

Council Business Meeting

September 18, 2018

Agenda Item	Infill Strategy Ordinance and Map Amendments Public Hearing and First Reading	
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SUMMARY

The City Council is being asked to review the land use ordinance and map amendments, to hold a public hearing, and to take action on first reading of the amendments. The proposed ordinance and map amendments are intended to encourage the development of residential units near the bus route and implement recommendations of the infill strategy report prepared by Fregonese Associates. Fregonese Associates is the consulting firm hired to assist with the project. The proposal includes a new Chapter 18.3.14 Transit Triangle Overlay, a Transit Triangle (TT) overlay map and a series of amendments to the Ashland Municipal Code (AMC) Title 18 Land Use (PA-L-2018-00001). The proposed amendments cover the area surrounding the bus route in the southeastern part of Ashland that circulates on Ashland St., Tolman Creek Rd., and Siskiyou Blvd., also referred to as the transit triangle (see map below).



Chapter 18.3.14 Transit Triangle Overlay provides an option to property owners for development and redevelopment located in the TT overlay area. The TT overlay option permits flexibility in the existing zoning requirements to provide an incentive for the private market to build projects including multifamily residential units. The TT overlay allows taller buildings, eliminates residential density requirements, requires less commercial and employment space in the Commercial (C-1) and Employment (E-1) zones, reduces parking requirements, reduces landscape area requirements, reduces some yard areas, and allows limited floor area for commercial uses in the Low Density Multiple Family (R-2) and High Density Multiple Family

(R-3) zones. Building size and volume is regulated with a Floor Area Ratio (FAR), and building facades facing the street or within 25 of a residential zone are required to include a building step back of 10 feet for the portion of the building above 25 feet (two stories). Residential units developed under the TT overlay option are required to be rental units. Short-term rental units (i.e., hotel and travelers' accommodations) are prohibited. If a property owner doesn't elect to use the TT overlay option, properties can continue to be developed under the existing zoning and development standards.

The proposed amendments also include miscellaneous edits and corrections to the land use ordinance. Most of the miscellaneous edits and corrections are items that were noted for correction during Planning Commission review of the proposed amendments for the infill strategy and development proposals at past public hearings.

The Council directed the Planning Commission to initiate ordinance revisions to implement the infill strategy for the transit triangle study area based on the recommendations prepared by Fregonese Associates at the January 16, 2018 meeting. The Planning Commission held public hearings on [May 22, 2018](#), [June 12, 2018](#) and [July 24, 2018](#) and recommended approval of the proposed ordinance and map amendments. The Planning Commission Report including the Commission's recommendation is attached to this memorandum.

The proposed ordinance and map amendments are scheduled for a public hearing for a legislative amendment to the land use ordinance and Site Design overlay map. Fregonese Associates and staff will present the recommended changes and requests feedback, comments and questions on the market feasibility analysis, public process, evolution of the amendments and the recommended changes. The amendments are scheduled for first reading should the Council decide to approve the proposal.

POLICIES, PLANS & GOALS SUPPORTED

The project addresses a variety of City Council goals and adopted City policies and is consistent with the *Ashland Comprehensive Plan*.

The City Council identified developing infill and compact urban form as a mid-priority item in the *2015-2017 Council Goals and Objectives* (Objective 13.2). The specific action item was to "update the infill strategy along major transportation corridors to promote housing and business development, as well as alternative transportation choices." In addition, the *2015-2017 Council Goals and Objectives* identified pursuing affordable housing opportunities, especially workforce housing and identifying specific incentives for developers to build more affordable housing (Objective 5.2).

The City's *Economic Development Strategy* includes a strategy 7.3 to "Consider changes to Land Use Development Code that may be inhibiting redevelopment or new construction."

The infill strategy project also relates to policies included in the City's *Climate and Energy Action Plan (CEAP)*. Specifically, the plan includes strategies to address residential travel and the emissions associated with passenger cars and trucks. The *CEAP* discusses replacing residential travel trips in passenger cars and trucks by making using transit and alternate modes of transportation possible and desirable and promoting land use development patterns that utilize existing public infrastructure.

The *Ashland Comprehensive Plan* includes a goal to "Ensure a variety of dwelling types and provide housing opportunities for the total cross-section of Ashland's population, consistent with preserving the character and appearance of the city. In addition, the *Ashland Comprehensive Plan* includes several transportation goals and policies that apply to the project, including the following.

Design the Land Use Ordinance to ensure Ashland Street is developed as a multi-modal corridor including attractive landscaping, sidewalks, bike lanes and controlled access. Development along Ashland Street shall be compatible with and support a multi-modal orientation (10.09.02.7).

Zoning shall allow for residential densities and a mix of commercial businesses with walking distance of existing and planned public transit service which support use of public transportation (10.19.02.2).

The *Transportation System Plan* includes four projects in the transit triangle related to improving sidewalks, bus shelters and intersections enhancements for pedestrians including two projects for Ashland Street Streetscape Enhancements (R38 for Siskiyou Blvd. to Walker Ave. and R-39 for Walker Ave. to Normal Ave.), Ashland Street/Tolman Creek Road (R41) and the Walker Ave. festival street (R40).

PREVIOUS COUNCIL ACTION

Fregonese Associates and staff presented the first phase of work including the results of the market feasibility analysis on [December 19, 2016](#). The Council supported the project moving forward and bringing back a package of options for implementation.

An update on the infill strategy project and overview of the draft code revisions were presented to the City Council on [January 16, 2018](#). The Council directed the Planning Commission to initiate ordinance revisions to implement the infill strategy for the transit triangle study area based on the recommendations prepared by Fregonese Associates at the January 16th meeting. The Council also directed staff on January 16th to bring a Vertical Housing Development Zone (VHDZ) incentive program to a future City Council study session. The VHDZ program analysis is in progress and will be presented to the City Council in the Fall.

BACKGROUND AND ADDITIONAL INFORMATION

The purpose of the infill strategy project is to encourage development and redevelopment adjacent to the bus route that includes a mix of commercial and residential uses, especially of housing units. In turn, greater concentrations of housing and businesses near the bus route provides transportation choices and promotes sustainable planning initiatives.

Project objectives for the transit triangle include providing an area to construct moderately sized housing units, providing a better environment for local business development and expansion, supporting transit service through increased ridership, and creating a walkable setting with close proximity to existing residential neighborhoods.

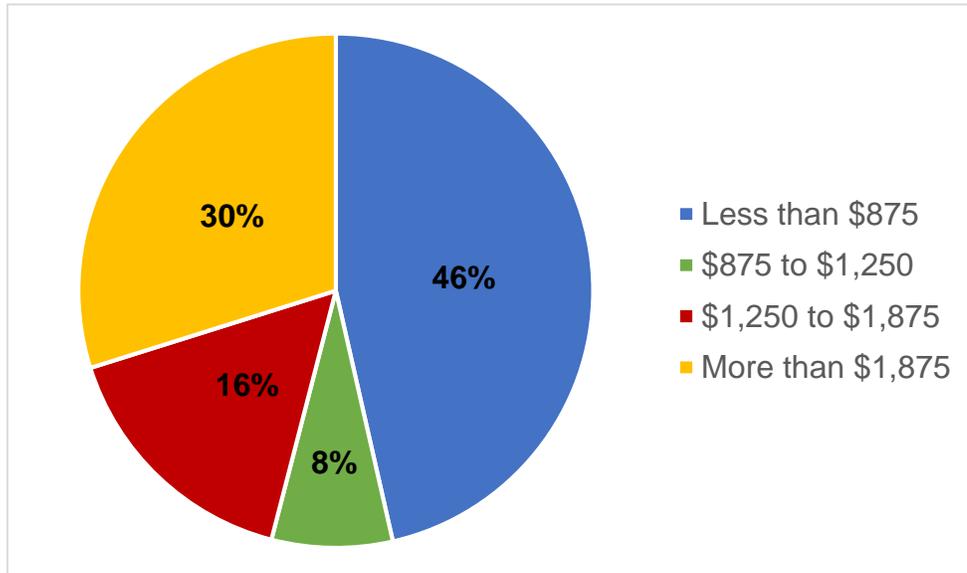
1. Reasons for Proposed Ordinance and Map Amendments

Ashland Municipal Code (AMC) 18.5.9.020.B permits legislative amendments to meet changes in circumstances and conditions. There has been a change and intensification in the housing market that necessitates amendments to the land use ordinance to encourage development and redevelopment adjacent to the bus route that includes housing units.

Housing availability, diversity of housing types and housing prices have been a concern in Ashland for some time. However, these concerns have been intensified in the last several years throughout the region, state and west coast. Housing prices including rents have continued to rise at a more rapid rate than employment and wage growth. In addition, the supply of housing was impacted by less construction during the recession.

Ashland households earning 120% of median income can afford \$1,270 to \$1,295 per month for housing costs. Forty-six percent of Ashland households can afford up to \$875 a month for housing and an additional eight percent can afford up to \$1,250 a month on housing (see Figure 1). Workforce housing has come to be defined as housing targeted to households who may earn too much to qualify for affordable housing subsidies but not enough to afford housing in the community. The gap between earned income of people living and working in a community and the housing costs tends to be intensified in high-cost housing areas. As a result, affordable housing programs and providers generally consider workforce housing to be households earning 80 to 120 percent of area median income.

Figure 1: Household Incomes Converted to Affordable Monthly Rents (30% of income)



Source: U.S. Census, 2015 American Community Survey

According to figures released in January 2018 by the Southern Oregon Multiple Listing Service, the median sales price for existing single-family residences in Ashland in 2017 was \$421,500, which was a 7.5 percent gain over 2016 (“Ashland continued to lead house prices in 2017,” Greg Stiles, *Ashland Daily Tidings*, January 10, 2018). In contrast, the purchasing power of an Ashland household earning the median income in 2017 was \$217,950 (median income for household of four) based on a household spending up to 30 percent of income on housing costs. The U.S. Department of Housing and Urban Development (HUD) defines cost-burdened households as those who pay more than 30 percent of their income for housing and severe cost-burdened as paying more than 50 percent of income on housing costs.

The rental housing market has experienced increased prices and shortages over the last several years. Residential rental unit vacancy rates remain at one to two percent for the region. A low vacancy rate for rental units is generally considered to be an indicator that there are little to no available units for rent.

As of May 2018, rentjungle.com showed the average rental unit price in Ashland as \$1,297 a month, with 43 units listed as available. There was one unit listed below \$875 a month and seven units available below \$1,250, leaving 35 of the advertised units or 81 percent of the advertised units above the affordable monthly rent for workforce housing. (Update: As of July 2018, rentjungle.com shows the average rental unit price in Ashland as \$1,493. In August 2018, 31 units were listed as available. There was one unit listed below \$875 a month and five units listed below \$1,250. As a result, 25 of the advertised units or 81 percent of the advertised units were above the affordable monthly rent for workforce housing.)

The 2016 American Community Survey by the U.S. Census shows that 39.4 percent of Ashland households are single-person compared to 27.8 percent of Oregon households, and 44.8 percent of single-person households in Ashland are renter-occupied compared to 36 percent of single-person households in Oregon are renter-occupied.

The second change in circumstances involves the City accommodating future housing needs within the existing boundaries. The City of Ashland participated in the regional planning process that resulted in the adoption of the *Greater Bear Creek Valley Regional Plan* in 2012. Cities throughout the region identified urban reserve areas (URAs) to accommodate housing for future population growth. The City of Ashland decided to accommodate housing for future population with the Ashland's current boundaries rather than identify future growth areas on the perimeter of the city.

As a result, Ashland committed to exploring ways to increase land use efficiency and accommodate future housing needs without identifying URAs. Changes to the zoning and land use ordinance that encourage development of residential units in the transit triangle can provide needed multifamily residential units to contribute toward accommodating future housing needs.

2. Transit Triangle Location

There has been limited development or redevelopment over the past several decades in the transit triangle study area. Despite an allowance in the C-1 and E-1 for 15 to 30 dwelling units per acre and in the R-2 and R-3 zones for 13 to 20 units per acre, past development adjacent to the bus route on Ashland St. has primarily comprised of single-use, one story commercial buildings without a residential component.

The transit triangle is served by Rogue Valley Transportation District (RVTD) Route 10 with 20-minute service from 7am-5pm (Monday-Friday) and 30-minute service for the remainder of the day (5am-7am and 5pm-8pm, Monday - Friday). Route 10 also includes service on Saturdays at 30-minute intervals from 6am-7pm. Route 10 provides the highest ridership in the RVTD system (50 percent of all RVTD riders) and the Bi-Mart stop on Tolman Creek Rd. is one of the most used stops system wide.

RVTD provided service enhancements to Route 10 in early 2018 including expanded later evening service Monday through Friday and 30-minute service on Saturdays. Weekday service was extended an hour from 7pm to 8pm and Saturday service was changed from hour intervals to 30-minute intervals.

Other opportunities in the transit triangle include vacant and redevelopable land, well-established public facilities, and shopping, services and neighborhoods within walking distance.

3. Project Phases

The infill strategy project for the transit triangle involved two phases of work including the market feasibility analysis, and preparation of the infill strategy report including the proposed ordinance and map amendments.

Phase 1: Market Feasibility Analysis

The first phase of the project involved identifying the factors that limit commercial and residential development in the transit triangle, and testing the impact of adjustments to the factors that the City can control, namely the zoning and land use standards, on market feasibility and rent levels.

Fregonese Associates performed a return on investment (ROI) analysis to examine the market feasibility of a variety of building types using the Envision Tomorrow (ET) model. The model incorporates land,

construction and permitting costs and the physical attributes of buildings allowed by the zoning and land use standards (e.g., height and size of building, number of residential units, required parking, required landscaping) to produce achievable rents and sales prices for commercial space and residential units.

The market feasibility study developed building prototypes for mixed-use and multi-story, residential developments on test sites in the transit triangle. Mixed-use buildings include a combination of commercial or employment uses and can include residential dwelling units. Staff worked with Fregonese Associates to customize the model with the City's zoning and land use standards and permit fees. Interviews with development industry professionals were used to verify the construction costs and rents used in the model.

The analysis determined that under the current zoning and land use standards, the projected commercial rents are low and that the residential unit rental rates exceed those of the current rental market. In addition, the projected dwelling units under current zoning and land use standards are primarily 1,000 square feet and larger and the rental rates exceed the amount a two-person household at median income can afford by 30 percent or more.

Phase 2: Development of Infill Strategy

The second phase of the project involved developing an implementation plan based on the findings of the first phase of work. The infill strategy report included three recommendations - land use ordinance amendments to encourage additional housing and business development adjacent to the bus route, consideration of a Vertical Housing Development Zone (VHDZ) to incentivize development of residential units, and the prioritization of streetscape improvements to increase the walkability, desirability and safety in the area surrounding the bus route.

Once the ET model was customized to Ashland, several building prototypes were developed for test sites on Ashland St. to begin testing the effect of changes to the zoning and land use standards on market feasibility and rent levels. Changes in requirements for building height, number of stories, parking spaces, landscaping coverage and the number of residential dwelling units allowed per acre resulted in an increase in the number of units and decrease in the size of units. The model showed that as the number of residential units increases, the residential unit size and rents decrease and begin to approach prices targeted for a two-person median income household. In addition, the modeling analysis showed that a multi-story building with 650 to 700 square foot residential units was financially feasible with the proposed ordinance and map amendments.

Fregonese Associates developed draft code amendments to address zoning and land use standards that were identified in the first phase as affecting the market feasibility of development, particularly for projects including housing units. The draft code amendments include removing existing housing density requirements to provide an incentive for the private market to build at a higher density with a focus on smaller unit sizes.

Project Meetings

The infill strategy project for the transit triangle involved two phases of work and nine public meetings. The project web page www.ashland.or.us/transit_triangle includes a list of the public meetings, meeting materials and minutes. The following section discusses the public meetings. A discussion of the adjustments to the proposed ordinance amendments based on the comments from the public meetings and input is included in the following "Key Issues" section.

Phase 1: Market Feasibility Analysis

The first phase of the project involved the modeling and analysis to identify the factors that limit commercial and residential development in the transit triangle. The Planning Commission reviewed and discussed the first phase work at their [October 11, 2016](#) and [November 22, 2016](#) study sessions. Planning Commission representatives, staff and Fregonese Associates provided an update on the project to the City Council on [December 19, 2016](#). The Council supported the project moving forward and bringing back a package of options for implementation.

Prior to the City Council study session, Fregonese Associates conducted interviews with development industry professionals to verify the construction costs and rents used in the model. After the initial market feasibility analysis was completed, Fregonese Associates and staff met with developers, contractors and architects to review the results on [December 19, 2016](#). Some of the issues discussed included the demand for housing but not commercial space, rental rates and construction costs used in the model were too low, impact of parking on the building footprint and size, impact of required commercial space on residential rents, availability of land to develop, resistance from surrounding neighborhoods to four stories, costs of street frontage improvements, lending based on the debt service ratio and the need for incentives such as the vertical housing tax credit. In response to the meeting comments, the work in the second phase began with a review of costs used in the model and phone interviews with developers and brokers to understand changes in the market and prices.

Phase 2: Development of Infill Strategy

The Planning Commission reviewed the recommended ordinance and map amendments at a study session on [October 24, 2017](#). An open house meeting was held on [December 11, 2017](#) and a stakeholder meeting of developers, design professionals, real estate brokers and agency representatives was held on [December 12, 2017](#). Planning Commission representatives, staff and the Fregonese Associates presented the draft ordinance amendments to the City Council on [January 16, 2018](#). The Council directed the Planning Commission to initiate ordinance revisions to implement the infill strategy for the transit triangle study area. The Planning Commission held public hearings on the proposed amendments on [May 22, 2018](#), [June 12, 2018](#) and [July 24, 2018](#).

Approximately 30 people attended the open house meeting on December 11, 2017. Some of the issues discussed and comments included objection to allowing additional building stories or residential units, support of additional stories along street or at intersections, support of additional building height with building step backs, concerns about additional traffic and requiring less parking, support for more affordable housing, and concerns about potential noise impacts from new mechanical equipment on adjacent residential neighborhoods. Approximately 900 invitations were sent by mail to properties located in and surrounding the transit triangle study area. The meeting was also posted on the City of Ashland web site news items.

The presentation at the open house meeting included several building design options (e.g., number of stories, with or without a building step back). As a follow-up to the meeting, a questionnaire was emailed to participants to gather the public's preferences regarding the building design options presented at the meeting and to collect information from community members about desired neighborhood and community characteristics. Twenty-four questionnaires were completed. A summary of the results is attached (see Report for Ashland Transit Triangle Survey).

Twelve individuals attended the stakeholder meeting on December 12, 2017 including developers, design professionals, real estate brokers and representatives from Rogue Valley Transportation District (RVTD)

and Jackson County Housing Authority. Some of the issues discussed included the building step back being too prescriptive and costly, providing a design alternative to the building step back, continuing rise of construction costs, providing bus passes and requiring less parking for affordable units, consider higher FAR and more stories because it helps with economies of scale, consider allowing development of residential units on ground floor that can be converted to commercial because there is limited commercial demand in Ashland, and the potential of car-sharing programs, smart car parking and self-driving cars to dramatically change the area required for parking. Thirty individuals were invited to the meeting.

Proposed Changes

The proposed package of ordinance and map amendments is based on the draft code amendments prepared by Fregonese Associates. Fregonese Associates developed draft code amendments to address zoning and land use standards that were identified in the first phase as affecting the market feasibility of development, particularly for projects including housing units. The implementation strategy includes removing existing housing density requirements to provide an incentive for the private market to build at a higher density with a focus on smaller unit sizes.

1. Transit Triangle (TT) Overlay

The draft amendments for the TT overlay are attached and include three components – Chapter 18.3.14 Transit Triangle Overlay, miscellaneous amendments to the land use ordinance for the TT overlay and the TT overlay map. The TT overlay map that is included in the new chapter will be adopted by ordinance and added to the Site Design overlay map. A summary of the ordinance amendments for the TT overlay follows.

- Developing under the TT overlay is optional for the applicant or property owner and development using the TT overlay option is required to meet all of the requirements of the new Chapter 18.3.14. Conversely, development that does not elect to fully exercise the TT overlay option cannot use the provisions of the new chapter. For example, a townhome development comprised of ownership units could not take advantage of the additional height, reduced landscaping or reduced parking provided by the TT overlay. However, since the current zoning remains in place, townhomes could be developed in the multifamily zones without using the provisions of the TT overlay.
- The allowed number of dwelling units per acre (i.e., density) is eliminated and instead building volume and intensity is regulated by a maximum floor area ratio (FAR). The recommended FAR is 1.5 for C-1 and E-1 zones and 1.25 for the R-2 and R-3 zones. Currently, each zone includes a number of housing units that are allowed per acre, which is often referred to as base density. Thirty housing units per acre are allowed in C-1, 15 units per acre are allowed in E-1, 13.5 units per acre in the R-2 zone and 20 units per acre in the R-3 zone. In addition, there is no maximum FAR in place at this time.
- The height of buildings is allowed to increase to 50 feet or four stories in the C-1 and E-1 zones and 42 feet or three storied buildings in the R-2 and R-3 zones. Currently, building height is limited to 40 feet with a five-foot parapet (i.e., three stories) in the C-1 and E-1 zones and 35 feet or 2.5 stories in the R-2 and R-3 zones. In addition, the current code allows buildings located more than 100 feet from a residential zone in the C-1 zone to be approved up to 55 feet in height through the conditional use permit process.
- Buildings are required to be stepped back at least 10 feet for any portion of the building over 25 feet in height (i.e., third and fourth stories). The building step back is required within 25 feet of a residential zone or on any side of a building facing a street. Building step backs are not currently required.

- Front yards in the R-2 and R-3 zones are reduced to a minimum of five feet. Currently, the minimum front yard is eight feet for unenclosed porches and 15 feet to the enclosed building. The side and rear yard setback requirements are unchanged in the multifamily zones.
- Side and rear yards abutting residential zones in the C-1 and E-1 zones are 15 feet. This results in an increase in the side yard and a reduction in the rear yard for multi-story buildings. Currently, the minimum side yards abutting residential zones is ten feet and the minimum rear yard is 10 feet per story.
- Residential units developed under the TT overlay option are required to be rental units. Condominiums and travelers' accommodations are not allowed.
- The off-street parking requirement is reduced to one space for residential units less than 800 square feet. Currently, one parking space is required for units less than 500 square feet and two parking spaces are required for larger units.
- Restaurant, retail and office uses located in mixed-use buildings can reduce the off-street parking requirement by three spaces.
- The required landscape area is reduced to 20 percent in the R-2 and R-3 zones. Currently, the required landscape area is 35 percent in the R-2 zone and 25 percent in the R-3 zone.
- Limited floor area for commercial uses is allowed in the R-2 and R-3 zones.

