed land uses and approximate locations of the existing buildings to be retained, the proposed structures on the site, the proposed and existing property lines and easements on the site, and existing buildings, structures, and trees greater than six inches in diameter measured at breast height on the properties adjacent to the site, and all buildings within 160 feet of the site boundaries.
 - c. The locations of all proposed thoroughfares, walkways, and parking facilities.
 - d. Public uses, including schools, parks, playgrounds, and trails.
 - e. Public or private utilities.

-
- f. General areas of cuts and fill.
 - g. The location of natural features such as rock outcroppings, marshes, wooded areas, and isolated preservable trees.
 - h. The location and direction of all watercourses and areas subject to flooding.
 - i. Proposed common and private open spaces. Private open spaces shall be indicated if the areas are proposed as part of the required open space area for the development in section [18.4.4.070](#) (i.e., eight percent of total lot area in open space).
 - j. Plans shall indicate building envelopes for all proposed lots, which show the area and maximum height of improvements, including solar access and view protection where required.
 - k. Elevations of typical proposed residential structures. Elevations should be to scale and should include the approximate dimensions of the proposed structures and all attached exterior hardware for heating and cooling.
 - l. A written statement containing an explanation of:
 - i. The character of the proposed development and the manner in which it has been designed to take advantage of the performance standards concept.
 - ii. The proposed manner of financing.
 - iii. The present ownership of all the land included within the development.
 - iv. The method proposed to maintain common areas, such as common open space, common buildings and private drives and driveways.
 - v. The proposed time schedule of the development.
 - vi. The findings of the applicant showing that the development meets the criteria set forth in this ordinance and the Comprehensive Plan.
3. Approval Criteria for Outline Plan. The Planning Commission shall approve the outline plan when it finds all of the following criteria have been met:
- a. The development meets all applicable ordinance requirements of the City.

- b. Adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a City facility to operate beyond capacity.
- c. The existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the common open space, common areas, and unbuildable areas.
- d. The development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.
- e. There are adequate provisions for the maintenance of common open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.
- f. The proposed density meets the base and bonus density standards established under this chapter.
- g. The development complies with the street standards.
- h. The proposed development meets the common open space standards established under section [18.4.4.070](#). Common open space requirements may be satisfied by public open space in accordance with section [18.4.4.070](#) if approved by the City of Ashland.

4. Approval of the Outline Plan.

- a. After the City approves an outline plan and adopts any zone change necessary for the development, the developer may then file a final plan in phases or in its entirety.
- b. If an outline plan is phased, 50 percent of the value of the common open space shall be provided in the first phase and all common open space shall be provided when two-thirds of the units are finished.

B. Final Plan.

1. Review Procedure. The Type I procedure in section [18.5.1.050](#) shall be used for approval of final plans, unless an outline plan has been filed concurrently, in which case Type II procedure shall be used, and the criteria for approval of an outline plan shall also be applied.
2. Phasing. The final plan may be filed in phases as approved on the outline plan.
3. Expiration. If the final plan or the first phase of the outline plan is not approved within 18 months from the date of the approval of the outline plan, then the approval of the plan is terminated and void and of no effect whatsoever.
4. Application Submission Requirements. The following information is required for a performance standards subdivision final plan application submittal:
 - a. A topographic map showing contour intervals of five feet.
 - b. Location of all thoroughfares and walks, their widths and nature of their improvements, and whether they are to be public or private.
 - c. Road cross-sections and profiles, clearly indicating the locations of final cuts and fills, and road grades.
 - d. The location, layout, and servicing of all off-street parking areas.
 - e. The property boundary lines.
 - f. The individual lot lines of each parcel that are to be created for separate ownership.
 - g. The location of easements for water line, fire hydrants, sewer and storm sewer lines, and the location of the electric, gas, telephone lines, telephone cable, and lighting plans.
 - h. Landscaping and tree planting plans with the location of the existing trees and shrubs which are to be retained, and the method by which they are to be preserved.
 - i. Common areas and common and private open spaces, and the particular uses intended for them. Private open spaces shall be indicated if the areas are proposed as part of the required open space area for the development in section [18.4.4.070](#) (i.e., eight percent of total lot area in open space).

-
- j. Areas proposed to be conveyed, dedicated, reserved or used for parks, scenic ways, playgrounds, schools or public buildings.
 - k. A plan showing the following for each existing or proposed building or structure for all sites except single-family, detached housing which meets the parent zone setbacks.
 - i. Its location on the lot and within the planned unit development.
 - ii. Its intended use.
 - iii. The number of dwelling units in each residential building.
 - iv. Plans shall indicate building envelopes for all proposed lots, which show the area and maximum height of improvements, including solar access and view protection where required.
 - l. Elevations of typical proposed residential structures. Elevations should be to scale and should include the approximate dimensions of the proposed structures and all attached exterior hardware for heating and cooling.
 - m. Manner of financing.
 - n. Development time schedule.
 - o. If individual lots are to be sold, a final plat is required, similar to that required for a subdivision, per chapter [18.5.3](#), Land Divisions and Property Line Adjustments.
 - p. Final plans for location of water, sewer, drainage, electric and cable T.V. facilities, and plans for street improvements and grading or earth-moving improvements.
 - q. The location of all trees over six inches diameter at breast height, which are to be removed by the developer. Such trees are to be tagged with flagging at the time of final plan approval. See also chapter [18.4.5](#), Tree Preservation and Protection.
5. Approval Criteria for Final Plan. Final plan approval shall be granted upon finding of substantial conformance with the outline plan. This substantial conformance provision is intended solely to facilitate the minor modifications from one planning step to another. Substantial conformance shall exist when comparison of the outline plan with the final plan meets all of the following criteria:

-
- a. The number of dwelling units vary no more than ten percent of those shown on the approved outline plan, but in no case shall the number of units exceed those permitted in the outline plan.
 - b. The yard depths and distances between main buildings vary no more than ten percent of those shown on the approved outline plan, but in no case shall these distances be reduced below the minimum established within this ordinance.
 - c. The common open spaces vary no more than ten percent of that provided on the outline plan.
 - d. The building size does not exceed the building size shown on the outline plan by more than ten percent.
 - e. The building elevations and exterior materials are in conformance with the purpose and intent of this ordinance and the approved outline plan.
 - f. That the additional standards which resulted in the awarding of bonus points in the outline plan approval have been included in the final plan with substantial detail to ensure that the performance level committed to in the outline plan will be achieved.
 - g. The development complies with the street standards.
 - h. Nothing in this section shall limit reduction in the number of dwelling units or increased open space; provided, that if this is done for one phase, the number of dwelling units shall not be transferred to another phase, nor the common open space reduced below that permitted in the outline plan.
6. Any substantial amendment to an approved final plan shall follow a Type I procedure in section [18.5.1.050](#) and be reviewed in accordance with the above criteria. (Ord. 3191 § 16, amended, 11/17/2020)

The Ashland Land Use Ordinance is current through Ordinance 3268, passed November 4, 2025.

Disclaimer: The City Recorder's office has the official version of the Ashland Land Use Ordinance. 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.](#)

18.5.8.050 Approval Criteria and Standards

An application for an annexation may be approved if the proposal meets the applicable criteria in subsections [A](#) through [H](#) below. The approval authority may, in approving the application, impose conditions of approval consistent with the applicable criteria and standards, and grant exceptions and variances to the criteria and standards in this section in accordance with subsection [I](#).

- A. The annexed area is within the City's Urban Growth Boundary.
- B. The annexation proposal is consistent with the Comprehensive Plan designations applicable to the annexed area, including any applicable adopted neighborhood, master, or area plan, and is an allowed use within the proposed zoning.
- C. The annexed area is contiguous with the City limits.
- D. Adequate City facilities for the provision of water to the annexed area as determined by the Public Works Department; the transport of sewage from the annexed area to an approved waste water treatment facility as determined by the Public Works Department; the provision of electricity to the annexed area as determined by the Electric Department; urban storm drainage as determined by the Public Works Department can and will be provided from the annexed area. Unless the City has declared a moratorium based upon a shortage of water, sewer, or electricity, it is recognized that adequate capacity exists system-wide for these facilities. All required public facility improvements shall be constructed and installed in accordance with subsection [18.4.6.030.A](#).
- E. Adequate transportation can and will be provided to serve the annexed area. For the purposes of this section, "adequate transportation" for annexations consists of vehicular, bicycle, pedestrian, and transit transportation meeting the following standards:
 - 1. For vehicular transportation a minimum 22-foot-wide paved access exists, or can and will be constructed, providing access to the annexed area from the nearest fully improved collector or arterial street. All streets bordering on the annexed area shall be improved, at a minimum, to an applicable City half-street standard. The approval authority may, after assessing the impact of the development, require the full improvement of streets bordering on the annexed area. All streets located within annexed areas shall be fully

improved to City standards unless exception criteria apply. Where future street dedications are indicated on the Street Dedication Map or required by the City, provisions shall be made for the dedication and improvement of these streets and included with the application for annexation.

2. For bicycle transportation, safe and accessible bicycle facilities according to the safety analysis and standards of the governing jurisdiction of the facility or street (e.g., City of Ashland, Jackson County, Oregon Department of Transportation) exist, or can and will be constructed. Should the annexed area border an arterial street, bike lanes shall be constructed along the arterial street frontage of the annexed area. Likely bicycle destinations within a quarter of a mile from the annexed area shall be determined and the approval authority may require the construction of bicycle lanes or multiuse paths connecting the annexed area to the likely bicycle destinations after assessing the impact of the development proposed concurrently with the annexation.

3. For pedestrian transportation, safe and accessible pedestrian facilities according to the safety analysis and standards of the governing jurisdiction of the facility or street (e.g., City of Ashland, Jackson County, Oregon Department of Transportation) exist, or can and will be constructed. Full sidewalk improvements shall be provided on one side of all streets bordering on the proposed annexed area. Sidewalks shall be provided as required by ordinance on all streets within the annexed area. Where the annexed area is within a quarter of a mile of an existing sidewalk system or a location with demonstrated significant pedestrian activity, the approval authority may require sidewalks, walkways or multiuse paths to be constructed and connect to either or both the existing system and locations with significant pedestrian activity.

4. For transit transportation, should transit service be available to the annexed area, or be likely to be extended to the annexed area in the future based on information from the local public transit provider, the approval authority may require construction of transit facilities, such as bus shelters and bus turnout lanes.

5. Timing of Transportation Improvements. All required transportation improvements shall be constructed and installed in accordance with subsection [18.4.6.030.A](#).

F. For all residential annexations, except manufactured home parks, a plan shall be provided demonstrating that the development of the annexed area will ultimately occur at a minimum density of 90 percent of the base density for the zone, unless reductions in the total number of

units are necessary to accommodate significant natural features, topography, access limitations, or similar physical constraints.

Manufactured Home Parks. Annexed manufactured home parks shall not be required to comply with minimum density standards applicable to other residential development, provided that the manufactured home park is developed and maintained at a density not exceeding 18 dwelling units per acre.

The owner or owners of the annexed area shall sign an agreement, to be recorded with the County Clerk after approval of the annexation, ensuring that future development will occur in accord with the minimum density indicated in the development plan. For purposes of computing maximum density, portions of the annexed area containing unbuildable lots, parcels, or portions of the annexed area such as existing streets and associated rights-of-way, railroad facilities and property, wetlands, floodplain corridor lands, slopes greater than 35 percent, or land area dedicated as a public park, shall not be included.

G. Except as provided in subsection [18.5.8.050.G.7](#) and [G.8](#), below, annexations with a density or potential density of four residential units or greater and involving residential zoned lands, or commercial, employment or industrial lands with a Residential Overlay (R-Overlay) shall meet the following requirements:

1. The total number of affordable units provided to qualifying buyers, or to qualifying renters, shall be equal to or exceed 25 percent of the base density as calculated using the unit equivalency values set forth herein. The base density of the annexed area for the purpose of calculating the total number of affordable units in this section shall exclude any unbuildable lots, parcels, or portions of the annexed area such as existing streets and associated rights-of-way, railroad facilities and property, wetlands, floodplain corridor lands, water resource areas, slopes greater than 35 percent, or land area dedicated as a public park.
 - a. Ownership units restricted to households earning at or below 120 percent of the area median income shall have an equivalency value of 0.75 unit.
 - b. Ownership units restricted to households earning at or below 100 percent of the area median income shall have an equivalency value of 1.0 unit.

-
- c. Ownership or rental units restricted to households earning at or below 80 percent of the area median income shall have an equivalency value of 1.25 unit.
2. As an alternative to providing affordable units per section [18.5.8.050.G.1](#), above, the applicant may provide title to a sufficient amount of buildable land for development complying with subsection [18.5.8.050.G.1.b](#), above, through transfer to a non-profit (IRC 501(3)(c)) affordable housing developer or public corporation created under ORS [456.055](#) to [456.235](#).
- a. The land to be transferred shall be located within the project meeting the standards set forth in sections [18.5.8.050.G.5](#) and [18.5.8.050.G.6](#).
- b. All needed public facilities shall be extended to the area or areas proposed for transfer.
- c. Prior to commencement of the project, title to the land shall be transferred to the City, an affordable housing developer which must either be a unit of government, a non-profit 501(c)(3) organization, or a public corporation created under ORS [456.055](#) to [456.235](#).
- d. The land to be transferred shall be deed restricted to comply with Ashland's affordable housing program requirements.
- e. Transfer of title of buildable land in accordance with this subsection shall exempt the project from the development schedule requirements set forth in subsection [18.5.8.050.G.4](#).
3. The affordable units shall be comparable in bedroom mix with the market rate units in the development.
- a. The number of bedrooms per dwelling unit in the affordable units within the residential development shall be in equal proportion to the number of bedrooms per dwelling unit in the market rate units within the residential development. This provision is not intended to require the same floor area in affordable units as compared to market rate units. The minimum square footage of each affordable unit shall comply with the minimum required floor area based as set forth in Table [18.5.8.050.G.3](#), or as established by the U.S. Department of Housing and Urban Development (HUD) for dwelling units developed under the HOME program.
-

Table 18.5.8.050.G.3. Minimum Required Floor Area for Affordable Units

Unit Type	Minimum Required Unit Floor Area (Square Feet)
Studio	350
1 bedroom	500
2 bedroom	800
3 bedroom	1,000
4 bedroom	1,250

4. A development schedule shall be provided that demonstrates that the affordable housing units per subsection [18.5.8.050.G](#) shall be developed, and made available for occupancy, as follows:
 - a. That 50 percent of the affordable units shall have been issued building permits prior to issuance of a certificate of occupancy for the last of the first 50 percent of the market rate units.
 - b. Prior to issuance of a building permit for the final ten percent of the market rate units, the final 50 percent of the affordable units shall have been issued certificates of occupancy.
5. That affordable housing units shall be constructed using comparable building materials and include equivalent amenities as the market rate units.
 - a. The exterior appearance of the affordable units in any residential development shall be visually compatible with the market rate units in the development. External building materials and finishes shall be substantially the same in type and quality for affordable units as for market rate units.
 - b. Affordable units may differ from market rate units with regard to floor area, interior finishes and materials, and housing type; provided, that the affordable housing units are provided with comparable features to the market rate units, and shall have

generally comparable improvements related to energy efficiency, including plumbing, insulation, windows, appliances, and heating and cooling systems.

