

**ASHLAND CITY COUNCIL**  
**BUSINESS MEETING Minutes**  
**Tuesday, December 5, 2023**

**Executive Session**

Mayor Graham, Councilors Hyatt, Bloom, Dahle, Kaplan, DuQuenne and Hansen were present. Human Resources Director Molly Taylor and Acting City Attorney Doug McGeary were present.

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

**Regular Business Meeting\***

I. **CALL TO ORDER**

Mayor Graham called the meeting to order at 6:01 p.m. No employment decisions were made.

1. **Land Acknowledgement**

Councilor Kaplan read the land acknowledgement.

II. **PLEDGE OF ALLEGIANCE**

Mayor Graham led the pledge of allegiance.

III. **ROLL CALL**

Mayor Graham, Councilors Hyatt, Bloom, Dahle, Kaplan, DuQuenne and Hansen were present.

IV. **MAYOR'S/CHAIR OF THE CITY COUNCIL ANNOUNCEMENTS**

Mayor Graham addressed concerns regarding chamber decorum and designating time for public speakers. Graham announced there would be a benefit for the sister city of Sviatohirsk 2:30 p.m. on December 10<sup>th</sup>, 2023, at the Ashland armory. Graham read peace proclamation.

1. Peace Proclamation – See attached.

V. **APPROVAL OF MINUTES \*\*\***

1. Minutes of the November 20, 2023 – Study Session Meeting
2. Minutes of the February 22, 2023 –Special Business Meeting

**Hyatt/DuQuenne m/s to approve the minutes of the November 20, 2023, Study Session and the minutes of February 22, 2023, Special Business Meeting. Roll Call Vote: Councilors Kaplan, Hansen, DuQuenne, Dahle, Bloom and Hyatt, YES. Motion passed.**

VI. **SPECIAL PRESENTATIONS**

VII. **CITY MANAGER REPORT**

Acting City Manager Sabrina Cotta provided an update regarding the beautification grant pilot program. Applications to apply for the grant have opened. Grant information can be found on the City's website. Councilor Kaplan thanked Cotta for providing information about the grants within the packet. See attached City Manager's Report.

**VIII. PUBLIC FORUM (15 minutes – Public input or comment on City business not included on the agenda)**

**Pamela Joy/Ashland** Discussed ongoing 5G issues. Brought up concerns about the fire risk of telecommunication devices as well as concerns from people who are electrosensitive. Brought up concerns by a fire safety consultant regarding fires involving cell towers and the possible risk towards people around it. Urged the City Council to do more research on the topic and provided suggestions of books to read.

**Scott Plass** Electrical Contractor for 15 years. Discussed ongoing 5G issues. Brought up concerns regarding the fire risk of telecommunication devices. Mentioned how cell tower fires may cause mass evacuations. Urged the City Council to address safety issues and write new cell tower regulations.

**Paul Sheldon/Ashland** Shared update regarding the Sviatohirsk Sister City program. 150 windows were installed in a building in Sviatohirsk using the money raised by a benefit concert in Ashland. Funds also went to buy a glass cutting table. He reminded members of another benefit concert set for December 10<sup>th</sup>, 2023.

**IX. CONSENT AGENDA**

1. Liquor License Approval for Trattoria Inc. (DBA "Martino's Macaroni's Ristorante") at 58 E. Main St.
2. Liquor License Approval for Lithia Loft LLC at 144 Lithia Way.
3. Liquor License Approval for Brother's Restaurant at 95 N Main St.

**Dahle/DuQuenne m/s to approve the Consent Agenda. Roll Call Vote: Councilor Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.**

**X. PUBLIC HEARINGS**

**1. Public Hearing and First Reading of CFEC Parking Code Ordinance Amendments**

**Bredon Goldman & Derek Severson presented their findings regarding the ordinance.** Presentation attached. Goldman emphasized the inclusion of requiring one ADA accessible parking spot in developments where no other parking is proposed. Both Goldman and Severson recommended option 1 (eliminate all parking mandates citywide). **DISCUSSION:** Hansen asked for clarification regarding options 2/3 (Maintain some parking mandates (in 20% of city) and apply new detailed standards and performance measures) and unbundling in the first reading. Goldman responded that the first reading would not include the unbundling option, as the staff recommended option 1. Goldman expressed difficulties with moving forward with option 2 and how to approach administering option 2 over time. He suggested the City could create a minimum amount for how much a parking space should rent if option 2 is selected. Goldman mentioned that a full investigation into option 2 has not yet been undertaken and would not be ready in time for the second reading. Kaplan asked if staff still recommended option 1. Goldman responded that both staff and the Planning Commission recommended option 1. Kaplan understood that the Planning Commission asked staff to bring back an unbundling option. Goldman confirmed that it would be done, but not within the current application.

**Public Comment**

**Gary Shaff/Ashland-** Expressed concerns about AMC 18.3.9060(A) provision which requires on-street parking to be handled by the developer and fears around the possibility of the total elimination of parking spaces by vested interests. Shaff recommends asking the Planning Commission, SERJ, CEPAC, and the Housing and Human Services Advisory Committee to serve on a task force to discuss the issue.

Goldman said the requirements in the ordinance regarding on and off-street parking for new subdivisions would remove the requirement for two off-street parking spaces. The on-street parking requirements would remain unchanged. Goldman spoke to Shaff's concerns of vested interests, and that plans would be put in place if the ordinance goes through. Goldman mentioned that further evaluation regarding on-street parking would be handled on a case-by-case basis. Hansen asked when the option to revisit unbundling in the future would be available. Goldman responded that it would be a new ordinance and must be at the request of the City Council and the Planning Commission. If a new ordinance was created, all property owners who would be affected would be contacted. Goldman reaffirmed his support behind option 1. Hansen asked if the state was looking for Ashland to adopt the rule within the timeline given by the City. Goldman responded that the standards were set in January 2023, with June 2023 being the deadline, and the City was given a six-month extension until December 2023.

Mayor Graham closed the public hearing.

**Councilor Hansen/Hyatt m/s to approve First Reading of Ordinance 3229, AN ORDINANCE AMENDING THE ASHLAND LAND USE ORDINANCE TO REMOVE AUTOMOBILE PARKING MANDATES AND AMEND PARKING STANDARDS SET FORTH IN ASHLAND MUNICIPAL CODE SECTIONS 18.2.2, 18.2.3, 18.3.14, 18.3.2, 18.3.4, 18.3.5, 18.3.9, 18.4.2, 18.4.3, 18.4.4, 18.4.6, 18.5.2, 18.5.3, 18.5.4, 18.5.5, AND 18.5.6; and to schedule Second Reading on December 19th, 2023.**

**Discussion:** Hansen spoke that he is excited we are prioritizing equitable friendly requirements and applauded the staff for their work. Hansen looks forward to climate friendly ordinances and further discussion regarding unbundling parking. Hyatt spoke about how this is important not just because it is legally required but also because it's important for economic development. Hyatt thanked the staff, giving special notice to the ADA access section. Kaplan thanked the staff for looking at the broader picture.

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

## **2. First Reading Prohibited Camping Ordinance 3228**

Graham acknowledged the sensitivity of the issue and addressed how the discussion will take place. Graham mentioned that the ordinance is in response to discussions regarding what is considered "camping" while acknowledging the City's partnership with houselessness organizations and continued funding for both the severe weather shelter and the dawn-to-dusk camp space.

Acting City Attorney Doug McGeary spoke about the ordinance and the planned changes. McGeary stated that specific terms needed to be used due to court rulings and state laws. The City will be able to define the terms that the state and the courts have not yet defined. Kaplan asked about the preamble and specifically, the section that differentiates between those who voluntarily choose to be unhoused from those who are unhoused involuntarily. McGeary responded that the current ordinance forbids anyone from camping, regardless of choice or reason, and the proposed ordinance would be about defining who is and isn't allowed to camp. Kaplan asked a follow up question regarding the differentiation that McGeary is proposing. McGeary clarified that the City does not want to punish people who are involuntarily unhoused and to prohibit camping for people who chose to camp.