2. Miscellaneous Edits and Corrections

The proposed amendments also include miscellaneous edits and corrections to AMC 18.2.3.120 Dwelling in Historic District Overlay, AMC 18.2.3.130 Dwelling in Non-Residential Zone, AMC 18.2.5.070 Maximum Permitted Residential Floor Area in Historic District, AMC 18.3.13.010 Residential Overlay Regulations, AMC 18.4.3.030.C Downtown Zone, AMC 18.4.3.060 Parking Management Strategies and AMC 18.6.1.030 Definitions. The miscellaneous edits and corrections are included in the second ordinance titled, "An Ordinance Amending Chapter 18.2.1, 18.2.2, 18.2.3, 18.2.5, 18.3.12, 18.3.13, 18.4.3 and 18.6.1 of the Ashland Land Use Ordinance to Implement an Infill Strategy in the Transit Triangle and Miscellaneous Edits for Clarity and Consistency." A description of each of the miscellaneous edits follows.

Many of the miscellaneous edits and corrections are not directly related to the infill strategy for the transit triangle but rather are items that were noted for correction during Planning Commission review of the proposed amendments for the infill strategy and development proposals at past public hearings. The exceptions are the deletion of the affordable unit requirement for mixed-use projects including more than ten residential units in the C-1 and E-1 zones (AMC 18.2.3.130.5 and AMC 18.2.13.010.4) and the proposed microcar parking management strategy (AMC 18.4.3.060B). A summary of the miscellaneous edits and corrections follows.

- **AMC 18.2.3.120 and AMC 18.2.5.070.B** (pp 16-17)
The proposed changes clarify that the maximum permitted floor area (MPFA) requirement applies to homes in residential zones. The Planning Commission identified this as an issue in a review of a development proposal for 868 A St. in 2016. MPFA in the pre-2015 ordinance was included as a requirement in the chapters for the single-family (R-1) and multifamily (R-2 and R-3) zones and was not included as a requirement in the non-residential zones (C-1, E-1 or M-1).
- **AMC 18.2.3.130 and 18.3.13.010** (pp 16-17 and 19-20)
The changes to the sections on housing units in the C-1 and E-1 zones are to correct an inadvertent omission and delete the affordable housing unit requirement for projects involving more than ten residential units.

- **One Building:** Language is added to the requirements for one building specifying that at least 65 percent of the ground floor shall be designated for permitted non-residential uses. This language was in the pre-2015 code and was inadvertently deleted.
- **Affordable Housing Units:** The requirement to provide affordable units in mixed-use projects including more than ten residential units in the C-1 and E-1 zones is deleted. Residential units are allowed to be developed in the C-1 and E-1 zones in conjunction with commercial and employment uses. However, the development of residential units is voluntary and not mandatory. Fregonese Associates recommended deleting the existing language because it is inconsistent with state law and has proven to be a disincentive to the development of projects with more than ten dwelling units. State law allows local jurisdictions to require affordable units of multifamily structures including 20 or more housing units.
- **AMC 18.4.3.030** (p 20)
The word “commercial” is added to the reference to the downtown zone for consistency with the language in Title 18 Land Use and the zoning district title.
- **AMC 18.4.3.060.B and AMC 18.6.1.030** (pp 25 and 27)
The proposed language allows a normal full sized space to be used for one automobile or two microcars. The suggestion was made at the December 12, 2017 stakeholder meeting.
- **AMC 18.6.1.030** (pp 26-27)
The Planning Commission requested clarification of the definition of gross floor area, basement and story to address issues from the review of a development proposal for 1651 Ashland St. in 2017.
 - Gross Floor Area is used in the existing development standards for calculating the floor area ratio (FAR), plaza requirements for large scale development and amount of allowed residential uses in non-residential zones. The Commission felt the definition needed more specificity regarding measuring the gross floor area (i.e., exterior of walls or centerline of walls in attached buildings) and portions of the building that are not included in the gross floor area (i.e., basements, unenclosed steps, porches, terraces and balconies).
 - Gross Habitable Floor Area is used in the existing development standards to regulate accessory residential unit (ARU) size and dwelling units less than 500 square feet in the C-1 and E-1 zones.
 - Maximum Permitted Floor Area (MPFA) – This is existing language in AMC 18.2.5.070.D and E is added to this section for a cross reference. MPFA is used to regulate the volume of residential buildings located in residential zones in the Historic District overlay.

Key Issues and Options

The proposed ordinance and map amendments were adjusted over the course of the project to respond to key issues that were discussed at the stakeholder meetings, open house and Planning Commission meetings. The three key issues were the design and appeal of multi-story buildings in the transit corridor, the viability of commercial space in the changing economy and providing rental housing units to address an identified need rather than encouraging development of larger and more expensive condominiums.

Other issues were discussed by the Planning Commission at length, such as potential parking on side streets, reduced landscaping areas, potential impacts of increased traffic and allowing larger units for families. However, after reviewing and discussing the information and issues, the Commission ultimately decided the ordinance and map amendments developed by Fregonese Associates are workable. Since the TT overlay is optional, a property owner has the ability to develop larger units for rent or purchase under the current zoning.

1. Building Step Back

The design of multi-story buildings in a transit corridor that is currently mostly single-story structures was identified as an issue in Planning Commission discussions as early as 2016 and prior to the development of the proposed ordinance and map amendments. In particular, concerns were expressed regarding the impact of multi-story buildings on nearby residential neighborhoods as well as on the look and feel of the street corridor and walking environment.

Currently, buildings are allowed to be 40 feet in height with an additional five feet for a parapet (i.e., three stories) in the C-1 and E-1 zones and 35 feet or 2 ½ stories in height in R-2 and R-3 zones. In addition, the current code allows buildings located more than 100 feet from a residential zone in the C-1 zone to be approved up to 55 feet in height through the conditional use permit process. In some situations, building height can be further restricted by the solar setback requirement.

In response to the comments, Fregonese Associates suggested consideration of a building step back requirement to reduce the mass of the structure and soften the appearance of the building from the street and any adjacent residential zones. The recommended standard requires the third and fourth story to be set back from the building face by ten feet on any side within 25 feet of a residential zone and on the side of the building facing a street.



Figure 2: Building Step Back

Subsequently, the building step back was discussed at the December 11, 2017 open house and December 12, 2017 stakeholder meeting. The presentation at the open house and stakeholder meeting included graphic depictions of multi-story buildings at two test sites, with and without the step back. As a follow-up to the open house meeting, a questionnaire was emailed to participants to gather the attendees' preferences regarding various building types. Of the 24 responses, approximately 50 to 65 percent selected building images with step backs and 25 to 30 percent selected buildings without step backs.



Figure 3: Four-story building without building step back



Figure 4: Four-story building with building step back

At the December 12, 2017 stakeholder meeting, attendees raised concerns that the step back was too prescriptive and costly. The group recommended providing flexibility to the step back requirement by allowing the building mass to be broken up by using other architectural features. In response to the feedback throughout the process, the draft ordinance presented for the Planning Commission public hearing was revised to include both the above-described building step back requirement as well as an alternative articulation standard.

At the June 12, 2018 public hearing, the Planning Commission recommended deleting the articulation standard because of concerns regarding the ability to objectively evaluate planning applications with the suggested standard. The Commission felt the existing exception process could be used by an applicant to present an alternative design to the building step back because it allows the hearing authority to approve deviation from the standard if the proposal will result in a design that equally or better achieves the purpose.

At the following public hearing on July 24, 2018, the Planning Commission received testimony regarding the proposed building step back adding more expense to the construction, the compatibility of taller buildings given the width of Ashland St., construction involving step backs requiring specialized trades and upper story deck areas being more difficult to maintain. During deliberations, the Commission was split with some Commissioners suggesting the standard should be revised based on the development community feedback. Other Commissioners felt the building step back was necessary to soften the building impact and is a treatment used in other cities, such as Portland and Seattle. Ultimately, the Commission's recommendation included leaving the building step back requirement in place.

Two options to change the building step back requirement are provided at the end of this report in the form of potential motions. The options include directing staff to develop an alternative standard and eliminating the building step back requirement. An alternative standard would provide the option of including a building step back or using architectural features such as distinct changes in surface, windows and roofs. The alternative standard would not require an application for an exception to the design standards.

2. Required Amount of Commercial and Employment Uses

Currently, 65 percent of the ground floor of a building is required to be in commercial or employment uses in the C-1 and E-1 zones and 35 percent of the ground floor can be housing. There is also a provision that allows lots to be divided so that 50 percent of the lot area is used for commercial and employment uses and up to 50 percent can be used for residential uses – this provision would work with developments including

multiple buildings and larger sites. The requirements are in place to ensure that the City has sufficient land and space to accommodate projected employment levels for the next 20 years. The State Land Use Planning System requires cities to project housing and employment needs a minimum of 20 years in the future and maintain a sufficient supply of lands zoned for these purposes in the urban growth boundary (UGB).

Participants at the December 19, 2016 and December 12, 2017 stakeholder meetings identified the amount of commercial or employment uses required in a development in the C-1 and E-1 as a problematic issue. The participants said building commercial space on the ground floor is a risk because there is limited demand in Ashland. As a result, ground floor commercial space does not guarantee that rent will be earned from non-residential space. The participants recommended that developers be allowed to construct projects that are comprised entirely of residential units in the C-1 and E-1 zones without any required commercial or employment space.

In response to the feedback, the draft ordinance presented for the Planning Commission public hearing reduced the amount of required commercial or employment uses on the ground floor to 50 percent rather than 65 percent. At the June 12, 2018 public hearing, the Commission received additional testimony regarding the viability of retail uses and commercial space and a suggestion that the required amount of commercial and employment uses be reduced to 35 percent. During deliberations, the Commission agreed with reducing the amount of required commercial and employment uses. Issues discussed by the Commission included the concentration of people required to support numerous businesses, the benefit of allowing more ground floor space for residential uses given that the space would be used for multifamily rental housing, and the viability of business located throughout the corridor. Ultimately, the recommendation included reducing the amount of required commercial or employment uses to 35 percent of the ground floor.

An option to change the required amount of commercial and employment uses is provided at the end of this report. The amount of required commercial or employment uses on the ground floor could be adjusted to a higher percentage, such as the 65 percent currently required or a percentage between 65 and 50 percent.

3. Rental Housing Requirement

The issue of focusing on rental housing at more affordable levels rather than encouraging development of larger and more expensive ownership units was identified as an issue in Planning Commission study sessions in 2016. In particular, concerns were expressed about the possibility that flexibility in the existing code requirements (e.g., more building stories, reduced commercial and employment uses, reduced parking requirements) could be used to develop projects with fewer, larger and more expensive ownership housing units rather than more, smaller housing units at costs feasible for workforce housing. In addition, concerns were raised regarding the potential use of housing units that are built under the new flexible code provisions being used as short-term rental units (i.e., travelers' accommodation and hotel units).

The existing zoning requirements allow dwelling units in the C-1 and E-1 zones in conjunction with commercial and employment use and in the R-2 and R-3 zones as a permitted use. The type of housing unit, rental or for purchase, is not regulated. In terms of short-term rental units, the existing zoning allows short-term rental units (i.e., hotel units, travelers' accommodations) as a conditional use.

In response to the comments, Fregonese Associates suggested limiting the TT overlay to the development of multifamily rental units and prohibiting short-term rental units. As a result, the draft ordinance presented for the Planning Commission public hearing allowed multifamily rental units, and prohibited multifamily dwelling units for purchase and hotel units and travelers' accommodations. The recommendation is based on the proposal to make the TT overlay an optional development path that provides flexibility in current code

requirements as an incentive to develop multifamily dwelling units. If a property owner doesn't elect to use the TT overlay option, the property can be developed under the existing zoning and land use standards which allow the three uses that are prohibited in the TT overlay option - multifamily dwelling units for purchase, hotel units and travelers' accommodations.

At the June 12, 2018 and July 24, 2018 public hearings, the Planning Commission received testimony regarding limiting housing units to multifamily dwelling rental units in developments using the TT overlay option. During deliberations at both meetings, the Commission had lengthy discussions about the rental unit requirement. Some Commissioners expressed concern that requiring rental units could deter development, condominiums could be rented and rental housing requires a different type of financing. Other Commissioners felt the housing needs analysis clearly states the need for multifamily rental housing and that the development of ownership units would not address the problem or the project purpose. The Commission discussed trying the rental unit limitation for two years to see if development occurs and then revisiting the requirement depending on the progress. Ultimately, the Commission's recommendation included leaving the draft ordinance language unchanged so that multifamily dwelling rental units are an allowed use under the TT overlay option and multifamily dwelling units for purchase, hotel units and travelers' accommodations are prohibited uses.

Staff introduced potential ordinance language that limited dwelling unit size and required a minimum density at the July 24, 2018 public hearing. Similar to limiting residential units to rental units under the TT overlay option, the unit size and minimum density requirement was intended to ensure that the flexibility provided by the TT overlay option resulted in smaller unit sizes. The Planning Commission felt this approach was too prescriptive for future development. The Commission did feel that development under the Transit Triangle option should be required to meet the residential density currently permitted in the code. As a result, the draft ordinance was amended to require housing projects to comply with the base density of the zoning districts

An option to delete the rental housing requirement is provided at the end of this report in the form of a potential motion. Deleting the rental housing requirement would allow developments including residential units for purchase the option of using the TT overlay.

FISCAL IMPACTS

The review of development proposals and building permits is currently part of the normal work flow for Planning and Building Division staff. The potential increases in the planning actions and building permits in the Transit Triangle overlay can continue to be covered with existing resources.

The resources required for this project are budgeted within the current biennium. The contract with Fregonese Associates of \$38,320.00 was approved by the City Council on March 21, 2017.

STAFF RECOMMENDATION

Several options to address key issues are discussed earlier in this report and presented below as potential motions. Staff recommends adoption of the ordinance and map amendments to implement the infill strategy for the transit triangle as presented or with modifications.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

The following potential motions are provided to address the key issues from the public meetings and Planning Commission review. A motion for approval of first reading of the ordinances is also included (#1 below) should the Council decide to move the proposed ordinance and map amendments to second reading as presented.

1. Motion for Approval (Planning Commission recommendation)

The attached ordinance and map amendments reflect the Planning Commission recommendation which includes a required building step back on the sides of buildings within 25 feet of a residential zone and facing a street, requires 35 percent of the ground floor to be used for permitted commercial and employment uses in the C-1 and E-1 zones and up to 65 percent of the ground floor to be used for housing, and requires housing to be multifamily rental units and prohibits residential units for purchase.

- a) I move to approve first reading of an ordinance titled, “An Ordinance Amending the Ashland Land Use Ordinance to Include a new Chapter 18.3.14 Transit Triangle Overlay,” and to move the ordinance to second reading;
- b) I move to approve first reading of an ordinance titled, “An Ordinance Amending Chapter 18.2.1, 18.2.2, 18.2.3, 18.2.5, 18.3.12, 18.3.13, 18.4.3 and 18.6.1 of the Ashland Land Use Ordinance to Implement an Infill Strategy in the Transit Triangle and Miscellaneous Edits for Clarity and Consistency,” and to move the ordinance to second reading; and
- c) I move to approve first reading of an ordinance titled, “An Ordinance Amending the City of Ashland Zoning Map to Add a Transit Triangle Overlay,” and to move the ordinance to second reading.

2. Motions for Changes to the Building Step Back

- a) I move to direct staff to revise the ordinance to include an alternative to the building step back requirement and bring back the revised ordinance and map amendments for first reading at a future date.
- b) I move to direct staff to revise the ordinance to remove the building step back requirement and bring back the revised ordinance and map amendments for first reading at a future date.

3. Motion for Changes to Required Amount of Commercial and Employment Uses

- a) I move to direct staff to revise the required amount of commercial and employment uses to 65 percent of the ground floor in the C-1 and E-1 zones and allow up to 35 percent of the ground floor for housing in the Transit Triangle overlay and bring back the revised ordinance and map amendments for first reading at a future date. *(Note: The ground floor split between commercial/employment uses and housing in this motion is the current requirement in the C-1 and E-1 zones).*

4. Motions for Changes to Rental Housing Requirement

- a) I move to direct staff to remove the rental housing requirement and bring back the revised ordinance and map amendments for first reading at a future date.

REFERENCES & ATTACHMENTS

1. Proposed ordinance and map amendments
 - An Ordinance Amending the Ashland Land Use Ordinance to Include a new Chapter 18.3.14 Transit Triangle Overlay
 - An Ordinance Amending Chapter 18.2.1, 18.2.2, 18.2.3, 18.2.5, 18.3.12, 18.3.13, 18.4.3 and 18.6.1 of the Ashland Land Use Ordinance to Implement an Infill Strategy in the Transit Triangle and Miscellaneous Edits for Clarity and Consistency
 - An Ordinance Amending the City of Ashland Zoning Map to Add a Transit Triangle Overlay
2. Planning Commission Report, July 24, 2018
3. Record for Planning Action PA-L-2018-00001
4. Comments from Stakeholder Meeting, December 19, 2016
5. Comments from Open House, December 11, 2017
6. Comments from Stakeholder Meeting, December 12, 2017
7. Report for Ashland Transit Triangle Survey, January 2018
8. Letter from Oregon Department of Transportation, September 14, 2018
9. Letter from Oregon Department of Transportation, September 17, 2018

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE ASHLAND LAND USE ORDINANCE
TO INCLUDE A NEW CHAPTER 18.3.14 TRANSIT TRIANGLE OVERLAY**

Annotated to show ~~deletions~~ and additions to the code sections being modified.
Deletions are **~~lined through~~** and additions are **underlined**.

WHEREAS, *Statewide Planning Goal 10* requires cities to inventory and plan for buildable lands for residential use to provide for adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density; and

WHEREAS, the City Council identified the need to provide incentives to create affordable and workforce housing in the *2015-2017 Council Goals and Objectives*; and

WHEREAS, the *Ashland Comprehensive Plan* includes a goal to “Ensure a variety of dwelling types and provide housing opportunities for the total cross-section of Ashland’s population, consistent with preserving the character and appearance of the city; and

WHEREAS, the *2012 Ashland Housing Analysis* identified a deficit in rental housing for extremely-low income (less than 30 percent of area median income) and low-income households (between 30 and 50 percent of area median income) and recommended more rental studio and one-bedroom units; and

WHEREAS, the *2016 American Community Survey* shows that 39.4 percent of Ashland households are single-person compared to 27.8 percent of Oregon households, and 44.8 percent of single-person households in Ashland are renter-occupied compared to 36 percent of single-person households in Oregon are renter-occupied; and

WHEREAS, according to figures released in January 2018 by the Southern Oregon Multiple Listing Service, the median sales price for existing single-family residences in Ashland in 2017 was \$421,500, which was a 7.5 percent gain over 2016. In contrast, the purchasing power of an Ashland household of four earning the median income in 2017 was \$217,950.

WHEREAS, Ashland households earning 120% of median income can afford \$1,270 to \$1,295 per month for housing costs. Workforce housing has come to be defined as housing targeted to households who may earn too much to qualify for affordable housing subsidies but not enough to afford a home or an apartment. The gap between earned income of people living and working in a community and the housing costs tends to be intensified in high-cost housing areas. As a result, affordable housing programs and providers generally consider workforce housing to be households earning 80 to 120 percent of area median income. Given these parameters, 46 percent of Ashland households can afford up to \$875 a month for housing and an additional eight percent can afford up to \$1,250 a month on housing (2015 American Community Survey, U.S. Census).

WHEREAS, the rental housing market has experienced increased prices and shortages over the last several years. Residential rental unit vacancy rates remain at one to two percent for the region. A low vacancy rate for rental units is generally considered to be an indicator that there are little to no available units for rent.

WHEREAS, the City of Ashland participated in the regional planning process that resulted in the adoption of the *Greater Bear Creek Valley Regional Plan* in 2012. Cities throughout the region identified reserve areas to accommodate housing for future population growth. The City of Ashland decided to accommodate housing for future population within the Ashland's current boundaries rather than identify future growth areas on the perimeter of the city. Also as a part of the regional planning process, the City of Ashland committed to provided 6.6 units per gross acre for new development. Changes to the zoning and land use ordinance that encourage development of residential units in the transit triangle can provide needed multi-family residential units to contribute toward meeting the regional density target.

WHEREAS, the City Council determined it is necessary to amend the land use ordinance to encourage the development of multifamily rental units in the area adjacent to the bus route to respond to changes in the housing supply and to meet the target residential density in the *Greater Bear Creek Valley Regional Plan*. Housing availability, diversity of housing types and housing prices have been a concern in Ashland for some time. However, these concerns have been intensified in the last several years throughout the region, state and west coast. Housing prices including rents have continued to rise at a rapid rate. In addition, the supply of housing was impacted by less construction during the recession. The changes in housing market and resulting impacts on housing supply necessitate a change in the zoning and land use ordinance to allow the diversification of the housing supply by providing an area to construct moderately priced multifamily rental housing.; and

WHEREAS, Article 2. Section 1 of the Ashland City Charter provides:

Powers of the City The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop 20 Or. App. 293; 531 P 2d 730, 734 (1975); and

WHEREAS, the City of Ashland Planning Commission considered amending the land use ordinance to include a new Chapter 18.3.14 Transit Triangle Overlay and recommended the amendment to the Ashland Municipal Code and Land Use Ordinances

at a duly advertised public hearings on May 22, 2018, June 12, 2018 and July 24, 2018, following deliberations, recommended approval of the amendments; and

WHEREAS, the City Council of the City of Ashland conducted a duly advertised public hearing on the above-referenced amendments on September 18, 2018; and

WHEREAS, the City Council of the City of Ashland, following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of the Ordinance in accordance with Article 10 of the Ashland City Charter; and

WHEREAS, the City Council of the City of Ashland has determined that in order to protect and benefit the health, safety and welfare of existing and future residents of the City, it is necessary to amend the Ashland Municipal Code and Land Use Ordinance in manner proposed, that an adequate factual base exists for the amendments, the amendments are consistent with the comprehensive plan and that such amendments are fully supported by the record of this proceeding.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1. The above recitations are true and correct and are incorporated herein by this reference.