6. Exceptions to the requirements of subsections [18.5.8.050.G.2](#) through [18.5.8.050.G.5](#), above, may be approved by the City Council upon consideration of one or more of the following:

- a. That an alternative land dedication as proposed would accomplish additional benefits for the City, consistent with the purposes of this chapter, than would development meeting the on-site dedication requirement of subsection [18.5.8.050.G.2](#).
- b. That the alternative phasing proposal not meeting subsection [18.5.8.050.G.4](#) provided by the applicant provides adequate assurance that the affordable housing units will be provided in a timely fashion.
- c. That the materials and amenities applied to the affordable units within the development, that are not equivalent to the market rate units per subsection [18.5.8.050.G.5](#), are necessary due to local, state, or federal affordable housing standards or financing limitations.

7. The total number of affordable units described in this subsection shall be determined by rounding up fractional answers to the nearest whole unit. A deed restriction or similar legal instrument shall be used to guarantee compliance with affordable criteria for a period of not less than 60 years for units qualified as affordable rental housing, or 30 years for units qualified as affordable for-purchase housing.

8. Manufactured Home Parks. Annexations consisting solely of a manufactured home park shall be exempt from the affordable housing requirements of subsection 18.5.8.050.G, including but not limited to the requirement that 25 percent of the base density be provided as affordable housing.

H. One or more of the following standards are met:

1. The annexation proposal shall meet the requirements of subsection [18.5.8.050.B](#), above.
2. A current or probable danger to public health exists within the proposed area for annexation due to lack of full City sanitary sewer or water services in accordance with the criteria in ORS chapter [222](#) or successor state statute.

3. Existing development in the proposed area for annexation has inadequate water or sanitary sewer service, or the service will become inadequate within one year.
4. The proposed area for annexation has existing City water or sanitary sewer service extended, connected, and in use, and a signed consent to annexation agreement has been filed and accepted by the City.
5. The proposed area for annexation is an island surrounded by lands within the City limits.

I. Exceptions and Variances to the Annexation Approval Criteria and Standards. The approval authority may approve exceptions to and variances from the approval criteria and standards in this section using the criteria in section [18.4.6.020.B.1](#), Exceptions to the Street Design Standards, or chapter [18.5.5](#), Variances. (Ord. 3204 § 3, amended, 12/21/2021)

The Ashland Land Use Ordinance is current through Ordinance 3268, passed November 4, 2025.

Disclaimer: The City Recorder's office has the official version of the Ashland Land Use Ordinance. 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.](#)

18.6.1.030 Definitions

The following definitions are organized alphabetically.

A.

Access Easement. An easement conveyed for the purpose of providing vehicle, bicycle, and/or pedestrian access from a public street to a lot or parcel across intervening property under separate ownership. Cross Access Easement is an easement providing vehicular access between two or more separate sites, so that the driver need not enter the public street system between sites.

Access Management. The systematic control of the location, spacing, design, and operation of driveways, median openings, interchanges, and street connections to a roadway to minimize conflicts between turning and through vehicles, bicyclists, and pedestrians. The purpose of access management is to provide access to land development in a manner that preserves the safety and efficiency of the transportation system. Public facility measures to support access management include roadway design applications, such as minimum spacing of driveways, median treatments, and the appropriate spacing of traffic signals.

Access Point. A connection providing for the movement of vehicles to or from a lot or parcel to a public roadway.

Accessible. Two meanings are possible depending on the specific code provision: In general, accessible means approachable by pedestrians, bicyclists, vehicles, or other transportation modes, as applicable. Accessible may also mean approachable and useable by people with disabilities, in conformance with the Federal Americans with Disabilities Act. Either or both definitions may apply in a particular situation.

Accessory Building or Structure. A building or structure of secondary importance or function on a site, and which is located on the same lot with the primary use. Examples of accessory structures include but are not limited to: buildings not attached to the main building (e.g., garages, carports, guest houses, workshops, and sheds), arbors, gazebos, and mechanical equipment. See also, definition of Dwelling – Accessory Residential Unit.

Accessory Equipment. For the purposes of implementing chapter [18.4.10](#) Wireless Communication Facilities, all appurtenances defined in wireless communication facilities, with the exception of the support structure and antennas.

Accessory Travelers' Accommodation. Transient lodging in a residential zone where the property owner resides in a dwelling on its own lot and rents no more than two bedrooms under a single reservation to overnight guests on one or more occasions for a period of less than 30 consecutive days.

Accessory Use. A use or activity that is subordinate to a primary use and that is clearly incidental to the primary use on a site. See also, definition of Primary Use.

Addition. Construction that increases the size of the original structure by building outside existing walls and/or roof.

Agricultural Structures. Structures intended primarily or exclusively for support of an agricultural function, and exemplified by, but not restricted to barns, silos, water towers, windmills, greenhouses.

Agriculture or Agricultural Use. The use of the land for crops and tree farming; the tilling of the soil, and the raising of field and tree crops.

Aircraft Hangar (including Conventional, Executive and T-Hangar). A building structure designed to hold aircraft and associated equipment and materials in protective storage, generally built of metal, but other materials such as wood and concrete are also used.

Airspace Obstruction. Any structure, tree, land mass, or use of land which penetrates a transitional, horizontal, or conical surface of an airport, airport approach, or airport overlay as defined by this Title and/or regulations of the Federal Aviation Administration.

Alcove. Any small recessed or niched space.

Alter or Alteration. For the purposes of implementing chapter [18.3.11](#) Water Resource Protection Zones Overlay, any human-induced physical change to the existing condition of land or improvements thereon including but not limited to clearing, grubbing, draining, removal of vegetation (chemical or otherwise), excavation, grading, placement of fill material, placement of structures or impervious surfaces, or other construction. Permit to be Altered means allowing or failing to prevent the alteration. See also, definitions related to Signs, below.

Annexed Area. A property or group of adjacent properties, including public right-of-way, to be annexed.

Antenna. The device used to capture an incoming or to transmit an outgoing radio-frequency signal from wireless communication systems. Antennas include the following types.

1. Omni-Direction (whip) Antenna - receives and transmits signals in a 360 degree pattern.
2. Directional or Parabolic (panel or disk) Antenna - receives and transmits signals in a directional pattern. They are typically rectangular in shape.
3. Microwave Antennas - receives and transmits to link two telecommunication facilities together by line of sight. They are typically circular or parabolic in shape and can be a grid or solid material.

Apiary. The assembly of one or more colonies of bees at a single location.

Applicant. A person who applies for a permit or approval under this ordinance. An applicant can be the owner of the property, a contract purchaser, or someone who is legally authorized to represent the owner, such as a planner, builder, or developer.

Approval Authority. The Staff Advisor, Planning Commission or its Hearings Board, Hearings Officer, or City Council as determined by the applicable procedural requirements.

Arborist. A person licensed by the State of Oregon Landscape Contractors Board or Construction Contractors Board who is certified as an arborist from the International Society of Arboriculture or American Society of Consulting Arborists.

Arcade. A covered passageway with a series of open archways on one or both sides.

Architect. An architect licensed by the State of Oregon.

Architectural Projection. Eaves, decorative extensions, bay windows having no floor space, or other portions of a building having no living space or key structural value.

Ashland Municipal Code (AMC). The complete codification of the general ordinance of the City of Ashland.

Automobile Service Station. A business that dispenses or sells fuel and services and performs light repair to automobiles and light trucks including tune-ups and transmission or drive train

repairs, but does not include the outside storage of automobiles or materials such as tires, auto parts, etc.

Automotive and Truck Repair Service. Establishments primarily engaged in providing automobile and truck repair.

Average Slope. For the purposes of determining the area to remain in a natural state in Hillside Lands, average slope for a parcel of land or for an entire project is calculated before grading using the following formula:

$$S = .00229(I)(L)A$$

where "S" is the average percent of slope; ".00229" is the conversion factor for square feet; "I" is the contour interval in feet; "L" is the summation of length of the contour lines in scale feet; and "A" is the area of the parcel or project in acres.

Awning. A lightweight, exterior roof-like shade that projects over a window or door.

B.

Balcony. A railed or balustrade platform that project from a wall.

Ballot Measure 49 – Definitions Related to Chapter 18.5.10 Ballot Measure 49 Claims.

- Ballot Measure 49The measure enacted by the voters at the November, 2007 General Election, which amended ORS chapter [197](#). Ballot Measure 49 Claim means a written demand for compensation filed under section 12 to 14 of Measure 49 and ORS 197.25, as in effect on and after the effective date of Measure 49. Claimant in this context means the person who has filed a claim. The claimant must be a current owner of the property that is the subject of the claim.
- Fair Market ValueThe amount of money, in cash, that the property would bring if the property were offered for sale by a person who desires to sell the property but is not obligated to sell the property, and if the property were bought by a person who was willing to buy the property but not obligated to buy the property. The fair market value is the actual value of property, with all of the property's adaptations to general and special purposes. The fair market value of property does not include any prospective value, speculative value, or possible value based upon future expenditures and improvements.

- InterestThe average interest rate for a one-year United States Government Treasury Bill on December 31 of each year of the period between the date the land use regulation was enacted and the date the claim was filed, compounded annually on January 1 of each year of the period.
- Land Use RegulationA provision of a city comprehensive plan, zoning ordinance, or land division ordinance that restricts the residential use of private real property zoned for residential use.
- PropertyThe private real property described in a claim and contiguous private real property that is owned by the same owner, whether or not the contiguous property is described in another claim, and that is not property owned by the federal government, an Indian tribe, or a public body, as defined in ORS [192.410](#).
- Reduction in Fair Market ValueThe difference, if any, in the fair market value of the property from the date that is one year before the enactment of the land use regulation to the date that is one year after the enactment, plus interest.
- Waive or WaiverAn action or decision authorizing the claimant to use the property without application of the land use regulation(s) to the extent necessary to offset the reduction in fair market value of the property.

Bank Full Stage. The two-year recurrence interval flood elevation.

Bar. Premises used primarily for the sale or dispensing of liquor by the drink for on-site consumption and where food may be available for consumption on premises as accessory to the primary use.

Base Flood. The flood having a one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE). The water surface elevation during the base flood in relation to a specific datum. The base flood elevation (BFE) is depicted on the Flood Insurance Rate Map (FIRM) to the nearest foot and in the Flood Insurance Study (FIS) to the nearest 0.1 foot. See also, definitions of Flood Insurance Rate Map and Flood Insurance Study.

Basement. That portion of a building with a floor-to-ceiling height of not less than six and one-half feet, where the perimeter walls do not exceed 12 feet above finished grade at any

point, and where 50 percent or more of its perimeter walls are less than six feet above natural grade.

Bay.

1. A repetitive vertical subdivision of an exterior façade; may be defined by various means, including pilasters a wall openings.
2. A door or window opening in a façade, especially when defined by repetitive columns or arches.

Beekeeper. A person who owns or has charge of one or more colonies of bees.

Block. The land surrounded by streets and other right-of-way other than an alley or land that is designated as a block on any recorded subdivision map.

Block Length. The distance measured along a street between the centerlines of two intersecting through streets.

Block Perimeter. The sum of the block lengths of all sides of a block.

Buildable Area. That portion of an existing or proposed lot that can be built upon.

Building Code. The combined specialty codes as defined in AMC [15.04](#) and approved by the State of Oregon.

Building Envelope. An area, within the property boundaries of a lot, parcel, or space within which a permitted building can be placed.

C.

Caliper Inch. A manner of expressing the diameter inches of a tree as calculated by measuring the tree's circumference and dividing by Pi (approximately 3.14159). Specially calibrated diameter tapes or calipers are used to determine caliper inches.

Cast Stone. A mixture of stone chips or fragments usually embedded in a matrix of mortar, cement, or plaster; the surface may be ground, polished, molded, or otherwise treated to simulate stone.

Centerline of Stream. An imaginary line that is in the midpoint of the stream channel. In cases where a stream has multiple or braided channels, the centerline of stream is the midpoint between the outermost or upland sides of the stream channels. See Figure below.

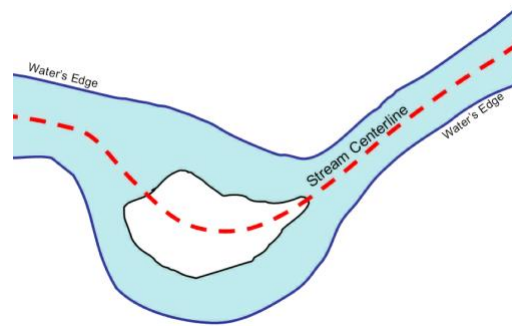


Figure 1. Centerline of Stream

Change of Use. Change in the primary type of use on a site.

Child Care Facility. An establishment providing care and supervision of children for periods of less than 24 hours that do not otherwise meet the definition of family child care home.

- Family Child Care Home Care for not more than 16 children in a single-family dwelling. See ORS [329A.440](#) for applicable requirements.

City. The City of Ashland, Oregon.

City Engineer. The City Engineer of the City or the City Engineer's designee.

City Facility. A public service or facility provided, owned, and controlled by the City.

City Manager. The City Manager of the City or the City Manager's designee.

Clearing. Removal, redistribution, or disturbance of vegetation, soil, or substrate that may include trees, brush, grass, ground cover, or other vegetative matter from a site.

Club. Any organization, group, or association supported by the members thereof, the purpose of which is to render a service customarily rendered for members and their guests but does not include a commercial use.

Cohesive Soils. Residual or transported soils, usually originating from parent rock that contains significant quantities of minerals which weather to clay. Cohesive soils have a Plasticity Index of

ten or more, based on laboratory testing according to AASHTO methods or a site-specific scientific analysis of a particular soil material.

Collocation. The use of a single wireless communication facility by more than one wireless communications provider.

Colony. An aggregate of bees consisting principally of workers, but having, when perfect, one queen at times drones, brood, combs, and honey.

Column. A slender, vertical element that supports part of a building or structure.

Commercial. Land use involving the sale of goods or services for a profit. See also, definition of Retail Sales and Services.

Commission. The Planning Commission of the City.

Common Area. Land jointly owned by an association of owners or permanently designated for the use of all residents of a development that includes shared site facilities and amenities such as open space, landscaping, streets, driveways, parking, loading areas, recycling and refuse disposal areas, and storage structures.

Comprehensive Plan. The current adopted Comprehensive Plan of the City.

Condominium. A development providing for individual ownership of units or airspace in a multi-unit structure or structures, in which the underlying land and/or structures are held under joint dominion. See ORS [100](#) for applicable requirements.

Contiguous. That a lot, parcel, site, or annexed area has a common boundary, including a boundary that only touches a common point. For purposes of annexation, "contiguous" also means a property or group of adjacent properties, including public right-of-way to be annexed, that touch the City limits at any point along any exterior boundary of the territory to be annexed or that is separated from the City limits only by a public right-of-way or a stream, bay, lake or other body of water.

Corbel.

1. A horizontal masonry band with continuous or intermittent corbels.
2. A stepped portion of a masonry wall; the steps may be on top or on the bottom.

Cornice. The projecting moldings forming the top band of a wall or other element.

Council. The City Council of the City.

County. Unless otherwise specified, Jackson County, Oregon.

Courtyard. An exterior space surrounded on three or four sides by building and/or walls.

Coverage, Lot or Site. The total area of a lot covered by buildings, parking areas, driveways, and other solid surfaces that will not allow natural water infiltration to the soil. Landscaping, including living plants, vegetative ground cover, and mulch, which allows natural soil characteristics and water infiltration and retention is not considered lot or site coverage. See also, lot coverage exemption in Table [18.2.5.030.A](#) – Standards for Urban Residential Zones.

D.