Mayor Graham asked if removing the reference of voluntary vs involuntary would change the legal implications of the ordinance. McGeary responded that removing that section would cause changes, specifically when it comes to defining who is and isn't unhoused, while mentioning that many cities are

going through these same discussions, often patterning their ordinances after each other. He stated that by defining what is and isn't involuntary unhoused, the City can reduce issues with possible civil litigation. Bloom spoke to Kaplan's point that the ordinance is focused on the differences between status and behavior and that the ordinance is about regulating behavior not status. Hansen asked if the definitions have been identified by the court or created by the City of Ashland. McGeary responded that "involuntary" comes specifically from the federal courts. The "apparent value or utility" is not defined by federal or state law therefore the City of Ashland will be defining that term. McGeary also mentioned that the wording on the proposed ordinance was created in such a way that it would be defensible in court. Dahle asked about the feasibility and effectiveness of the ordinance if the wording regarding what is and isn't considered involuntarily unhoused would be removed. McGeary responded that the terms "value" and "utility" as stated in the ordinance are about the City's responsibility of a person's property and is not part of the behavior in question.

Assistant City Attorney Carmel Zahran elaborated on the definition of a what is considered an "established camp site" and how law enforcement must give it a 72-hour notice before the campsite is removed. Bloom relayed that HB 3124 states that 72 hours is the definition of an established campsite. Kaplan questioned at what point does the violation take hold? McGeary clarified that people have five days after putting their camp up before they must leave the space. Zahran added that law enforcement would consider it a violation after three days and the police removing the site after five days.

Mayor Graham asked for the rest of the definitions used within the ordinance to be discussed. McGeary and Zahran explained that the ordinance defined "designated spaces" as places set aside by the City as resting places for the involuntary unhoused such as the dawn-to-dusk space, "shelter" as a circumstance specific facility for the involuntarily unhoused, with both places being where involuntary unhoused people will be guided to. If neither a designated space nor shelter are available for an involuntary unhoused person, then the ordinance would be suspended. "Occupancy," which was focused on people sleeping on benches, has been changed to refer to a place that is being used by the involuntarily unhoused to the exclusion of the public. Kaplan asked about the two-hour time limit for occupancy. McGeary clarified that the old ordinance didn't have a concrete time limit for occupancy. Kaplan asked if occupancy included both voluntarily and involuntarily unhoused, which McGeary affirmed. Hyatt asked if regular recreational use might cause problems with the definition of occupancy. McGeary noted that the two-hour time limit is subject to change and can be discussed and modified at a later time. Zahran added the prohibited occupancy would not fall under the violation for camping. McGeary followed up with the stated exceptions that have been added via federal and state legislations and the proposed changes to the law-enforcement areas.

Kaplan spoke about the language of the old ordinance, particularly the ban on camping in any publicly owned property and enforcement of that section. McGregory responded that current enforcement is using the terms defined in the old ordinance, with the new ordinance using terms and definitions stated by federal and state legislature. Zahran added that the current policy allows for the enforcement of the old ordinance but must be updated. Kaplan spoke about the language regarding section B and the exception granted if a shelter or space isn't available. McGeary confirmed that enforcement would not take place if that exception was active and Zahran added that cities in Oregon have been updating camping ordinances to match state legislation.

McGeary pointed out that exception B of the new ordinance was based on situations such as emergencies or if the person is involuntarily unhoused and shelters and designated spaces are full, adding that

regardless of exception or if there is an emergency, the involuntary unhoused aren't allowed to use gas, start fires, have a campsite exceeding 100ft or located within certain sensitive areas. McGeary added that the change from the old ordinance distance of 250ft to the new ordinance distance of 500ft was to make it harder for possible legal challenges to the ordinance.

Kaplan asked about Section C and if it only applies if there is no designated space or shelter, which McGeary affirmed. Kaplan asked if the places listed in the ordinance as exceptions, such as Triangle Park, the median on Siskiyou Boulevard and the grass circle in front of the library, would only be used if there are no available designated spaces or shelters. McGeary confirmed that these places are permitted for camping, but only if there are no designated spaces, with the 100 yards buffer around rivers and streams already being a statute. Zahran added that the ban on camping on sidewalks or bike paths was included to help people with mobility issues and people with disabilities to move freely within the community. Graham asked about the difference between parks and playgrounds, and why the ordinance did not have a ban on all city parks with playgrounds. Zahran responded that the playground ban is about trying to keep children safe regarding possible drug usage from unhoused people. Graham clarified that her question was about legal issues and if the ordinance would include all parks. Zahan confirmed that there would be legal issues, with Hansen adding that parks have posted hours, meaning the unhoused could not camp in parks under the current restrictions. Zahan added that if the requirements for the exception are met, then the restrictions around parks would be lifted, but would still retain the current restrictions regarding time, place and manner.

Hyatt asked if there was a contradiction between Sections A and C regarding parks and parks with playgrounds and how the language may cause confusion. McGeary responded that Section A states that unhoused people are not allowed to camp unless there's an exception, and Section C states that unhoused people aren't allowed to camp in Lithia Park or a park that has a playground, regardless of exceptions. Dahle said that the areas listed in 10.46.020(a-c) are all banned regardless of if there is a shelter or not, which McGeary confirmed. Dahle added that there is a gray area regarding enforcement of campsite removal if the campsite is in an allowed area but there isn't a designated space or shelter available. McGeary confirmed that the areas where people can camp does not constitute blanket permission to sleep anywhere. Graham asked if the language could be changed to better define the term playground, with McGeary stating that the City Council can determine the definition. Graham asked about the rule regarding 150 feet distance between sites and if that distance was a standard element or if it was able to be shifted. McGeary and Zahran responded that the 150 feet rule was included to prevent large campsites from forming, having been influenced by decisions from larger cities. There are potential dangers in large, sprawling campsites and this helps give law enforcement clear instructions. Kaplan added that the 150 feet rule only applied if there were not any available designated spaces or shelters, adding that the City would be much better off having designated spaces or shelters open rather than enforcing the rules, which McGeary agreed with. McGeary added that the distances included within the ordinance are to also help with enforcement. McGeary stated that the City Manager may make additional rules to address situations regarding the unhoused as they unfold, with an example being given in the form of the rules set for the dusk-to-dawn campsite. Zahran added that this policy was created to manage scenarios quickly and in a reasonable fashion. Kaplan asked if McGeary and Zahran could clarify the meaning of "time, place and manner" as stated by the courts and House Bill 3115. McGeary and Zahran stated that time, place and manner come from federal interpretations and applies to regulation of civil rights and how they relate to unhoused people. Zahan explained the restrictions regarding vehicle camping and what are and are not reasonable. McGeary explained the changes to prohibited occupancy. Graham asked about the definition

of occupancy and its 50 square foot size restrictions regarding benches and street furniture. McGeary clarified that the ordinance speaks directly to the time of occupancy and not the inclusion of street furniture. Kaplan noted a possible contradiction within the wording, with McGeary agreeing, adding that changes could be made within the occupancy definition.

Bloom asked if up the required changes could be made within the overview time, which McGeary agreed to. Zahran defined the City of Ashland's ability to remove established campsites and the disposition of removed items, with Graham adding that it is not within the City's best interest to take people's property unless necessary. DuQuenne asked about the procedure to return removed property to unhoused people. Zahran responded that a public works section and policies would be created under the City Manager. Kaplan asked about the definition of "no apparent value or utility" and the process for determining value. McGeary responded that no apparent value applies to items such as waste and trash, as opposed to what is defined as a value or utility item within the ordinance. Zahran added that the wording will be changed to property as opposed to personal property, regardless of if the items are of value, and excluding hazardous property, adding that items must be held for 30 days according to state law. Bloom requested that an amendment be made to reflect the change in the definition of property. Zahran and McGeary confirmed that an amendment would be drafted in time for second reading. McGeary defined the violations for breaking the ordinance, highlighting persistent rule breaking and the consequences, as well as the penalties. DuQuenne asked about the language of having meaningful engagement with a service provider before a court hearing. Zahran responded that the language is based off the desire for the prosecution to work with people to stop the behavior and show meaningful change. DuQuenne added that the City does not want to hinder anyone's ability to show meaningful change. Graham asked if a judge in the case above would lower the charge from a misdemeanor to a violation, which Zahran affirmed. Bloom asked about wording regarding punishment if the person immediately removes their campsite. McGeary confirmed that the citation would be seen as something akin to a "fix-it ticket."

