



# Planning Commission Minutes

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.

**September 12, 2023**

**REGULAR MEETING**

**Minutes**

## **I. CALL TO ORDER:**

Chair Verner called the meeting to order at 7:00 p.m. at the Civic Center Council Chambers, 1175 E. Main Street.

### **Commissioners Present:**

Lisa Verner  
Doug Knauer  
Eric Herron  
Russell Phillips  
Susan MacCracken Jain  
Kerry KenCairn  
Gregory Perkinson

### **Staff Present:**

Brandon Goldman, Community Development Director  
Derek Severson, Planning Manager  
Michael Sullivan, Executive Assistant

### **Absent Members:**

### **Council Liaison:**

Paula Hyatt

## **II. ANNOUNCEMENTS**

Community Development Director Brandon Goldman made the following announcements:

- The City has acquired the property at 2200 Ashland Street for use as an interim weather shelter, and thereafter for use as a severe weather shelter. The City Council is holding a public meeting on Thursday, September 14, 2023 to address questions or concerns from the public regarding this purchase.
- The Council will hold a business roundtable meeting on September 18, 2023.
- The Council will consider a request from the Community Development Department for funding to conduct an Economic Opportunity Analysis on September 19, 2023. If approved the City will be seeking state grants to fund this analysis.
- The Council will review the Climate Friendly Areas (CFAs) report at its September 19, 2023 meeting. Final approval of the CFAs is not required until December of 2024.
- The Council will review a telecommunications ordinance update at its September 19, 2023 meeting. This ordinance will only address the installation of small cell antennas in the public right-of-way, and will not change the land use code relating to public property.





## Planning Commission Minutes

- The September 26, 2023 Commission Study Session will be cancelled unless items from the current meeting are continued.
- The Department of Environmental Quality (DEQ) will be holding an open house meeting on September 27, 2023 to discuss the cleanup plan for the Union Pacific Railroad Property. The DEQ will then take any public comments received into consideration, as will the Council at its October 23, 2023 meeting.

Chair Verner remarked that the Council had already heard from the DEQ regarding the cleanup plan for the site. Mr. Goldman assented that the Council had, but only with regards to the site being cleaned to urban residential standards. He added that this is a prerequisite to the cleanup effort, and that the DEQ has not yet approved a plan for the site and is requesting public feedback before moving forward.

Chair Verner noted that a letter had been shared with the Commission from James Jarrard regarding the cleanup proposal (see attachment #1). Mr. Goldman stated that this letter had been shared with the DEQ.

### III. **CONSENT AGENDA**

#### 1. **Approval of Minutes**

- a. July 25, 2023, Study Session
- b. August 8, 2023, Regular Meeting

**Commissioners Knauer/Phillips m/s to approve the consent agenda as presented. Voice Vote: All AYES. Motion passed 7-0.**

### IV. **PUBLIC FORUM**

**Holly Christiansen**/Ms. Christiansen introduced herself as a member of the Transportation Advisory Committee (TAC), and wanted to provide the Commission with updates from the TAC and to increase coordination between the City's advisory committees and commissions. Ms. Christiansen noted TAC Chair Linda Peterson-Adams will provide all future updates, but was unavailable for this meeting.

Ms. Christiansen stated that the TAC will be holding a public meeting on September 21, 2023, in lieu of their regularly scheduled meeting, to garner feedback from the community regarding the installation of protected bike lanes along North Mountain Avenue. This installation would require the elimination of streetside parking along the west side of North Mountain Avenue from East Main Street to the north of Village Green Drive (see attachment #2). This public input will then be utilized by the





## Planning Commission Minutes

TAC to develop a recommendation to the City Council.

Chair Verner asked if streetside parking would continue after the proposed bike lane ended at Village Green Drive, to which Ms. Christiansen said that it would.

Commissioner KenCairn inquired about the difference between a protected bike lane and unprotected bike lane, and asked why this site had been chosen for this proposal. Ms. Christiansen responded that a protected bike lane is shielded from traffic by a curb or planters, and that this site was chosen because the street is already undergoing maintenance. She added that the residents feel safer and are more likely to ride bicycles when a city has protected bike lanes.

Commissioner Knauer asked if the City is aware of how much the streetside parking along North Mountain is currently being used. Ms. Christiansen responded that the TAC had examined the parking along this street and determined that it was not being fully utilized. Commissioner MacCracken Jain asked if this study was done while the road was undergoing maintenance, to which Ms. Christiansen responded that she did not know. Mr. Severson commented that the Public Works Department had been considering this proposal for the past few years and had reviewed the parking use rate prior to this maintenance taking place.