Days. Calendar days, unless specifically states as working days. Working days included Monday through Friday, excluding Federal holidays. See also, section [18.5.1.090.C](#) Time Periods.

Dead Tree. A tree that is lifeless. Such evidence of lifelessness may include unseasonable lack of foliage, brittle dry branches, or lack of any growth during the growing season.

Decorative. Treatment applied to the surface of a building or structure to enhance its beauty.

Deer Fence. An open fence used to prevent entry by deer or other wildlife for the purpose of protecting gardens, vegetation, and yards.

Density(ies). A measurement of the number of dwelling units in relationship to a specified amount of land. A common standard is dwelling units per acre.

Designer. A person not registered as an architect or engineer, approved to plan and design single family homes and other buildings that area defined as exempt by the building code.

Develop. To construct or alter a structure or to make a physical change to the land including excavation, clearing, dredging, fill, or paving.

Development. All improvements on a site, including alterations to land and new or remodeled structures, parking and loading areas, landscaping, paved or graveled areas, and areas devoted to exterior display, storage, or activities.

Diameter at Breast Height (DBH). The diameter of the trunk at its maximum cross section, measured 54 inches (4 ½ feet) above ground level at the base of the trunk. On sloped lands, the measurement is taken on the uphill side of tree.

Disc Antenna. A device incorporating a reflective surface that is solid, open mesh, or bar configured and is the shape of a shallow dish, cone, horn, or cornucopia. Such devices may be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition is meant to include, but is not limited to, what are commonly referred as satellite earth stations, TVROS, and microwave antennas.

Discontinued Use. A use that physically left the land it was on, a permitted use that ceased, or a use terminated at the end of a lease or contract. See also, chapter [18.1.4](#) Nonconforming Situations.

District. A part, zone, or geographic area in the City within which certain zoning or development regulations apply. See also, chapter [18.2.1](#) Zoning Regulations and General Provisions.

Drainage Ditch or Channel. Roadside ditches that carry only storm water runoff from the adjacent road and the immediate surrounding area. (Drainage ditches do not include historically altered streams or channels that convey surface water flows. These features are still classified as streams for the purpose of this ordinance.); or a constructed channel designed as part of the storm water infrastructure that drain directly from storm water facilities or storm pipe systems.

Dripline. An imaginary vertical line extending downward from the outermost tips of a tree's branches to the ground.

Drive-Up Uses. Drive-up uses are defined as any establishment which by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, obtain goods other than automobile fuel, or be entertained while remaining in their motor vehicles. The components of a drive-up use are regulated as part of such facility and include kiosks, canopies, or other structures; windows; stalls; and queuing lanes and associated driveways.

Driveway. The area that provides vehicular access to a site from a street or the area that provides vehicular circulation on a site.

- Drive, FlagA driveway that serves a single lot or parcel and is greater than 50 feet in length, or provides vehicular access to a flag lot(s). See also, section [18.5.3.060](#) Additional Preliminary Flag Lot Partition Plat Criteria.
- Driveway, SharedA driveway used to access two or more lots or parcels.

Driveway Apron. The edge of a driveway where it meets a public right-of-way.

Driveway Approach. A driveway connection to a public street or highway where it meets a public right-of-way.

Driving Surface. A paved access capable of supporting up to 44,000 lbs. gross vehicle weight.

Dwelling. A structure conforming to the definition of a dwelling under applicable building codes and providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking, and sanitation. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units unless the additional cooking facilities are clearly accessory to the primary use, such as an outdoor grill or wet bar. For the purposes of this title, the following types of dwelling units are defined as follows:

- Accessory Residential UnitA secondary dwelling on a lot where the primary structure is a single-family dwelling and the secondary dwelling meets the size requirements and standards in section [18.2.4.040](#). The accessory residential unit can be attached to a single-family dwelling, within a portion of an existing single-family dwelling (i.e., conversion of gross floor area within the primary residence), or located in a detached building located on the same lot, and having an independent means of access (i.e., door).
- DuplexTwo dwellings on one lot in any configuration including either in attached or detached structures. Two attached dwellings in a stand-alone structure that is included in a multifamily development of three or more units shall be considered multifamily dwellings and shall not be considered a duplex.
- Clustered Residential Units (Normal Neighborhood District)Multiple dwellings grouped around common open space that promote a scale and character compatible with single-family dwellings. Units are typically arranged around a central common green under communal ownership. Automobile parking is generally grouped in a shared area or areas.

- CottageA single-family dwelling up to 1,000 square feet in size, located in a cottage housing development, and developed in accordance with section [18.2.3.090](#).
- Manufactured Dwelling. A residential trailer, mobile home, or manufactured home.
- Manufactured HomeA structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.
- Mobile HomeA structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.
- Multifamily DwellingThree or more dwellings on one lot in any configuration including either in attached or detached structures. Two attached dwellings included in a multifamily development of three or more units shall not be considered a duplex.
- Prefabricated Dwelling. A prefabricated structure, as defined in ORS 455.010, that is designed for residential occupancy in accordance with Ashland's building regulations.
- Senior HousingHousing designated and/or managed for persons over a specified age. Specific age restrictions vary, and uses may include assisted living facilities, retirement homes, convalescent or nursing homes, and similar uses not otherwise classified as Residential Homes or Residential Facilities.
- Single-Family DwellingA detached or attached structure containing one dwelling unit located on one lot.

E.

Easement. A grant of the right to use land for a specific purposes, such as access or to locate utilities.

Elevation. A scaled drawing which illustrates the view of a side of a building.

Engineer. A registered professional engineer licensed by the State of Oregon.

Engineering Geologist. A registered professional engineering geologist licensed by the State of Oregon.

Enhancement. Actions performed to improve the condition or functions and values of a water resource and its associated protection zone. Enhancement actions include but are not limited to increasing plant diversity, increasing fish and wildlife habitat, installing environmentally compatible erosion controls, and removing invasive plant species.

F.

Facade. Any of the exterior faces of a building.

False Front. A building façade that extends above the roof or beyond the side walls in order to give the impression of a larger structure.

Family. An individual or two or more persons related by blood, marriage, legal adoption, or guardianship; or not more than five persons who are not related by blood, marriage, legal adoption, or guardianship.

Fill. A deposit of earth or other natural or manmade material placed by artificial means.

Filling. The act of placing fill material in any amount, including the temporary stockpiling of fill material.

Final Plat. The diagrams, drawings, and other writing containing all the descriptions, locations, dedications, provisions, and information concerning a land division, pursuant with ORS [92](#) and chapter [18.5.3](#) of this ordinance.

Fire- and Ignition-Resistant Materials. Materials or assemblies that will not ignite and burn when subjected to fire including but not limited to masonry, concrete, stone, metal, and fire-retardant-treated wood identified for exterior use.

Fire Code Official. The Fire Chief or other designated authority charged with the administration and enforcement of the Fire Code, or a duly authorized representative.

Fire-Resistant Exterior. Exterior building materials or assemblies that restrict or retard the spread of fire through the use of fire- and ignition-resistant materials.

Fire-Resistant Plants. Plants that are not listed on the Prohibited Flammable Plant List.

Fire-resistant plants do not readily ignite from a flame or other ignition source, and are maintained to be free of dead material. Fire-resistant plants have the ability to store water in leaves or stems, have low levels of volatile oils or resins, and contain high levels of salt or other nonresinous compounds within the plant tissues that can contribute to fire resistance.

Fire-Retardant-Treated Wood. Wood products that, when impregnated with chemicals by a pressure process or other means during manufacture, exhibit reduced surface-burning characteristics and resist propagation of fire.

Fire Work Area. An area capable of supporting up to 44,000 lbs. gross vehicle weight.

Fish Bearing or Fish Habitat. Inhabited at any time of the year by anadromous or game fish species or fish that are listed as threatened or endangered species under the state or federal endangered species acts. Fish use is determined from Oregon Department of Forestry Stream Classification, Oregon Department of Fish and Wildlife, and Oregon Department of State Lands maps for salmonid fish distribution.

Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM). An official map of a community, issued by the Federal Insurance Administration, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

Flood Insurance Study (FIS). The official report by the Federal Insurance Administration evaluating flood hazards and containing flood profiles, floodway boundaries, and water surface elevations of the base flood.

Floodway Channel. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor Area. The area of an enclosed floor measured from the exterior faces of exterior walls or from the center line of walls separating two buildings.

- Gross Floor AreaThe sum of the gross horizontal areas of all enclosed floors measured from the exterior faces of exterior walls or from the center line of walls separating two buildings, but excluding basements, attic space providing structural headroom of less than six and one-half feet, and unenclosed steps, porches, terraces and balconies. Individual sections of the ordinance codified in this chapter may exempt additional spaces from gross floor area.
- Gross Habitable Floor AreaThe sum of the gross horizontal areas of all enclosed floors with at least seven feet of headroom in a dwelling unit measured from the exterior faces of exterior walls or from the center line of walls separating two buildings, excluding uninhabitable spaces accessed solely by an exterior door.
- Maximum Permitted Floor Area (MPFA)The gross floor area of a dwelling, including but not limited to potential living spaces within the structure with at least seven feet of headroom and attached garages. See subsection [18.2.5.070.E](#) for exceptions to MPFA.

Floor-Area Ratio (FAR). The gross floor area of all buildings on a lot divided by the lot area.

Food Cart. A push cart or mobile food unit which is designed to be readily movable, but is typically not self-propelled by motor or pedal power, and which is temporarily located on a property to sell food and beverages to the general public. The maximum size for a food cart is four feet wide, nine feet long, and four feet high. Food carts must be self-contained and designed to be movable by one person.

Food Truck. A wheeled, motorized vehicle or trailer temporarily located on a property to sell food and beverages to the general public. A food truck typically contains cooking facilities where the food is also prepared. The exterior length and width of a food truck, when multiplied, shall be no more than 170 square feet, excluding the trailer tongue and bumper. Up to an additional 170 square feet is allowed for outdoor equipment.

Food Truck Court or Food Truck Pod. Four or more food trucks or food carts operating on the same property.

Food Truck Vendor. The operator who sells, cooks and serves food or beverages from a food truck or food cart.

G.

Garage. A covered permanent structure designed to provide shelter for vehicles, and which is accessory to a dwelling. Carports are considered garages.

Garage sale. A temporary activity conducted on the premises of a private residence for the purpose of disposal of goods or belongings of the residents of the dwelling.

Geotechnical Expert. An engineering geologist or an engineer with demonstrable expertise in geologic hazards evaluation and geotechnical engineering.

Grade or Ground Level. The average of the finished ground level at the center of all walls of the building. In case a wall is parallel to and within five feet of a sidewalk, the ground level must be measured at the sidewalk.

Grading. All cuts, fills, embankments, stockpile areas, and equipment maneuvering areas associated with development.

Greenhouse. A building or structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of fragile or out-of-season plants for personal enjoyment or for subsequent sale.

Ground Floor. The first floor of a building other than a cellar or basement.

Ground-Floor Dwelling Unit. A residential unit with the entrance, front or rear, that is within five feet of the finished grade. The distance to finished grade is measured vertically at a right angle from the doorsill to the finished grade.

Group Living. Group living is characterized by the long-term residential occupancy of a structure by a group of people. The size of the group typically is larger than the average size of a household. Group Living structures do not include self-contained units but rather have common facilities for residents including those for dining, social and recreational, and laundry. Residential Care Homes, Residential Care Facilities, and Room and Board Facilities are types of Group Living.

- Residential Care Home A residential treatment or training or adult foster home licensed by or under the authority of the department, as defined in ORS [443.400](#), under ORS [443.400](#) to [443.825](#), a residential facility registered under ORS [443.480](#) to [443.500](#) or an adult foster home licensed under ORS [443.705](#) to [443.825](#) that provides residential care

alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. (See also, ORS [197.660](#)).

- Residential Facility Residential facilities provide housing and care for 6 to 15 individuals who need not be related as defined under ORS [430.010](#) (for alcohol and drug abuse programs); ORS [443.400](#) (for persons with disabilities); and ORS [443.880](#). Staff persons required to meet State-licensing requirements is not counted in the number of facility residents and need not be related to each other or the residents.
- Room and Board Facility Group living establishment located in a dwelling or part thereof, other than a travelers' accommodation or hotel, where lodging, with or without meals, is provided for compensation for a minimum period of 30 days. Personal care, training, and/or treatment is not provided at a room and board facilities. Examples include dormitories, fraternities, sororities, and boarding houses.

Guest House. A house or quarters without kitchen cooking facilities to provide shelter for guests, and which is accessory to a single-family dwelling. A guest house is and remains dependent upon the main building for kitchen facilities, and can be a detached building located on the same lot or attached to a single-family dwelling. See also, section [18.2.5.040](#) Accessory Buildings and Structures.

Gully. A drainage incision, commonly caused by erosion, which does not experience regular or seasonal stream flow, but does act as a channel for runoff during periods of high rainfall.

H.

Hand-Held Equipment or Machinery. Equipment or machinery held in and operated by hand, such as manual tools, weed eaters, chainsaws, and equipment or machinery with wheels and a weight of 100 pounds or less (e.g., push lawn mower, brush mowers). See also, definition of Power-Assisted Equipment or Machinery.

Hazard Tree. A hazard tree is a tree that is physically damaged to the degree that it is clear the tree is likely to fall and injure persons or property. A hazard tree may also include a tree that is located within a public right of way and is causing damage to existing public or private facilities or services and such facilities or services cannot be relocated.

Height of Building or Structure. The vertical distance from grade or ground level to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof. See Figure below. See also, definition of Grade or Ground Level.

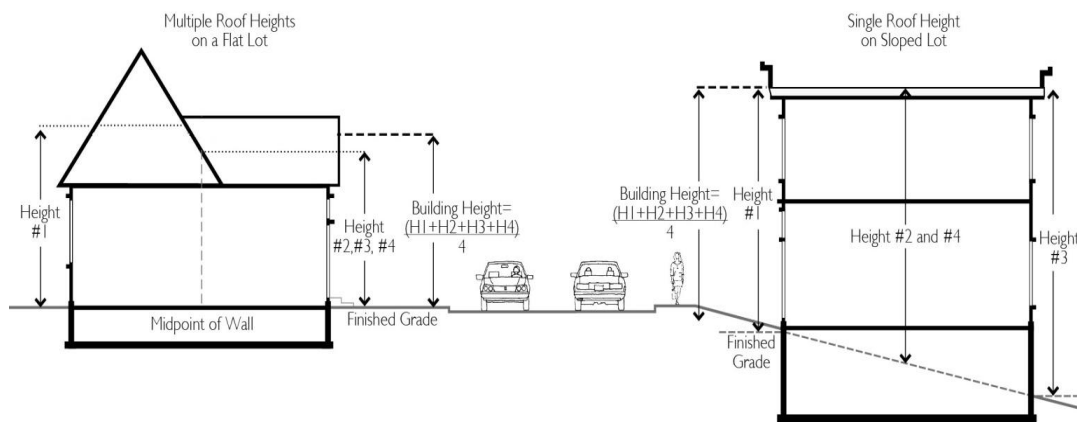


Figure 2. Height of Building or Structure

Heritage Tree. Any tree listed on the official City of Ashland Heritage Tree List adopted by the City Council.

Highly Flammable Plants. A plant species that has characteristics which make it more volatile by encouraging easy ignition and the spread of fire through its foliage due to low moisture content, dense dry leaves, needles, grass-like leaves, or volatile resins and oils. Highly flammable plants are specifically those species listed on the adopted Prohibited Flammable Plant List.