SECTION 2. A new Chapter 18.3.14 of the Ashland Municipal Code creating a new overlay zone [Transit Triangle Overlay] set forth in full codified form on the attached Exhibit A and made part hereof by this reference, is hereby added to the Ashland Municipal Code.

SECTION 3. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word “ordinance” may be changed to “code”, “article”, “section”, or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions, and text descriptions of amendments (i.e., Section 2) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the ____ day of _____, 2018, and duly PASSED and ADOPTED this ____ day of _____, 2018.

Melissa Huhtala, City Recorder

SIGNED and APPROVED this ____ day of _____, 2018.

John Stromberg, Mayor

Reviewed as to form:

David H. Lohman, City Attorney

Exhibit A

Chapter 18.3.14 – Transit Triangle Overlay

Sections:

18.3.14.010	Purpose
18.3.14.020	Applicability
18.3.14.030	General Requirements
18.3.14.040	Use Regulations
18.3.14.050	Dimensional Regulations
18.3.14.060	Site Development and Design Standards

18.3.14.010 Purpose

The Transit Triangle (TT) overlay is intended to promote the development of a mix of housing units and businesses adjacent to the bus route designed in a way that encourages walking, bicycling and transit use. The Transit Triangle (TT) overlay was adopted by the City Council on month 2018 (Ordinance No. #).

18.3.14.020 Applicability

- A. Transit Triangle (TT) Overlay Designation.** This chapter applies to properties designated as Transit Triangle (TT) overlay on the Site Design Zones map, and pursuant to the Transit Triangle overlay development standards and map adopted by Ordinance No. # (month, 2018).
- B. TT Overlay Option.** The TT overlay may be used to develop residential and commercially zoned land located in the TT overlay, but is not mandatory. Development using the TT overlay option shall meet all of the provisions of this chapter and all other applicable sections of this ordinance, except as otherwise provided in this chapter. The provisions of this chapter do not apply to development located in the TT overlay that does not elect to fully exercise the TT overlay option.
- C. Pedestrian Places Overlay.** The Pedestrian Places overlay and associated development standards do not apply to properties electing to develop under the Transit Triangle (TT) overlay option.
- D. Governing Standards.** Notwithstanding the provision of chapter 18.2.2 Base Zones, additional use restrictions and land use standards apply within the TT overlay. Where the provisions of this chapter conflict with comparable standards described in any other ordinance, resolution or regulation, the provisions of the TT overlay shall govern.
- E. Exceptions and Variances.** Requests to depart from the requirements of this chapter are subject to chapter 18.5.5 Variances, except that deviations from the standards in section 18.3.14.050 for minimum residential density and subsections 18.3.14.060.A and 18.3.14.060.B are subject to 18.5.2.050.E Exception to the Site Development and Design Standards.

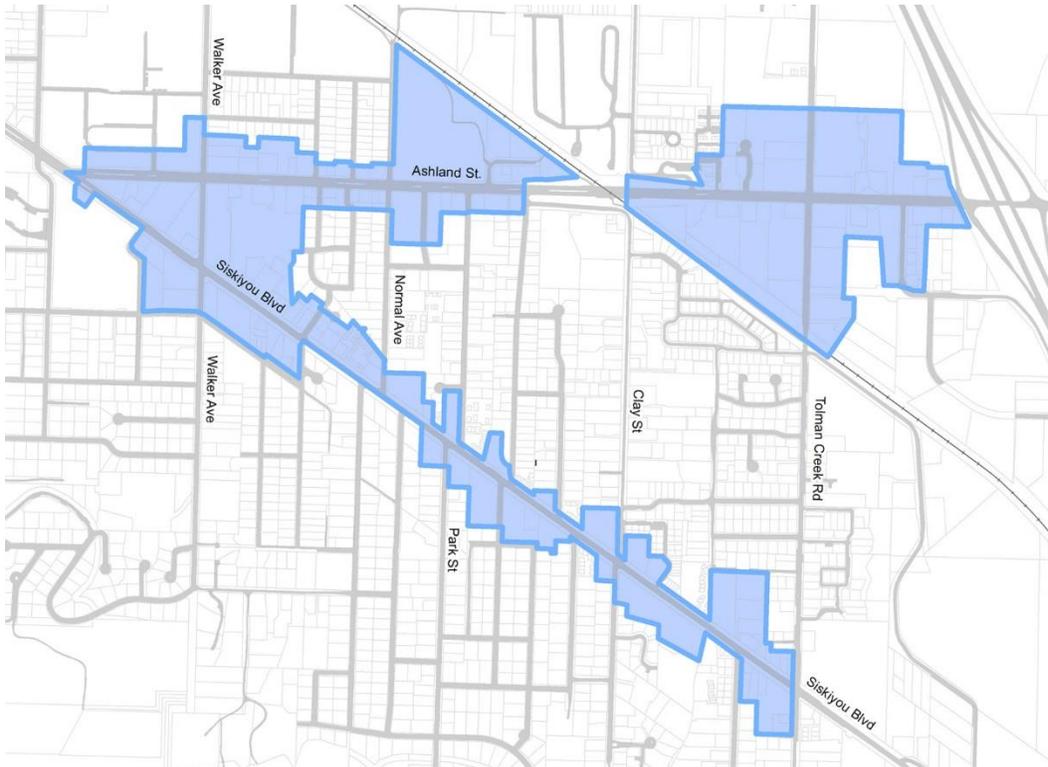


Figure 18.3.14.020
Transit Triangle (TT) Overlay

18.3.14.030 General Requirements

A. Site Development and Design Standards. New development is subject to Site Design Review under chapter 18.5.2, and must comply with the applicable site development and design standards.

18.3.14.040 Allowed Uses

A. Uses Allowed in TT Overlay. Allowed uses are determined by the base zone and in accordance with section 18.2.2.030, except as provided for in this chapter. Notwithstanding the provisions of chapter 18.2.2 Base Zones, section 18.3.14.040 includes additional allowed uses, use restrictions and prohibited uses within the TT overlay.

B. Mixed-Use. Uses allowed in a zone individually are also allowed in combination with one another, in the same structure or on the same site, provided all applicable development standards and building code requirements are met.

18.3.14 – Transit Triangle Overlay

Table 18.3.14.040 – Transit Triangle (TT) Overlay Uses Allowed by Base Zone ¹					
	Zones				Special Use Standards
	C-1	E-1	R-2	R-3	
A. Residential					
Multifamily dwelling, rental	P	P	P	P	Sec. 18.3.14.040.C.1 for C-1 and E-1 zone
Multifamily dwelling, for purchase	N	N	N	N	
B. Commercial					
Hotel/Motel	N	N	N	N	
Travelers' Accommodation	N	N	N	N	
Commercial Retail Sales and Services, except Outdoor Sales and Services	Per 18.2.2.030	Per 18.2.2.030	S	S	Sec. 18.3.14.040.C.2
Office	Per 18.2.2.030	Per 18.2.2.0e0	S	S	Sec. 18.3.14.040.C.2
Restaurants	Per 18.2.2.030	Per 18.2.2.030	S	S	Sec. 18.3.14.040.C.2

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

C. Special Use Standards. The uses listed as “Permitted with Special Use Standards (S)” in Table 18.3.14.040, above, are allowed provided they conform to the requirements of this section and the requirements of chapter 18.5.2 Site Design Review.

1. Residential Uses. Residential uses provided all of the following standards are met.
 - a. *One Building.* In the C-1 and E-1 zones, when a planning application is limited to one building, residential uses may occupy up to 65 percent of the gross floor area of the ground floor. At least 35 percent of the gross floor area of the ground floor shall be designated for permitted uses and uses permitted with special use standards, not including residential uses.
 - b. *More Than One Building.* When a planning application includes more than one building, the equivalent of at least 35 percent of the gross floor area of the ground floor for all buildings shall be designated for permitted uses and uses permitted with special use standards, not including residential uses.
2. Commercial Uses in the R-2 and R-3 Zones. The commercial uses described in Table 18.3.14.040, above, are allowed provided all of the following standards are met.
 - a. The maximum gross floor area occupied shall be 60 square feet for every residential dwelling unit developed on site.

18.3.14 – Transit Triangle Overlay

18.3.14.050 Dimensional Standards

Notwithstanding the provisions of chapter 18.2.5 Standards for Residential Zones and chapter 18.2.6 Standards for Non-Residential Zones, Table 18.3.14.050 includes the dimensional standards within the TT overlay.

The dimensions shall conform to the standards in Table 18.3.14.050.

Table 18.3.14.050 Transit Triangle Overlay Dimensional Standards				
	Base Zones ¹			
	C-1	E-1	R-2	R-3
Residential Density (dwelling units/acre)				
Minimum ²	30 du/ac	15 du/ac	13.5 du/ac	20 du/ac
Maximum	Maximum residential density is regulated by the FAR under the TT overlay option. The maximum dwelling units per acre of the base zones do not apply under the TT overlay option.			
² At a minimum, the development shall meet the residential density allowed in the underlying zone, as noted above and per section 18.2.6.030 for C-1 and E-1 and subsection 18.2.5.080.D for R-2 and R-3.				
Floor Area Ratio (FAR) ³				
Minimum	.5	.5	.5	.5
Maximum	1.5	1.5	1.25	1.25
³ Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Plazas and pedestrian areas may also be applied toward meeting the landscaping area requirements but shall not constitute more than 50% of the required area.				
Lot Area, Width, Depth and Coverage	NA	NA	Land divisions in the R-2 and R-3 zones shall meet the applicable requirements of table 18.2.5.030.A or chapter 18.3.9 Performance Standards Options.	
Yards, Minimum (feet) ⁴				
- Front	There is no minimum front, side, or rear yard required, except where buildings on the subject site abut a residential zone, in which case a side or rear yard of not less than 15 ft is required.		5 ft	5 ft
- Side			See table 18.2.5.030.A for standard yard requirements for the R-2 and R-3 zone	
- Rear				
⁴ See building step back requirement in section 18.3.14.060.				
Building Separation, On Same Site – Minimum	NA		Building separation is not required under the TT overlay option, except as required by the building code.	
Building Height ⁵ & ⁶				
Maximum Height – feet/stories	50/4	50/4	42/3	42/3
Solar Setback	Per table 18.2.6.030		Per chapter 18.4.8 Solar Access	
⁵ See definition of “height of building” in section 18.6.1.030.				
⁶ Parapets may be erected up to five feet above the maximum building height in the C-1 and E-1 zone; see also, 18.4.4.030.G.4 for mechanical equipment screening requirements, and 18.5.2.020 for Site Design Review for mechanical equipment review process.				
Lot Coverage – Maximum (% of lot area)	85%	85%	80%	80%

18.3.14 – Transit Triangle Overlay

Table 18.3.14.050 Transit Triangle Overlay Dimensional Standards				
	Base Zones ¹			
	C-1	E-1	R-2	R-3
Landscape Area – Minimum (% of developed lot area)	15%	15%	20%	20%
Outdoor Recreation Space – Minimum (% of the area)	NA		Outdoor recreation space is not required under the TT overlay option.	

¹ Zones: C-1 = Commercial; E-1 = Employment; R-2 = Low Density Multiple Family; R-3 = High Density Multiple Family.

18.3.14.060 Site Development and Design Standards

New development is subject to Site Design Review under chapter 18.5.2, and must comply with site development and design standards in part 18.4 and section 18.3.14.060, below.

A. C-1 and E-1 zones. Development under the TT overlay option and located in the C-1 and E-1 zones are subject to the following standards.

- 1. Building Step Back.** For building facades within 25 feet of a residential zone or facing a street, reduce building mass through a step back of ten feet for that portion of a building which is over 25 feet or two stories, whichever is greater in height. The building step back requirement does not apply to parapets. See Figure 18.3.14.060.A.1.a. Also, see minimum side or rear yard requirement for buildings abutting a residential zone in table 18.3.14.050.

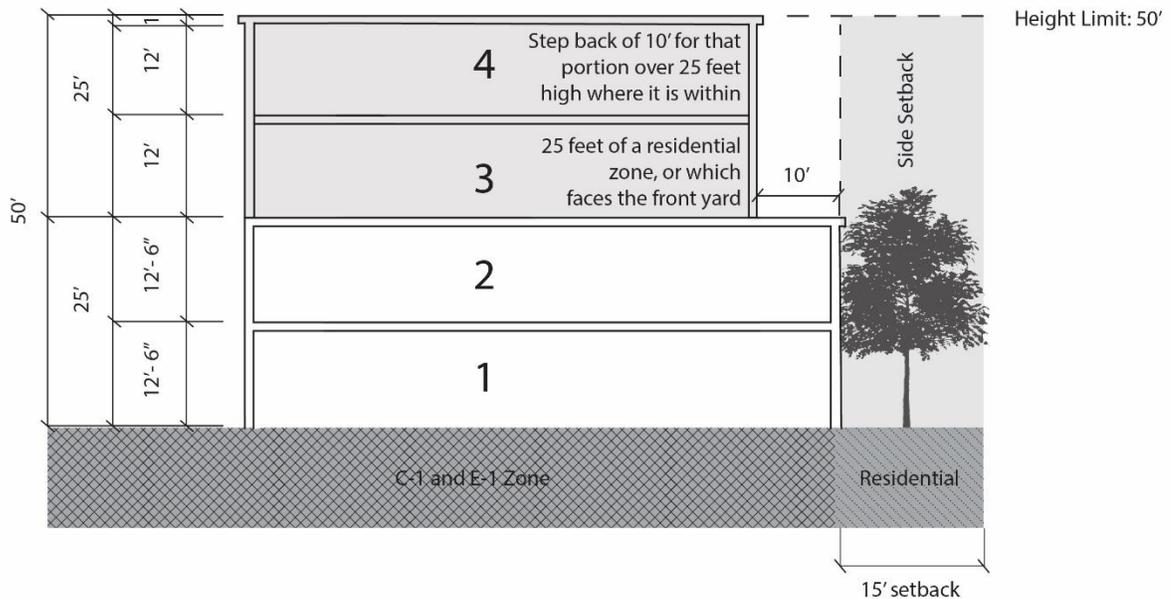


Figure 18.3.14.060.A.1.a

18.3.14 – Transit Triangle Overlay

B. R-2 and R-3 zones. Development under the TT overlay option and located in the R-2 and R-3 zones are subject to the following standards.

1. Detail Site Review Standards. Lots with frontage on Ashland Street shall be subject to the building placement, orientation, and design standards in section 18.4.2.040, including the Detailed Site Review Standards. The area subject to this section shall be 150 feet in depth and the width of the subject lot. The depth of the regulated area shall be measured perpendicular to the lot line that parallels Ashland Street.
2. Sidewalk Setback. Mixed-use buildings shall be setback not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement.
3. Minimum FAR and Plazas. Mixed-use developments shall have a minimum Floor Area Ratio (FAR) of .50. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Projects including existing buildings or vacant parcels of one-half an acre or greater in size shall achieve the required minimum FAR or provide a shadow plan that demonstrates to the approval authority how development may be intensified over time to meet the required minimum FAR.
4. Building Step Back. For building facades within 25 feet of a residential zone or facing a street, reduce building mass through a step back of ten feet for that portion of a building which is over 25 feet or two stories, whichever is greater in height. The building step back requirement does not apply to parapets. See Figure 18.3.14.060.B.1.a. Also, see table 18.2.4.030.A for standard yard requirements for the R-2 and R-3 zone.

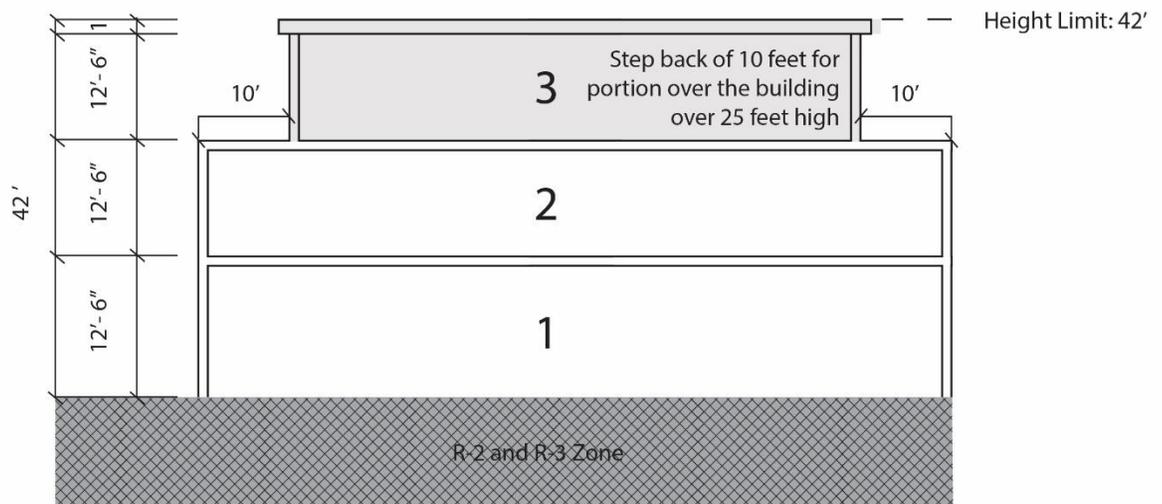


Figure 18.3.14.060.B.1.a

18.3.14 – Transit Triangle Overlay

C. Parking Ratios. Properties developed under the TT overlay option are subject to the standard requirements of chapter 18.4.3 Parking, Access, and Circulation, except as provided by subsection 18.4.3.030.C, below.

1. Multi-family Dwellings. The minimum number of off-street automobile parking spaces required for multi-family dwelling units for development under the TT overlay option are as follows.
 - a. Units less than 800 sq. ft. -- 1 space/unit.
 - b. Units greater than 800 sq. ft. and less than 1000 sq. ft. -- 1.5 spaces/unit.
 - c. Units greater than 1,000 sq. ft. -- 2.00 spaces/unit.
2. Retail Sales and Services, Offices, and Restaurants. The required off-street parking spaces may be reduced up to three parking spaces for retail sales and services, general office, or restaurant uses. The maximum reduction under this subsection is three parking spaces per building.

D. Availability of Parking Facilities. For properties developed under the TT overlay option, required off-street automobile parking spaces shall be available for use by residents, customers, and employees, and shall not be limited in use by hours or type of user through signage or other legal instrument. Required off-street automobile parking shall not be used for the storage or display of vehicles or materials.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTERS 18.2.1, 18.2.2, 18.2.3, 18.2.5, 18.3.12, 18.3.13, 18.4.3 AND 18.6.1 OF THE ASHLAND LAND USE ORDINANCE TO IMPLEMENT AN INFILL STRATEGY IN THE TRANSIT TRIANGLE AND MISCELLANEOUS EDITS FOR CLARITY AND CONSISTENCY

Annotated to show ~~deletions~~ and additions to the code sections being modified. Deletions are **bold lined through** and additions are **bold underlined**.

WHEREAS, *Statewide Planning Goal 10* requires cities to inventory and plan for buildable lands for residential use to provide for adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density; and

WHEREAS, the City Council identified the need to provide incentives to create affordable and workforce housing in the *2015-2017 Council Goals and Objectives*; and

WHEREAS, the *Ashland Comprehensive Plan* includes a goal to “Ensure a variety of dwelling types and provide housing opportunities for the total cross-section of Ashland’s population, consistent with preserving the character and appearance of the city; and

WHEREAS, the *2012 Ashland Housing Analysis* identified a deficit in rental housing for extremely-low income (less than 30 percent of area median income) and low-income households (between 30 and 50 percent of area median income) and recommended more rental studio and one-bedroom units; and

WHEREAS, the *2016 American Community Survey* shows that 39.4 percent of Ashland households are single-person compared to 27.8 percent of Oregon households, and 44.8 percent of single-person households in Ashland are renter-occupied compared to 36 percent of single-person households in Oregon are renter-occupied; and

WHEREAS, according to figures released in January 2018 by the Southern Oregon Multiple Listing Service, the median sales price for existing single-family residences in Ashland in 2017 was \$421,500, which was a 7.5 percent gain over 2016. In contrast, the purchasing power of an Ashland household of four earning the median income in 2017 was \$217,950.

WHEREAS, Ashland households earning 120% of median income can afford \$1,270 to \$1,295 per month for housing costs. Workforce housing has come to be defined as housing targeted to households who may earn too much to qualify for affordable housing subsidies but not enough to afford a home or an apartment. The gap between earned income of people living and working in a community and the housing costs tends to be intensified in high-cost housing areas. As a result, affordable housing programs and providers generally consider workforce housing to be households earning 80 to 120 percent of area median income. Given these parameters, 46 percent

of Ashland households can afford up to \$875 a month for housing and an additional eight percent can afford up to \$1,250 a month on housing (2015 American Community Survey, U.S. Census).

WHEREAS, the rental housing market has experienced increased prices and shortages over the last several years. Residential rental unit vacancy rates remain at one to two percent for the region. A low vacancy rate for rental units is generally considered to be an indicator that there are little to no available units for rent.

WHEREAS, the City of Ashland participated in the regional planning process that resulted in the adoption of the *Greater Bear Creek Valley Regional Plan* in 2012. Cities throughout the region identified reserve areas to accommodate housing for future population growth. The City of Ashland decided to accommodate housing for future population within the Ashland's current boundaries rather than identify future growth areas on the perimeter of the city. Also as a part of the regional planning process, the City of Ashland committed to provided 6.6 units per gross acre for new development. Changes to the zoning and land use ordinance that encourage development of residential units in the transit triangle can provide needed multi-family residential units to contribute toward meeting the regional density target.