Commissioner Phillips inquired how the street and protected bike lane would be cleaned. Ms. Christiansen responded that the Director of Public Works, Scott Fleury, had ordered an electric street sweeper that would be used to maintain the area, which could also be used to clean other areas like parking lots that are inaccessible by the City's larger street sweepers.

### **V. UNFINISHED BUSINESS**

#### **A. Adoption of Remand Findings for PA-T3-2022-00004, 1511 Highway 99 North**

##### **Ex Parte Contact**

No ex parte contact was reported. Commissioner KenCairn recused herself from this item due to her role as a member of the applicant team.

##### **Staff Presentation**

Mr. Severson stated that copies of the Findings had been distributed to the Commission prior to the meeting that included minor revisions. There was a non-substantive change on page 15 of the Findings, and staff elaborated on the needed housing statute referenced on page 18 (see attachment #3).

Mr. Goldman gave a brief background on the project, beginning with its first application in 2019. The current application was approved in December, 2022 which was subsequently appealed to the Land





## Planning Commission Minutes

Use Board of Appeals (LUBA), where it was remanded back to the City on two points. Mr. Goldman reminded the Commission that the adoption of the Findings is limited to the Record of Appeal. The Findings included a clarification regarding the allowance for a prohibition on parking requirements as part of the Climate Friendly and Equitable Communities (CFEC) rules that went into effect on January 1, 2023. Additionally, the CFEC rules stipulate that parking cannot be required for units of 750sqft or less within a half mile of transit routes, rules which would apply to this project. Mr. Goldman noted that the Oregon Department of Transportation's (ODOT) street standards are in direct conflict with those of the City, and therefore the Findings contend that an exception to street standards is warranted in order to address needed housing as proposed by the application. If approved, the Findings would go before the Council, and then to LUBA for final review and approval.

### **Questions of Staff**

Commissioner Knauer pointed out that Rogue Advocates, who appealed the application to LUBA, had argued that the City had erred in applying CFEC standards to an application that was approved before those standards had gone into effect. He asked if LUBA would support staff's argument that this project was ongoing, and therefore the new CFEC standards could be applied to it. Mr. Goldman responded that there is hope that LUBA will review the application based on the relevant rules retroactively. He added that approval of a subdivision is a two-phase process, and that the second stage of this application would take place after the CFEC standards have taken effect.

**Commissioners Perkinson/Herron m/s to approve the Findings with the amendments recommended by Staff. Commissioner KenCairn recused herself due to her presence on the applicant's team. Roll Call Vote: All AYES. Motion passed 6-0.**

## **VI. OTHER BUSINESS**

- A. Discussion of proposed amendments to the Ashland Municipal Code's Land Use Ordinance to implement the requirements of the Climate-Friendly & Equitable Communities (CFEC) rules regarding parking. This includes amendments to: AMC 18.2.2 Base Zones & Allowed Uses; AMC 18.2.3 Special Use Standards; AMC 18.3.2 Croman Mill District; AMC 18.3.4 Normal Neighborhood District; AMC 18.3.5 North Mountain Neighborhood District; AMC 18.3.9 Performance Standards Option & PSO Overlay; AMC 18.3.14 Transit Triangle Overlay; AMC 18.4.3 Parking, Access & Circulation; AMC 18.5.2 Site Design Review; AMC 18.5.3 Land Divisions & Property Line Adjustments; AMC 18.5.4 Conditional Use Permits; AMC 18.5.5 Variances; AMC 18.5.6 Modifications to Approved Planning Actions. (Under the CFEC rules, parking code amendments must be adopted by December 31, 2023.)**

### **Staff presentation**

Mr. Severson informed the Commission that there are over 700 amendments proposed in this





## Planning Commission Minutes

ordinance change, and that the driving force behind this proposal is that the state is far behind its current plan of reducing greenhouse emissions by 2050. The state hopes to achieve a reduction in greenhouse emissions by employing a variety of strategies, including: the creation of Climate Friendly Areas (CFAs); reforming parking management in cities; supporting electric vehicle charging; planning for high quality pedestrian, bicycle, and transit infrastructure; transcending the sole focus on motor vehicle congestion standards; and prioritizing and selecting projects that meet climate and equity outcomes (see attachment #4). Mr. Severson stated that large numbers of parking lots can inhibit housing development, therefore the state proposed that cities revise their parking requirement standards.