Historic. A structure or site, usually over fifty years old, which possess the historical or architectural significant according to the Cultural Resources Inventory (1988-1989) of the City of Ashland and/or based on the criteria for listing in the National Register of Historic Places.

Historic District. A district identified as historically significant under the Comprehensive Plan and its implementing regulations (e.g., overlay zones).

Hive. The receptacle inhabited by a colony that is manufactured for that purpose.

Home Occupation. A business activity that is carried out in conjunction with a dwelling unit, and which is accessory to the residential use, subject to the special use provisions of section [18.2.3.150](#).

Homegrown Marijuana. Marijuana plants planted, cultivated, grown, and harvested by a person 21 years of age or older for personal consumption, whether for medical or non-medical purposes, or for a medical marijuana card holder. Medical marijuana grow sites located in residential zones shall be considered homegrown marijuana for the purpose of this ordinance.

Homegrown Marijuana Cultivation. The cultivation of homegrown marijuana and related activities such as processing, keeping, or storage of homegrown marijuana.

- Cultivation AreaThe area within which marijuana plants are grown on a lot. The cultivation area is the total of the individual areas of the marijuana plants at maturity. The individual area of a marijuana plant is calculated based on an imaginary vertical line extending downward from the outermost tips of the marijuana plants branches to the ground.
- Resident GrowerAn individual engaged in the cultivation of homegrown marijuana for personal consumption, whether for medical or non-medical purposes, or for a medical marijuana card holder.

Homeowners Association. A homeowners association is an organization formed for the maintenance and operation of the common areas of the development. The membership in the association must be automatic with the purchase of a dwelling unit or other property in the planned development. The association's principal source of funds must be an assessment levied against each dwelling unit or other property, which assessment must be enforceable as a lien against the property.

Home-Oriented Commercial Activities. The operation of small local-convenience businesses within the Railroad Historic District. Such businesses may include grocery stores, barber and beauty shops, and similar uses.

Hospital. An establishment which provides sleeping and eating facilities to persons receiving medical, obstetrical, or surgical care and nursing service on a continuous basis.

Hostel. Any establishment having beds rented or kept for rent on a daily basis to travelers for a charge or fee paid or to be paid for rental or use of facilities and which are operated, managed,

or maintained under the sponsorship of a non-profit organization which holds a valid exemption from federal income taxes under the Internal Revenue Code of 1954, as amended.

Hotel/Motel. A building or portion thereof designed and used for transient lodging in a non-residential zone for a period of less than 30 days, lodged with or without meals and which may include additional facilities and services, such as restaurants, meeting rooms, entertainment, personal services, and recreational facilities.

I.

Immediate Danger of Collapse, Tree. A tree that may already be leaning, with the surrounding soil heaving, and/or there is a significant likelihood that the tree will topple or otherwise fail and cause damage before a tree removal permit could be obtained through the non-emergency process. Immediate danger of collapse does not include hazardous conditions that can be alleviated by pruning or treatment.

Impact Area. That area which is immediately surrounding a conditional use, and which may be impacted by it, including all land that is within the applicable notice area for a use. In addition, any lot beyond the notice area, if the hearing authority finds that it may be materially affected by the proposed use, is also included in the impact area.

Impervious Surface. Surface materials that prevent the normal infiltration of storm water into the ground.

Industrial or Industrial Use. An activity related to the manufacture, production, or storage of produce to be transported elsewhere for retail sale.

Infill. The development of more intensive land uses upon vacant or under-utilized sites.

J.

Junk Yard.

1. Any property or establishment on which one or more persons are engaged in breaking up, dismantling, sorting, storing, distributing, buying, or selling scrap or waste materials; or
2. Any establishment or place of business on which two or more inoperable motor vehicles or an equivalent volume of waste or refuse are maintained, stored, bought, or

sold. Includes wrecking yards, automobile graveyards, garbage dumps, and scrap metal processing facilities.

K.

Kennel. Any lot or premises where four or more dogs or cats aged six months or older are boarded or bred for compensation. Establishments where animals are offered for sale as the primary use, such as pet stores, are not classified as kennels.

L.

Landscape Professional. For the purposes of implementing chapter [18.3.10](#) Physical and Environmental Constraints Overlay, an arborist certified by the International Society of Arboriculture and licensed by the State of Oregon State Landscape Contractors Board or Construction Contractors Board or landscape architect licensed by the State of Oregon.

Land Use Decision. A final decision or determination made by the City (or other agency with jurisdiction) that concerns the adoption, amendment, or application of the Comprehensive Plan or any provision of this ordinance where the decision requires the interpretation or exercise of policy or legal judgment. All decisions requiring quasi-judicial review by the City are Land Use Decisions. Decisions subject to administrative review are considered limited land use decisions, pursuant with ORS [197.015](#).

Land Use Ordinance. The current adopted Land Use Ordinance (AMC Title 18 Land Use) of the City. Also referred to as “this ordinance.”

Lawn. Grass or similar materials maintained as a ground cover of less than six inches in height. For purposes of this ordinance, lawn is not considered native vegetation regardless of the species used.

LEED® Accredited Professional. A person who has earned a credential as a Leadership in Energy and Environmental Design (LEED®) Accredited Professional from the U.S. Green Building Council, or Green Building Certification Institute, in accordance with their standards and requirements.

LEED® Certification. A building registered with the U.S. Green Building Council which has satisfied all prerequisites and has earned a minimum number of points outlined in the

Leadership in Energy and Environmental Design (LEED®) Rating System under which it is registered. Levels of certification include Certified, Silver, Gold, and Platinum.

LEED® Green Building Rating System or LEED® Rating System. The most recently published version of the Leadership in Energy and Environmental Design (LEED®) Green Building Rating Systems by the U.S. Green Building Council or the version to be superseded for one year after the publication of a new applicable LEED® Rating System version.

Loading Area. The area available for the maneuvering and standing of vehicles engaged in delivering and loading goods, freight, or other articles.

Local Native Plant Species. Those plant species appropriate to planting in or adjacent to a water resource that are native species indigenous to the Rogue River Basin. Local native plant species are adapted to the elevation, weather, soils, and hydrology of the area; will support the desired structure, functions, and values of the water resource; and once established require significantly less maintenance than non-native species. Plants may be added to or removed from the Local Native Plant List if reviewed and approved by the Staff Advisor in consultation with the City Horticulturist, Tree Commission, other professional groups with demonstrable expertise, and local, state, and federal agencies.

Lot. A legally created piece of land other than a tract that is the result of land division, or a unit or contiguous units of land under single ownership, which complies with all applicable laws at the time such lots were created. The term “lot” is used in this title to apply to the state definition of both lot, the result of subdividing, and parcel, the result of partitioning, unless otherwise noted.

- Corner Lot A lot abutting the intersection of two or more streets other than an alley. See Figure below.

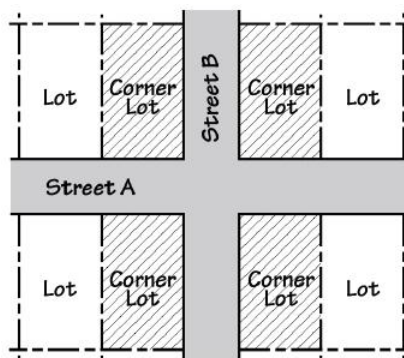


Figure 3. Corner Lots

- Flag Lot A lot with two distinct parts. See Figure below.
 1. The flag, which is the building site; and is located behind another lot.
 2. The pole, which connects the flag to the street; provides the only street frontage for the lot with less than 40 feet of frontage on a street; and unless an alley provides access, includes a driveway providing access.

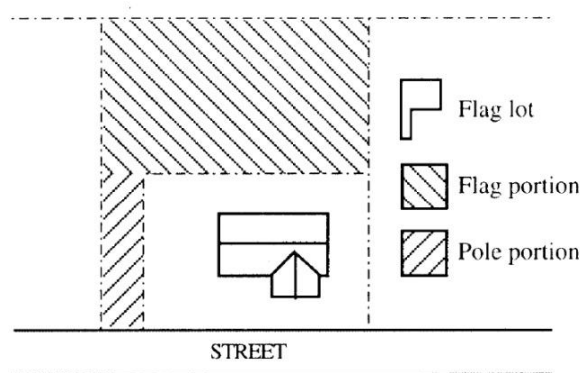


Figure 4. Flag Lot

- Interior Lot A lot other than a corner or flag lot.
- Through Lot An interior lot having frontage on two parallel or approximately parallel streets other than alleys. Such a lot has one front yard fronting on the primary public street.

Lot Area. The total horizontal area within the lot lines of a lot, said area to be exclusive of street right-of-way.

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

Lot Line. The property line along the edge of a lot.

- Front Lot Line In the case of an interior lot, the lot line separating the lot from the street other than an alley. A corner lot has one street line considered the front lot line. The narrower street frontage must be the front lot line except when the Staff Advisor

determines topographical or access problems make such a designation impractical. See Figure below.

- Rear Lot Line A lot line which is opposite and most distant from the front lot line, and in the case of an irregular, triangular, or other shaped lot, a line ten feet in length within the lot parallel to and at a maximum distance from the front lot line
- Side Lot Line Any lot line that is not a front or rear lot line. See Figure below.

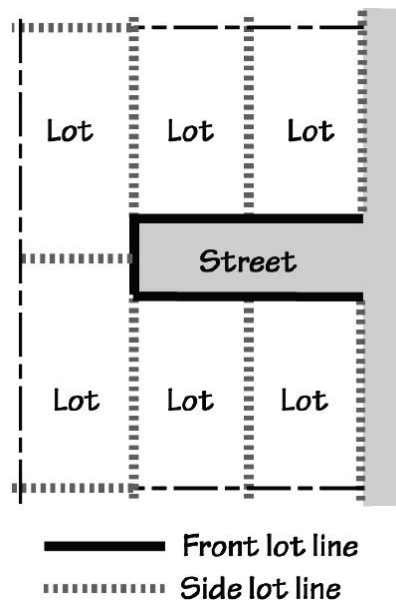


Figure 5. Front and Side Lot Lines

Lot Width. The average (mean) horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.

M.

Manufactured Dwelling Park. Any place where four or more manufactured dwellings, prefabricated dwellings, or recreational vehicles are located within 500 feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person. A manufactured dwelling park does not

include a lot or lots located within an approved subdivision being rented or leased for occupancy by one manufactured dwelling per lot.~~Manufactured Housing Development. A subdivision or park comprised of manufactured homes occupied for dwelling purposes, regardless of whether a charge is made for such accommodation.~~

Map. A diagram or drawing of a partition, subdivision, or any other land use or land development matter.

Marijuana. The plant Cannabis, family Cannabaceae, or any part or seed of the plant. It does not include industrial hemp.

- Medical Marijuana Marijuana used to mitigate the symptoms or effects of a medical condition and regulated by the Oregon Medical Marijuana Act (ORS [475.300](#) – ORS [475.346](#)). Grown and sold by registered persons and facilities with the Oregon Health Authority (OHA).
- Recreational Marijuana Marijuana used for personal consumption by a person 21 years of age or older.

Marijuana Plant. Immature and mature plants of the plant Cannabis family Moraceae.

Marijuana-Related Businesses. Marijuana-related businesses licensed by the Oregon Liquor Control Commission (OLCC) or registered by the Oregon Health Authority (OHA).

Marijuana-related businesses are organized into the following categories.

- Laboratory A laboratory that tests marijuana and marijuana items.
- Processing Processing, compounding, or conversion of marijuana into cannabinoid products, concentrates, or extracts.
- Production Planting, cultivating, growing, harvesting, or drying marijuana. Medical marijuana grow sites located in non-residential zones that do not meet the definition of Homegrown Marijuana shall be considered production for the purpose of this ordinance.
- Retail A business that sells marijuana and marijuana products to the consumer.
- Wholesale An operation that handles and distributes marijuana and marijuana products for the purpose of resale.

Marquee. A permanent roof-like shelter over an entrance to a building; flat in shape.

Mechanical Equipment. Equipment or devices installed for a use appurtenant to the primary use. Such equipment includes heating and air conditioning equipment, solar collectors, parabolic antennas, disc antenna, radio, TV receiving or transmitting antennas, and any power generating devices.

Mezzanine. A partial intermediate floor between two main levels, especially directly above the ground floor; often has a lower ceiling height than the other levels.

Mezzanine Window. A window with a greater width than height, especially when used to provide light to an intermediate floor.

Microcar. An automobile that is less than nine feet in length and typically is limited to two seats for passengers. Microcars can be parked in a head-in fashion in a parallel parking space so that one standard parallel parking space accommodates two microcars.

Mitigation. For the purposes of implementing chapter [18.3.11](#) Water Resource Protection Zones Overlay, taking one or more of the following actions listed in order of priority.

1. Avoiding the impact altogether by not taking a certain development action or parts of that action.
2. Minimizing impacts by limiting the degree or magnitude of the development action and its implementation.
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the development action by monitoring and taking appropriate corrective measures.
5. Compensating for the impact by replacing or providing comparable substitute resources or environments.

Mitigation Plan. A plan that outlines the activities that will be undertaken to alleviate project impacts to sensitive areas.

Mixed-Use. The combination of residential uses with commercial (e.g., office, retail, or services), civic, or light industrial uses on a site.

N.

Natural Grade. The elevation of the ground level in its natural and original state, before manmade alterations such as grading, filling, excavation, and construction. See Figure below.

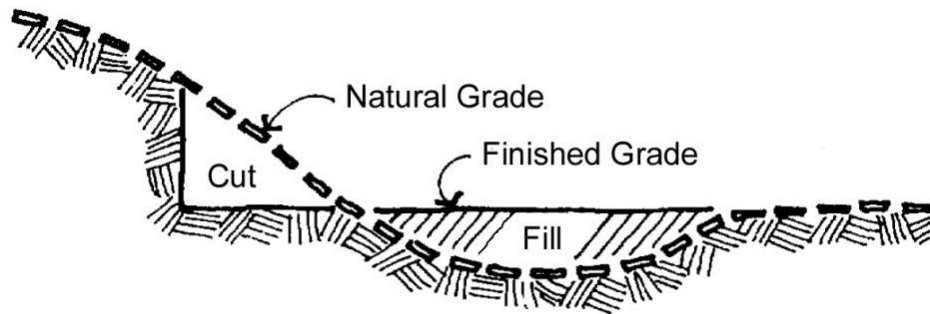


Figure 6. Natural Grade

Natural Resources Professional. For the purposes of implementing chapter [18.3.11](#) Water Resource Protection Zones Overlay, a natural resources professional includes individuals who have a Bachelors degree or the equivalent or greater, in the field of natural resources, biology, ecology, or related fields, and at least four years of relevant post-graduate experience.

Natural State. All land and water that remains undeveloped and undisturbed. Natural state does not include grading, excavating, filling, and/or the construction of roadways, driveways, parking areas, and structures are prohibited. Natural state includes the following activities.

1. Incidental minor grading for hiking trails, bicycle paths, picnic areas, and planting and landscaping which is in addition to and enhances the natural environment.
2. Incidental brush removal for lot maintenance and ecosystem health.
3. Vegetation removal for the purposes of wildfire control in conjunction with an approved fire prevention and control plan.

Nightclub. An establishment dispensing liquor and meals and in which live music, dancing, or entertainment is conducted.

Non-cohesive Soils. Residual or transported soils containing no or very little clay, usually from crystalline granitic parent rock. Non-cohesive soils have a Plasticity Index of less than ten, based

on laboratory testing according to AASHTO methods or a published scientific analysis of a particular soil type.