WHEREAS, the City Council determined it is necessary to amend the land use ordinance to encourage the development of multifamily rental units in the area adjacent to the bus route to respond to changes in the housing supply and to meet the target residential density in the *Greater Bear Creek Valley Regional Plan*. Housing availability, diversity of housing types and housing prices have been a concern in Ashland for some time. However, these concerns have been intensified in the last several years throughout the region, state and west coast. Housing prices including rents have continued to rise at a rapid rate. In addition, the supply of housing was impacted by less construction during the recession. The changes in housing market and resulting impacts on housing supply necessitate a change in the zoning and land use ordinance to allow the diversification of the housing supply by providing an area to construct moderately priced multifamily rental housing.; and

WHEREAS, Article 2. Section 1 of the Ashland City Charter provides:

Powers of the City The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop 20 Or. App. 293; 531 P 2d 730, 734 (1975); and

WHEREAS, the City of Ashland Planning Commission considered amending the land use ordinance to implement an infill strategy in the transit triangle and miscellaneous edits for clarity

and consistency and recommended the amendments to the Ashland Municipal Code and Land Use Ordinances at a duly advertised public hearings on May 22, 2018, June 12, 2018 and July 24, 2018, following deliberations, recommended approval of the amendments; and

WHEREAS, the City Council of the City of Ashland conducted a duly advertised public hearing on the above-referenced amendments on September 18, 2018; and

WHEREAS, the City Council of the City of Ashland, following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of the Ordinance in accordance with Article 10 of the Ashland City Charter; and

WHEREAS, the City Council of the City of Ashland has determined that in order to protect and benefit the health, safety and welfare of existing and future residents of the City, it is necessary to amend the Ashland Municipal Code and Land Use Ordinance in manner proposed, that an adequate factual base exists for the amendments, the amendments are consistent with the comprehensive plan and that such amendments are fully supported by the record of this proceeding.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1. Section 18.2.1.020 [Zoning Regulations and General Provisions – Zoning Map and General Provisions] of the Ashland Land Use Ordinance is hereby amended as follows:

18.2.1.020 Zoning Map and Classification of Zones

For the purpose of this ordinance, the City is divided into zones designated and depicted on the Zoning Map, pursuant to the Comprehensive Plan Map, and summarized in Table 18.2.1.020.

Table 18.2.1.020	
Base Zones	Overlay Zones
Residential - Woodland (WR)	Airport Overlay
	Detail Site Review Overlay
Residential - Rural (RR)	Downtown Design Standards Overlay
Residential - Single-Family (R-1-10, R-1-7.5, and R-1-5)	Freeway Sign Overlay
Residential - Suburban (R-1-3.5)	Historic District Overlay
Residential - Low Density Multiple Family (R-2)	Pedestrian Place Overlay
Residential - High Density Multiple Family (R-3)	Performance Standards Options Overlay
Commercial (C-1)	Physical and Environmental Constraints Overlay
Commercial – Downtown (C-1-D)	-Hillside Lands
Employment (E-1)	-Floodplain Corridor Lands
	-Severe Constraints Lands
Industrial (M-1)	-Water Resources
	-Wildfire Lands
Special Districts	
Croman Mill District (CM)	Residential Overlay
	Transit Triangle Overlay
Health Care Services District (HC)	
Normal Neighborhood District (NN)	

Table 18.2.1.020	
Base Zones	Overlay Zones
North Mountain Neighborhood District (NM)	
Southern Oregon University District (SOU)	

SECTION 2. Section 18.2.1.040 [Zoning Regulations and General Provisions – Applicability of Zoning Regulations] of the Ashland Land Use Ordinance is hereby amended as follows:

18.2.1.040 Applicability of Zoning Regulations

Part 18.2 applies to properties with base zone, special district, and overlay zone designations, as follows:

Table 18.2.1.040: Applicability of Standards to Zones, Plan Districts and Overlays	
Designation	Applicability
<u>Base Zones</u>	
Residential - Woodland (WR)	Chapter 18.2 Applies Directly
Residential - Rural (RR)	Chapter 18.2 Applies Directly
Residential - Single-family (R-1-10, R-1-7.5, R-1-5)	Chapter 18.2 Applies Directly
Residential - Suburban (R-1-3.5)	Chapter 18.2 Applies Directly
Residential - Low Density Multiple Family (R-2)	Chapter 18.2 Applies Directly
Residential - High Density Multiple Family (R-3)	Chapter 18.2 Applies Directly
Commercial (C-1)	Chapter 18.2 Applies Directly
Commercial - Downtown (C-1-D)	Chapter 18.2 Applies Directly
Employment (E-1)	Chapter 18.2 Applies Directly
Industrial (M-1)	Chapter 18.2 Applies Directly
<u>Special Districts</u>	
Croman Mill District Zone (CM)	CM District Replaces chapter 18.2
Health Care Services Zone (HC)	
Normal Neighborhood District (NN)	NN District Replaces chapter 18.2
North Mountain Neighborhood (NM)	NM District Replaces chapter 18.2
Southern Oregon University (SOU)	
<u>Overlay Zones</u>	
Airport	Overlay Modifies chapter 18.2
Detail Site Review	Overlay Modifies chapter 18.2
Downtown Design Standards	Overlay Modifies chapter 18.2
Freeway Sign	Overlay Modifies chapter 18.2
Historic	Overlay Modifies chapter 18.2
Pedestrian Place	Overlay Modifies chapter 18.2
Performance Standards Options	Overlay Modifies chapter 18.2
Physical and Environmental Constraints	Overlay Modifies chapter 18.2
Residential	Overlay Modifies chapter 18.2
Transit Triangle	Overlay Modifies chapter 18.2

SECTION 3. Section 18.2.2.030 [Base Zones and Allowed Uses – Allowed Uses] of the Ashland Land Use Ordinance is hereby amended as follows:

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 chapter 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 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 overlays 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 right-of-way, parks, sidewalks, or other public grounds) require a Special Event Permit pursuant to AMC 13.03.
 - 2. 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 ordinance, garage sales meeting the requirements of this subsection shall not be considered a commercial activity.
 - 3. 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 ordinance.

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
A. Agricultural Uses¹										
Agriculture, except Keeping of Bees, Livestock and Micro-Livestock, Homegrown Marijuana Cultivation, and Marijuana Production	P	P	P	P	P	P	N	N	N	Animal sales, feed yards, keeping of swine, commercial compost, or similar uses not allowed
Keeping of Bees	S	S	S	S	S	S	N	N	N	Sec. 18.2.3.160
Keeping of Livestock	S	N	N	N	S	S	N	N	N	
Keeping of Micro-Livestock	S	S	S	S	S	S	N	N	N	
Marijuana Cultivation, Homegrown	S	S	S	S	S	S	S	S	S	Sec. 18.2.3.190 See General Industrial, Marijuana Production
B. Residential Uses										
Single-Family Dwelling	P	P	P	P	P	P	S	S	N	See Single-Family standards in Sec. 18.2.5.090 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
Accessory Residential Unit	P or S	P or S	S	S	P or S	N	N	N	N	Sec. 18.2.3.040 and Sec. 18.5.2.020.C.2
Cottage Housing	S	N	N	N	N	N	N	N	N	Sec. 18.2.3.090 Cottage Housing
Duplex Dwelling	S	P	P	P	N	N	S	S	N	Sec. 18.2.3.110 Duplex Dwelling

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

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
B. Residential Uses²(continued)										
Manufactured Home on Individual Lot	S	S	S	S	N	N	N	N	N	Sec. 18.2.3.170 and not allowed in Historic District Overlay
Manufactured Housing Development	N	S	CU+S	N	N	N	N	N	N	Sec. 18.2.3.180
Multifamily Dwelling	N	P	P	P	N	N	S	S	N	Sec. 18.2.3.130 for C-1 zone and E-1 zone <u>Dwellings in Transit Triangle (TT) overlay, see chapter 18.3.14</u> 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	N	N	S	S	N	N	N	N	N	Sec. 18.2.3.200
Home Occupation	S	S	S	S	S	S	S	S	N	Sec. 18.2.3.150
C. Group Living										
Nursing Homes, Convalescent Homes	CU	CU	CU	CU	CU	CU	N	N	N	See chapter 18.3.3 Health Care Services
Residential Care Home	P	P	P	P	P	P	N	N	N	Subject to State licensing requirements
Residential Care Facility	CU	P	P	P	CU	CU	N	N	N	Subject to State licensing requirements
Room and Boarding Facility	N	P	P	P	N	N	N	N	N	
D. Public and Institutional Uses										
Airport										See chapter 18.3.7 Airport Overlay

² KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
D. Public and Institutional Uses <i>(continued)</i> ³										
Cemetery, Mausoleum, Columbarium	N	N	N	N	CU	N	N	N	N	
Child Care Facility	CU	CU	CU	CU	CU	CU	P	P	P	Family Child Care Home exempt from planning application procedure pursuant to ORS 329A.440, see part 18.6 for definition
Club Lodge, Fraternal Organization	CU	CU	CU	CU	CU	CU	P	CU	CU	
Electrical Substation	N	N	N	N	N	N	CU	CU	P	
Hospitals	CU	CU	CU	CU	CU	N	N	N	N	See chapter 18.3.3 Health Care Services
Governmental Offices and Emergency Services (e.g., Police, Fire); excluding Outdoor Storage	CU	CU	N	N	CU	CU	P	P	P	
Mortuary, Crematorium	N	N	N	N	CU	N	P	P	P	
Public Park, Open Space, and Recreational Facility, including playgrounds, trails, nature preserves, athletic fields, courts, swim pools, similar uses	P	P	P	P	P	P	N	N	N	
Public Parking Facility	N	N	N	N	N	N	P	P	P	
Recycling Depot	N	N	N	N	N	N	N	P	P	Not allowed within 200 ft of a residential zone
Religious Institution, Houses of Worship	CU	CU	CU	CU	CU	CU	CU	CU	CU	
School, Private (Kindergarten and up)	CU	CU	CU	CU	CU	CU	N	N	N	

³ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
D. Public and Institutional Uses <i>(continued)</i> ⁴										
School, Public (Kindergarten and up)	P	P	P	P	P	CU	N	N	N	
School, Private College/Trade/Technical School	N	N	N	N	N	N	N	CU	P	
Utility and Service Building, Yard and Structure, Public and Quasi-Public, excluding electrical substations	CU	CU	N	N	CU	CU	P	P	P	Includes public service building, yard, and structures such as public works yards Yards not allowed in the RR, WR, and C-1 zone
Wireless Communication Facility	CU	CU	CU	CU	CU	CU	P or CU	P or CU	P or CU	Sec.18.4.10
E. Commercial Uses										
Amusement/Entertainment, includes theater, concert hall, bowling alley, miniature golf, arcade; excluding drive-up uses	N	N	N	N	N	N	P	CU	P	
Automotive and Truck Repair, or Service; includes fueling station, car wash, tire sales and repair/replacement, painting, and other repair for automobiles, motorcycles, aircraft, boats, RVs, trucks, etc.	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

⁴ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
E. Commercial Uses <i>(continued)</i> ⁵										
Automotive Sales and Rental, except within the Historic Interest Area; includes motorcycles, boats, RVs, and trucks	N	N	N	N	N	N	CU	CU	P	Not allowed within Historic District Overlay
Accessory Travelers' Accommodation (See also Travelers' Accommodation)	N	N	CU+S	CU+S	N	N	N	N	N	Sec. 18.2.3.220
Bakery, except as classified as Food Processing	N	N	N	N	N	N	P	P	P	
Commercial Laundry, Cleaning, and Dyeing Establishment	N	N	N	N	N	N	S	S	P	Sec. 18.2.3.080
Commercial Recreation, includes country club, golf course, swimming club, and tennis club; excluding intensive uses such as driving range, race track, or amusement park	CU	CU	N	N	CU	CU	N	N	N	
Drive-Up Use	N	N	N	N	N	N	S	N		Per Sec. 18.2.3.100, Drive-Up uses are limited to area east of Ashland St at intersection of Ashland St/Siskiyou Blvd
Hostel	N	N	CU	CU	N	N	CU*	N	N	*In C-1 zone, requires annual Type I review for at least the first three years, after which time the Planning Commission may approve a permanent facility through the Type II procedure
Hotel/Motel	N	N	N	N	N	N	CU	CU	P	
Kennel (See also Veterinary Clinic)	N	N	N	N	N	N	S	S	CU	No animals kept outside within 200 feet of a residential zone

⁵ **KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.**

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
E. Commercial Uses <i>(continued)</i> ⁶										
Limited Retail Uses in Railroad Historic District	N	CU	CU	CU	N	N	N	N	N	Sec. 18.2.2.210 for Retail Uses Allowed in Railroad Historic District
Lumber Yard and Similar Sales and Rental of Building or Contracting Supplies, or Heavy Equipment	N	N	N	N	N	N	CU	CU	P	
Marijuana Retail Sales, includes sale of medical and recreational marijuana	N	N	N	N	N	N	S or CU	S or CU	N	Per Sec. 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	N	N	N	N	N	N	S	CU	P	Not allowed within the Historic District Overlay unless located in C-1-D
Office	N	N	CU	CU	N	N	P	P	P	
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Plant Nursery, Wholesale, except Marijuana Production	N	N	CU	CU	N	N	N	N	N	
Restaurants	N	N	N	N	N	N	P	P	P	

⁶ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
E. Commercial Uses (continued)⁷										
Retail Sales and Services, except Outdoor Sales and Services	N	N	CU+S	N	N	N	P	S	S	In R-2 zone, uses limited to personal and professional services, except see Sec. 18.2.3.210 for retail uses allowed in Railroad Historic District In E-1 zone, Retail limited to 20,000 sq ft 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)	N	N	N	N	N	N	N	CU	P	
Traveler ² s' Accommodation (See also Accessory Travelers' Accommodation)	N	N	CU+S	CU+S	N	N	N	N	N	Sec. 18.2.3.220
Veterinary Clinic	N	N	N	N	N	N	P	P	P	
F. Industrial and Employment Uses										
Cabinet, Carpentry, and Machine Shop, and related Sales, Services, and Repairs	N	N	N	N	N	N	N	S or CU	P	In the E-1 zone, uses within 200 feet of a residential zone require CU permit
Commercial Excavation and Removal of Sand, Gravel, Stone, Loam, Dirty or Other Earth Products	N	N	N	N	CU+S	N	N	N	N	Sec. 18.2.3.070
Concrete or Asphalt Batch Plant	N	N	N	N	N	N	N	N	CU	

⁷ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
F. Industrial and Employment Uses <i>(continued)</i> ⁸										
Dwelling for a caretaker or watchman	N	N	N	N	N	N	N	CU	CU	
Food Products Manufacture/Processing/Preserving, including canning, bottling, freezing, drying, and similar processing and preserving.	N	N	N	N	N	N	S	S	P	In the C-1 zone, manufacture or assembly of items sold is a permitted use, provided such manufacturing or assembly occupies 600 square feet or less, and is contiguous to the permitted retail outlet In the E-1 zone, See Sec. 18.2.3.140
Manufacture, General, includes Marijuana Laboratory, Processing, and Production	N	N	N	N	N	N	N	P or S	P or S	In E-1 and M-1 zones, marijuana laboratory, processing, and production are subject to the special use standards in Sec. 18.2.3.190 See Marijuana Cultivation, Homegrown
Manufacture, Light; excluding saw, planing or lumber mills, or molding plants.	N	N	N	N	N	N	S	P	P	Requires assembly, fabricating, or packaging of products from previously prepared materials such as cloth, plastic, paper, cotton, or wood In the C-1 zone, manufacture or assembly of items sold in a permitted use, provided such manufacturing or assembly occupies 600 square feet or less, and is contiguous to the permitted retail outlet

⁸ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
F. Industrial and Employment Uses <i>(continued)</i> ⁹										
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Television and Radio Broadcasting Studio	N	N	N	N	N	N	N	P	P	
Wholesale Storage and Distribution, includes Marijuana Wholesale	N	N	N	N	N	N	N	S	S	Deliveries and shipments limited to 7AM-9PM 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	N	N	N	N	N	N	N	N	CU	
G. Other Uses										
Temporary Tree Sales	N	N	N	N	N	N	P	N	N	Allowed from November 1 to January 1
Temporary Use	CU, except uses lasting less than 72 hours are subject to Ministerial review, per Sec. 18.2.2.030.H									

⁹ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

SECTION 4. Section 18.2.3.120 [Special Use Standards – Dwelling in Historic District Overlay] of the Ashland Land Use Ordinance is hereby amended to read as follows:

18.2.3.120 Dwelling in Historic District Overlay

Dwellings in the Historic District Overlay subject to all of the following requirements.

- A. Manufactured homes are prohibited.
- B. Dwellings **located in residential zones** shall conform to the maximum permitted floor area standards of section 18.2.5.070, except that dwellings exceeding the maximum permitted floor area are allowed subject to approval of a Conditional Use Permit under chapter 18.5.4.
- C. Notwithstanding the height standards of the R-1 zone, structures within the Historic Overlay shall not exceed a height of 30 feet.
- D. Retail commercial uses in a dwelling unit within the Railroad Historic Overlay are subject to approval of a Conditional Use Permit under chapter 18.5.4 and shall conform to the standards of section 18.2.3.210.

SECTION 5. Section 18.2.3.130 [Special Use Standards – Dwelling in Non-Residential Zone] of the Ashland Land Use Ordinance is hereby amended as follows:

18.2.3.130 Dwelling in Non-Residential Zone

Where dwellings are allowed in non-residential zones, they are subject to all of the following requirements.

- A. Dwellings in the E-1 zone are limited to the R-overlay zone. See chapter 18.3.13 Residential Overlay.
- B. Dwellings in the E-1 and C-1 zones shall meet all of the following standards: **except that dwellings developed under the Transit Triangle (TT) overlay option are not subject to subsection 18.2.3.130.B, below. See section 18.3.14.040 for the allowed uses in the TT overlay.**
 - 1. **Mixed-Use Developments.** If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses. **At least 65 percent of the gross floor area of the ground floor shall be designated for permitted uses and uses permitted with special use standards, not including residential uses.**
 - 2. Residential densities shall not exceed 15 dwelling units per acre in the E-1 zone, 30 dwelling units per acre in the C-1 zone, and 60 dwelling units per acre in the C-1-D zone. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.
 - 3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the underlying zone.
 - 4. Off-street parking is not required for residential uses in the C-1-D zone.

~~5. Where the number of residential units exceeds ten, at least ten percent of the residential units shall be affordable for moderate-income persons in accord with the standards of section 18.2.5.050. The number of units required to be affordable shall be rounded down to the nearest whole unit.~~

SECTION 6. Section 18.2.5.070 [Standards for Residential Zones – Maximum Permitted Residential Floor Area in Historic District] of the Ashland Land Use Ordinance is hereby amended as follows:

18.2.5.070 Maximum Permitted Residential Floor Area in Historic District

- A. Purpose.** Section 18.2.5.070 regulates floor area of dwellings to promote compatible building volume and scale in the Historic District.
- B. Applicability.** Within residential zones located in the Historic District Overlay, new structures and additions shall conform to the maximum permitted floor area standards of this section, except as provided by 18.2.5.070.C.

SECTION 7. Section 18.3.12.020 [Site Development and Design Overlays – Applicability] of the Ashland Land Use Ordinance is hereby amended as follows:

Chapter 18.3.12 – Site Development and Design Overlays

Sections

- 18.3.12.010 Purpose
- 18.3.12.020 Applicability
- 18.3.12.030 Detail Site Review Overlay
- 18.3.12.040 Downtown Design Standards Overlay
- 18.3.12.050 Historic District Overlay
- 18.3.12.060 Pedestrian Place Overlay
- 18.3.12.070 Transit Triangle Overlay**

18.3.12.010 Purpose

The Site Development and Design overlays provide special regulations and standards that supplement the base zoning regulations which are implemented through Site Design Review.

18.3.12.020 Applicability

This chapter applies to the Detail Site Review, Downtown Design Standards, Historic District, ~~and~~ Pedestrian Place, and Transit Triangle overlays. Development located within these overlays is required to meet all other applicable sections of this ordinance, except as modified by this chapter. Where the provisions of this chapter conflict with comparable standards described in any other ordinance or regulation, the provisions of this chapter apply.

SECTION 8. Section 18.3.12.060 [Site Development and Design Overlays – Pedestrian Places Overlay] of the Ashland Land Use Ordinance is hereby amended as follows:

18.3.12.060 Pedestrian Place Overlay

A. Purpose. The Pedestrian Place overlay is intended to direct and encourage development of small walkable nodes that provide concentrations of gathering places, housing, businesses, and pedestrian amenities situated and designed in a way to encourage walking, bicycling, and transit use.

B. Applicability

1. This section applies to properties designated as Pedestrian Places overlay on the Site Design Zones map.
2. Review Procedure. The Pedestrian Place overlay requirements apply to proposed development located in the Pedestrian Place overlay that requires a planning application approval, and involves development of new structures or additions other than single-family dwellings and associated accessory structures and uses. The provisions of the Pedestrian Place overlay supplement those of the applicable base zoning district and other applicable ordinance requirements.
3. Mixed-Use Buildings in Residential Zones. Mixed-use buildings located in an underlying residential zone require Site Design Review approval in accordance with chapter 18.5.2, and are subject to the standards subsection 18.4.2.040.B Basic Site Review Standards rather than section 18.4.2.030 Residential Development. Mixed-use buildings are subject to all other applicable provisions of part 18.4 Site Development and Design Standards.
4. The Pedestrian Places overlay and development standards do not apply to properties electing to develop under the Transit Triangle (TT) overlay option. See chapter 18.3.14 Transit Triangle Overlay.

C. Pedestrian Place Concept Plans. The Pedestrian Place Concept plans (i.e., site plan, development summary, and building illustrations) are for the purpose of providing an example of development that conforms to the standards, and do not constitute independent approval criteria. Concept plans are attached to the end of this chapter.

D. Development Standards. The following standards shall apply to development in the Pedestrian Places overlay in addition to all applicable provisions of this ordinance.

1. Building Setbacks. The solar access setback in chapter 18.4.8 Solar Access applies only to those lots abutting a residential zone to the north.
2. Plazas and Landscaping Ratio. Outdoor seating areas, plazas, and other useable paved surfaces may be applied toward meeting the landscaping area requirements in chapter 18.4.4 Landscaping, Lighting, and Screening, but shall not constitute more than 50 percent of the required area.

E. Development in Residential Zone. The following standards apply to development located in the Pedestrian Places overlay and a residential zone, in addition to all applicable provisions of this ordinance.

1. Special Permitted Uses. In addition to the permitted uses in the underlying residential

zone, the following uses and their accessory uses are permitted subject to the requirements of this section.

- a. Professional, financial, business and medical offices, and personal service establishments.
- b. Stores, shops, and offices supplying commodities or performing services.
- c. Restaurants.