Police Chief O'Meara took the microphone. Bloom asked about police guiding the unhoused towards services. O'Meara confirmed that the police attempt to connect unhoused people to services. Dahle asked if O'Meara saw any glaring inconsistencies that should be addressed before moving forward. O'Meara said that he could not think of any. Hyatt asked about the definitions of voluntary vs involuntary, and how that looks in the field. O'Meara deferred to the legal team when it came to the definitions. He does not envision Ashland PD officers asking people about their back story. Graham asked if violations would be given to people simply for camping in the wrong place. O'Meara responded that fewer than 50% percent of contact between the unhoused and Ashland PD involve citing violations, adding that it is not the practice to punish people. Bloom asked if O'Meara could produce evidence to support his claim, which O'Meara confirmed did exist. Hansen asked about extra enforcement this calendar year in South Ashland. O'Meara stated there has been an increase in complaints in the south side of Ashland.

### **Public Comment**

**Ainsley Herrick/Ashland** Representing themselves only. Spoke in opposition of the ordinance, describing it as "cruel." Brought up studies showing that housing is the way to end homelessness. Brought up concerns about defining unhoused people as "voluntary" and "involuntary." Urged City Council to listen to advocates and the unhoused.

**JD Barons/Ashland** Spoke in opposition of the ordinance. Raised concerns about citations regarding Lacey Maverick McCoy. Mentioned difficulties with acquiring housing and stable work conditions within the Rogue Valley.

**Grace Pettygrove/Ashland** Spoke in opposition of the ordinance. Urged the City Council to focus on housing as the problem as opposed to punishing houseless people.

**Rich Rohde/Ashland** Commended City Council for listening to "all sides" Spoke in opposition of the ordinance. Brought up concerns about growing legal barriers for houseless people across the state and in the City of Ashland. Mentioned a "unhoused master plan."

**Toren McKnight/Medford** Spoke in opposition of the ordinance. Brought up concerns that the ordinance is fueled by fears about the unhoused people. Brought up concerns regarding vagueness of exceptions for weather. Mentioned cruelty in punishments and possibility of lawsuits.

**Heron Boyce** Spoke in opposition of the ordinance, calling it "intolerant." Brought up concerns about affluence influencing decision making towards the unhoused and the ongoing housing crisis. (See attached handout.)

**Debbie Neisewander/Ashland** Spoke in opposition of the ordinance. Raised concerns about designated spaces, the definition of "reasonable alternative," and instability within the night lawn.

**Janet Bell/Ashland** Commended City Council for taking on the challenge. Urged the City Council to read an email submitted by the South Ashland Business Council.

**Jesse Carson Hamilton** Spoke in opposition of the ordinance. Mentioned stress of being unhoused and how the ordinance would contribute to that. Spoke about the influence of the affluent on the unhoused ordinance. Urged City Council to see the humanity in the unhoused.

**Dennis Slattery/Ashland** Thanked City Council for their service. Representing himself only. Spoke about the uncertainty within the definitions and policies within the ordinance. Suggested the City Council seek a better planned alternative. Urged City Council to reconsider ordinance.

**Daniel Quinn/Ashland** Spoke in support of the ordinance. Expressed concerns about safety for children regarding the unhoused. Urged the City Council to take restrictions around schools seriously.

**Tam Masden/Ashland** Expressed concerns that public commenters were rushed and not allowed much time. Expressed fears about consequences of ordinance on public view of the City. Praised the new emergency shelter.

**Trina Sanford** Spoke in approval of the ordinance. Praised clarity and direction of the ordinance. Voiced disapproval of the actions of some of the people speaking out against the ordinance.

**James Fox Bride/Ashland** Spoke in opposition of the ordinance. Commented on lack of an adequate shelter in Ashland. Spoke to the humanity of unhoused people.

Bloom asked about the status of the language changes within ordinance. Graham asked the City Council how to best move forward to create a more unified direction. Hansen expressed desire for the ordinance to be drafted with input from social services, businesses, the housed and unhoused. DuQuenne expressed interest in suggestions made during hearing, as well as interest in a housing master plan featuring input from social services, businesses, the housed and unhoused. She wanted to hear more from the legal team before moving forward with the ordinance. Kaplan expressed desire to perform planning first then have the policy to follow it, as well as to table the ordinance for the time being. Dahle expressed frustration at the slow movement towards solving the housing crisis given everything available. He suggested the ordinance move forward and continue with additional planning and collaboration. Bloom seconded Dahle's idea, adding that unhoused masterplan can be changed as needed in the future, also expressed desire for the ordinance to move forward with language amendments. Hyatt stated concern that the old ordinance is not in line with the 9<sup>th</sup> Circuit, and the desire of the City Council to have a collaborative process. She spoke that these two points are in opposition of each other. Hyatt expressed difficulty in balancing the needs of the housed with the protection and support of the unhoused. She expressed the desire to move forward with the collaborative master housing plan, while also moving forward with the ordinance.

**Councilor Bloom/Dahle m/s to approve First Reading of Ordinance No. 3228 AN ORDINANCE RELATING TO PROHIBITED CAMPING AND PROHIBITED OCCUPANCY; AMENDING AMC CHAPTER 10.46.020 AND AMC 10.46.030 and send it to Second Reading.**

**Discussion:** Bloom stated that he would like the ordinance to be read back with the language changes and expressed openness to amend the motion. Dahle spoke to the desire for stable housing and saw no reason why those working on the master housing plan cannot keep in mind the new ordinance. DuQuenne said that the ordinance is a living document that can be amended as time goes on. McGeary and Zahran stated that the changes are in relation to exceptions to prohibited camping, to include parks with recreational equipment and to include sleeping on benches and occupying street furniture for more than two hours as prohibited occupancy. Hansen expressed concern that the old ordinance is not in compliance with the 9<sup>th</sup> Circuit. Kaplan spoke that the enforcement of the old ordinance is following the 9<sup>th</sup> Circuit ruling. He expressed a lack of need to hurry forward with the new ordinance, with includes definitions that need to be revised and include a list of where the unhoused cannot go. He would rather see a list of where the unhoused can go. Hyatt said that in the interest of time she will pass on her comments as long as the City Council gives direction to the Housing Committee.

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

**Hyatt/Bloom m/s to require that Homeless Services Master Plan subcommittee report back in six months.**

**DISCUSSION:** Hansen asked for clarification from Hyatt on what exactly the amendment was.

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

#### **XI. UNFINISHED BUSINESS**

1. City Charter Amendments for May Election (Moved to next meeting)

#### **XII. NEW BUSINESS**

1. City Council Chambers Audio-Video- Broadcast Updates (Moved to next meeting)
2. Right of Way Vacation Initiation- Fair Oaks
3. Right of Way Vacation Initiation- Fern Street

In the interest of time, topics 2 and 3 were combined into one motion.

**Councilor Kaplan/Hyatt m/s to begin the process to vacate a portion of the public right of way on Mountain Meadows Way and Fern St. as allowed by ORS 271.130 and then follow Ashland Municipal Code 14.18. Discussion:** Public Works Director Scott Fleury explained the two planned right of way processes.

DuQuenne asked who would pay for them. Fleury stated that the property owners would pay for everything. Hansen asked if there were already curb cuts to both areas. Fleury responded that neither would require curb cuts.

**Roll Call Vote: City Council or Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.**

#### **XIII. ORDINANCES, RESOLUTIONS AND CONTRACTS**

1. Sole Source Procurement Wastewater Membranes

**Councilor Hyatt/Bloom m/s to approve a sole source purchase with Veolia Water Technologies & Solutions in the amount of \$1,477,645.00 and authorize the Interim City Manager to sign the contractual agreement. Discussion:** Fleury explained the contract and why it was necessary. DuQuenne asked if the money set aside would pay for the contract, which Scott affirmed.

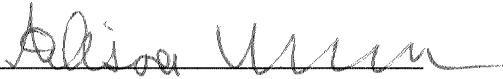
**Roll Call Vote: City Council or Kaplan, Hyatt, DuQuenne, Dahle, Hansen, and Bloom, YES. Motion passed.**

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

**XV. ADJOURNMENT OF BUSINESS MEETING**

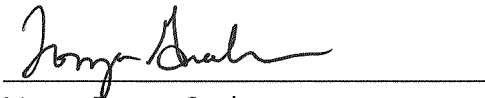
The meeting adjourned at 9:31 p.m. by Mayor Graham.

Respectfully Submitted by:



City Recorder Alissa Kolodzinski

Attest:



Mayor Tonya Graham

## City of Peace Statement

Recent local and national acts of antisemitism and Islamophobia inflamed by the situation in Israel and Gaza call us to decide how we will meet this moment as a City of Peace.

We know where hate leads. History has shown us time and again what happens when we let ourselves give in to the whispers of those who would turn us against one another. I say “we” because being swept into the river of hatred is something we are all at risk of, simply because we are human. It is not the domain of a particular person or group. It is something we all must consciously guard against because it can be infectious.