Nonconforming Development. An element of a development, such as lot area, setback, height, lot coverage, landscaping, sidewalk, or parking area, or lack thereof, that was created in conformance with development regulations but subsequently, due to a change in the zone or applicable code standards, is no longer in conformance with the current applicable development regulations. See also, chapter [18.1.4](#) Nonconforming Situations.

Nonconforming Lot or Lot of Record. A legally created lot or parcel meeting applicable regulations in effect at the time of creation (e.g., area, setbacks, coverage, location), but that subsequently, due to a change in the zone or zoning regulations, no longer conforms with the current applicable regulations. See also, chapter [18.1.4](#) Nonconforming Situations.

Nonconforming Structure. An existing structure that was created in conformance with the zoning regulations but that subsequently, due to a change in the zone or the zoning regulations, no longer conforms with the current applicable requirements of the zone in which it is located. See also, chapter [18.1.4](#) Nonconforming Situations.

Nonconforming Use. A use that was allowed by right when established or that obtained a required land use approval when established, but that subsequently due to a change in the zone or zoning regulations, the use or the amount of floor area of the use is now prohibited in the zone. See also, chapter [18.1.4](#) Nonconforming Situations.

Non-Native Species. A plant species which is not indigenous to the local area.

Noxious and Invasive Vegetation. Plant species which are recognized as having a significant potential to disrupt the functions and values of local water resource ecosystems. Plants may be added to or removed from the Prohibited Plant List if reviewed and approved by the Staff Advisor in consultation with the City Horticulturist, Tree Commission, other professional groups with demonstrable expertise, and local, state and federal agencies.

Nucleus colony. A small quantity of bees with a queen housed in a smaller than usual hive box designed for a particular purpose not including surplus honey, storage, or harvesting.

O.

Obstructed Street. A public street or a private drive serving greater than three units, or a driveway that has been obstructed by a gate or other barriers designed to restrict access.

Office. Office uses are characterized by activities conducted in an office setting and generally focusing on business, government, professional, medical, or financial services.

Open Space. Land or water with its surface predominately open to the sky or predominantly undeveloped unless otherwise specified, that is designated or set aside to serve the purpose of providing park and recreation activities, conserving natural resources, collecting and treating storm water, providing amenity space for private developments, or creating a pattern of development. Open space does not include areas such as streets, driveways, parking, loading areas, recycling and refuse disposal areas, and storage structures.

- Common Open Space An area for the use or enjoyment of all residents of a development (e.g., multifamily dwelling units) or subdivision such as recreational areas or facilities, lawn and picnic areas, community gardens, and natural areas with benches, seating areas, or walking paths.
- Private Open Space An area intended for private outdoor use by residents of an individual dwelling unit. Private open space includes decks, patios, porches, balconies, side and rear yards, and similar areas.
- Public Open Space or Park An area owned or managed by a public or private agency and maintained for the use and enjoyment of the general public. Examples of public open space include public parks and recreation facilities, trail easements and systems, nature preserves, public plazas, and other public outdoor meeting areas.

Orientation. To cause to face toward a particular point of reference (e.g., "A building oriented to the street.").

- Building Orientation The directional expression of the front façade of a building (i.e., facing the street, facing north, facing south).

Owner. The owner of the title to real property or the contract purchaser of real property of record, as shown on the latest assessment records in the Office of the County Assessor. Owner also includes a deed holder or contract purchaser whose name does not appear in the latest assessment records, but who presents to the City a copy of a deed or contract of sale signed by the owner of record.

P.

Panel. A small plane surface surrounded by moldings or depressed below or raised above the adjacent surface; typically rectangular but may be any geometric shape; may be ornamented.

Parapet. A low guarding wall that projects above the roof line.

Parcel. A legally defined area of land created through a partition or otherwise lawfully created pursuant to state law. The term “parcel” is used in this title to apply to the state definition of both lot, the result of subdividing, and parcel, the result of partitioning, unless otherwise noted.

Park. See definition of Public Open Space.

Parking Area or Lot. Any area inside, under, or outside of a building or structure, designed and used for parking motor vehicles, including parking lots, garages, or structures.

- Private Parking Area or LotA parking area for the exclusive use of the owners of the lot on which the parking area is located or whomever else they permit to use the parking area.
- Public Parking Area or LotA parking area available to the public, with or without payment of a fee.

Parking Space. A space designed and designated to provide parking for a motor vehicle or bicycle in compliance with chapter [18.4.3](#) Parking, Access, and Circulation.

Parkrow or Planter Strip. A landscape area for street trees and other plantings within the public right-of-way, usually in the form of a continuous planter area between the street and sidewalk.

Partition. To divide an area or tract of land into not more than three parcels within 12 months. For the purpose of this definition, “parcel” means a legally defined area of land created through a partition.

- Major Land PartitionA partition which necessitates the creation of a road or street.
- Minor Land PartitionA partition that does not necessitate the creation of a road or street.

Pedestrian Path. A graded cleared way, adjacent to the curb at curb level, for individuals who travel on foot.

Pedestrian Way. A right-of-way or easement for pedestrian traffic.

Person. Any natural person, their estate, or any legal entity; and including any of their designated representatives.

Pier. A member, usually in the form of a thickened section, which forms an integral part of a wall; usually placed at intervals along the wall to provide lateral support or to take concentrated vertical loads.

Pilaster. An engaged pier or pillar, often with capital and base; may be constructed as a projection of the wall itself.

Planned Road or Street. A highway, road, street, or alley identified in an adopted corridor plan, comprehensive plan, or transportation system plan in accordance with administrative procedures of OAR [660-012](#) and ORS chapter [197](#) but has not been constructed.

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

- Type I Procedure (Administrative Decision With Notice)Type I decisions are made by the Staff Advisor with public notice and an opportunity for appeal to the Planning Commission. See section [18.5.1.050](#) for the procedures for Type I actions.
- Type II Procedure (Quasi-Judicial Review/Public Hearing Review)Type II decisions are made by the Planning Commission after a public hearing, with an opportunity for appeal to the City Council. See section [18.5.1.060](#) for the procedures for Type II actions.

Plat. A diagram, drawing, or replat containing all the descriptions, locations, specifications, dedications, provisions, and information concerning a subdivision.

Play Area. A piece of land specifically designed for and equipped to enable children to play outdoors.

Plaza. An open public space.

- Detail Site Review Plaza Space An open area under private ownership intended to meet the requirements of large-scale project standards within the Detail Site Review overlay.

Porch. Covered porches, exterior balconies, or other similar areas attached to a building and having dimensions of not less than six feet in depth and eight feet in width.

- Enclosed Porch A porch that contains wall(s) that are more than 42 inches in height measured from finished floor level for 50 percent or more of the porch perimeter.
- Unenclosed Porch All walls contained in an unenclosed porch are less than 42 inches in height, but an unenclosed porch may be covered.

Porous Solid Surface. Porous solid surface is a permeable surface built with an underlying stone reservoir that temporarily stores surface runoff before it infiltrates into the subsoil. Porous solid surfaces include pervious asphalt, pervious concrete, grass or permeable pavers, or decks that allow runoff to infiltrate the subsoil beneath the deck.

Power-assisted Equipment or Machinery. Equipment or machinery with wheels and a weight in excess of 100 pounds or that does not otherwise meet the definition of Hand-Held Equipment or Machinery. See also, definition of Hand-Held Equipment or Machinery.

Pre-existing Structure. For the purposes of implementing chapter [18.4.10](#) Wireless Communication Facilities, a structure in existence prior to an application for a wireless communication facility installation.

Primary Residence. The property that the taxpayer uses a majority of the time during the year ordinarily will be considered the taxpayer's principal residence. In addition to the taxpayer's use of the property, relevant factors in determining a taxpayer's principle residence may include, but are not limited to the following.

1. The taxpayer's place of employment.
2. The principal place of abode of the taxpayer's family members.
3. The address listed on the taxpayer's federal and state tax returns, driver's license, automobile registration, and voter registration card.
4. The taxpayer's mailing address for bills and correspondence.
5. The location of the taxpayer's banks.

6. The location of religious organizations and recreational clubs with which the taxpayer is affiliated.

Primary Building or Structure. A structure or combination of structures of chief importance or function on a site. In general, the primary use of the site is carried out in a primary structure. The difference between a primary and accessory structure may be determined by comparing the size, placement, design, appearance, function, and the orientation of the structures on a site, among other relevant factors.

Primary Orientation. Direction of the front of the building with the main entrance to the public.

Primary Use. An activity or combination of activities of chief importance on the site. One of the main purposes for which the land or structures are intended, designed, or ordinarily used. A site may have more than one primary use. See also, definition of Accessory Use.

Private Drive. A private drive is a road in private ownership, not dedicated to the public, which serves three or fewer dwelling units.

Prohibited Flammable Plant List. A listing of specific highly flammable plants which are considered nuisances per AMC [9.04](#) and are prohibited from being planted within a General Fuel Modification Area.

Property Line Adjustment. The relocation of a single common property line between two abutting properties not resulting in an increase in the number of lots, pursuant with chapter [18.5.3](#) Land Divisions and Property Line Adjustments. See Figure below.

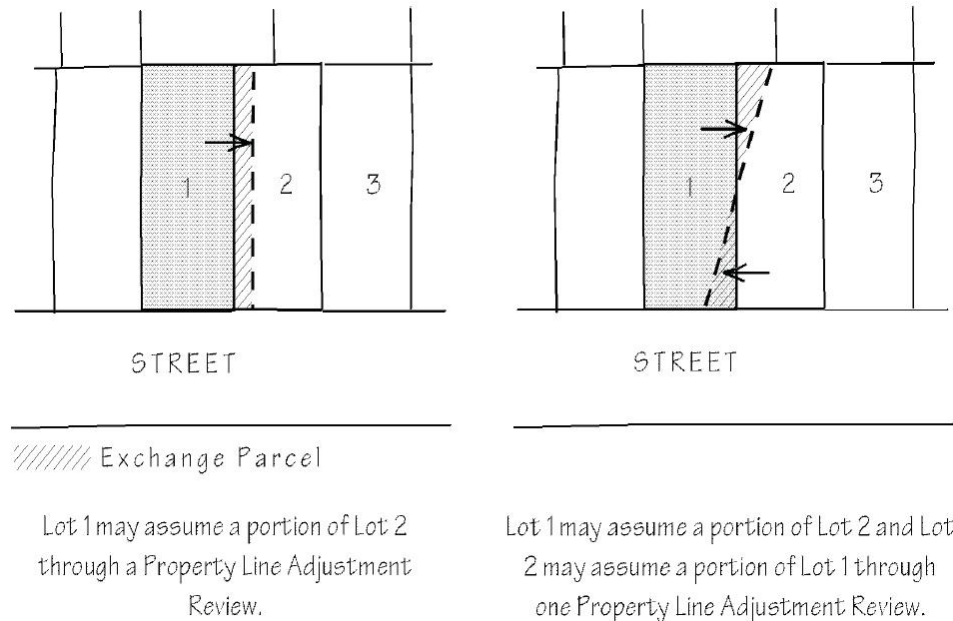


Figure 7. Property Line Adjustment

Q.

Quarry Face. The split face of the incision where the disturbed surface meets the natural, undisturbed surface.

Queuing Lane. Traffic lane requiring one of two opposing vehicles to yield by pulling into a vacant portion of the adjacent parking lane to allow the other vehicle to pass. Queuing lanes are designed to reduce vehicle speeds and non-local traffic on neighborhood streets.

R.

Rain Barrel. A barrel used to collect and store rain water runoff from rooftops via rain gutters for non-potable uses.

Reconstruct. To recreate or reassemble a structure or building with a new or replacement structure that recreates or reproduces its form, shape, and location as originally built.

Recreational Vehicle or Travel Trailer. A vehicular-type camping unit certified by the manufacturer as complying with ANSI A119.2 or A119.5, Oregon Revised Statutes, and primarily designed to provide travel and destination RVing that either has its own motive power or is

mounted on or towed by another vehicle.~~A self-propelled or towable mobile unit used for temporary dwelling purposes by travelers.~~

Rehabilitation. The act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

Religious Institutions and Places of Worship. Uses primarily providing meeting areas for religious activities; may include schools and community services as accessory uses.

Residential or Residential Use. Long-term occupancy of a dwelling unit, which may be owner-occupied or rented. Occupancy of a dwelling unit for shorter periods (i.e., less than 30 days) of time is considered an overnight accommodation for transient individuals. See also, definitions of Accessory Travelers' Accommodation, Hotel/Motel, and Travelers' Accommodation.

Restaurant. An establishment where food and drink are prepared, served, and consumed. Consumption may occur within the primary structure or outside the confines of the building.

Restoration. The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

Retail Sales and Services. Retail sales and service uses sell, lease, or rent new or used products, goods, or services. They include services such as a beauty salon, barber, repair service, and similar uses.

Restoration. For the purposes of implementing chapter [18.3.11](#) Water Resource Protection Zone Overlay, efforts performed to re-establish the functional values and characteristics of a critical area that have been destroyed or degraded by past alterations such as filling, grading, or draining.

Riparian Area. The area adjacent to a stream, consisting of the area of transition from an aquatic ecosystem to a terrestrial ecosystem, which affects or is directly affected by the stream.

Riparian Buffer. An area located adjacent to the stream and including the riparian area that is preserved for the purpose of protecting the functions and values of the stream and the riparian area by serving to reduce the adverse effects of adjacent land uses.

Riparian Corridor. Riparian Corridor is a Goal 5 resource that includes the water areas, fish habitat, adjacent riparian areas, and wetlands within the riparian area boundary. A riparian corridor is a type of stream bank protection zone.

S.

Schools. Public and private schools, secular or parochial, at the primary, elementary, middle, junior high, or high school level.

Self-Service Storage. Mini-storage or other storage areas for individual or business uses. The storage areas are designed to allow private access by the tenant for storing personal property.

Setback. The minimum distance required between a specified object, such as a building or structure, and another point. Typically, a setback refers to the minimum distance (yard dimension) from a building to a specified property line. A setback is measured horizontally at right angles to the lot line, from the nearest point of the building or structure to the lot line. When multi-story setbacks are specified, the setback for a story above the ground floor is measured horizontally from the plane of the nearest wall of the upper story to the lot line. See also, section [18.2.4.050](#) Yard Requirements and General Exceptions.

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

Shared Parking. Required parking facilities for two or more uses, structures, or lots that are satisfied jointly with the same facilities. See also, chapter [18.4.3](#) Parking, Access, and Circulation.

Significant Tree. A conifer tree having a trunk 18 caliper inches or larger in diameter at breast height (DBH), or a deciduous tree having a trunk 12 caliper inches in diameter at breast height.

Signs – Definitions Related to Chapter 18.4.7 Signs.

- Alter or AlterationAny change excluding content, and including but not limited to the size, shape, method of illumination, position, location, materials, construction, or supporting structure of a sign.
- AreaThe entire area within circles, triangles, or rectangles which enclose the extreme limits of lettering, logo, trademark, or other graphic representation, together with any frame or structural trim forming an integral part of the display used to differentiate the sign from the background against which it is placed. In the case of a multi-faced sign, the area of each face must be included in determining sign area, excepting double-faced signs placed no more than 24 inches back-to-back.
- AwningA temporary or movable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.
- Building Face of WallAll window and wall area of a building in one plane or elevation.
- Bulletin Board or Reader BoardA sign of a permanent nature, but which accommodates changeable copy.
- BusinessA commercial or industrial enterprise.
- Business FrontageA lineal front footage of a building or portion thereof devoted to a specific business or enterprise, and having a pedestrian entrance/exit open to the general public during all business hours.
- Business PremisesA parcel of property or that portion thereof occupied by one tenant.
- CanopyA non-movable roof-like structure attached to a building.
- Construction signA temporary sign erected on the premises where construction is taking place during the period of construction.
- Direct IlluminationA source of illumination on the surface of a sign or from within a sign.
- ElectionThe time designated by law for voter to cast ballots for candidates and measures.
- Flashing SignA sign incorporating intermittent electrical impulses to a source of illumination or revolving or moving in a manner which creates the illusion of flashing, or

which changes color or intensity of illumination. This definition is to include electronic time, date, and temperature signs.