2. Development Standards and Limitations.

- a. The maximum gross floor area occupied by a special permitted use shall be 2,500 square feet.
- b. Special permitted uses shall be allowed in a building or in a group of buildings including a mixture of businesses and housing. At least 50 percent of the total gross floor area of a building, or of where there is more than one building on a site, 50 percent of the total lot area including accessory uses such as parking, landscaping and public space, shall be designated for residential uses.
- c. The development shall meet the minimum housing density requirements of the underlying zone.
- d. Mixed-use buildings shall be setback not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement.
- e. Mixed-use developments shall have a minimum Floor Area Ratio (FAR) of .50. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Projects including existing buildings or vacant parcels of a half an acre or greater in size shall achieve the required minimum FAR or provide a shadow plan (see graphic) that demonstrates how development may be intensified over time to meet the required minimum FAR.

SECTION 9. Section 18.3.12.070 [Site Development and Design Overlays – Transit Triangle Overlay] of the Ashland Land Use Ordinance is hereby added as follows:

18.3.12.070 Transit Triangle Overlay

A. The Transit Triangle (TT) overlay is that area defined in the Site Design Zones map.

B. Development in the Transit Triangle overlay is subject to chapter 18.3.14 Transit Triangle Overlay in addition to all other applicable sections of this ordinance.

SECTION 10. Section 18.3.13.010 [Residential Overlay – Residential Overlay Regulations] of the Ashland Land Use Ordinance is hereby amended as follows:

18.3.13.010 Residential Overlay Regulations

- A. Purpose. The Residential overlay is intended to encourage a concentration and mix of businesses and housing that provides a variety of housing types, supports resource and

energy conservation, and promotes walking, bicycling, and transit use.

- B. Applicability. The Residential overlay applies to all property where 'Residential Overlay' (R) is indicated on the Zoning map.
- C. Requirements. The Residential overlay requirements are as follows, **except that dwellings developed under the Transit Triangle (TT) overlay option are not subject to subsection 18.3.13.010 C, below. See section 18.3.14.040 for the allowed uses in the TT overlay.**
1. **Mixed-Use Developments.** If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses. **At least 65 percent of the gross floor area of the ground floor shall be designated for permitted uses and uses permitted with special use standards, not including residential uses.**
 2. Residential densities shall not exceed 15 dwelling units per acre. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.
 3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the E-1 District.
 - ~~4. If the number of residential units exceeds ten, then at least 10 percent of the residential units shall be affordable for moderate-income persons in accord with the standards established by resolution of the City Council through procedures contained in the resolution. The number of units required to be affordable shall be rounded down to the nearest whole unit.~~

SECTION 11. Section 18.4.3.030 [Parking, Access, and Circulation – General Automobile Parking Requirements and Exceptions] of the Ashland Land Use Ordinance is hereby amended as follows:

18.4.3.030 General Automobile Parking Requirements and Exceptions

- A. Minimum Number of Off-Street Automobile Parking Spaces.** Off-street parking shall be provided pursuant to one of the following three methods and shall include required Disabled Person Parking.
1. **Standard Ratios for Automobile Parking.** The standards in Table 18.4.3.040.
 2. **Unspecified Use.** Where automobile parking requirements for any use are not specifically listed in Table 18.4.3.040, such requirements shall be determined by the Staff Advisor based upon the most comparable use specified in this section, and other available data.
 3. **Parking Demand Analysis.** The approval authority through a discretionary review may approve a parking standard that is different than the standards under subsection 1 and 2, above, as follows.

- a. The applicant submits a parking demand analysis with supporting data prepared by a professional engineer, planner, architect, landscape architect, or other qualified professional;
- b. The parking analysis, at a minimum, shall assess the average parking demand and available supply for existing and proposed uses on the subject site; opportunities for shared parking with other uses in the vicinity; existing public parking in the vicinity; transportation options existing or planned near the site, such as frequent bus service, carpools, or private shuttles; and other relevant factors. The parking demand analysis option may be used in conjunction with, or independent of, the options provided under section 18.4.3.060 Parking Management Strategies.
- c. The review procedure shall be the same as for the main project application.

B. Maximum Number of Off-Street Automobile Parking Spaces. The number of spaces provided by any particular use in ground surface lots shall not exceed the number of spaces required by this chapter by more than ten percent. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface lots, shall not apply towards the maximum number of allowable spaces.

C. Commercial Downtown Zone. All uses within the C-1-D zone, except for hotel, motel, and hostel uses, are exempt from the off-street parking requirements of this section.

D. North Mountain Plan District. Within the Neighborhood Central zone of the North Mountain (NM) Neighborhood Plan district, all uses are exempt from the off-street parking requirements of this section, except that residential uses are required to provide a minimum of one parking space per residential unit.

SECTION 12. Section 18.4.3.040 [Parking, Access, and Circulation – Parking Ratios] of the Ashland Land Use Ordinance is hereby amended as follows:

18.4.3.040 Parking Ratios

Except as provided by section 18.4.3.030, the standard ratios required for automobile parking are as follows. See also, accessible parking space requirements in section 18.4.3.050.

Table 18.4.3.040 – Automobile Parking Spaces by Use	
Use Categories	Minimum Parking per Land Use (Based on Gross Floor Area; fractions are rounded to whole number.)
Residential Categories	
Single-family Dwellings	2 spaces for detached dwelling units and the following for attached dwelling units. <ul style="list-style-type: none"> a. Studio units or 1-bedroom units less than 500 sq. ft. –1 space/unit. b. 1-bedroom units 500 sq. ft. or larger – 1.50 spaces/unit. c. 2-bedroom units – 1.75 spaces/unit. d. 3-bedroom or greater units -- 2.00 spaces/unit.

Table 18.4.3.040 – Automobile Parking Spaces by Use	
Use Categories	Minimum Parking per Land Use (Based on Gross Floor Area; fractions are rounded to whole number.)
Accessory Residential Units	<ul style="list-style-type: none"> a. Units less than 800 sq. ft.– 1 space/unit, except. as exempted in subsection 18.2.3.040.A. b. Units greater than 800 sq. ft. and up to 1,000 sq. ft. – 2.00 spaces/unit.
Multi-family Dwellings	<ul style="list-style-type: none"> a. Studio units or 1-bedroom units less than 500 sq. ft. -- 1 space/unit. b. 1-bedroom units 500 sq. ft. or larger -- 1.50 spaces/unit. c. 2-bedroom units -- 1.75 spaces/unit. d. 3-bedroom or greater units -- 2.00 spaces/unit. e. Retirement complexes for seniors 55-years or greater -- One space per unit. f. <u>Transit Triangle (TT) overlay option developments, see chapter 18.3.14.</u>
Cottage Housing	<ul style="list-style-type: none"> a. Units less than 800 sq. ft. -- 1 space/unit. b. Units greater than 800 sq. ft. and less than 1000 sq. ft. -- 1.5 spaces/unit. c. Units greater than 1000 sq. ft. -- 2.00 spaces/unit. d. Retirement complexes for seniors 55-years or greater -- One space per unit.
Manufactured Housing	Parking for Manufactured Home on Single-Family Lot is same as Single Family Dwelling; for Manufactured Housing Developments, see sections <u>18.2.3.170</u> and <u>18.2.3.180</u> .
Performance Standards Developments	See chapter <u>18.3.9</u> .
Commercial Categories	
Auto, boat or trailer sales, retail nurseries and other open-space uses	1 space per 1,000 sq. ft. of the first 10,000 sq. ft. of gross land area; plus 1 space per 5,000 sq. ft. for the excess over 10,000 sq. ft. of gross land area; and 1 space per 2 employees.
Bowling Alleys	3 spaces per alley, plus 1 space for auxiliary activities set forth in this section.
Chapels and Mortuaries	1 space per 4 fixed seats in the main chapel.
Hotels	1 space per guest room, plus 1 space for the owner or manager; see also, requirements for associated uses, such as restaurants, entertainment uses, drinking establishments, assembly facilities.
Offices	General Office: 1 space per 500 sq. ft. floor area. Medical/Dental Office: 1 space per 350 sq. ft. floor area.
Restaurants, Bars, Ice Cream Parlors, Similar Uses	1 space per 4 seats or 1 space per 100 sq. ft. of gross floor area, whichever is less.
Retail Sales and Services	General: 1 space per 350 sq. ft. floor area. Furniture and Appliances: 1 space per 750 sq. ft. floor area.
Skating Rinks	1 space per 350 sq. ft. of gross floor area.

Table 18.4.3.040 – Automobile Parking Spaces by Use	
Use Categories	Minimum Parking per Land Use (Based on Gross Floor Area; fractions are rounded to whole number.)
Theaters, Auditoriums, Stadiums, Gymnasiums and Similar Uses	1 space per 4 seats.
Travelers' Accommodations	1 space per guest room, plus 2 spaces for the owner or manager.
Industrial Categories	
Industrial, Manufacturing and Production, Warehousing and Freight	1 space per 1,000 sq. ft. of gross floor area, or 1 space for each 2 employees whichever is less, plus 1 space per company vehicle.
Institutional and Public Categories	
Aircraft Hangar - Ashland Municipal Airport	One space per hangar or one space per four aircraft occupying a hangar, whichever is greater. Parking spaces shall be provided within the hangar or within designated vehicle parking areas identified in the adopted Ashland Municipal Airport Master Plan.
Clubs, Fraternity and Sorority Houses; Rooming and Boarding Houses; Dormitories	2 spaces for each 3 guest rooms; in dormitories, 100 sq. ft. shall be equivalent to a guest room.
Daycare	1 space per two employees; a minimum of 2 spaces is required.
Golf Courses	Regular: 8 spaces per hole, plus additional spaces for auxiliary uses.
	Miniature: 4 spaces per hole.
Hospital	2 space per patient bed.
Nursing and Convalescent Homes	1 space per 3 patient beds.
Public Assembly	1 space per 4 seats
Religious Institutions and Houses of Worship	1 space per 4 seats.
Rest Homes, Homes for the Aged, or Assisted Living	1 space per 2 patient beds or 1 space per apartment unit.
Schools	Elementary and Junior High: 1.5 spaces per classroom, or 1 space per 75 sq. ft. of public assembly area, whichever is greater
	High Schools: 1.5 spaces per classroom, plus 1 space per 10 students the school is designed to accommodate; or the requirements for public assembly area, whichever is greater
	Colleges, Universities and Trade Schools: 1.5 spaces per classroom, plus 1 space per five students the school is designed to accommodate, plus requirements for on-campus student housing.
Other Categories	
Temporary Uses	Parking standards for temporary uses are the same as for primary uses, except that the City decision-making body may reduce or waive certain development and designs standards for temporary uses.

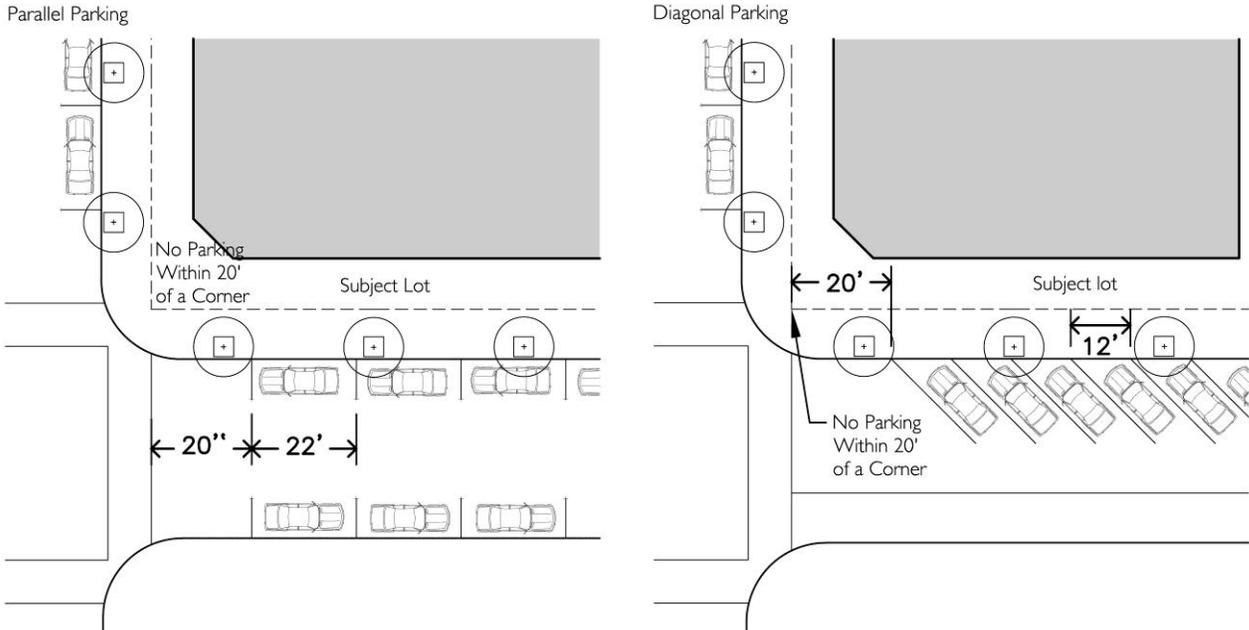
SECTION 13. Section 18.4.3.060 [Parking, Access, and Circulation – Parking Management Strategies] of the Ashland Land Use Ordinance is hereby amended as follows:

18.4.3.060 Parking Management Strategies

Except for single-family dwellings, the off-street parking spaces may be reduced through the application of the following credits. The total maximum reduction in off-street parking spaces is 50 percent, except as allowed for Off-Site Shared Parking credits in subsection 18.4.3.060.E, below. The approval authority shall have the discretion to adjust the proposed off-street parking reduction based upon site specific evidence and testimony, and may require a parking analysis prepared by a qualified professional. See 18.4.3.030.A.3 for parking analysis requirements.

A. On-Street Parking Credit. Credit for on-street parking spaces may reduce the required off-street parking spaces up to 50 percent, as follows.

1. Credit. One off-street parking space credit for one on-street parking space meeting the standards of subsections 2-4, below. See Figure 18.4.3.060.A.1.



Note: Curb space must be contiguous to the lot containing the use that requires the parking.

**Figure 18.4.3.060.A.1
On-Street Parking Credit**

2. Dimensions. On-street parking shall follow the established configuration of existing on-street parking, except that 45-degree diagonal parking may be allowed with the approval of the Public Works Director, taking into account traffic flows and street design, with the parking spaces designed in accord with the standards on file with the Public Works Department.
 - a. Parallel parking, each 22 feet of uninterrupted curb.
 - b. 45-degree diagonal, each 12 feet of uninterrupted curb.

3. Location

- a. Curb space must be contiguous to the lot containing the use that requires the parking.
- b. Parking spaces may not be counted that are within 20 feet measured along the curb of any corner or intersection of an alley or street, nor any other parking configuration that violates any law or standard of the City or State.
- c. Parking spaces located on arterials and collectors may only receive credit if the arterial or collector is greater in width than the minimums established by the street standards in section 18.4.6.040.
- d. Parking spaces may not be counted that are within 200 feet of a C-1-D or SOU zone.
- e. Parking spaces may not be counted that are required as on-street parking in accordance with section 18.3.9.060 in a development under the Performance Standards Option.

4. Availability. On-street parking spaces credited for a specific use shall not be used exclusively by that use, but shall be available for general public use at all times. No signage or actions limiting general public use of on-street spaces shall be permitted.

B. Alternative Vehicle Parking. Alternative vehicle parking facilities may reduce the required off-street parking spaces up to 25 percent, as follows.

1. Motorcycle or scooter parking. One off-street parking space credit for four motorcycle or scooter parking spaces.
2. Bicycle parking. One off-street parking space credit for five additional, non-required bicycle parking spaces.

3. Microcar parking. One off-street parking space credit for two microcar parking spaces. Microcar spaces shall be designed so that one full size automobile can use two microcar spaces, and the microcar spaces shall not be limited in use by hours or type of vehicle through signage or other legal instrument.

C. Mixed Uses. In the event that several users occupy a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for the several uses computed separately unless it can be shown that the peak parking demands are offset, in which case the mixed-use credit may reduce the off-street parking requirement by a percentage equal to the reduced parking demand. A mixed-use parking credit may reduce the required off-street parking spaces up to 50 percent.

D. Joint Use of Facilities. Required parking facilities of two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that it can be shown by the owners or operators that the need for the facilities does not materially overlap (e.g., uses primarily of a daytime vs. nighttime nature) and provided that such right of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing such joint use. Jointly-used parking facilities may reduce the required off-street parking spaces up to 50 percent.

E. Off-Site Shared Parking. One off-street parking space credit for every one parking space constructed in designated off-site shared parking areas, or through payment of in-lieu-of-

parking fees for a common parking. Off-site shared parking facilities may reduce the required off-street parking spaces up to 100 percent.

F. TDM Plan Credit. Through implementation of an individual Transportation Demand Management (TDM) plan that demonstrates a reduction of long-term parking demand by a percentage equal to the credit requested. A TDM plan may reduce the required off-street parking spaces up to 50 percent.

G. Transit Facilities Credit. Sites where at least 20 spaces are required and where at least one lot line abuts a street with transit service may substitute transit-supportive plazas as follows. A Transit Facilities Credit may reduce the required off-street parking spaces up to 50 percent.

1. Pedestrian and transit supportive plazas may be substituted for up to ten percent of the required parking spaces on-site.
2. A street with transit service shall have a minimum of 30-minute peak period transit service frequency.
3. Existing parking areas may be converted to take advantage of these provisions.
4. The plaza must be adjacent to and visible from the transit street. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop.
5. The plaza must be at least 300 square feet in area and be shaped so that a ten-foot by ten-foot (10 feet X 10 feet) square will fit entirely in the plaza.
6. The plaza must include all of the following elements.
 - a. A plaza that is open to the public. The owner must record a public access easement that allows public access to the plaza.
 - b. A bench or other sitting area with at least five linear feet of seating.
 - c. A shelter or other weather protection. The shelter must cover at least 20 square feet and the plaza must be landscaped. This landscaping is in addition to any other landscaping or screening required for parking areas by this ordinance.

SECTION 14. Section 18.6.1.030 [Definitions] of the Ashland Land Use Ordinance is hereby amended as follows:

18.6.1.030 Definitions

The following definitions are organized alphabetically.

~~**Floor Area, Gross Habitable.** The total area of all floors in a dwelling measured to its outside surfaces that are under the horizontal projection of the roof or floor above with at least seven feet of head room, excluding uninhabitable spaces accessed solely by an exterior door.~~

~~**Floor Area, Gross.** The total area of all floors in a building measured to the outside surfaces that are under the horizontal projection of the roof or floor above.~~

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 Area.** The 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 head room of less than six-and-a-half feet, and unenclosed steps, porches, terraces and balconies. Individual sections of this ordinance may exempt additional spaces from gross floor area.
- **Gross Habitable Floor Area.** The 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 the primary dwelling, including but not limited to potential living spaces within the structure with at least seven feet of head room and attached garages. Basements, detached garages, detached accessory structures, and detached accessory residential units are not counted in the gross floor area for the MPFA calculation if separated from the primary dwelling by six feet or more. Similarly, unenclosed breezeways, and similar open structures connecting an exempt detached structure to the primary dwelling are not counted in the MPFA calculation.

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 accommodate two microcars.

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

SECTION 15. Savings. Notwithstanding this amendment/repeal, the City ordinances in existence at the time any criminal or civil enforcement actions were commenced, shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said ordinances(s) or portions thereof were operative. This section simply clarifies the existing situation that nothing in this Ordinance affects the validity of prosecutions commenced and continued under the laws in effect at the time the matters were originally filed.

SECTION 16. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the

validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 17. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word “ordinance” may be changed to “code”, “article”, “section”, “chapter” or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 1-14) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the ____ day of _____, 2018, and duly PASSED and ADOPTED this ____ day of _____, 2018.

Melissa Huhtala, City Recorder

SIGNED and APPROVED this ____ day of _____, 2018.

John Stromberg, Mayor

Reviewed as to form:

David H. Lohman, City Attorney

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE CITY OF ASHLAND ZONING MAP TO ADD A
TRANSIT TRIANGLE OVERLAY**

Annotated to show ~~deletions~~ and **additions** to the code sections being modified. Deletions are **~~bold lined through~~** and additions are in **bold underline**.

WHEREAS, *Statewide Planning Goal 10* requires cities to inventory and plan for buildable lands for residential use to provide for adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density; and

WHEREAS, the City Council identified the need to provide incentives to create affordable and workforce housing in the *2015-2017 Council Goals and Objectives*; and

WHEREAS, the *Ashland Comprehensive Plan* includes a goal to “Ensure a variety of dwelling types and provide housing opportunities for the total cross-section of Ashland’s population, consistent with preserving the character and appearance of the city; and

WHEREAS, the *2012 Ashland Housing Analysis* identified a deficit in rental housing for extremely-low income (less than 30 percent of area median income) and low-income households (between 30 and 50 percent of area median income) and recommended more rental studio and one-bedroom units; and

WHEREAS, the *2016 American Community Survey* shows that 39.4 percent of Ashland households are single-person compared to 27.8 percent of Oregon households, and 44.8 percent of single-person households in Ashland are renter-occupied compared to 36 percent of single-person households in Oregon are renter-occupied; and

WHEREAS, according to figures released in January 2018 by the Southern Oregon Multiple Listing Service, the median sales price for existing single-family residences in Ashland in 2017 was \$421,500, which was a 7.5 percent gain over 2016. In contrast, the purchasing power of an Ashland household of four earning the median income in 2017 was \$217,950.

WHEREAS, Ashland households earning 120% of median income can afford \$1,270 to \$1,295 per month for housing costs. Workforce housing has come to be defined as housing targeted to households who may earn too much to qualify for affordable housing subsidies but not enough to afford a home or an apartment. The gap between earned income of people living and working in a community and the housing costs tends to be intensified in high-cost housing areas. As a result, affordable housing programs and providers generally consider workforce housing to be households earning 80 to 120 percent of area median income. Given these parameters, 46 percent of Ashland households can afford up to \$875 a month for housing and an additional eight percent can afford up to \$1,250 a month on housing (2015 American Community Survey, U.S. Census).

WHEREAS, the rental housing market has experienced increased prices and shortages over the last several years. Residential rental unit vacancy rates remain at one to two percent for the

region. A low vacancy rate for rental units is generally considered to be an indicator that there are little to no available units for rent.

WHEREAS, the City of Ashland participated in the regional planning process that resulted in the adoption of the *Greater Bear Creek Valley Regional Plan* in 2012. Cities throughout the region identified reserve areas to accommodate housing for future population growth. The City of Ashland decided to accommodate housing for future population within the Ashland's current boundaries rather than identify future growth areas on the perimeter of the city. Also as a part of the regional planning process, the City of Ashland committed to provided 6.6 units per gross acre for new development. Changes to the zoning and land use ordinance that encourage development of residential units in the transit triangle can provide needed multi-family residential units to contribute toward meeting the regional density target.