Sorrow and despair are palpable in our world today. And appropriately so given what is happening internationally. We must acknowledge this reality and hold space for these feelings because it is during times of intense emotion that hate too often gains a foothold.

While antisemitism is rearing its ugly head in the U.S. so too is Islamophobia. We have two groups of people who are increasingly fearful for their safety in their own communities. This is wrong and we must do what is necessary to ensure that all people feel safe here in Ashland and across southern Oregon.

Public statements like this are important because they allow us to speak as a community and denounce that which is immoral. But alone they are insufficient. It is not enough to speak with one collective voice. We must each take action in the situations we can touch in our daily lives.

Many of us are already engaged in discussions as our community, our nation, and the world navigate the situation in Israel and Gaza. In these difficult discussions, we must do three things:

First, we must check ourselves and the language we use. The words we choose matter. We are not born hateful. It is a process of becoming, and we can disrupt it. While it all too often culminates as a shout or an act of violence, hate begins as a whisper. It is a whisper that encourages us to abandon our better angels for simple answers to complex problems.

Atrocities become possible only when we dehumanize one another and that starts with creating the “other.” Turning another group of people into “other” is what first opens the door that leads to violence and terror. That process starts with one simple word “they.” So, as we are talking with friends and family about the international situation, let’s pay attention to how we use the word “they.” What is the context? What are we saying about “those people?” Do our words lead to understanding or do they take that first step toward dehumanizing our neighbors?

Next, we need to look after our friends and family members who are also engaged in these conversations. If we begin to hear the language of “they” in a negative way, we must come alongside our friend or family member with love and gently remind them that the individuals that make up “they” are people just like us. They are mothers and fathers. They are someone’s child. They are grandparents, sisters, brothers, and cousins. And they want for their families what we want for ours – safety, prosperity, and peace.

Finally, if we know someone who has lost their way to the point where we believe they are in danger of becoming violent or acting in a way that instills fear, we must ask for help on their behalf. The Ashland Police Department works with agencies across the valley to address violence before it happens. You can reach out anonymously to let Chief O’Meara and his team know that your friend or loved one needs help before they do something they will regret.

If you experience a hate-driven incident, please report it to Ashland Police Department. It is the only way law enforcement can understand the full breadth of what is happening and take appropriate action.

Please also report messages of hate and any efforts to you see to recruit people to these organizations. The Oregon Bias Hotline is available at 844.924.2427 or online at [StandAgainstHate.oregon.gov](https://standagainsthate.oregon.gov). This hotline is a particularly good way to report incidents that do not rise to the level of a crime and it allows people to file reports anonymously.

In 2017, Ashland declared itself a City of Peace. It is in moments like this that we bring that declaration to life by making peace tangible for our neighbors, friends, and family members.

While hatred may feel powerful, in reality, it is cowardly. It is weak. And, like so many other things that are cowardly and weak, it is also easy. It is, in fact, the easiest path. The moral path is what takes courage - that path we navigate together by staying in these uncomfortable feelings of sorrow and despair, but remaining present and listening with an open heart to others who may have a different lived experience or perspective.

We do not need to agree on the best way to bring this international conflict to an end, but we must protect one another in the discussion. Together, we must hold the space for these critically important conversations while holding the line against hatred in all its forms.

I have faith that we can and will do this in our community because the people of Ashland – shoulder to shoulder with our neighbors across the Rogue Valley – are not afraid of that which requires courage when we know it is in service of that which we know to be honorable and right.



# City Manager's Report

12.5.2023

## CITY MANAGER'S OFFICE:

- The all-staff City luncheon will take place on December 6.
- **Emergency Management Coordinator:**
  - Met with Rogue Food Unites, contract development for responder support (meals) during disasters.
  - ADS adoption of SRP (Iloveyouguys foundation)
    - Coordinated messaging with Ashland High School and Ashland Police Department during incident at AHS Nov 13th (hoax emails and "Secure" Action)
  - New evacuation signs for each zone have been purchased and likely be installed this spring.
  - Disaster prep for senior citizens, regional meeting on December 7.
  - Oregon Shakespeare Festival safety team coordination meeting on November 15, focusing on wildfire preparedness for their employees.
  - Coordinated with the Ashland School District, Transportation Division, on becoming bus drivers in an evacuation.
- **December News:** The December 2023 newsletter is available online at [ashland.or.us/Communications](https://ashland.or.us/Communications), and will be mailed out in City Utility Bills during the month of December. The newsletter contains January happenings.

## FINANCE:

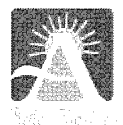
- Annual Financial Audit continues, will be finalized in December.
- Reminder that Utility Billing is open for in-person service at The Grove on Fridays, 9 a.m. to 1 p.m.
- Utility Assistance Program underway, applications are found at: [Utilities Assistance Programs - Utilities Customer Services - Finance - City of Ashland, Oregon.](#)

## FIRE:

- Donated a fire engine to the Greensprings Rural Fire District – View news release on [City website](#).
- Welcomed new employees:
  - **Mark Shay**, Deputy Chief Fire Marshal
  - **Tom McGowan**, Division Chief of Training
- Chief **Ralph Sartain** and Battalion Chief **Lance Menold** will be traveling to Washington, December 17 and 18, to pick up a new ambulance.
- The process to hire four more single role-EMS providers has begun.

## PARKS & RECREATION:

- The Ashland Rotary Centennial Ice Rink in Lithia Park opened November 18 – The gala opening celebration, FIRST FROST, is scheduled for December 16, [ashland.or.us/IceRink](https://ashland.or.us/IceRink).
- APRC staff attended the Oregon Recreation and Parks Association (ORPA) conference November 6-8. They brought home three ORPA awards: Volunteer Service Award for Senior Services volunteer Kathy McNeal, Private Sector Partner Award for [Rogue World Music](#), and Section for Older Adult Resources Award for Outstanding Management Staff for **Isleen Glatt**!
- Parks Commissioners unanimously approved staff pursue a parks system-wide Salmon Safe certification in partnership with SOU's (Southern Oregon University) Institute for Applied Sustainability. This Portland-based regionally focused organization will support APRC's goals of enhancing existing





# City Manager's Report

land management practices to better protect salmon habitat as well as reduce erosion, increase water efficiency and improve stormwater management.