- Ground SignA sign erected on a free-standing frame, mast, or pole and not attached to any building. Also known as a free-standing sign.
- Indirect IlluminationA source of illumination directed toward a sign so that the beam of light falls upon the exterior surface of the sign.
- Illegal SignA sign that is erected in violation of the chapter [18.4.7](#) Signs.
- Marquee or Awning SignA sign that is painted on, attached to, or supported by a marquee, awning, or canopy.
- MarqueeA non-movable roof-like structure that is self-draining.
- MuralA graphic design on a building representing a person, place, scene, or other artistic endeavor. This definition does not include architectural enhancement of a building facade.
- Nonconforming SignAn existing sign, lawful at the time of enactment of this ordinance, which does not conform to the requirements of this code.
- Projecting SignsSigns other than wall signs, which are attached to and project from a structure or building face, usually perpendicular to the building face.
- Portable SignA permitted sign not permanently attached to the ground or other permanent structure including sandwich boards, pedestal signs, 'A' Frame signs, flags, and wind signs (not including flags of national, state, or city governments).
- Public ArtPublic art defined, approved, and installed in accordance with AMC [2.17](#), is not regulated as a sign per the provisions of chapter [18.4.7](#) Signs.
- Real Estate SignA sign erected on the premises, where the property or a portion of the property, is actively listed for sale or lease during the period of sale or lease.
- Replacement SignA change in the materials of permitted sign in which the approved sign dimensions, supporting structure, and location remain unaltered.

-
- Roof SignAny sign erected upon, against, or directly above a roof or top of or above the parapet of a building.
 - Shopping Center or Business ComplexAny business or group of businesses which are in a building or group of buildings, on one or more lots which are contiguous or which are separated by a public right-of-way or a privately owned flag drive used for access and not greater than 35 feet in width, which are constructed and/or managed as a single entity, and share ownership and/or function.
 - SignAny identification, description, illustration, symbol, or device which is placed or affixed directly or indirectly upon a building, structure, or land. Interior illuminated panels, fascia strips, bands, columns, or other interior illuminated decorative features located on or off a structure, visible from the public right-of-way, and with or without lettering or graphics must also be considered a sign and included in the overall sign area of the site. Public Art, as defined above, is not considered a sign.
 - Sign, PublicA sign erected by a public officer or employee in the performance of a public duty which includes, but is not limited to, motorist informational signs and warning lights.
 - Street FrontageThe lineal dimension in feet that the property upon which a structure is built abuts a public street or streets.
 - Temporary SignA sign that is not permanently affixed. All devices such as banners, pennants, flags, (not including flags of national, state, or city governments), searchlights, curb signs, balloons, or other air or gas-filled balloons.
 - Three-Dimensional SignA sign which has a depth or relief on its surface greater than six inches exclusive of the supporting sign structure and not to include projecting wall signs.
 - Vehicle SignA sign mounted on a vehicle, bicycle, trailer, or boat, or fixed or attached to a device for the purpose of transporting from site-to-site.
 - Wall GraphicsIncluding but not limited to any mosaic, mural, painting, graphic art technique, or combination or grouping of mosaics, murals, paintings, or graphic art techniques applied, implanted, or placed directly onto a wall or fence.
 - Wall SignA sign attached to or erected against the wall or window of a building with the face in a parallel plane of the building wall.
-

- Wind Sign or Device Any sign or device in the nature of banners, flags, balloons, or other objects fastened in such a manner as to move upon being subject to pressures by wind or breeze.

Slope. The deviation of a surface from the horizontal, usually expressed in percent. See Figure below. See also, definition of Slope, Solar Setback.

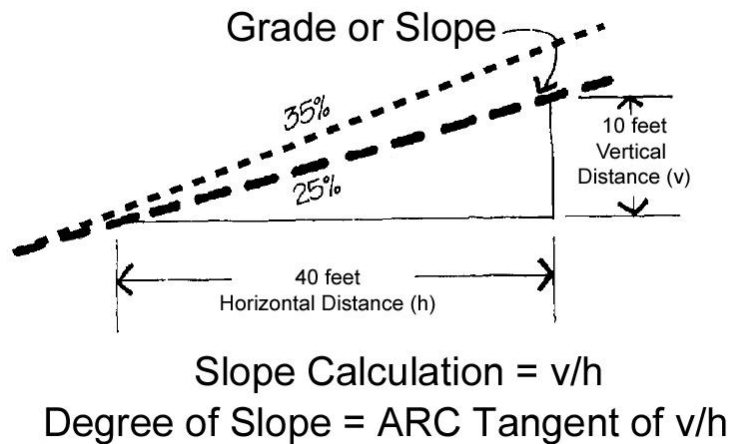


Figure 8. Slope

Solar Access and Setbacks – Definitions Related to Chapter 18.4.8 Solar Access.

- Exempt Vegetation All vegetation over 15 feet in height at the time a solar access permit is applied for.
- Highest Shade Producing Point, Solar Access The point of a structure that casts the longest shadow beyond the northern property boundary at noon on December 21st.
- Northern Lot Line Any lot line or lines less than 45 degrees southeast or southwest of a line drawn east-west and intersecting the northernmost point of the lot. If the northern lot line adjoins any unbuildable area (e.g., street, alley, public right-of-way, parking lot, or common area) other than a required yard area, the northern lot line is that portion of the northerly edge of the unbuildable area which is due north from the actual northern edge of the applicant's property. See Figure below.

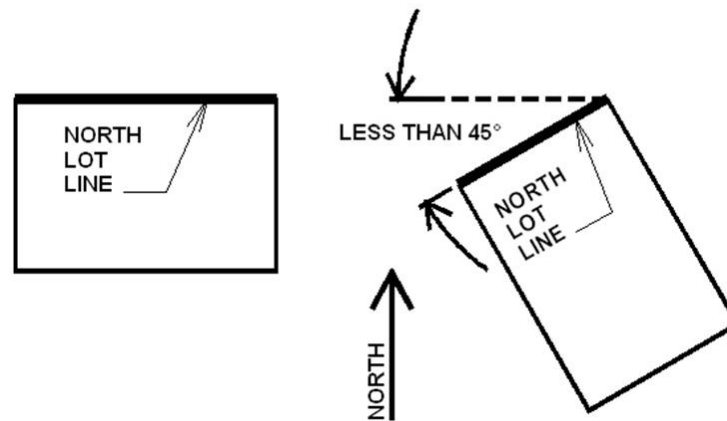


Figure 9. Northern Lot Line

- North-South Lot Dimension The average distance in feet between lines from the corners of the northern lot line south to a line drawn east-west and intersecting the southernmost point of the lot. See Figure below.

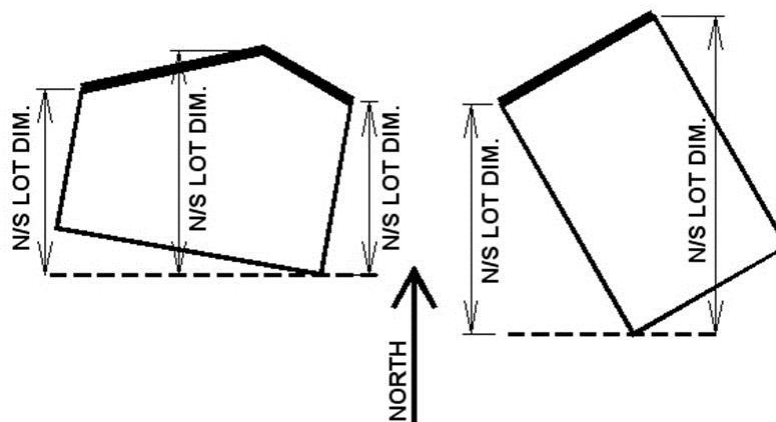


Figure 10. North-South Lot Dimension

- Slope, Solar Setback A vertical change in elevation divided by the horizontal distance of the vertical change. Slope is measured along lines extending 150 feet north from the end points of a line drawn parallel to the northern lot line through the midpoint of the north-south lot dimension. North facing slopes will have negative (-) values and south facing slopes will have positive (+) values. See Figure below.

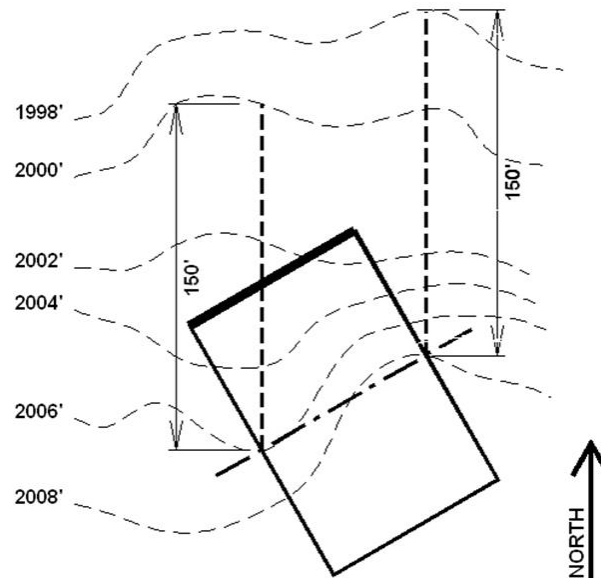


Figure 11. Measuring Slope for Solar Setback

- Solar Energy System Any device or combination of devices or elements which rely upon direct sunlight as an energy source, including but not limited to any substance or device which collects sunlight for use in the heating or cooling of a structure or building, the heating or pumping of water, or the generation of electricity. A solar energy system may be used for purposes in addition to the collection of solar energy. These uses include, but are not limited to, serving as a structural member of part of the roof of a building or structure and serving as a window or wall.
- Solar Envelope A three dimensional surface which covers a lot and shows, at any point, the maximum height of a permitted structure which protects the solar access of the parcel(s) to the north.
- Solar Heating Hours The hours and dates during which solar access is protected by a solar access permit, not to exceed those hours and dates when the sun is lower than 24 degrees altitude and greater than 70 degrees east and west of true south.
- Solar Access Permit Height Limitations The height limitations on affected properties required by the provisions of a Solar Access Permit displayed as a series of five foot contour lines which begin at the bottom edge of the solar energy system protected by the permit, rise at an angle to the south not less than 24 degrees from the horizon, and extend

at an angle not greater than 70 degrees to the east and west of true south and run parallel to the solar energy system.

- Solar SetbackThe minimum distance that a structure, or any part thereof, can be located from a property boundary.
- Sunchart, Solar AccessPhotographs or drawings, taken in accordance with the guidelines of the Staff Advisor, which plot the position of the sun during solar heating hours.

Southern Oregon University (SOU) Plan. The Campus Master Plan Update for Southern Oregon University dated April 12, 2010, with all conditions added by the Planning Commission and City Council as adopted and incorporated into the Comprehensive Plan by Ordinance No. 3014 on June 1, 2010.

Spandrels. An area, roughly triangular in shape, included between the extradoses of two adjoining arches and a line approximately connecting their crowns.

Staff Advisor. The Community Development Director of the City or the Community Development Director's authorized representative.

Story. That portion of a building included between the upper surface of one floor and the surface of the next floor next above, or if there is no floor above, the finished ceiling directly above. A basement is not considered a story. Unenclosed decks, porches, balconies, and similar features are not considered stories.

Story, Half. A half story is a space under a sloping roof that has the line of intersection of the roof and exterior wall face not more than three feet above the floor level below and in which space the floor area with head room of five feet or more occupies no more than 50 percent of the total floor area of the story directly beneath. If the wall face is more than three feet above the floor level below at the rear or side yard setback line, then it must be considered a full story for purposes of setback measurements. See Figure below.

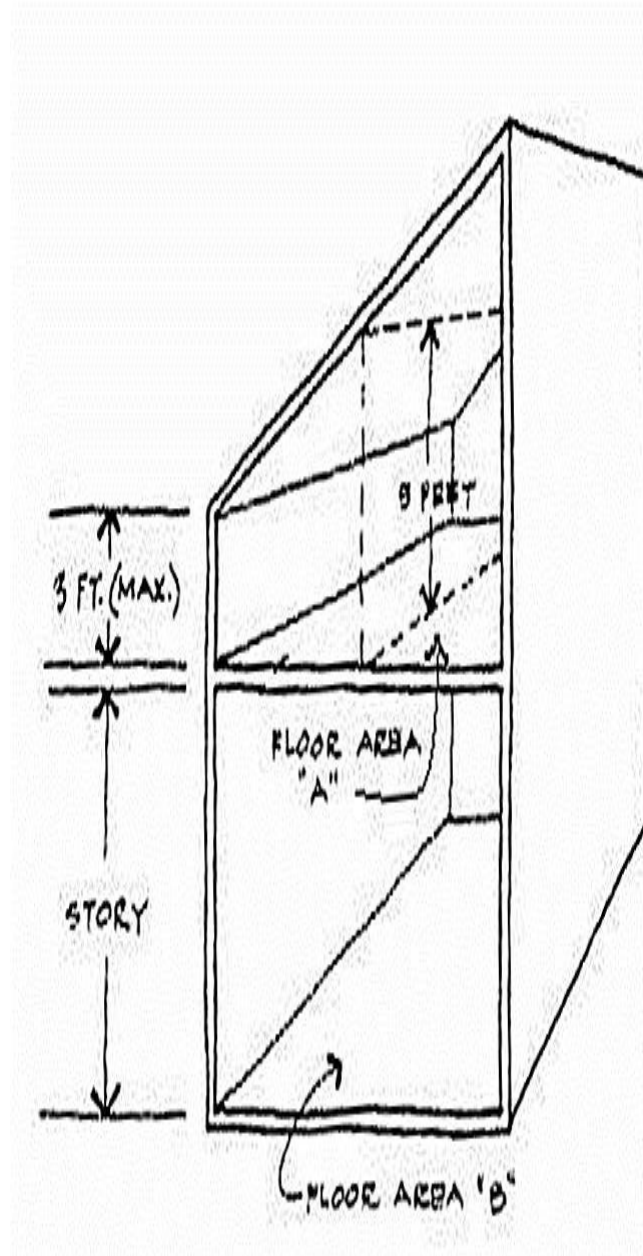


Figure 12. Half Story

Stream. A stream means a channel such as a creek that carries flowing surface water, including perennial, intermittent, and ephemeral streams with defined channels, and excluding man-made irrigation and drainage channels. Drainage channels do not include historically altered streams or channels that convey surface water flows. A stream is a type of water resource.

- Stream, Ephemeral An ephemeral stream generally flows only during and following a rain event. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow. Intermittent and ephemeral streams is a type of stream bank protection zone.
- Stream, Intermittent An intermittent stream generally flows only during part of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow. Intermittent and ephemeral streams is a type of stream bank protection zone.
- Stream, Perennial A perennial stream has flowing water year-round during a typical year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.
- Stream, Local A type of stream bank protection zone.