WHEREAS, the City Council determined it is necessary to amend the land use ordinance to encourage the development of multifamily rental units in the area adjacent to the bus route to respond to changes in the housing supply and to meet the target residential density in the *Greater Bear Creek Valley Regional Plan*. Housing availability, diversity of housing types and housing prices have been a concern in Ashland for some time. However, these concerns have been intensified in the last several years throughout the region, state and west coast. Housing prices including rents have continued to rise at a rapid rate. In addition, the supply of housing was impacted by less construction during the recession. The changes in housing market and resulting impacts on housing supply necessitate a change in the zoning and land use ordinance to allow the diversification of the housing supply by providing an area to construct moderately priced multifamily rental housing.; and

WHEREAS, Article 2. Section 1 of the Ashland City Charter provides:

Powers of the City The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

WHEREAS, the above referenced grant of power has been interpreted as affording all legislative powers home rule constitutional provisions reserved to Oregon Cities. City of Beaverton v. International Ass'n of Firefighters, Local 1660, Beaverton Shop 20 Or. App. 293; 531 P 2d 730, 734 (1975); and

WHEREAS, the City of Ashland Planning Commission considered amending the City of Ashland Zoning Map to add a Transit Triangle Overlay and recommended the amendment to the Ashland Municipal Code and Land Use Ordinances at a duly advertised public hearings on May 22, 2018, June 12, 2018 and July 24, 2018, following deliberations, recommended approval of the amendments; and

WHEREAS, the City Council of the City of Ashland conducted a duly advertised public hearing on the above-referenced amendments on September 18, 2018; and

WHEREAS, the City Council of the City of Ashland, following the close of the public hearing and record, deliberated and conducted first and second readings approving adoption of the Ordinance in accordance with Article 10 of the Ashland City Charter; and

WHEREAS, the City Council of the City of Ashland has determined that in order to protect and benefit the health, safety and welfare of existing and future residents of the City, it is necessary to amend the Ashland Municipal Code and Land Use Ordinance in manner proposed, that an adequate factual base exists for the amendments, the amendments are consistent with the comprehensive plan and that such amendments are fully supported by the record of this proceeding.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1. The above recitations are true and correct and are incorporated herein by this reference.

SECTION 2. The officially adopted City of Ashland Zoning Map, adopted and incorporated by Ashland Municipal Code Section 18.1.2.070, is hereby amended to add a Transit Triangle (TT) Overlay designation to approximately 170 acres of land within the City limits, said overlay amendment is reflected on the revised Zoning Map, attached hereto as Exhibit A, and made a part hereof by this reference.

SECTION 3. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 4. Codification. Provisions of this Ordinance shall be incorporated in the City Comprehensive Plan and the word “ordinance” may be changed to “code”, “article”, “section”, or another word, and the sections of this Ordinance may be renumbered, or re-lettered, and amendments – including map amendments, combined, provided however that any Whereas clauses and boilerplate provisions and text descriptions of the map amendments (i.e. Section 2) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the _____ day of _____, 2018, and duly PASSED and ADOPTED this _____ day of _____, 2018.

Melissa Huhtala, City Recorder

SIGNED and APPROVED this ____ day of _____, 2018.

John Stromberg, Mayor

Reviewed as to form:

David H. Lohman, City Attorney



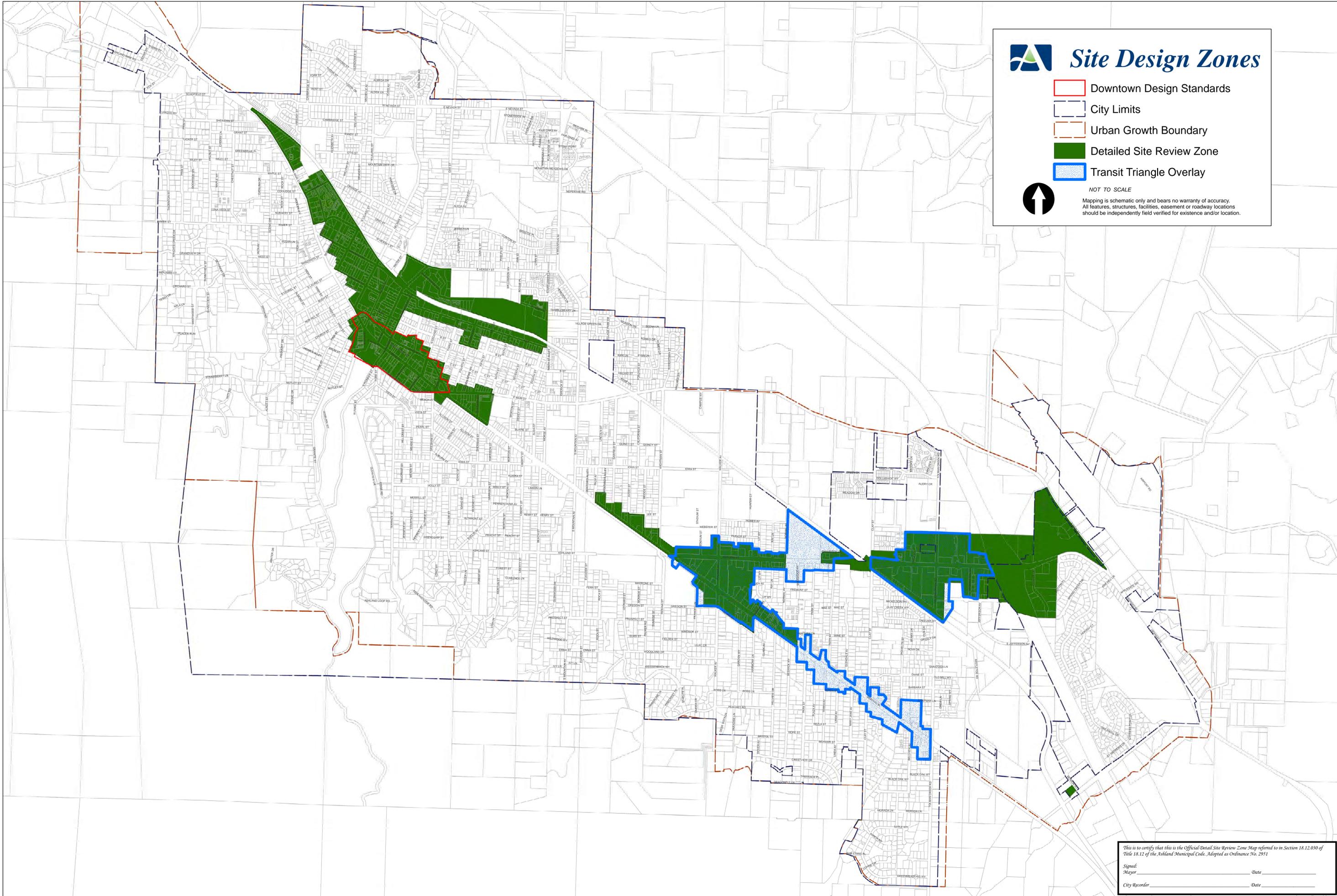
Site Design Zones

-  Downtown Design Standards
-  City Limits
-  Urban Growth Boundary
-  Detailed Site Review Zone
-  Transit Triangle Overlay



NOT TO SCALE

Mapping is schematic only and bears no warranty of accuracy. All features, structures, facilities, easement or roadway locations should be independently field verified for existence and/or location.



This is to certify that this is the Official Detail Site Review Zone Map referred to in Section 18.12.030 of Title 18.12 of the Ashland Municipal Code, Adopted as Ordinance No. 2951

Signed: _____ Date: _____
 Mayor _____
 City Recorder _____ Date: _____

Planning Commission Report

DATE: July 24, 2018
TO: Ashland City Council
FROM: Ashland Planning Commission
RE: Planning Commission Recommendation
Infill Strategy Ordinance Amendments for the Transit Triangle
(PA-L-2018-00001)

Summary

The Planning Commission recommends approval of the proposed ordinance and map amendments to implement the recommendations of the infill strategy report prepared by Fregonese Associates. The proposed amendments cover the area surrounding the bus route in the southeastern part of Ashland that circulates on Ashland St., Tolman Creek Rd., and Siskiyou Blvd., also referred to as the transit triangle. The proposal includes a new Chapter 18.3.14 Transit Triangle Overlay, a Transit Triangle (TT) overlay map and a series of amendments to the Ashland Municipal Code (AMC) Title 18 Land Use (PA-L-2018-00001).

Ashland Municipal Code (AMC) 18.5.9.020.B permits legislative amendments to meet changes in circumstances and conditions. The City Council reviewed the project at the January 16, 2018 meeting and directed the Planning Commission to initiate ordinance revisions to implement the infill strategy for the transit triangle study area based on the recommendations prepared by Fregonese Associates. The Planning Commission makes a recommendation to the City Council and the Council makes the final decision. This report is intended to communicate the Planning Commission's recommendation, summarize the key issues the Commission considered and provide the basis for amending the land use ordinance.

The infill strategy report prepared by Fregonese Associates identified the factors that limit development by analyzing market feasibility of development based on the current land use regulations. In addition, the report included three recommendations - zoning and land use ordinance amendments to encourage additional housing and business development adjacent to the bus route, consideration of a Vertical Housing Development Zone (VHDZ) to incentivize development of residential units, and the prioritization of streetscape improvements to increase the walkability, desirability and safety in the area surrounding the bus route.

The market feasibility study by Fregonese Associates included a return on investment (ROI) analysis of multi-story, residential and mixed-use building prototypes on test sites in the transit triangle using the Envision Tomorrow (ET) model. Mixed-use buildings include a combination of commercial or employment uses and dwelling units. The prototypes looked at three, four and five-story residential and mixed-use buildings with commercial on the ground floor and residential units on the upper stories. The modeling analysis showed that a multi-story building with 650 to 700 square foot residential units was financially feasible with the proposed amendments to the zoning standards.

In contrast, the ROI analysis demonstrated that under the current zoning and land use standards, the projected commercial rents are low and that the residential unit rental rates exceed those of the current rental market. Without the proposed ordinance amendments, the ROI analysis projected dwelling units 1,000 square feet and larger and rental rates exceeding the amount a two-person household at median income can afford by 30 percent or more.

The proposed new chapter is 18.3.14 Transit Triangle Overlay provides an optional path that can be used in the TT overlay area to develop mixed-use projects with residential units in the commercial and employment zones (C-1 and E-1) and multi-family projects in the multi-family residential zones (R-2 and R-3). When a property owner elects to develop in the TT overlay using the optional path provided in the chapter 18.3.14, the ordinance as well as this report refer to this choice as developing under the TT overlay option.

The proposed ordinance and map amendments recommended by Fregonese Associates provide flexibility in the existing zoning regulations for properties developing under the TT overlay option. Building size and volume are regulated with a floor area ratio (FAR), maximum limits on residential density are eliminated, increased building height is allowed with building step backs, the front yard setback in the multi-family residential zones is reduced, the side yard to a residential zone is increased in the C-1 and E-1 zones and the rear yard setback to a residential zone is reduced in the C-1 and E-1 zones, reductions are permitted in off-street parking and landscaping requirements, ground floor commercial uses in the C-1 and E-1 zones may be reduced, and an allowance is available for small scale commercial uses in the multi-family residential zones. Residential units developed under the TT overlay option are required to be rental units, and condominiums and travelers' accommodations are not permitted.

The proposed amendments also include miscellaneous edits and corrections to AMC 18.2.3.120 Dwelling in Historic District Overlay, AMC 18.2.3.130 Dwelling in Non-Residential Zone, AMC 18.2.5.070 Maximum Permitted Residential Floor Area in Historic District, AMC 18.3.13.010 Residential Overlay Regulations, AMC 18.4.3.030.C Downtown Zone, AMC 18.4.3.060 Parking Management Strategies and AMC 18.6.1.030 Definitions.



Background

A. Infill Strategy for Transit Triangle

The proposed ordinance and map amendments were adjusted to respond to three key issues that were discussed at the Planning Commission meetings – the design and appeal of multi-story buildings in the transit corridor, the viability of commercial space in the changing economy and providing rental housing units to address an identified need rather than encouraging development of larger and more expensive condominiums.

Other issues were discussed at length, such as potential parking on side streets, reduced landscaping areas, potential impacts of increased traffic and allowing larger units for families. However, after reviewing and discussing the information and issues, the Commission ultimately decided the zoning and ordinance amendments developed by Fregonese Associates are workable and the potential benefit of the development of a different type of housing units (e.g., multifamily rental units) is something that is needed in the community.

1. Building Step Back

The design of multi-story buildings in a transit corridor that is currently mostly single-story structures was identified as an issue in Planning Commission discussions as early as 2016 and prior to the development of the zoning and ordinance amendments. In particular, concerns were expressed regarding the impact of multi-story buildings on nearby residential neighborhoods as well as on the look and feel of the street corridor and walking environment.

Currently, buildings are allowed to be 40 feet in height with an additional five feet for a parapet (i.e., three stories) in the C-1 and E-1 zones and 35 feet or 2 ½ stories in height in R-2 and R-3 zones. In some situations, building height can be further restricted by the solar setback requirement.

In response to the comments, Fregonese Associates suggested consideration of a building step back requirement to reduce the mass of the structure and soften the appearance of the building from the street and any adjacent residential zones. The recommended standard requires the third and fourth story to be set back from the building face by ten feet on any side of a building facing a street or an adjacent residential zone.

Subsequently, the building step back was discussed at the December 11, 2017 Open House and December 12, 2017 Developer Roundtable. The presentation at the open house and developer roundtable included graphic depictions of multi-story buildings at two test sites with and without the step back. As a follow-up to the open house meeting, a questionnaire was emailed to participants to gather the attendees' preferences regarding various building



types. Of the 24 responses, approximately 50 to 65 percent selected building images with step backs and 25 to 30 percent selected buildings without step backs.

At the December 12, 2017 developer roundtable, attendees raised concerns that the step back was too prescriptive. The group recommended providing flexibility to the step back requirement by allowing the building mass to be broken up by using other architectural features. In response to the feedback throughout the process, the draft ordinance presented for the Planning Commission public hearing was revised to include both the above-described building step back requirement as well as an alternative articulation standard.

At the June 12, 2018 public hearing, the Commission recommended deleting the articulation standard because of concerns regarding the ability to objectively evaluate planning applications with the suggested standard. The Commission felt the existing exception process could be used by an applicant to present an alternative design to the building step back because it allows the hearing authority to approve deviation from the standard if the proposal will result in a design that equally or better achieves the purpose.

At the following public hearing on July 24, 2018, the Commission received testimony at the meeting regarding the proposed building step back including a step back adds more expense to the construction, the compatibility of taller buildings given the width of Ashland St., construction involving step backs requires specialized trades and upper story deck areas are more difficult to maintain. During deliberations, the Commission was somewhat split with some Commissioners suggesting the standard should be revised based on the development community feedback. Other Commissioners felt the building step back was necessary to soften the building impact and is a treatment used in other cities, such as Portland and Seattle. Ultimately, the recommendation included leaving the building step back requirement in place.

2. Required Amount of Commercial and Employment Uses

The Planning Commission discusses big picture topics at the Commission's annual retreats such as changes to the national economy and transportation technology. E-commerce and changes in the economy raise questions at the land use planning level about the types of businesses expected to continue or grow in local communities and the amount of land that should be retained and zoned for different types of retail, office and manufacturing.

Currently, 65 percent of the ground floor of a building is required to be in commercial or employment uses in the C-1 and E-1 zones and cannot be a dwelling unit or space associated with residential uses. There is also a provision that allows lots to be divided so that 50 percent of the lot area is used for commercial and employment uses and up to 50 percent can be used for residential uses – this provision would work with developments including multiple buildings and larger sites. The requirements are in place to ensure that the City has



sufficient land and space to accommodate projected employment levels for the next 20 years. The State Land Use Planning System requires cities to project housing and employment needs a minimum of 20 years in the future and maintain a sufficient supply of lands zoned for these purposes in the urban growth boundary (UGB).

The amount of commercial or employment uses required in a development in the C-1 and E-1 zones was raised at the December 12, 2017 developer roundtable meeting. The participants identified building commercial space on the ground floor as a risk because limited demand in Ashland will not guarantee that rent will be earned from non-residential space. The recommendation was that developers be allowed to construct projects that are completely comprised of residential units in the C-1 and E-1 zones without any required commercial or employment space.

In response to the feedback, the draft ordinance presented for the Planning Commission public hearing reduced the amount of required commercial or employment uses on the ground floor to 50 percent rather than 65 percent. At the June 12, 2018 public hearing, the Commission received additional testimony regarding the viability of retail uses and commercial space and a suggestion that the required amount of commercial and employment uses be reduced to 35 percent. During deliberations, the Commission agreed with reducing the required amount of required commercial and employment uses. Issues discussed by the Commission regarded the concentration of people required to support numerous businesses, the benefit of allowing more ground floor space for residential uses given that the space would be used for a needed housing type, and the viability of business located throughout the corridor rather than at key nodes. Ultimately, the recommendation included reducing the amount of required commercial or employment uses to 35 percent of the ground floor.

3. Rental Housing Requirement

The issue of focusing on rental housing at more affordable levels rather than encouraging development of larger and more expensive ownership units was identified as an issue in Planning Commission study sessions in 2016. In particular, concerns were expressed about the possibility that flexibility in the existing code requirements (e.g., more building stories, reduced commercial and employment uses, reduced parking requirements) could be used to develop projects with fewer, larger and more expensive ownership housing units rather than more, smaller housing units at costs feasible for workforce housing. In addition, concerns were raised regarding the potential use of housing units that are built under the new flexible code provisions being used as short-term rental units (i.e., travelers' accommodation and hotel units).

The existing zoning requirements allow dwelling units in the C-1 and E-1 zones as a use permitted with special use standards (i.e., in conjunction with commercial and employment uses) and in the R-2 and R-3 zones as a permitted use. The type of housing unit, rental or for



purchase, is not regulated. In terms of short-term rental units, the existing requirements allow short-term rental units as a conditional use in all of the zones in the proposed transit triangle.

In response to the comments, Fregonese Associates suggested limiting the TT overlay to the development of multifamily rental units and prohibiting short-term rental units. As a result, the draft ordinance presented for the Planning Commission public hearing included multifamily dwelling rental units as an allowed use and multifamily dwelling units for purchase, hotel units and travelers' accommodations as prohibited uses. The recommendation is based on the proposal to make the TT overlay an optional development path that provides flexibility in current code requirements as an incentive to develop multifamily dwelling units. If a property owner doesn't elect to use the TT overlay option, the property could be developed under the existing zoning and development standards which allow the three uses that are prohibited in the TT overlay option - multifamily dwelling units for purchase, travelers' accommodations and hotel units.

At the June 12, 2018 and July 24, 2018 public hearings, the Commission received testimony regarding limiting housing units to multifamily dwelling rental units in developments using the TT overlay option. During deliberations at both meetings, the Commission had lengthy discussions about the rental unit requirement. Some Commissioners expressed concern that requiring rental units could deter development, condominiums could be rented and rental housing requires a different type of financing that may be difficult to obtain. Other Commissioners felt the housing needs analysis clearly states the need for multifamily rental housing and that the development of ownership units would not address the problem or the project purpose. The Commission discussed trying the rental unit limitation for two years to see if development occurs and then revisiting the requirement depending on the progress. Ultimately, the Commission's recommendation included leaving the draft ordinance language unchanged so that multifamily dwelling rental units are an allowed use under the TT overlay option and multifamily dwelling units for purchase, hotel units and travelers' accommodations are prohibited uses.

Staff introduced potential ordinance language that limited dwelling unit size and required a minimum density at the July 24, 2018 public hearing. Similar to limiting residential units to rental units under the TT overlay option, the unit size and minimum density requirement was intended to ensure that the flexibility provided by the TT overlay option resulted in smaller unit sizes. The Planning Commission felt this approach went too far and was too prescriptive for future development. The Commission did feel that development under the Transit Triangle option should be required to meet the residential density currently allowed in the zoning districts located in the overlay. As a result, the draft ordinance was amended to include a minimum density based on the density currently allowed in the C-1, E-1, R-2 and R-3 zones.



B. Miscellaneous Edits and Corrections

The proposed amendments also include miscellaneous edits and corrections to AMC 18.2.3.120 Dwelling in Historic District Overlay, AMC 18.2.3.130 Dwelling in Non-Residential Zone, AMC 18.2.5.070 Maximum Permitted Residential Floor Area in Historic District, AMC 18.3.13.010 Residential Overlay Regulations, AMC 18.4.3.030.C Downtown Zone, AMC 18.4.3.060 Parking Management Strategies and AMC 18.6.1.030 Definitions. The Planning Commission reviewed the miscellaneous edits and corrections over the course of several meetings and recommends approval of the amendments.

Most of the miscellaneous edits and corrections are not directly related to the infill strategy for the transit triangle but rather are items that were noted for correction during Planning Commission review of the proposed amendments for the infill strategy and of development proposals at past public hearings. The exceptions are the deletion of the affordable unit requirement for mixed-use projects including more than ten residential units in the C-1 and E-1 zones (AMC 18.2.3.130.5 and AMC 18.2.13.010.4) and the proposed microcar parking management strategy (AMC 18.4.3.060B). A description of each of the miscellaneous edits follows.

- **AMC 18.2.3.120 and AMC 18.2.5.070.B**

The proposed changes clarify that the maximum permitted floor area (MPFA) requirement applies to homes in residential zones. The Planning Commission identified this as an issue in a review of a development proposal for 868 A St. in 2016. MPFA in the pre-2015 ordinance was included as a requirement in the chapters for the single-family (R-1) and multifamily (R-2 and R-3) zones and was not included as a requirement in the non-residential zones (C-1, E-1 or M-1).

- **AMC 18.2.3.130 and 18.3.13.010**

The changes to the sections on housing units in the C-1 and E-1 zones are to correct an inadvertent omission, clarify the allowed amount of residential uses for applications involving mixed-use developments with more than one building and delete the affordable housing unit requirement for projects involving more than ten residential units.