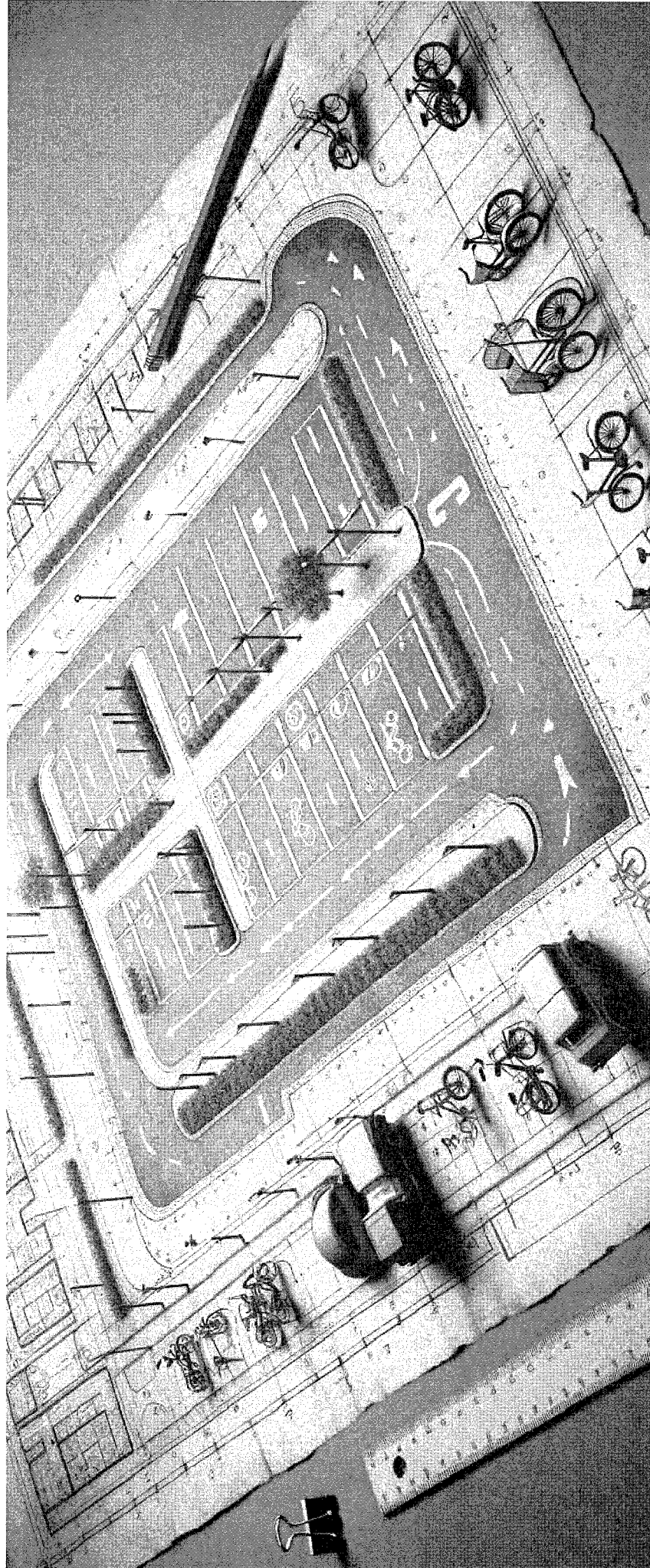
- The Conversation Clusters project launched on October 31. The news release generated attention from Channel KDRV Newswatch 12, and a Facebook post spread the word on social media. The survey will remain open until December 17.
- The Senior Services Division thanks Ashland Firefighters Local 1269 for a lovely afternoon of pie and seasonal beverages at Ashland Senior Center on November 20. The firefighters donate their personal time and funds to continue this annual tradition. Photos of the event are posted on the Ashland Parks and Recreation [Facebook](#) page.
- Seniors are invited to a festive Holiday Party at Ashland Senior Center on December 22, 2-3:30 p.m. Event sponsor Village at Valley View will provide festive treats, cookies and beverages. OLLI's (Osher Lifelong Learning Institute) French Caroling class will perform familiar Christmas Carols in French, and Rotary Club of Ashland will provide gifts to the first 60 people who register. Sign up at 541.488.5342.

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## WHAT'S COMING UP?

- **Butler-Perozzi Fountain Talk** on December 6, 5:30 p.m. at the Ashland Library
- **Project FeederWatch** at North Mountain on alternate Saturdays at 8 a.m., beginning December 9
- The **Siskiyou Singers** will hold their holiday concerts December 8-10 at the Southern Oregon University Music Recital Hall
- December 15-17, the **Rogue Valley Symphony** offers "Home for the Holidays" at the Bowmer Theatre and the **Southern Oregon Repertory Singers** hold their performances, "In Times of Softest Snow," at the SOU Music Recital Hall





# te Friendly Equitable Communities rking Reform

## State Rules

- State Adopted CFEC Parking rules
- Adopted by LCDRC July 2022
- Aimed at promoting climate friendly and equitable urban development
- Statewide implementation effective January 1, 2023

## Select Options

- City to select approach to address parking under CFEC rules, and Draft Ordinance amendments
  - **Option 1** – Eliminate all parking mandates citywide
  - **Option 2/3** – Maintain some parking mandates (in 20% of City) and apply new detailed standards and performance measures

## Adopt

- Adopt LCDRC Use change by December 31, 2023

## CFEC Parking Reforms

**Option 1**  
**660-012-0420**

**Options 2 and 3**  
**660-012-0425 through 0450**

|                                                            |                                                                                                                                                                                                                                                                                 |                                                                                                                                                                   |
|------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Repeal parking mandates<br><br>no additional action needed | Reduce parking burdens – reduced mandates based on shared parking, solar panels, EV charging, car sharing, parking space accessibility, on-street parking, garage parking. Must unbundle parking for multifamily units near frequent transit. May not require garages/carports. |                                                                                                                                                                   |
|                                                            | Climate-friendly area parking – remove mandates in and near climate-friendly areas or adopt parking management policies; unbundle parking for multifamily units                                                                                                                 |                                                                                                                                                                   |
|                                                            | Cities pop. 100,000+ adopt on-street parking prices for 5% of on-street parking spaces by September 30, 2023 and 10% by September 30, 2025                                                                                                                                      |                                                                                                                                                                   |
|                                                            | <b>Option 2</b><br><b>enact at least three of:</b>                                                                                                                                                                                                                              | <b>Option 3</b>                                                                                                                                                   |
|                                                            | 1. Unbundle parking for residential units                                                                                                                                                                                                                                       | No mandates for a variety of specific uses, small sites, vacant buildings, studios/one bedrooms, historic buildings, LEED or Oregon Reach Code developments, etc. |
|                                                            | 2. Unbundle leased commercial parking                                                                                                                                                                                                                                           | No additional parking for changes in use, redevelopments, expansions of over 30%.<br>Adopt parking maximums.                                                      |
|                                                            | 3. Flexible commute benefit for businesses with more than 50 employees                                                                                                                                                                                                          | No mandates within ½ mile walking distance of Climate-Friendly Areas.                                                                                             |
|                                                            | 4. Tax on parking lot revenue                                                                                                                                                                                                                                                   | Designate district to manage on-street residential parking.                                                                                                       |
|                                                            | 5. No more than ½ parking space/unit mandated for multifamily development                                                                                                                                                                                                       |                                                                                                                                                                   |

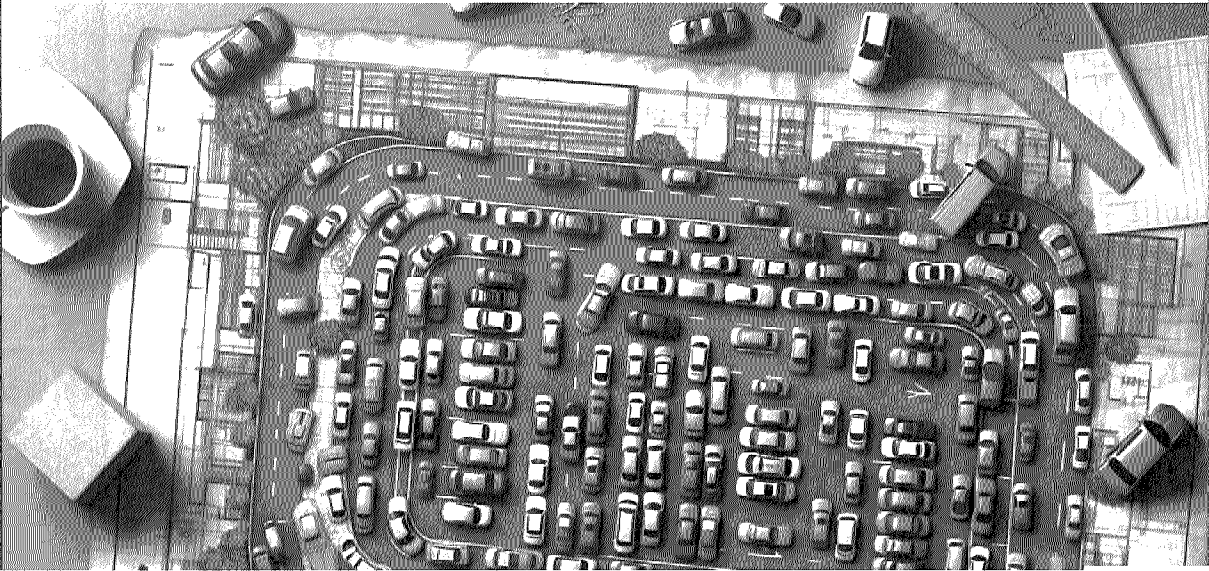
# Climate Friendly and Equitable Communities (CFEC) rules

Aim: To help local governments in Oregon create Climate Friendly Areas (CFAs) for housing and transportation choices, aligning with Oregon's 2050 Climate Pollution Reduction Targets.

The CFEC rules require metropolitan cities (including Ashland) to reform in parking standards, promoting diverse development by addressing current parking standard

- Eliminate parking minimums and set maximum parking allowances
- Mandating bike parking spaces based on development type - Cargo-Bike a Bicycle Parking graphics updated
- Requiring new multifamily-housing/mixed-use developments to have electric conduit extended for Electric Vehicles to 40% of parking spots voluntarily provided
- Establishes tree canopy coverage and landscaping requirements for parking

## CFEC Parking Reforms

An aerial photograph of a parking lot filled with many cars. In the foreground, there is a white coffee cup on a saucer and a ruler. The parking lot is surrounded by buildings and roads.