Stream Bank Protection Zone. An area subject to the provisions of chapter [18.3.11](#) Water Resource Protection Zones that includes a stream and an associated riparian buffer of varying width, as established herein, located adjacent to the stream, and in which certain human activities are regulated in order to protect the structure and functions of the stream. A stream bank protection zone is a type of water resource protection zone. There are three types of stream bank protection zones defined, established and protected in this ordinance – riparian corridor, local streams, and intermittent and ephemeral streams.

Stream Bank Protection Zone Boundary. An imaginary line that is measured horizontally at a standard distance upland from the top of bank or the center line of the stream as required in section [18.3.11.040](#) Establishment of Water Resource Protection Zones.

Stream Corridor Functions. Includes providing shade for the stream, stream bank, and channel stability, woody debris for the stream, sediment retention, litter for aquatic organisms in the stream, water filtration, aquatic and riparian fish, and wildlife habitat.

Street. A public right-of-way for roadway, sidewalk, and utility installation including the terms road, highway, land, place, avenue, alley, or other similar designations. The entire width between the right-of-way lines of every way that provides for public use for the purpose of vehicular and pedestrian traffic. See also, street design standards in section [18.4.6.040](#).

- Street, AlleyA narrow street through a block primarily for vehicular service access to the back or side of properties otherwise abutting another street.
- Street, ArterialA street used primarily for through traffic, also referred to as a Boulevard.
- Street, CollectorA street used to some extent for through traffic and to some extent for access to abutting properties. Types of collector streets are Avenues and Neighborhood Collectors.
- Street, Cul-de-sacA short dead-end street terminated by a vehicle turnaround.
- Street, HalfA portion of the width of a street, usually along the edge of a subdivision, where the remaining portion of the street could be provided in another subdivision.
- Street, MinorA street intended primarily for access to abutting properties, also referred to as Neighborhood Street.

Street Connectivity. Expressed as the number of street and/or access way connections within a specific geographic area. Higher levels of connectivity provide for more direct transportation routes and better dispersion of traffic, resulting in less traffic on individual streets and potentially slower speeds through neighborhoods.

Street Stub. A temporary street ending where the street will be extended through adjacent property in the future, as those properties develop. Not a permanent street-end or dead-end street.

Stripping. Any activity that significantly disturbs vegetated or otherwise stabilized soil surface, including clearing and grubbing operations.

Structure. That which is built or constructed; an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner and which requires location on, in, or above the ground or which is attached to something having a location on, in or above the ground.

Structural Alteration. A change to the supporting members of a structure including foundations, bearing walls or partitions, columns, beams or girders, or the roof. See also, definition of Alteration.

Subdivision or Subdivide Land. Division of land creating four or more lots within 12 months, except the Performance Standards Option under chapter [18.3.9](#) includes the division of land creating three lots. See also, chapter [18.5.3](#), Land Divisions and ORS [92.010](#).

T.

Temporary Use. A short-term, seasonal, reoccurring, or intermittent use. Such use must be approved by Conditional Use Permit only, except as exempted in the temporary use section [18.2.2.030.H](#).

Top of Bank. The elevation at which water overflows the natural banks of streams or other waters of the state and begins to inundate upland areas. Physical characteristics that indicate the elevation include a clear, natural line impressed on the shore, a change from bare soil to upland vegetation (e.g., oak, fir, pine), a change in vegetation from riparian vegetation (e.g., willows, big leaf maple, alders) to upland vegetation (e.g., oak, fir, pine), a textural change of depositional sediment or changes in the character of the soil (e.g., from sand, sand and cobble, cobble and gravel to upland soils), absence of fine debris (e.g., needles, leaves, cones and seeds), and the presence of water-borne litter or debris, water-stained leaves or water lines on tree trunks. In the absence of physical evidence or where the top of each bank is not clearly defined, the two year recurrence interval flood elevation may be used to approximate the top of bank. See Figure below.

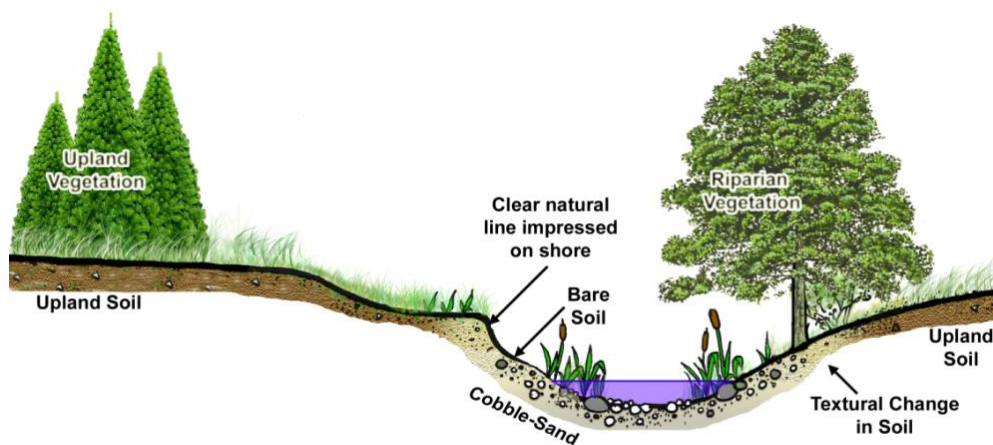


Figure 13. Top of Bank

Topping. The severe cutting back of a tree's limbs to stubs three inches or larger in diameter within the tree's crown to such a degree so as to remove the natural canopy and disfigure the tree. Topping does not include the practice of pollarding when conducted in accordance with the standards established by the International Society of Arboriculture.

Tract. A piece of land within a platted subdivision reserved for open space, utility corridor, recreation facilities, sensitive lands, or other purpose; may be dedicated to an owner's association or other entity for maintenance.

Tract or Area of Land. A unit or contiguous units of land under single ownership.

Transom Window. A glazed or clear opening above the door or window.

Transparency. A clear opening or window; clear enough to see through.

Travelers' Accommodations. Transient lodging in a residential zone having a room, rooms, or dwellings rented or kept for rent to travelers or transients for a charge or fee paid or to be paid for rental or use of such facilities on one or more occasions for a period of less than 30 consecutive days. See also, definition of Accessory Travelers' Accommodation.

Tree. Any woody plant having a trunk six caliper inches or larger in diameter at breast height (DBH). If a tree splits into multiple trunks above ground, but below 4 ½ feet, the trunk is measured at its most narrow point beneath the split, and is considered one tree if greater than six inches DBH. Plants commonly planted as shrubs, including but not limited to English laurel, Leyland cypress, Photinia, Arborvitae, poison oak, English holly, and English ivy are not considered a tree. Trees specifically planted and maintained as a hedge are also not be considered a tree.

Tree Account. An account established by resolution of the City Council for the receipt of funds to be utilized for future tree purposes, as outlined in the resolution.

Tree Protection Zone. The area reserved around a tree or group of trees in which no grading, access, stockpiling, or other construction activity can occur as determined by the Staff Advisor based on review of the tree and site conditions.

Tree Removal. To cut down a tree, remove 50 percent or more of the crown, trunk, or root system of a tree, or to damage a tree so as to cause the tree to decline and/or die. Tree removal includes topping. Tree removal includes but is not limited to damage inflicted upon a root

system by application of toxic substances, operation of equipment and vehicles, storage of materials, change of natural grade due to unapproved excavation or filling, or unapproved alteration of natural physical conditions. Tree removal does not include normal trimming or pruning of trees.

Tree Removal Permit. Written authorization from the City for a tree removal to proceed as described in an application, such authorization having been given in accordance with chapter [18.4.5](#) Tree Preservation and Protection.

Turnaround. A vehicle maneuvering area at the end of a dead-end street or driveway (e.g., hammerhead, cul-de-sac, or other configuration) that allows for vehicles to turn around.

U.

Unbuildable Area. That portion of an existing or proposed lot that building upon is restricted by regulations. Unbuildable area includes but is not limited to required yards, easements, and flood plain corridor, hillside, and severe constraints lands as classified in section [18.3.10.060](#). For the purposes of implementing chapter [18.4.8](#), Solar Access, unbuildable area does not include a required solar setback area.

Upland. Land not characterized by the presence of riparian area, water bodies, or wetlands.

Upper-Floor Dwelling Unit. A residential unit with the entrance, front or rear, that is more than five feet above the finished grade. The distance from finished grade is measured vertically at a right angle from finished grade to the doorsill.

Urban Growth Boundary (UGB). The City incorporates by reference the definition given the term in ORS [195.060](#), as amended.

Use. The purpose for which land or a structure is designed, arranged, intended, occupied, or maintained.

V.

Verand. An open-sided, raised sitting area with thin columns that support its roof; typically extends along the entire wall or warps around a corner.

Vision Clearance Area. Areas near intersections of roadways and motor vehicle access points where a clear field of vision is required for traffic safety and to maintain adequate sight distance. See also, section [18.2.4.040](#) Vision Clearance Area.

W.

Walkway. A sidewalk or path improved to City standards or to other roadway authority standards, as applicable.

Water Budget. The amount of water a landscape needs taking into account the inputs and outputs of water to and from the root zone. Inputs, such as precipitation, are subtracted from outputs, such as evapotranspiration, to calculate the water needs of the landscape.

Water Conserving Landscaping – Definitions Related to Section 18.4.4.030.I.

- Automatic Sprinkler Controller Sprinkler controllers/timers determine watering start and stop times.
- Baseline The amount of water required by the site during the peak watering month if watered at 100 percent of Reference Evapotranspiration (ET_o).
- Berm Any area where the soil is raised 30 percent or more on its sides and has no retaining wall included.
- Check Valves A check valve a device that prevents the water that remains in the sprinkler piping from draining out of the sprinklers after the valve has shut off.
- Control Valves These are the valves that sprinklers on and off; they also may be used for drip irrigation systems. Other names sometime used for them are irrigation valve or sprinkler valve.
- Drip Irrigation Devices that apply water at or below the soil surface. Spray or misting emitters are not drip irrigation devices.
- Emitters Drip distribution device that dispenses water to the ground at a predictable rate.
- Head to Head Coverage The area watered by each sprinkler overlaps the area watered by the adjacent sprinkler; providing uniform water coverage.

- Irrigation ZoneThe portion of an irrigation system served by a single control valve, typically operated by a unique station on the irrigation controller.
- Mature CompostA stable organic amendment product characterized by raw materials (yard trimmings, vegetative, food waste, feedstock manures, etc.) that has been sufficiently decomposed under controlled moisture and aeration conditions. Mature compost is a well-cured product in which viable seed and pathogens are eliminated through the application of high temperatures. Mature compost is characterized by low amounts of carbon dioxide, a low ratio of ammonia to nitrate, low total ammonia content, and little to no odor.
- MulchA permeable protective covering of organic material such as bark, pine needles, or compost spread over soil and around plants to reduce evaporation, maintain even soil temperature, prevent soil erosion, and prevent leaks.
- Precipitation Rates (PR)The rate that sprinkler heads apply water to the soil or turf.
- Pressure Reduction Valve (PRV)A valve that automatically reduces the water pressure from the water supply main to a lower, more appropriate pressure. Pressure regulating sprinklers are not considered a pressure reduction valve.
- Raised BedsAreas of soil with retaining walls one foot or greater in height.
- TerraceCreation of horizontal areas on sloped land through a series of steps, retained on the downhill side.

Water Resource. A riparian, local, intermittent or ephemeral stream corridor, or a wetland

Water Resources Map. The adopted City map which identifies the approximate locations of water resources in Ashland including officially recognized streams and wetlands identified on the City's Local Wetland Inventory.

Water Resource Protection Zone. An area subject to the provisions of chapter [18.3.11](#) Water Resource Protection Zones which includes a water resource and an associated buffer of varying width, located adjacent to the water resource and in which certain human activities are regulated in order to protect the structure, functions, and values of the resource. Water resource protection zone is a category including stream bank protection zones and wetland protection zones.

Wetlands. Those areas that are inundated or saturated by surface or ground water at a frequency or duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands are a type of water resource.

- Wetlands, Locally Significant Those wetlands identified on the Water Resources Map and determined significant wetlands using the criteria adopted the Oregon Department of State Lands (DSL). Locally significant wetlands is a type of wetland protection zone.
- Wetlands, Possible An area that appears to meet wetland criteria but is too small (less than a half acre according to Oregon Department of State Lands (DSL) rules) to require its inclusion in the Local Wetland Inventory. The Water Resources Map notes areas that are in the possible wetland designation. However, there may be additional existing areas that meet the DSL wetland criteria, but are not included on the Water Resources Map. Possible wetlands is a type of wetland protection zone.

Wetland Boundary. A line marked on a map or flagged in the field that identifies the approximate wetland/non-wetland boundary.

Wetland Buffer. An area extending away from the outer delineated wetland boundary or upland edge that is preserved for the purpose of protecting the functions and values of the wetland by serving to reduce the adverse effects of adjacent land uses.

Wetland Delineation. A determination of wetland presence that includes marking the wetland boundaries on the ground and/or on a detailed map prepared by professional land survey or similar accurate methods.

Wetland Functions. Include wildlife habitat, fish habitat, water quality, and hydrological control.

Wetland Protection Zone. An area subject to the provisions of chapter [18.3.11](#) Water Resource Protection Zones that includes all wetlands determined to be locally significant and possible wetlands with confirmed jurisdictional wetland presence, and an associated buffer area of varying width, as established herein, located adjacent to the wetland, and in which certain human activities are regulated in order to protect the structure and functions of the wetland. A wetland protection zone is a type of water resource protection zone. There are two types of wetland protection zones defined, established and protected in this chapter – locally significant wetlands and possible wetlands.

Wetland Protection Zone Boundary. An imaginary line that is measured horizontally at a standard distance upland from the delineated wetland boundary as required in section [18.3.11.040](#) Establishment of Water Resource Protection Zones.

Wetland Specialist. An individual who has the appropriate credentials verifying proven expertise and vocational experience conducting wetland delineations.

Wildfire. Fire caused by combustion of native vegetation, commonly referred to as forest fire or brush fire, and not a prescribed burn.

Wireless Communication Facilities. The site, structures, equipment, and appurtenances used to transmit, receive, distribute, provide, or offer wireless telecommunications services. This includes, but is not limited to antennas, poles, towers, cables, wires, conduits, ducts, pedestals, vaults, buildings, electronics, and switching equipment.

Wireless Communications Systems. The sending and receiving of radio frequency transmissions and the connection or relaying of these signals to land lines and other sending and receiving stations, and including, but not limited to cellular radiotelephone, personal communications services (PCS), enhanced/specialized mobile radio, and commercial paging services, and any other technology which provides similar services.

Wireless Communications Support Structure. A structure used to support wireless communications antennas and connecting appurtenances. The purpose of such structures is to elevate an antenna above the surrounding terrain or structures and may be attached to an existing building or other permanent structures or as a free-standing structure which may include, but are not limited to monopole support structures and lattice support structures, and may have supporting guyed wires and ground anchors.

- MonopoleA support structure which consists of a single pole sunk into the ground or attached to a foundation.
- Lattice TowerA support structure which consists of a network of cross braces that forms a tower. These types of structures are primarily used for taller towers and require a larger base than that of a monopole.
- Alternative StructureMan-made structures that, by design, camouflage or conceal the presence of wireless communication facilities, such as clock towers, bell towers, church steeples, water towers, light poles, and similar alternative-design mounting structures.

X. [reserved]

Y.