- **One Building:** Language is added to the requirements for one building specifying that at least 65 percent of the ground floor shall be designated for permitted non-residential uses. This language was in the pre-2015 code and was inadvertently deleted.
- **More than One Building:** The language regarding developments involving more than one building was reworded for clarification. The previous wording said “Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses.” The Planning Commission and City Council identified this language as needing



clarification in 2015. The proposed language requires applications involving more than one building to provide the equivalent of at least 65 percent of the gross floor area of the ground floor of all building to be commercial or employment uses.

- **Affordable Housing Units:** The requirement to provide affordable units in mixed-use projects including more than ten residential units in the C-1 and E-1 zones is deleted. Residential units are allowed to be developed in the C-1 and E-1 zones in conjunction with commercial and employment uses. However, the development of residential units is voluntary and not mandatory. Fregonese Associates recommended deleting the existing language because it is inconsistent with state law and has proven to be a disincentive to the development of projects with more than ten dwelling units. State law allows local jurisdictions to require affordable units of projects of 20 or more multifamily residential units.

- **AMC 18.4.3.030**

The word “commercial” is added to the reference to the downtown zone for consistency with the language in Title 18 Land Use and the zoning district title.

- **AMC 18.4.3.060.B and AMC 18.6.1.030**

The proposed language allows a normal full sized space to be used for one automobile or two microcars. The suggestion was made at the December 12, 2017 developer roundtable meeting.

- **AMC 18.6.1.030**

The Planning Commission requested clarification of the definition of gross floor area, basement and story to address issues from the review of a development proposal for 1651 Ashland St. in 2017.

- Gross Floor Area is used in the existing development standards for calculating the floor area ratio (FAR), plaza requirements for large scale development and amount of allowed residential uses in non-residential zones. The Commission felt the definition needed more specificity regarding measuring the gross floor area (i.e., exterior of walls or centerline of walls in attached buildings) and portions of the building that are not included in the gross floor area (i.e., basements, unenclosed steps, porches, terraces and balconies).
- Gross Habitable Floor Area is used in the existing development standards to regulate accessory residential unit (ARU) size and dwelling units less than 500 square feet in the C-1 and E-1 zones.
- Maximum Permitted Floor Area (MPFA) – This is existing language in AMC 18.2.5.070.D and E that is added to this section for a cross reference. MPFA is



used to regulate the volume of residential buildings located in residential zones in the Historic District overlay.

Proposed Legislative Amendment

The Planning Commission believes the proposed ordinance and map amendments meet the approval criteria in AMC 18.5.9.020.B for a legislative amendment to the land use ordinance. The Planning Commission recommends the following information for consideration in the findings for the decision. The discussion is divided three sections – changes in circumstances, transit triangle location, and applicable goals and policies.

A. Changes in Circumstances

AMC 18.5.9.020.B permits legislative amendments to meet changes in circumstances and conditions. The Planning Commission finds the proposed ordinance and map amendments to implement the recommendations of the infill strategy report prepared by Fregonese Associates necessary to respond to the statewide and local issues of insufficient housing supply, rising housing costs and lack of diversity in housing types (e.g., multifamily, single family, rental, for purchase) resulting in part from rising housing prices and reduced building during the recession.

Housing availability, diversity of housing types and housing prices have been a concern in Ashland for some time. However, these concerns have been intensified in the last several years throughout the region, state and west coast. Housing prices including rents have continued to rise at a more rapid rate than employment and wage growth. In addition, the supply of housing was impacted by less construction during the recession.

More than half of Ashland's households cannot afford to buy the median-priced home of \$421,500 unless they have considerable equity to put toward the purchase. Rental vacancy rates for the past several years are low, indicating a lack of available units. Average monthly rental prices of \$1,297 exceed the \$875 that 46 percent of Ashland's households can afford. In addition, 37.4 percent of Ashland's household are single-person households which can make smaller, more affordable residential units even more necessary.

According to figures released in January 2018 by the Southern Oregon Multiple Listing Service, the median sales price for existing single-family residences in Ashland in 2017 was \$421,500, which was a 7.5 percent gain over 2016 ("Ashland continued to lead house prices in 2017," Greg Stiles, *Ashland Daily Tidings*, January 10, 2018). In contrast, the purchasing power of an Ashland household earning the median income in 2017 was \$217,950 (median income for household of four).

Ashland households earning 120% of median income can afford \$1,270 to \$1,295 per month for housing costs. Workforce housing is considered to be 80 to 120 percent of area median



income. Given these parameters, 46 percent of Ashland households can afford up to \$875 a month for housing and an additional eight percent can afford up to \$1,250 a month on housing (*2015 American Community Survey*, U.S. Census).

The rental housing market has also experienced increased prices and shortages over the last several years. Residential rental unit vacancy rates remain at one to two percent for the region. A low vacancy rate for rental units is generally considered to be an indicator that there are little to no available units for rent.

As of May 2018, rentjungle.com showed the average rental unit price in Ashland as \$1,297 a month, with 43 units listed as available. There was one unit listed below \$875 a month and seven units available below \$1,250, leaving 35 of the advertised units or 81 percent of the advertised units above the affordable monthly rent for workforce housing. (Update: As of July 2018, rentjungle.com shows the average rental unit price in Ashland as \$1,493. In August 2018, 31 units were listed as available. There was one unit listed below \$875 a month and five units listed below \$1,250. As a result, 25 of the advertised units or 81 percent of the advertised units were above the affordable monthly rent for workforce housing.)

The *2016 American Community Survey* by the U.S. Census shows that 39.4 percent of Ashland households are single-person compared to 27.8 percent of Oregon households, and 44.8 percent of single-person households in Ashland are renter-occupied compared to 36 percent of single-person households in Oregon are renter-occupied.

There has been a change in the housing market that necessitates a change in the zoning and land use ordinance to allow the diversification of the housing supply by providing an area to construct moderately priced rental housing. In addition, more housing and business space on the bus route can support transit service through increased ridership. Finally, the ordinance amendments are intended to encourage development and redevelopment on the bus route and implementation of *Transportation System Plan* projects in the Ashland St. corridor would address a long-term community goal of creating a walkable, pedestrian-friendly area.

The second change in circumstances involves the City meeting the target housing density that was agreed to as part of the regional planning process. The City of Ashland participated in the regional planning process that resulted in the adoption of the *Greater Bear Creek Valley Regional Plan* in 2012. Cities throughout the region identified reserve areas to accommodate housing for future population growth. The City of Ashland decided to accommodate housing for future population within Ashland's current boundaries rather than identify future growth areas on the perimeter of the city.

The City of Ashland committed to providing 6.6 units per gross acre for new development as part of the regional planning process. Changes to the zoning and land use ordinance that



encourage development of residential units in the transit triangle can provide needed multi-family residential units to contribute toward meeting the regional density target.

B. Transit Triangle Location

There has been limited development or redevelopment over the past several decades in the transit triangle study area. Despite an allowance in the C-1 and E-1 for 15 to 30 dwelling units per acre and in the R-2 and R-3 zones for 13 to 20 units per acre, past development adjacent to the bus route on Ashland St. has primarily comprised of single-use, one story commercial buildings that did not include a residential component.

The transit triangle is served by Rogue Valley Transportation District (RVTD) Route 10 with 20-minute service from 7am-5pm (Monday-Friday) and 30-minute service for the remainder of the day (5am-7am and 5pm-8pm, Monday - Friday). Route 10 also includes service on Saturdays at 30-minute intervals from 6am-7pm. Route 10 provides the highest ridership in the RVTD system (50 percent of all RVTD riders) and the Bi-Mart stop on Tolman Creek Rd. is one of the most used stops system wide.

RVTD provided service enhancements to Route 10 in early 2018 including expanded later evening service Monday through Friday and providing 30-minute service on Saturdays. Weekday service was extended an hour from 7pm to 8pm and Saturday service was changed from hour intervals to 30-minute intervals.

Other opportunities in the transit triangle include vacant and redevelopable land, well-established public facilities, and shopping, services and neighborhoods within walking distance.

C. Applicable Goals and Policies

The project is consistent with the *Ashland Comprehensive Plan* and addresses a variety of City Council goals and adopted City policies.

The City Council identified developing infill and compact urban form as a mid-priority item in the *2015-2017 Council Goals and Objectives* (Objective 13.2). The specific action item was to “update the infill strategy along major transportation corridors to promote housing and business development, as well as alternative transportation choices.”

The *2015-2017 Council Goals and Objectives* also identified pursuing affordable housing opportunities, especially workforce housing and identifying specific incentives for developers to build more affordable housing (Objective 5.2). The specific action item was to “adjust infill strategies in order to promote housing development along major transportation corridors.”



Statewide Planning Goal 10 requires cities to inventory and plan for buildable lands for residential use to provide for adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and to allow for flexibility of housing location, type and density.

The *Ashland Comprehensive Plan* includes a goal to “Ensure a variety of dwelling types and provide housing opportunities for the total cross-section of Ashland’s population, consistent with preserving the character and appearance of the city.

The *Ashland Housing Analysis* identified a deficit in rental housing for extremely-low income (less than 30 percent of area median income) and low-income households (between 30 and 50 percent of area median income) and recommended more rental studio and one-bedroom units.

The *Ashland Comprehensive Plan* includes several transportation goals and policies that apply to the project, including the following.

Design the Land Use Ordinance to ensure Ashland Street is developed as a multi-modal corridor including attractive landscaping, sidewalks, bike lanes and controlled access. Development along Ashland Street shall be compatible with and support a multi-modal orientation (10.09.02.7).

Zoning shall allow for residential densities and a mix of commercial businesses with walking distance of existing and planned public transit service which support use of public transportation (10.19.02.2).

The *Transportation System Plan* includes four projects in the transit triangle related to improving sidewalks, bus shelters and intersections enhancements for pedestrians including two projects for Ashland Street Streetscape Enhancements (R38 for Siskiyou Blvd. to Walker Ave. and R-39 for Walker Ave. to Normal Ave.), Ashland Street/Tolman Creek Road (R41) and the Walker Ave. festival street (R40).

The infill strategy project also relates to policies included in the City’s *Climate and Energy Action Plan (CEAP)*. Specifically, the plan includes strategies to address residential travel and the emissions associated with passenger cars and trucks. Common strategies for replacing residential travel trips in passenger cars and trucks include promoting land use development patterns that utilize existing public infrastructure and making using transit and alternate modes of transportation possible and desirable.

The City’s *Economic Development Strategy* includes a strategy 7.3 to “Consider changes to Land Use Development Code that may be inhibiting redevelopment or new construction.”



CITY OF ASHLAND

RECORD FOR PLANNING ACTION #PA-L-2018-00001

PLANNING ACTION: PA-L-2018-00002
DESCRIPTION: Ashland Transit Triangle Overlay

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PUBLIC HEARING NOTICE

On September 18, 2018, the Ashland City Council will hold a public hearing regarding proposed land use ordinance and map amendments to Title 18 Land Use in the Ashland Municipal Code related to the infill strategy for the transit triangle area and miscellaneous edits and corrections. The proposed ordinance and map amendments units are intended to provide incentives for additional housing and business development adjacent to the southeastern portion of the bus route on Ashland St. and Siskiyou Blvd. The public hearing will be held at 7:00 p.m. at the Ashland Civic Center Council Chambers located at 1175 E. Main St., Ashland, OR.

The proposal includes adding a new Chapter 18.3.14 Transit Triangle Overlay, a Transit Triangle (TT) overlay map and a series of amendments to the Ashland Municipal Code (AMC) Title 18 Land Use to implement the recommendations of the infill strategy project for the area surrounding the bus route in the southeastern part of Ashland that circulates on Ashland St., Tolman Creek Rd., and Siskiyou Blvd. The proposal also includes miscellaneous edits and corrections to AMC 18.2.3.120 Dwelling in Historic District Overlay, AMC 18.2.3.130 Dwelling in Non-Residential Zone, AMC 18.2.5.070 Maximum Permitted Residential Floor Area in Historic District, AMC 18.3.13.010 Residential Overlay Regulations, AMC 18.4.3.030.C Downtown Zone, AMC 18.4.3.060 Parking Management Strategies and AMC 18.6.1.030 Definitions. The Planning Commission recommended approval of the package of ordinance and map amendments and this recommendation will be forwarded to the Ashland City Council.

The proposed ordinance amendments are available for review online at www.ashland.or.us/transit_triangle and at the City of Ashland Department of Community Development located at 51 Winburn Way, Ashland, OR between 8:30 a.m. and 4:30 p.m. Copies of the ordinance and file information are available for purchase if requested. For additional information concerning these ordinance amendments, call the Ashland Planning Division at (541) 488-5305.

Oral and written public testimony, regarding this matter will be accepted at the public hearing before the City Council on September 18, 2018. Written statements are encouraged and may be submitted prior to the hearing dates. Mail written comments to Maria Harris, Planning Manager, City of Ashland Department of Community Development, 20 E. Main St., Ashland OR 97520, via FAX at 541-552-2050, or via E-mail at maria.harris@ashland.or.us. Failure to raise an issue in person or in writing prior to the close of the public hearing with sufficient specificity to provide the reviewing bodies opportunity to respond to the issue may preclude your opportunity for appeal on that issue.

By the order of Bill Molnar, Community Development Director

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at (541) 488-6002 (TTY phone number 1-800-735-2900). Notification 72 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title I).

September 7, 2018

 8-27-18
Daily Tidings

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
SPECIAL MEETING
MINUTES
July 24, 2018

CALL TO ORDER

Chair Roger Pearce called the meeting to order at 7:01 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

Commissioners Present:

Troy Brown, Jr.
Michael Dawkins
Melanie Mindlin
Haywood Norton
Roger Pearce
Lynn Thompson

Staff Present:

Bill Molnar, Community Development Director
Maria Harris, Planning Manager
Brandon Goldman, Senior Planner
Dana Smith, Executive Assistant

Absent Members:

Council Liaison:

Dennis Slattery, absent

ANNOUNCEMENTS

Community Director Bill Molnar explained why City Council delayed first reading of the wildfire ordinance amendments. The first reading for the Transit Triangle would happen at the Council meeting September 18, 2018. They would also discuss the vertical housing zones at the same meeting.

PUBLIC FORUM

Joseph Kauth/Ashland/Spoke on climate change, smog, wildfires, renewable energy and population growth.

TYPE III PUBLIC HEARINGS – CONT'D

A. PLANNING ACTION: PA-L-2018-00001

DESCRIPTION: An ordinance adding a new Chapter 18.3.14 Transit Triangle Overlay, a Transit Triangle (TT) overlay map and amending chapters 18.2.1, 18.2.2, 18.2.3, 18.2.3, 18.3.12, 18.3.13, 18.4.3, 18.6.1 of the Ashland Municipal Code to implement the recommendations of the infill strategy project for the area surrounding the bus route in the southeastern part of Ashland that circulates on Ashland St., Tolman Creek Rd., and Siskiyou Blvd., also referred to as the transit triangle.

Staff Report

Planning Manager Maria Harris provided a presentation on the topic (see attached). At the previous meeting, the Commission reduced the required commercial employment on the ground floor from 50% to 35%. They also deleted the articulation standard. The changes were included in the draft.

Staff was seeking direction from the Commission on two issues. One was regulating the dwelling unit size in the Transit Triangle Overlay. The second was minor amendments and corrections not related directly to the Transit Triangle.

The Commission discussed articulation. Miss Harris confirmed the Commission deleted the step back on the street side as well. Applicants would go through the exception process. Commission comment noted the expense of doing a step back and the potential for wasted space. It warranted more discussion.

Ms. Harris explained Fregonese and Associates did a market feasibility model that had shown an increase in the number of smaller units was achievable. Currently it was not a requirement. Staff wanted further direction from the Commission. There were two 2015-2017 City Council Goals that spoke to housing. One was developing housing and businesses along the transit corridor in the interest of sustainable development. The second was building affordable housing and workforce housing. The Transit Triangle focused on workforce housing with median income rent levels.

If an applicant used the Transit Triangle Overlay they would be required to meet everything in the code, building design, rental units, and building step backs. Staff contacted Fregonese and Associates regarding changes the Commission recommended and were waiting for a response. If the Commission wanted further research done staff would look at combinations of units and square footage.

Minor amendments and corrections included:

- **Maximum Permitted Floor Area (MPFA)**

Staff added language that showed up in a couple sections of the code that applied to residential zones. It was there prior to 2015 and applied only to residential zones.

- **Residential Dwellings in C-1 and E-1**

Staff re-added a sentence inadvertently dropped regarding having 65% of the ground floor non-residential permitted in special permit uses. They changed the language to be consistent with multiple buildings in the Transit Triangle.

- **Definition of Floor Area**

The definition was adjusted to be more specific in terms of how it was measured using floor area ratio.

- **Definition of Story**

Staff added clarification to the definition.

Questions of Staff

Commissioner Thompson suggested changing the last sentence in **18.3.14.040(C)(1)(a)** “...permitted and uses permitted...” to “...permitted uses and uses permitted...” and throughout the code as needed.

Ms. Harris addressed Section **18.3.14.060(A)(1)** that allowed more flexibility to the step back regarding a basement on a slope. The backside of a building going down the slope could add 8-10 feet. It would be like another story in the back but could still qualify as a basement if more than half was underground. A basement of any size was 12 feet or more if exposed and was not considered a story.

Commissioner Norton asked about the exception category regarding density. Ms. Harris explained rather than deviating from minimum density the code directed them to the exception process and not a variance. Chair Pearce inquired about deleting the 10% affordable housing requirement. Ms. Harris responded it was part of Fregonese and Associate’s recommendations. She would add it to the minor issue list.

Public Testimony

John Fields/Ashland/Explained why he did not support the step back. Parking limited the number of units because it would require approximately 300 square feet per parking space.

Gil Livni/Ashland/Agreed with Mr. Fields testimony. He spoke against step backs and explained they were mostly in hot weather countries. Decks were difficult to build and they often leaked.

Deliberation

The Commission discussed regulating step backs or using articulation only. Some thought the step backs were fine. Other comments noted there was no real input from the development community on step backs. Each unit required parking, bike parking, storage and trash. It made development tight but doable. There was concern that now unit size had decreased there was no information on feasibility. One thought the requirement was getting too specific and questioned if it was sustainable. A mix of housing might be more sustainable.

Some wanted to defer to the developer and allow them to build what they wanted using floor area ratio (FAR). Rent was questioned on who could afford \$1,200 for a 500 to 600 square foot unit. Other Commissioners were not convinced it would work. One comment thought the Commission was second guessing hired consultants and suggested doing a new study if that were the case.

Ms. Harris clarified if someone wanted a straight façade instead of step backs, it would be an exception.

The Commission further discussed mandating size. The overlay required that 75% of the units be 800 sq. ft. or less. Alternately, a developer could build what they wanted without the overlay. One comment was more in favor of getting rid of the step back than mandating unit size.

Mr. Molnar explained Fregonese and Associates had previously stated the step back added cost. Given the scope of the project, they had to look at another level of detail in terms of looking at specific buildings. The model was based on four story buildings. It was not uncommon to see minimum density requirements along transit routes and corridors. Currently it was 30 units an acre. However, staff was not advocating requiring thirty units per acre. Developments were getting smaller. It would probably be in the third of an acre range.

The Commission discussed rental versus owning. Some thought requiring rentals would finish projects. Condominiums could be purchased then rented. Support for rentals noted the housing needs analysis clearly stated the need for more. It would not help to build something the city did not need. Other comments did not see rental housing being built with the current market. Building smaller condominiums was a possibility.

Staff clarified the tax rebates associated with the Transit Triangle Overlay would be a separate policy issue for Council and was not in the ordinance.

Commission comment noted rental housing cut off a large sector of the financing market and was difficult to finance. Chair Pearce suggested informing Council this was a recommendation to encourage rental housing and provide them with the pros and cons.

The Commission agreed to keep the draft ordinance as it was written and forward their concerns regarding rental housing to Council. The step backs would remain unaltered with a caveat.

Staff would work with Fregonese and Associates on a feasible standard for density and number of units. The Overlay would use the current maximum density as a minimum density. There was no cap on the maximum other than FAR and the building code.

Staff would come back with more information and a draft planning report at the study session in August.

Commissioners Brown/Dawkins m/s that the ordinance retained the rental requirements. It would be forwarded to Council with cautionary language that included the debate on financing and being too narrow. The step back would remain the same with the caveats. For minimum density maximum units' size, the base density for the current zoning would be the minimum density in the Transit Triangle Overlay option.
Voice Vote: ALL AYES. Motion passed 6-0.

DISCUSSION ITEMS

A. Regional Plan: Ashland Housing Strategies

Item was postponed to a future meeting.

ADJOURNMENT

Meeting adjourned at 8:53 p.m.

*Submitted by,
Dana Smith, Executive Assistant*

**Planning Commission
Speaker Request Form**

- 1) Complete this form and return it to the Secretary prior to the discussion of the item you wish to speak about.
- 2) Speak to the Planning Commission from the table podium microphone.
- 3) State your name and address for the record.
- 4) Limit your comments to the amount of time given to you by the Chair, usually 5 minutes.
- 5) If you present written materials, please give a copy to the Secretary for the record.
- 6) You may give written comments to the Secretary for the record if you do not wish to speak.
- 7) Speakers are solely responsible for the content of their public statement.

Name	GIL LIVVI		
	(please print)		
Address (no P.O. Box)	[REDACTED]		
Phone	[REDACTED]	Email	[REDACTED]
Tonight's Meeting Date	7/24/18		

Regular Meeting

Agenda item number _____ OR Topic for public forum (non agenda item) _____

Land Use Public Hearing	
For: _____	Against: _____
Challenge for Conflict of Interest or Bias	
If you are challenging a member (planning commissioner) with a conflict of interest or bias, please write your allegation complete with supporting facts on this form and deliver it to the clerk immediately. The Chair will address the written challenge with the member. Please be respectful of the proceeding and do not interrupt. You may also provide testimony about the challenge when you testify during the normal order of proceedings.	
Written Comments/Challenge: _____	

The Public Meeting Law requires that all city meetings are open to the public. Oregon law does not always require that the public be permitted to speak. The Ashland Planning Commission generally invites the public to speak on agenda items and during public forum on non-agenda items unless time constraints limit public testimony. No person has an absolute right to speak or participate in every phase of a proceeding. Please respect the order of proceedings for public hearings and strictly follow the directions of the presiding officer. Behavior or actions which are unreasonably loud or disruptive are disrespectful, and may constitute disorderly conduct. Offenders will be requested to leave the room.