## Eliminating Parking Mandates

### Increased Mobility and Reduced Congestion:

- Removing parking mandates encourages mixed-use developments, reducing car travel and congestion.
- It promotes alternative transportation modes like walk cycling, and public transit.

### Addressing Housing costs and affordability:

- Reducing the amount of land dedicated to automobile lower construction costs and enable the development more housing options.

### Environmental Benefits:

- Fewer parking spaces lead to denser, walkable cities, reducing emissions and improving air quality

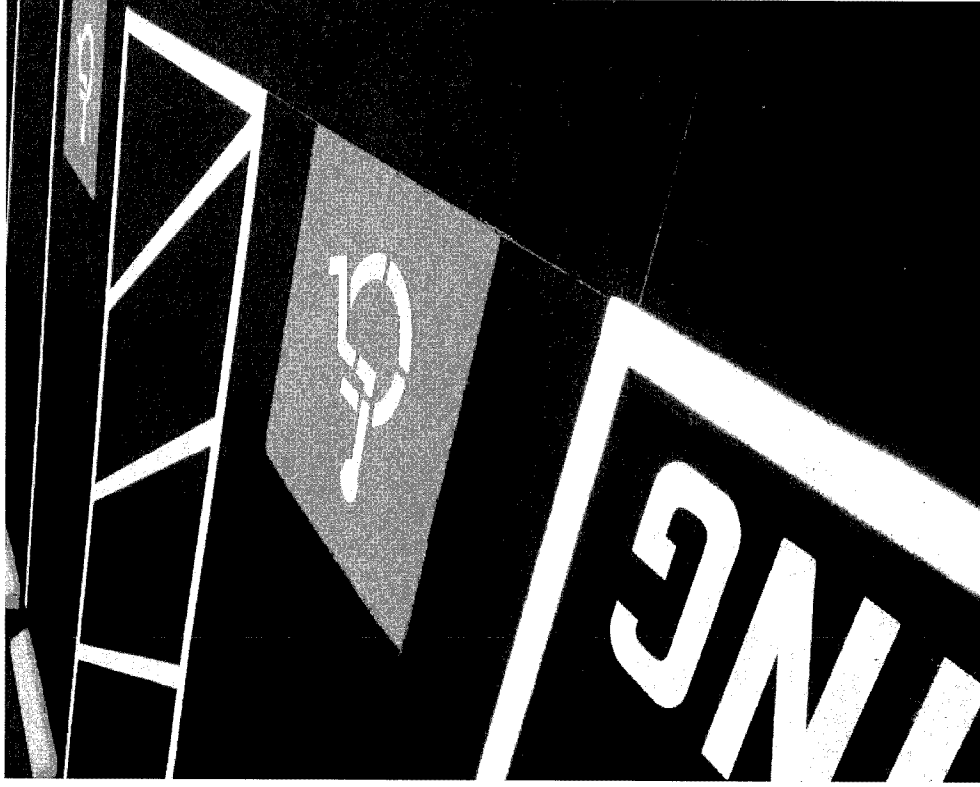
## CFEC Parking Reforms

City of Ashland specific amendments  
(not CFEC required)



CFEC Parking Reforms

## City of Ashland specific amendments (not CFEC required)

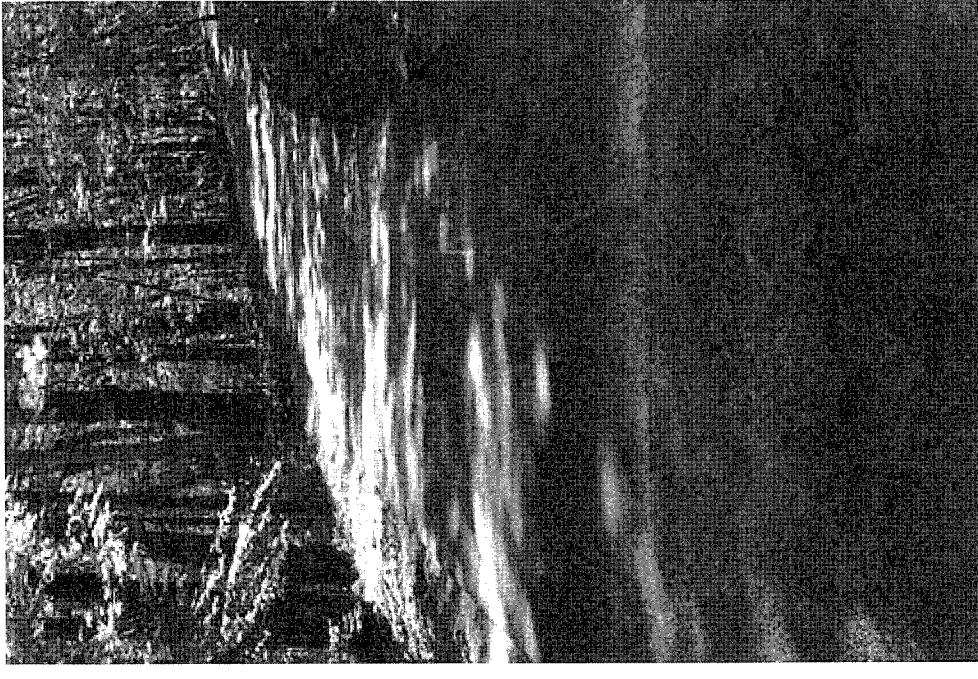


- **ADA-Accessible Parking** : Require at least one accessible parking space in developments with no other parking is proposed, outside of the downtown C-1-D zone, promoting accessibility (18.4.3.050)
- **Conditional Use Permit for Excess Parking**: A draft code language allows applicants to request a Conditional Use Permit when demand exceeds maximums parking space allotment, offering flexibility in parking planning (18.4.3.030.B.2)
- **On-Street Parking in Subdivisions**: Amend code language focuses on the association of on-street parking with Performance Standards Optimal subdivisions, aiming to streamline and clarify parking regulations in these areas. (18.3.9.06)

## CFEC Parking Reforms

## City of Ashland specific amendments (not CFEC required)

- **Driveway Separation Standards:** Removed the 50' driveway separation requirement on neighborhood streets for lots serving three or more units, retaining the 24' separation standard for these lower order streets. (18.4.3.080.C.3.c.i)
- **Vehicular Circulation Width Standards:** Amended code for two-way and one-way vehicular circulation width, aligning with past variance approvals for consistency. (18.4.3.080.D.3)
- **Maximum Grade for Flag Drives:** Revised code to allow flag drives multiple sections to exceed a 15% grade, up to a maximum of 18%, ensuring clarity and consistency with previous variance approvals. (18.5.3.060.F)



## CFEC Parking Reforms

Planning Commission Public Hearing:

11/14

- **Unanimously recommended Council adoption of Ord. 3229 as presented.**
  - Exempt C-1-D zone from ADA parking unless parking is provided
  - Requested a future study session to discuss the “unbundling parking” of but not recommended in the current ordinance proposal.

City Council Public Hearing & First Reading:

12/05

City Council Second Reading:

12/19

**Local Adoption by 12/31/2023 Required**

**CFEC Parking Reforms**

# Appendix

## City of Ashland specific amendments (not CFEC required)

**On-Street Parking in Subdivisions:** Amended code language focuses on the association of on-street parking with Performance Standards Options in subdivisions, aiming to streamline and clarify parking regulations in these areas. (18.3.9.060.A)

*For all Performance Standards Subdivisions in R-1 zones, and for all Performance Standards Subdivisions in R-2 or R-3: create or improve city streets, at least one on-street parking space per proposed lot shall be provided with the following exceptions:*

- 1. Where on-street parking is provided on newly created or improved streets, the total number of on-street spaces should not surpass the available street frontage, with each parking space being considered equivalent to 22 feet without interruption and exclusive of designated no-parking areas.*
- 2. Streets outside the City of Ashland's jurisdiction, such as those overseen by the State of Oregon Department of Transportation (ODOT) or Jackson County, which are improved by a development, are not required to provide on-street parking as outlined in this requirement if prohibited or exempted by the governing jurisdiction.*
- 3. Lots containing cottage housing developments, housing units smaller than 750 square feet, or affordable housing are not subject to the requirement of providing on-street parking in Performance Standards Subdivisions.*

## CFEC Parking Reforms

## City of Ashland specific amendments (not CFEC required)

**ADA-Accessible Parking Requirement:** New draft code mandates at least one ADA-accessible parking space in developments where no other parking is proposed, ensuring accessibility compliance. (18.4.3.050).