Yard. An outdoor area of a lot which is unobstructed by a structure, except as allowed in section [18.2.4.050](#), Yard Requirements and General Exceptions, and measured from a lot line to the nearest point of a building. May also be an area defined by required setbacks (e.g., between a building or structure and nearest property line).

- Yard, FrontA yard between side lot lines and measured horizontally at right angles to the front lot line from the front lot line to the nearest point of the building.
- Yard, SideA yard between the front and rear yards measured horizontally and at right angles from the side lot line to the nearest point of the building.
- Yard, RearA yard between side lot lines and measured horizontally at right angles to the rear yard line from the rear yard line to the nearest point of the building.

Z.

Zone. A specifically delineated area within which certain land use regulations and development standards apply.

Zoning Permit. An acknowledgement made to the Building Official by the Staff Advisor that the application for a building permit meets the requirements of the Land Use Ordinance. Where applicable, a zoning permit may also set forth any special conditions to be met by the applicant prior to issuance of a certificate of occupancy or any other planning and zoning related conditions to be enforced by the Building Official. (Ord. 3216 § 9, amended, 03/15/2023; Ord. 3204 § 4, amended, 12/21/2021; Ord. 3199 § 27, amended, 06/15/2021; Ord. 3192 § 120, amended, 11/17/2020; Ord. 3190 § 9, amended, 11/17/2020; Ord. 3184 § 3, amended, 06/02/2020; Ord. 3167 § 14, amended, 12/18/2018; Ord. 3158 § 12, amended, 09/18/2018; Ord. 3155 § 16, amended, 07/17/2018)

The Ashland Land Use Ordinance is current through Ordinance 3268, passed November 4, 2025.

Disclaimer: The City Recorder's office has the official version of the Ashland Land Use Ordinance. 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.](#)

Chapter 10.XXX

MANUFACTURED HOME PARKS (MHP) – NOTICE OF SALE, OPPORTUNITY TO PURCHASE, AND RELOCATION STANDARDS

Sections:

10.XXX.010 Declaration of Policy

10.XXX.020 Notice of Sale and Tenant Rights

10.XXX.030 Opportunity to Purchase

10.XXX.040 Relocation Standards and Assistance

10.XXX.050 Relocation Plan and City Review

10.XXX.060 Prohibited Harassment or Frustration of Tenant Rights

10.XXX.070 Additional Notice to City Housing Staff

10.XXX.080 Penalties

10.XXX.010 Declaration of Policy

It is hereby declared to be the policy of the City of Ashland, Oregon, to exercise its municipal authority and police powers to protect the public health, safety, and general welfare by ensuring that residents of manufactured home parks are afforded meaningful notice, opportunity to purchase, and relocation protections when a park is sold, closed, or converted to another use as permitted in the underlying zone. This Chapter is intended to supplement and be consistent with state law governing manufactured dwelling parks, including ORS Chapter 90.

10.XXX.020 Notice of Sale and Tenant Rights

- A. The owner of a mobile or manufactured home park shall not make a final unconditional acceptance of any offer for the sale or transfer of the park without first providing written notice of sale to all tenants of the park, as required by ORS Chapter 90.

-
- B. The notice of sale shall be delivered to each tenant by personal delivery or by certified mail and shall include, at a minimum:
1. A statement that the landlord intends to sell or transfer the manufactured dwelling park;
 2. The name, address, and contact information of the landlord or the landlord's authorized agent responsible for communications regarding the sale;
 3. The price, terms, and conditions that the landlord intends to accept for the sale of the park, including a copy of any pending purchase and sale agreement, if available; and
 4. A statement describing the rights of tenants under this Chapter and under applicable provisions of ORS Chapter 90 and City Ordinance, including the opportunity to purchase and relocation protections.
- C. If a purchase and sale agreement is executed prior to delivery of the notice required by this section, such agreement shall expressly acknowledge the notice and tenant protection requirements of this Chapter and applicable Oregon statutes, and shall provide sufficient time to allow tenants a meaningful opportunity to exercise their rights.

10.XXX.030 Opportunity to Purchase

- A. Following receipt of a notice of sale, tenants may organize or act through an eligible tenant organization, cooperative, or other entity permitted under Oregon law to express interest in purchasing the manufactured dwelling park.
- B. If a qualified tenant organization or other eligible organization, after receiving the notice of sale, wishes to purchase the MHP, it shall submit a proposed purchase and sale agreement in writing via certified or registered mail to the MHP owner within 120 days of receipt of the MHP owner's notice of sale. The MHP owner shall engage in good faith negotiations with the qualified tenant organization or other eligible organization. If no qualified tenant organization exists at the time the MHP owner gives its notice of sale, the homeowners may form one for the purpose of considering whether to exercise the purchase opportunity.
- C. Nothing in this section shall be construed to require a park owner to accept an offer to purchase, but failure to comply with notice and good-faith negotiation requirements shall constitute a violation of this Chapter.
-

10.XXX.040 Relocation Standards and Assistance

- A. The owner of a manufactured dwelling park that is closing, being converted to another use, or otherwise requiring tenant displacement shall comply with all applicable notice and relocation assistance requirements of ORS Chapter 90.
- B. Where relocation assistance is required by state law, the park owner shall provide relocation payments and assistance to affected tenants in the manner and amounts required by Oregon statute.
- C. Relocation assistance obligations under this Chapter are in addition to, and not in lieu of, any other duties imposed by state or federal law.

10.XXX.050 Relocation Plan and City Review

- A. Prior to issuing any termination notices associated with closure or change of use of a manufactured dwelling park, the park owner shall submit a relocation report and plan to the City for review.
- B. The relocation report and plan shall describe how the park owner will comply with applicable relocation requirements and assist tenants in relocating their manufactured homes or securing alternative housing, including:
 - 1. An inventory of available relocation resources;
 - 2. Actions the owner will take to assist tenants in identifying alternative housing options;
 - 3. Actions the owner will take to assist with the physical relocation of manufactured homes, where feasible; and
 - 4. The anticipated timing of park closure or conversion.
- A.C. The City may require designation of a relocation coordinator to administer the approved relocation plan.
- B.D. No manufactured dwelling park may close or convert until the City determines that the owner has complied with the approved relocation plan and applicable state law.

10.XXX.060 Prohibited Harassment or Frustration of Tenant Rights

No park owner or agent shall engage in conduct that has the effect of harassing, intimidating, coercing, or interfering with a tenant's exercise or enjoyment of rights granted by this Chapter or ORS Chapter 90. Prohibited conduct includes, but is not limited to:

- A. Interfering with a tenant's right to receive required notices or to organize with other tenants;
- B. Attempting to force a tenant to vacate through improper rent increases, service reductions, or threats;
- C. Interfering with a tenant's right to receive relocation assistance or to pursue an opportunity to purchase the park; and
- D. Any action taken for the purpose of avoiding or frustrating compliance with this Chapter or applicable state law.

10.XXX.070 Additional Notice to City Housing Staff

Notice of Conversion given pursuant to this ordinance shall be served as provided in ORS 100.305, except that a copy of said notice and list of all recipients shall be provided by regular mail or personal delivery to the City of Ashland Housing Program Specialist within 7 days of its delivery or mailing to tenants

10.XXX.080 Penalties

- A. It shall be unlawful for any park owner or agent to violate or fail to strictly comply with the notice, opportunity to purchase, relocation, or prohibited conduct provisions of this Chapter.
- B. Any violation of this Chapter shall constitute a civil violation subject to penalties as provided in the Ashland Municipal Code. Each affected household shall constitute a separate violation.

CITY OF

ASHLAND

Better Together

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

Croman Zone

R-1-10

R-1-3.5

R-1-5

R-1-7.5

R-2

R-3

RR-.5

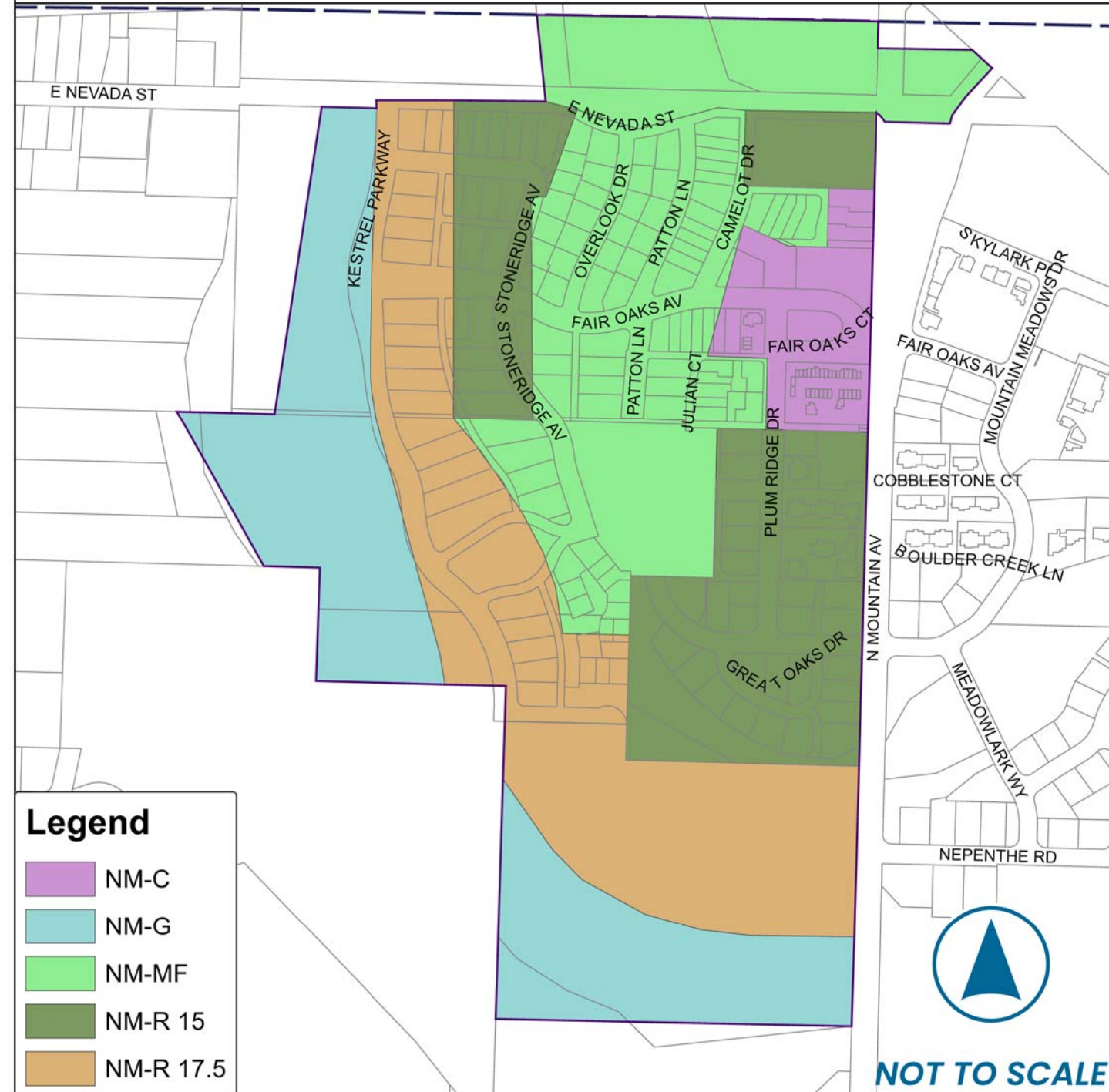
RR-1

SO

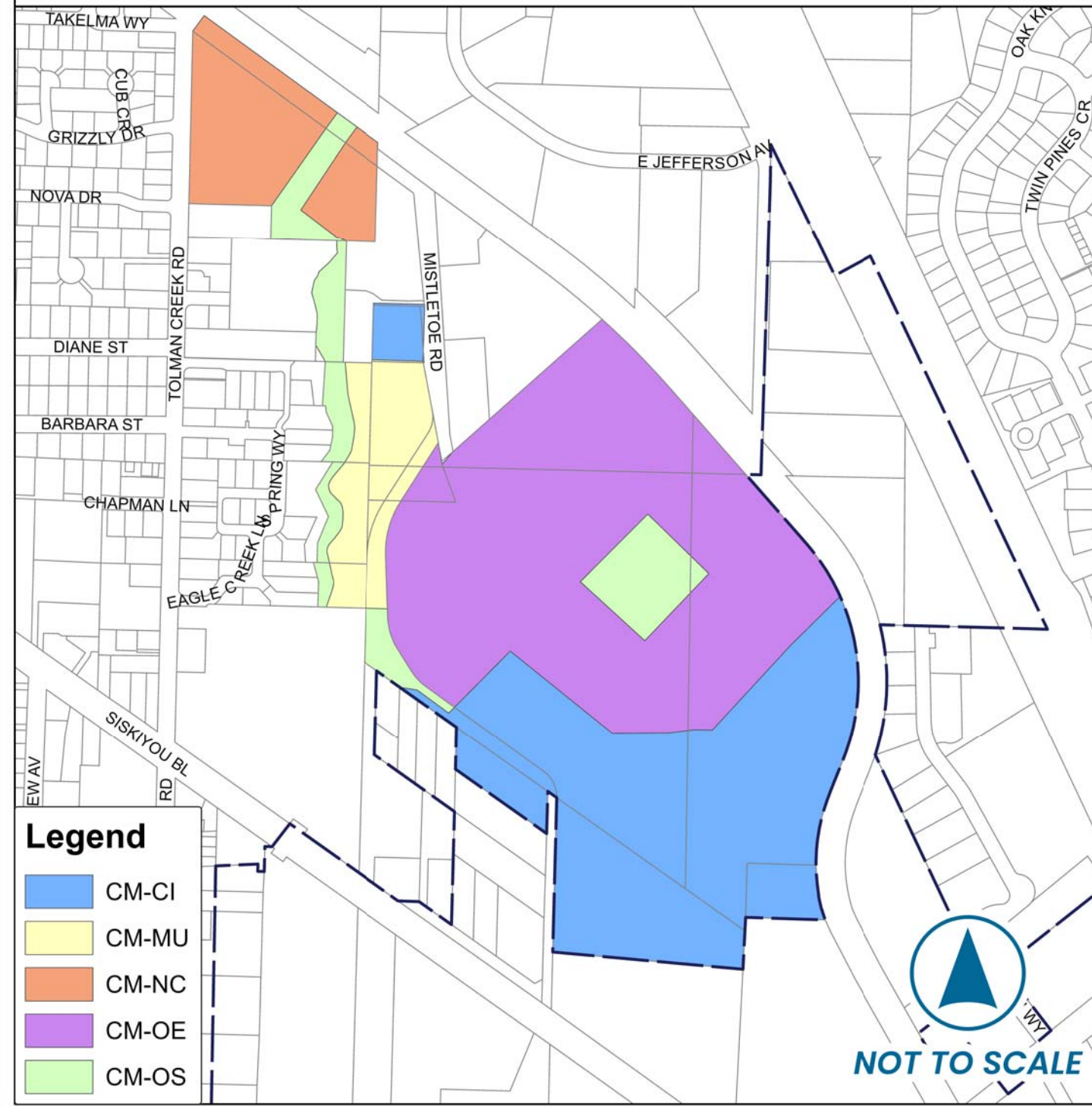
WR

WR-20
- 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.

North Mountain Zoning Overlay Detail



Croman Mill Zoning Overlay Detail



This is to certify that this is the approved final version of the Official Comprehensive Plan Map

Signed: _____ Date _____

City Recorder _____ Date _____