Mr. Severson detailed how the state had given metropolitan cities the option of repealing parking mandates completely, or to unbundle parking from rental units so they would be rented separately from housing and allow residents to consider other modes of transportation. Mr. Severson noted that many apartment complexes are divided equally between housing and parking area space, despite a large number of tenant households not owning a vehicle. He pointed out that many large department stores have parking to accommodate shopping during the busiest shopping days, but that these parking lots are largely empty for the remainder of the year. Mr. Severson stated that the state had given cities three options to improve their parking management, and that staff suggested that the City adopt option #1, which would repeal its parking mandates. He noted that seven Oregon cities had already adopted option #1 and eliminated parking requirements, which could help reduce greenhouse emissions by 30%. Any voluntary parking provided by developers would still be required to abide by parking code guidelines.

Mr. Severson described how staff had already begun to convert bicycle parking requirements to no longer be based on car parking standards. Later versions of the ordinance will update bicycle parking requirements to address on-street parking.

### **Questions of Staff**

Commissioner Knauer asked if electric bicycles were being factored into the new parking standards. Mr. Severson responded that they would be, and that the City would likely need to conduct a Traffic Impact Analysis (TIA) to determine how great of an impact bicycles and electric bicycles would have on parking. He added that the City will likely need to consider constructing protected bike lanes.

Commissioner Knauer requested that staff elaborate on the maximum parking allowed referenced in the Ashland Municipal Code (AMC). Mr. Severson responded that the City imposed a maximum parking limit in order to deter large retail stores from opening locations in the City, thereby limiting unused parking lots that pose barriers to pedestrians and harm the environment. Mr. Goldman commented that no applicant had requested an exception to this maximum during his career.



## Planning Commission Minutes

Commissioner KenCairn asked if staff anticipated that any existing shopping centers, such as Rite Aid, would want to redevelop their parking areas to expand their building facilities. Mr. Severson responded that redevelopment is encouraged by the code, particularly with the parking reduction, and the increased allowance of food trucks in the City.

Commissioner Herron asked how the proposed changes would impact handicap parking requirements. Mr. Severson stated that the City would still mandate handicap parking requirements, to which Commissioner Herron recommended that the potential impact be further explored.

Commissioner MacCracken Jain noted that imposing a parking maximum could restrict businesses in unintended ways, particularly with the already limited parking downtown. Mr. Goldman responded that the imposition of a parking maximum will be a policy decision that the City can choose not to adopt, or that it could choose to increase the maximum allowance based on individual uses.

Commissioner Phillips asked for clarification regarding future parking requirements for segways and electric bikes. Mr. Severson replied that staff had previously allowed changes to parking requirements for projects where the applicant has supplied parking for alternative modes of transportation. He added that staff had received some applications that included charging stations that could be used for cars and bicycles.

The Commission discussed the potential scarcity of parking in the future, as well as paid parking spaces and the difference between paved and unpaved parking lots.

Commissioner MacCracken Jain asked what the Commission's role is in catching errors of omission for ordinance changes. Chair Verner responded that the Commission offers suggestions or changes to what staff presents to them, but that it is the Commission's responsibility to only suggest changes that it believes should be made. Mr. Goldman stated that the City must still abide by state law, which would cover any omissions. Staff would then note the omission or conflict and correct it. Mr. Severson pointed out that the City had contracted 3J Consulting, Inc to consult on the ordinance. The proposed ordinance change will then go to the Department of Land Conservation and Development (DLCD) before being adopted.

Commissioner MacCracken Jain noted that staff had suggested making parking lots an allowed use in all zones, and asked if this would include both paid and unpaid parking. Mr. Severson responded that the ambiguity is intentional in the hope that it could provide additional parking where it is needed.

Mr. Goldman stated that staff will be bringing the proposed changes back to the Commission by the end of November, and that it will go before the Council on December 3, 2023, and December 17, 2023.



# Planning Commission Minutes

## VII. OPEN DISCUSSION

Commissioner Herron urged all Commissioners to register as a Planning Commissioner with the Oregon Ethics Commission. He informed the Commission that he had been charged a fine for each day that he was unregistered.

## VIII. ADJOURNMENT

*Meeting adjourned at 8:20 p.m.*

*Submitted by,  
Michael Sullivan, Executive Assistant*