Where parking is proposed with a development the State Building Code stipulates the requisite number of accessible spaces required based on the size of the parking lot.

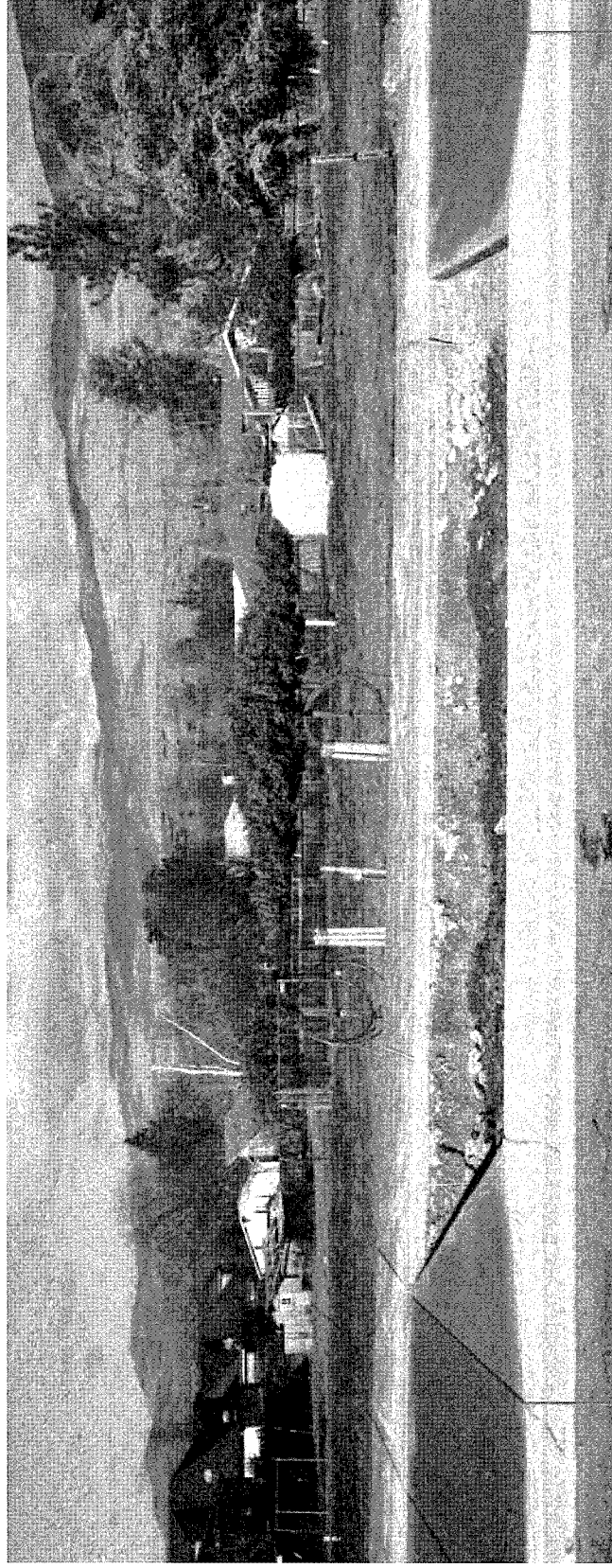
## CFEC Parking Reforms

# City of Ashland specific amendments (not CFEC required)

**Driveway Separation Standards:** Removed the 50' driveway separation requirement on neighborhood streets for lots serving three or more units, retaining the 24' separation standard for these lower order streets. (18.4.3.080.C.3.c.i)

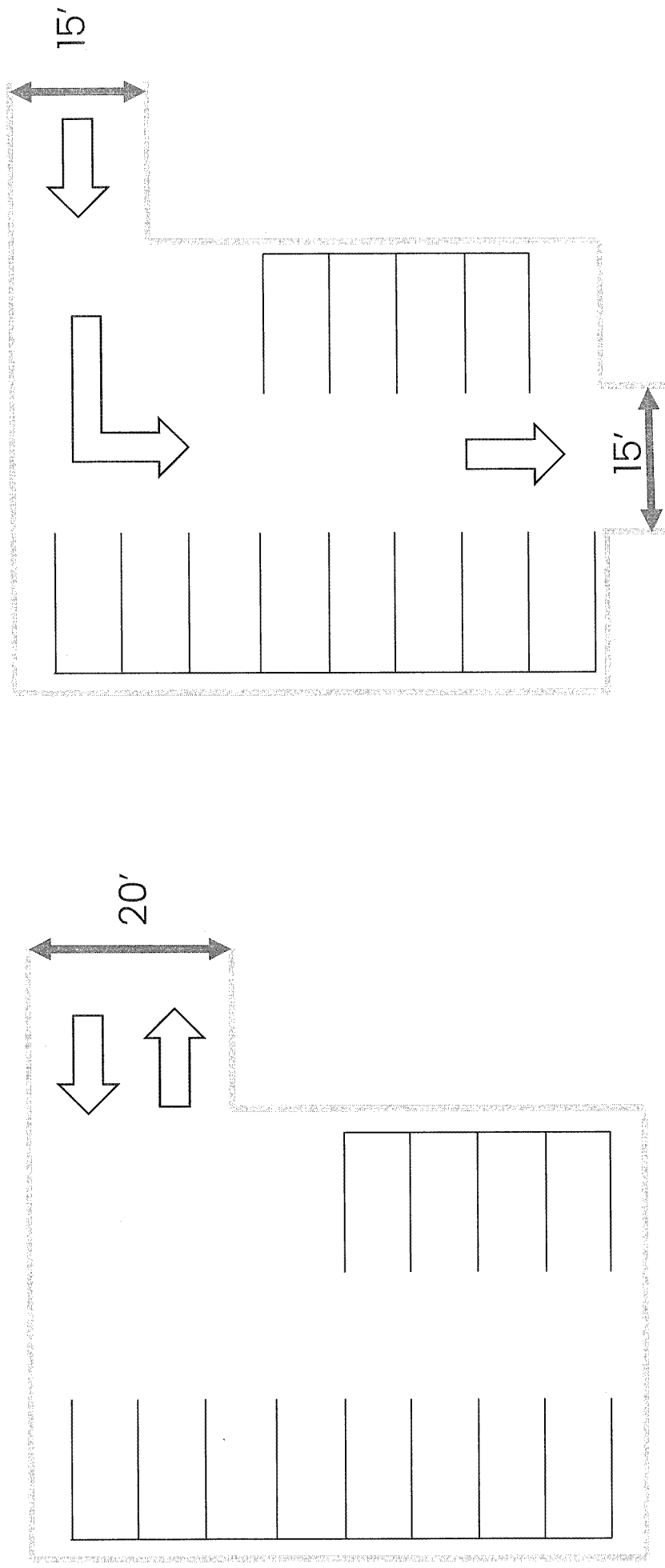
i. Distance between driveways.

|                          |                                    |
|--------------------------|------------------------------------|
| on boulevard streets:    | 100 feet                           |
| on collector streets:    | 75 feet                            |
| on neighborhood streets: | 24 feet & fewer for 50 feet & more |



# City of Ashland specific amendments (not CFEC required)

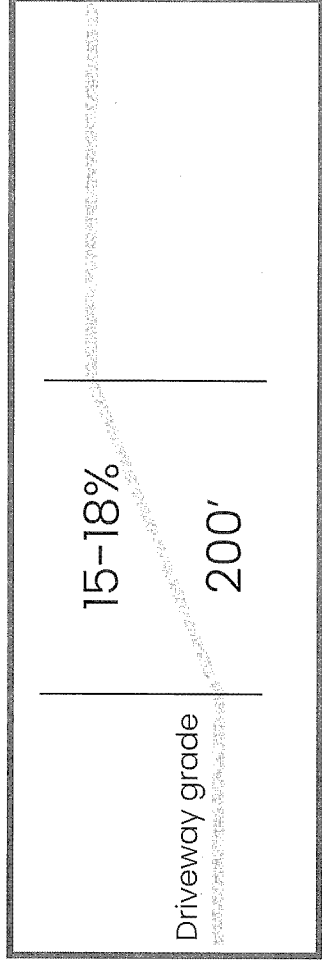
**Vehicular Circulation Width Standards:** Amended code for two-way and one-way \ circulation width, aligning with past variance approvals for consistency. (18.4.3.080.I



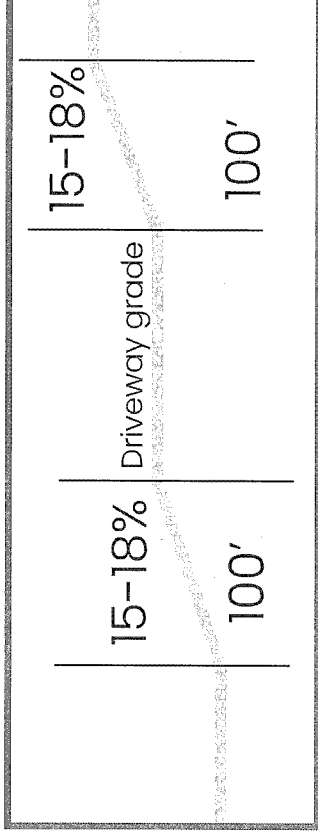
## CFEC Parking Reforms

# City of Ashland specific amendments (not CFEC required)

**Maximum Grade for Flag Drives:** Revised code to allow flag drives multiple sections exceed a 15% grade, up to a maximum of 18%, ensuring clarity and consistency with previous variance approvals. (18.5.3.060.F )



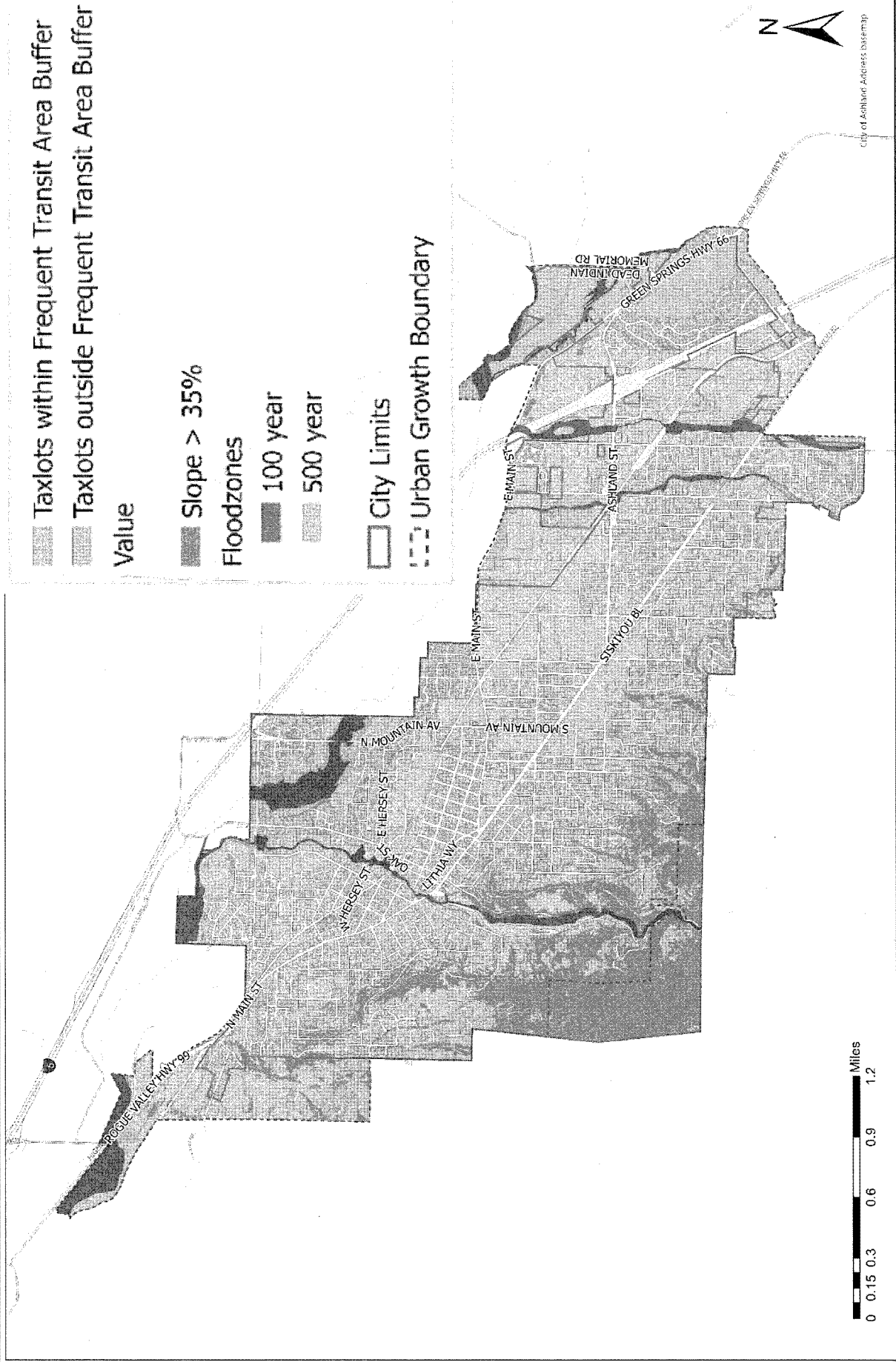
Existing



Proposed

*Flag drive grades shall not exceed a maximum grade of 15 percent. Variances may be granted for flag drives for grades in excess percent but no greater than 18 percent ~~for not more than~~ provided that the cumulative length of such variances across multiple sections of the flag drive does not exceed 200 feet. Such variances shall be required to meet all of the criteria for approval in chapter 18.5.5 Variances.*

## CFEC Parking Reforms



For City Council, and the broader awakened & conscious community of Ashland, Oregon

Somewhere in the bible, Jesus Christ spoke, "Do unto the least of these as you would do unto me". Now, in a society where cute deer are permitted to wander all surfaces and regions, yards and parks; to forage, rest, and defecate at will without reproach... why is it necessary to hold men, women, and children who are poor in finance but rich in spirit, at a distance from parks and community spaces?

These urban pockets of rest and reprieve were initially contrived specifically to sustain such populations, who have a love and connection to wooded green spaces. To enforce laws that ban entire regions of people from community space is unconstitutional and elitist thinking. Further, why is it that these deer are permitted to consume and exist where ever they choose, yet a traveling youth, or impoverished family are seen as law breakers, who must be criminalized and run out of a town, originally founded by tolerant and free-thinking people?

Would it be too much to perceive each free-thinking ~~person to be a~~ houseless person be seen as an individual & a divine child of God, if not mandated by our creator, than to be seen as valued equally for his or her own intrinsic being, regardless of holdings or their productivity?

In general, men should not seek to grovel simply for work, often being treated as useful serfs, or feeling relieved that they are not hunted down for their perceived inequities, by a society that has never officially learned the meaning of; "Might does not make right". A dominant section of society, with a willful set of actions, is forcing otherwise good citizens to believe they are unworthy of equality, housing, and general essential goods. This broadly is a criminal act. That there even is a constant wealthy section of the population, which dictates public policy, and demands the alteration of this quality community to be governed by golden effigies of increased property value and affluent bias, with profit laden objectives, rather than quality of life issues, is completely asinine.

As if there is a possible future in upping the cost of living to a point that the average service worker, (who is essential to the survival of the nuevo rich,) can no longer afford lodging, let alone to feed his family. In this scenario, the wealthy will be doing their own grunt work, like tottering on 40-foot ladders to scrape out their gutters, paint their three-story homes, and snaking their own rancid bile to unclog their own neglected toilets. No matter how far you stretch this logic, if you neglect to love your neighbor as yourself, (with or without they're housed or not), your soul dies along with your body, & all your hoarded objects of desire, on this plane of existence. The question may be, is there salvation for the business woman who not only permits mothers and their families to freeze on the streets, but supports laws to keep them hundreds of feet out of vision, so any possible accountability can be further denounced?

The age-old adage, "Everyone does better when everyone does better" exists with great merit for a reason. Peoples' lives, their dignity, and their comfort, Matter. This includes not being resigned to bargain basement cots, stacked 2 feet apart, or sleeping on cement slabs in a warming shelter, on a half inch matt, crammed in rows on the floor, on the far side of the city, with minimal assistance with for other needs, so they are not stumbled over. One would expect better in this "organized and evolved society" selling its out of country imports, near closed community centers, within this society of minimal integrity, and only an illusion of humanity and sustainability.

In the words of Pete Seager, "which side are you on, boys, which side are you on?"

BY: Heron Boyce December, 2023