Comments and statements by speakers do not represent the opinion of the City Council, City Officers or employees or the City of Ashland.

Planning Commission
Speaker Request Form

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- 6) You may give written comments to the Secretary for the record if you do not wish to speak.
- 7) Speakers are solely responsible for the content of their public statement.

Name	<u>John Fields</u>
(please print)	
Address (no P.O. Box)	[REDACTED]
Phone	[REDACTED]
mail	[REDACTED]
Tonight's Meeting Date	<u>7-24-2018</u>

Regular Meeting

Agenda item number A OR Topic for public forum (non agenda item) _____

Land Use Public Hearing	
For: _____	Against: _____
Challenge for Conflict of Interest or Bias	
If you are challenging a member (planning commissioner) with a conflict of interest or bias, please write your allegation complete with supporting facts on this form and deliver it to the clerk immediately. The Chair will address the written challenge with the member. Please be respectful of the proceeding and do not interrupt. You may also provide testimony about the challenge when you testify during the normal order of proceedings.	
Written Comments/Challenge: <u>TRIANGLE</u>	

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Comments and statements by speakers do not represent the opinion of the City Council, City Officers or employees or the City of Ashland.

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 that the public testimony may be limited by the Chair and normally is not allowed after the Public Hearing is closed.

**ASHLAND PLANNING COMMISSION
SPECIAL MEETING
July 24, 2018
AGENDA**

- I. **CALL TO ORDER:** 7:00 PM, Civic Center Council Chambers, 1175 E. Main Street

- II. **ANNOUNCEMENTS**

- III. **PUBLIC FORUM**

- IV. **TYPE III PUBLIC HEARINGS – CONT'D**
 - A. **PLANNING ACTION: PA-L-2018-00001**
DESCRIPTION: An ordinance adding a new Chapter 18.3.14 Transit Triangle Overlay, a Transit Triangle (TT) overlay map and amending chapters 18.2.1, 18.2.2, 18.2.3, 18.2.3, 18.3.12, 18.3.13, 18.4.3, 18.6.1 of the Ashland Municipal Code to implement the recommendations of the infill strategy project for the area surrounding the bus route in the southeastern part of Ashland that circulates on Ashland St., Tolman Creek Rd., and Siskiyou Blvd., also referred to as the transit triangle.

- V. **DISCUSSION ITEMS**
 - A. **Regional Plan: Ashland Housing Strategies**

- VI. **ADJOURNMENT**



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development office at 541-488-5305 (TTY phone is 1-800-735-2900). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1).

ASHLAND PLANNING DIVISION
STAFF REPORT
Addendum
July 24, 2018

PLANNING ACTION: PA-L-2018-00001

APPLICANT: City of Ashland

ORDINANCE REFERENCES:

- AMC 18.2.1 Zoning Regulations and General Provisions
- AMC 18.2.2 Base Zones and Allowed Uses
- AMC 18.2.3 Special Use Standards
- AMC 18.2.5 Standards for Residential Zones
- AMC 18.3.12 Site Development and Design Overlays
- AMC 18.3.13 Residential Overlay
- AMC 18.3.14 Transit Triangle Overlay (*new chapter*)
- AMC 18.4.3 Parking, Access, and Circulation
- AMC 18.6.1 Definitions

REQUEST: The proposal includes a new Chapter 18.3.14 Transit Triangle Overlay, a Transit Triangle (TT) overlay map and a series of amendments to the Ashland Municipal Code (AMC) Title 18 Land Use to implement the recommendations of the infill strategy project for the area surrounding the bus route in the southeastern part of Ashland that circulates on Ashland St., Tolman Creek Rd., and Siskiyou Blvd., also referred to as the transit triangle.

The proposed new chapter is 18.3.14 Transit Triangle Overlay provides an optional path that can be used in the mapped overlay area to develop mixed-use projects with residential units in the Commercial and Employment zones (C-1 and E-1) and residential and mixed-use projects in the multi-family residential zones (R-2 and R-3) with limits on the building size (i.e., floor area ratio or FAR), increased building height with building step backs or façade articulation, reductions in off-street parking and landscaping requirements, and allowances for small scale commercial uses in the multi-family residential zones. Residential units developed under the TT overlay option are required to be rental units, and condominiums and travelers' accommodations are not permitted. A TT overlay map accompanies the new chapter to designate the physical area in which the development option is available.

Finally, the draft amendments include minor edits and corrections to AMC 18.2.3.120 Dwelling in Historic District Overlay, AMC 18.2.3.130 Dwelling in Non-Residential Zone, AMC 18.2.5.070 Maximum Permitted Residential Floor Area in Historic District, AMC 18.3.13.010 Residential Overlay Regulations, AMC 18.4.3.030.C Downtown Zone, AMC 18.4.3.060 Parking Management Strategies and AMC 18.6.1.030 Definitions.

I. Relevant Facts

A. Background

The Planning Commission held a public hearing on the package of infill strategy ordinance amendments and miscellaneous minor edits and corrections at the June 12, 2018 meeting. The Commission recommended approval of the ordinance with two changes – 1) reducing the required amount of permitted commercial and employment uses on the ground floor of mixed-use buildings from 50 to 35 percent and 2) using the Exception to the Site Development and Design Standards AMC 18.5.2.050.E to deviate from the required building step back rather than the draft articulation standard. Those changes have been made to the attached draft Chapter 18.3.14. Transit Triangle Overlay ordinance and are noted with comments.

The package of ordinance amendments is back before the Commission for two reasons. First, staff developed a minimum density and maximum dwelling unit size which is included and noted in the Dimensional Standards Table 18.3.14.050 on page 4. Second, the minor edits and corrections to Title 18 Land Use are identified for discussion by the Planning Commission.

The July 24 meeting was noticed as required in AMC 18.5.1.070.D.3 as a continued public hearing. In addition, an email notice of the July 24 meeting was sent to the stakeholder meeting and open house participants.

After the July 24 Planning Commission continued public hearing and discussion, staff will prepare the formal recommendation report from the Planning Commission to the City Council for the Commission to review at an August meeting. The infill strategy ordinance package is scheduled for the City Council public hearing on September 18.

B. Ordinance Amendments

The proposed new chapter is 18.3.14 Transit Triangle Overlay provides an optional path that can be used in the mapped overlay area to develop mixed-use projects with residential units in the Commercial and Employment zones (C-1 and E-1) and residential and mixed-use projects in the multi-family residential zones (R-2 and R-3).

Staff believes some safeguards are necessary to ensure that developments using the TT overlay option include a similar size and number of dwelling units that were developed for the building prototypes using the Envision Tomorrow model. In addition, a project objective is the development of a greater concentration of smaller and more moderately-priced rental units in the transit corridor.

Minimum Residential Density and Maximum Dwelling Unit Size

Staff developed a minimum density and maximum dwelling unit size which is included and noted in the Dimensional Standards Table 18.3.14.050 on page 4.

The minimum density requires properties developed under the TT overlay option to include

at least one dwelling unit per 750 square feet of lot area in the Commercial (C-1) and Employment (E-1) zones, and one dwelling unit per 1,000 square feet of lot area for the Multi-Family Residential (R-2 and R-3) zones.

The maximum dwelling unit size requires the gross habitable floor area for 75 percent or more of dwelling units to be 800 square feet or less per unit for properties developed under the TT overlay option.

The recommended minimum densities and maximum dwelling unit size are based on the projected number of units from the building prototypes and similar to existing allowed densities in the C-1 and C-1-D zones. The development scenarios for the test sites at 1649 Ashland St. (C-1) and 1896 Ashland St. (R-2) tested market feasibility of developments ranging from 45 to 75 units per acre with units in the 650 to 750 square foot range.

Staff recommends adding a minimum residential density to ensure that developments using the TT overlay option include the expected number and size of dwelling units, which in turn affects rental prices. This will ensure that developments using the TT overlay option use the additional allowed floor area and flexibility provided by the overlay for the projected smaller units. The concern is that if a requirement of this nature isn't included that property developed under the overlay option could potentially build the maximum floor area and use it for fewer, larger units or a few smaller units and mostly larger units. Again, the model demonstrated as the square footage of the dwelling units increase, the price of the units increases which is inconsistent with the City Council's goal of providing development incentives to build workforce housing.

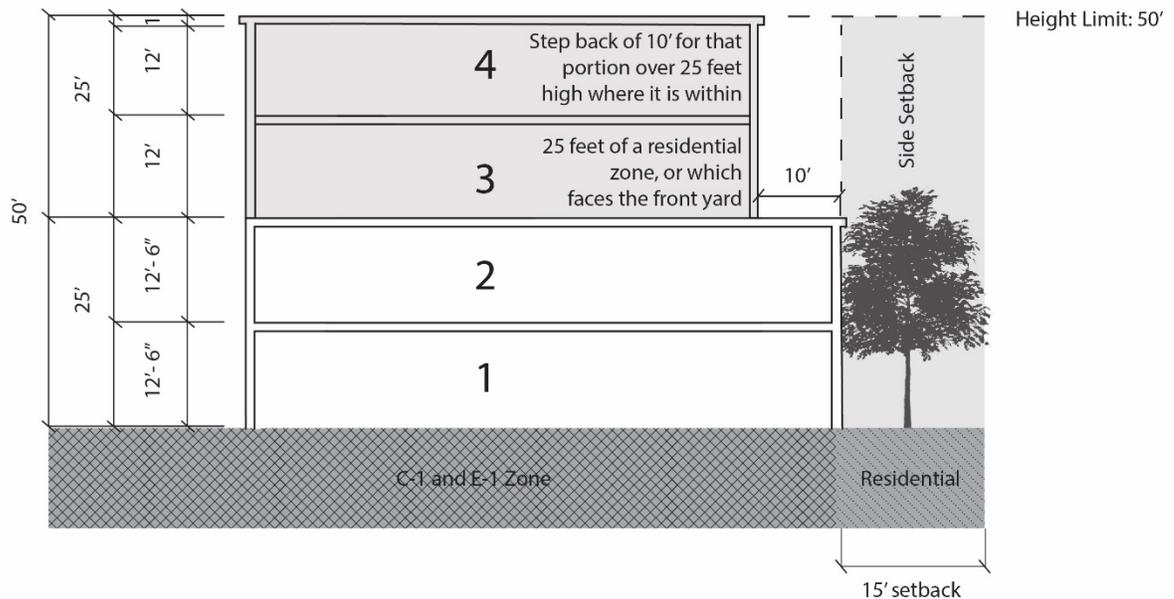
Staff recommends that any requests to depart from the minimum residential density or maximum dwelling unit size are subject to the Exception from the Site Development and Design Standards in 18.5.2.050.E rather than a Variance (see 18.3.14.020.E on page 1 of Chapter 18.3.14 Transit Triangle Overlay). The variance criteria require special or unique physical circumstances of the subject site. Staff believes the connection to site characteristics included in the variance process is too restrictive given that the TT overlay has seen little development or redevelopment over the past three decades and the TT overlay option is intended to incentivize redevelopment that includes a greater concentration of smaller rental-dwelling units in the transit corridor. While a sound model and scenario planning has been used to update the code and remove barriers to mixed-use, multi-story development, development using the overlay approach is yet to be tested. In addition, the 2015-2017 Council Goals and Objectives include a strategy to providing incentives to developers to build affordable and workforce housing.

Building Step Back

Staff added the highlighted language below to the building step back standard since the Planning Commission's June 12 review.

1. **Building Step Back**. For building facades within 25 feet of a residential zone or facing a street, reduce building mass through a step back of ten feet for that portion of a building which is over 25 feet or two stories, whichever is greater in height. The building step back requirement does not apply to parapets. See Figure 18.3.14.060.A.1.a. Also, see

minimum side or rear yard requirement for buildings abutting a residential zone in table 18.3.14.050.



Some sites in Ashland including those north and south of Ashland St. and Siskiyou Blvd. include significant slopes and are not flat as shown in the graphic above. As a result, buildings may result in partial basements or parking underneath that could make the second story a different height than the 25 feet used in the graphic and draft code text. Staff believes the original idea was to step back the building after the second story and that the new wording will accommodate sloped sites and meet the intent of the standard.

Language was also added exempting parapets from the building step back requirement. As a wall that projects above the roof line both as an architectural feature and to screen roof-top equipment, a parapet would be highly unusual and unaesthetic if it were significantly stepped back from top of the building. The parapet location could potentially become an issue if a one or two-story building is proposed in the future under the TT overlay option. The existing code allows parapets to extend up to five feet above the allowed height of the building.

Minor Amendments and Corrections

The minor amendments and corrections to Title 18 Land Use that are not directly related to the infill strategy ordinance are identified for discussion by the Planning Commission ([see highlighted sections of code amendments](#)). There was some concern expressed when the accessory residential unit amendments were reviewed at the City Council that the Planning Discussion’s review of separate minor amendments is clearly addressed in the record.

The minor amendments and corrections are explained in the staff notes in the attached draft ordinance and are summarized below. Page numbers refer to the attached **“Amendments to Sections of Title 18 Land Use.”**

- **Page 13, 18.2.3.120 Dwelling in Historic District Overlay** – clarifies that the maximum permitted floor area (MPFA) applies to dwellings located in residential zones. This is consistent with the pre-2015 code that applies the MPFA to the R-1, R-2 and R-3 zones but not to any of the non-residential zones (i.e., C-1, E-1).
- **Page 13, 18.2.3.130 Dwelling in a Non-Residential Zone**
 - 1.a. Adds language requiring 65 percent of the ground floor of mixed-use buildings to be in non-residential, permitted uses and uses permitted with special use standards. This language was in the pre-2015 code and inadvertently deleted.
 - 1.b. Reworks language for required non-residential uses in mixed-use developments with multiple buildings.
- **Page 14, Maximum Permitted Residential Floor Area in Historic District** – same issue as on page 13 in 18.2.3.120 Dwelling in Historic District Overlay.
- **Page 17, Residential Overlay Regulations** – same issue as on page 13 in 18.2.3.130 Dwelling in a Non-Residential Zone
- **Page 18, General Automobile Parking Requirements and Exceptions** – adds word “commercial” to match name of C-1-D zone.
- **Page 24-25, Definition of Floor Area** – Provides specificity in how to measure gross floor area and gross habitable floor area (i.e., exterior faces of exterior walls or center line of common walls) to better address floor area requirements (FAR) for building volume, commercial and residential use split, required plaza sizes and accessory residential unit maximum sizes. The maximum permitted floor area (MPFA) is existing language in 18.2.5.070 Maximum Permitted Floor Area in Historic District and was simply added to the definition section for consistency.
- **Page 25, Definition of Story** – Provides clarification on the portion of a building that qualifies as a story.

II. Procedural

18.5.9.020 Applicability and Review Procedure

Applications for Plan Amendments and Zone Changes are as follows:

- B. Type III.** It may be necessary from time to time to make legislative amendments in order to conform with the Comprehensive Plan or to meet other changes in circumstances or conditions. The Type III procedure applies to the creation, revision, or large-scale implementation of public policy requiring City Council approval and enactment of an ordinance; this includes adoption of regulations, zone changes for large areas, zone changes requiring comprehensive plan amendment, comprehensive plan map or text amendment, annexations (see chapter 18.5.8 for annexation information), and urban growth boundary amendments. The following planning actions shall be subject to the Type III procedure.
1. Zone changes or amendments to the Zoning Map or other official maps, except where minor amendments or corrections may be processed through the Type II procedure pursuant to subsection 18.5.9.020.A, above.
 2. Comprehensive Plan changes, including text and map changes or changes to other

official maps.

3. Land Use Ordinance amendments.
4. Urban Growth Boundary amendments.

III. Conclusions and Recommendations

If the Commission recommends approval of the minimum density, maximum dwelling unit size and minor edits and corrections, staff will prepare a formal recommendation to the City Council for the Commission's review at an August meeting.

18.3.14 – Transit Triangle Overlay

Chapter 18.3.14 – Transit Triangle Overlay

Sections:

18.3.14.010	Purpose
18.3.14.020	Applicability
18.3.14.030	General Requirements
18.3.14.040	Use Regulations
18.3.14.050	Dimensional Regulations
18.3.14.060	Site Development and Design Standards
18.3.14.070	Open Space Zone

18.3.14.010 Purpose

The Transit Triangle (TT) overlay is intended to promote the development of a mix of housing units and businesses adjacent to the bus route designed in a way that encourages walking, bicycling and transit use. The Transit Triangle (TT) overlay was adopted by the City Council on month 2018 (Ordinance No. ###).

18.3.14.020 Applicability

- A. Transit Triangle (TT) Overlay Designation.** This chapter applies to properties designated as Transit Triangle (TT) overlay on the Site Design Zones map, and pursuant to the Transit Triangle overlay development standards and map adopted by Ordinance ### (month, 2018).
- B. TT Overlay Option.** The TT overlay may be used to develop residential and commercially zoned land located in the TT overlay, but is not mandatory. Development using the TT overlay option shall meet all of the provisions of this chapter and all other applicable sections of this ordinance, except as otherwise provided in this chapter. The provisions of this chapter do not apply to development located in the TT overlay that does not elect to fully exercise the TT overlay option.
- C. Pedestrian Places Overlay.** The Pedestrian Places overlay and associated development standards do not apply to properties electing to develop under the Transit Triangle (TT) overlay option.
- D. Governing Standards.** Notwithstanding the provision of chapter 18.2.2 Base Zones, additional use restrictions and land use standards apply within the TT overlay. Where the provisions of this chapter conflict with comparable standards described in any other ordinance, resolution or regulation, the provisions of the TT overlay shall govern.
- E. Exceptions and Variances.** Requests to depart from the requirements of this chapter are subject to chapter 18.5.5 Variances, except that deviations from the standards in section 18.3.14.050 for minimum residential density and dwelling unit floor area and subsections 18.3.14.060.A and 18.3.14.060.B are subject to 18.5.2.050.E Exception to the Site Development and Design Standards.

Commented [MH1]: Staff suggests making requests to deviate from the minimum density standard or the maximum dwelling unit floor area on page 4 subject to an exception from the Site Development and Design Standards rather than a Variance. The Variance criteria require special or unique physical circumstances of the subject site. Staff believes the variance is too restrictive given that the development using the overlay approach is yet to be tested and the Council strategies spoke to providing incentives to developers to build affordable and workforce housing.

18.3.14 – Transit Triangle Overlay

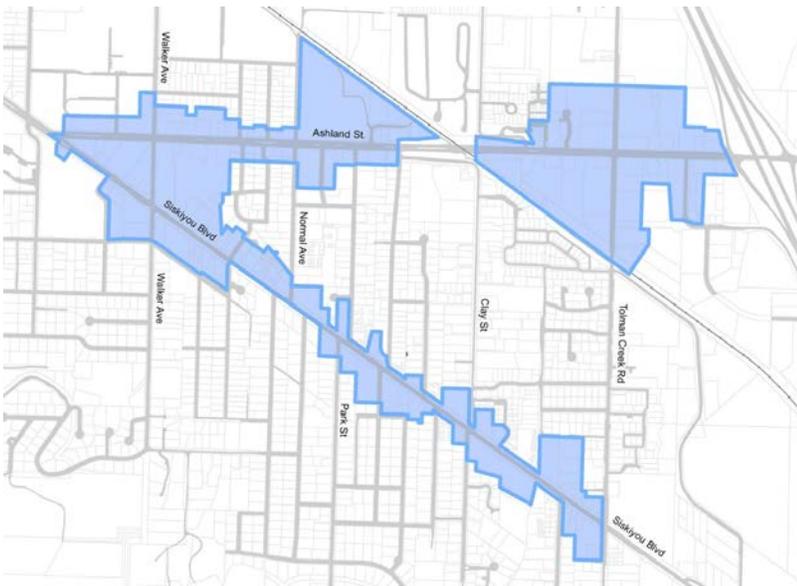


Figure 18.3.14.020
Transit Triangle (TT) Overlay

18.3.14.030 General Requirements

- A. Site Development and Design Standards.** New development is subject to Site Design Review under chapter 18.5.2, and must comply with the applicable site development and design standards.

18.3.14.040 Allowed Uses

- A. Uses Allowed in TT Overlay.** Allowed uses are determined by the base zone and in accordance with section 18.2.2.030, except as provided for in this chapter. Notwithstanding the provisions of chapter 18.2.2 Base Zones, section 18.3.14.040 includes additional allowed uses, use restrictions and prohibited uses within the TT overlay.
- B. Mixed-Use.** Uses allowed in a zone individually are also allowed in combination with one another, in the same structure or on the same site, provided all applicable development

18.3.14 – Transit Triangle Overlay

standards and building code requirements are met.

Table 18.3.14.040 – Transit Triangle (TT) Overlay Uses Allowed by Base Zone ¹					
	Zones				Special Use Standards
	C-1	E-1	R-2	R-3	
A. Residential					
Multifamily dwelling, rental	P	P	P	P	Sec. 18.3.14.040.C.1 for C-1 and E-1 zone
Multifamily dwelling, for purchase	N	N	N	N	
B. Commercial					
Hotel/Motel	N	N	N	N	
Travelers' Accommodation	N	N	N	N	
Commercial Retail Sales and Services, except Outdoor Sales and Services	Per 18.2.2.030	Per 18.2.2.030	S	S	Sec. 18.3.14.040.C.2
Office	Per 18.2.2.030	Per 18.2.2.0e0	S	S	Sec. 18.3.14.040.C.2
Restaurants	Per 18.2.2.030	Per 18.2.2.030	S	S	Sec. 18.3.14.040.C.2

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

C. Special Use Standards. The uses listed as “Permitted with Special Use Standards (S)” in Table 18.3.14.040, above, are allowed provided they conform to the requirements of this section and the requirements of chapter 18.5.2 Site Design Review.

1. **Residential Uses.** Residential uses provided all of the following standards are met.

- a. **One Building.** In the C-1 and E-1 zones, when a planning application is limited to one building, residential uses may occupy up to 65 percent of the gross floor area of the ground floor. At least 35 percent of the gross floor area of the ground floor shall be designated for permitted and uses permitted with special use standards, not including residential uses.
- b. **More Than One Building.** When a planning application includes more than one building, the equivalent of at least 35 percent of the gross floor area of the ground floor for all buildings shall be designated for permitted and uses permitted with special use standards, not including residential uses.

2. **Commercial Uses in the R-2 and R-3 Zones.** The commercial uses described in Table 18.3.14.040, above, are allowed provided all of the following standards are met.

- a. The maximum gross floor area occupied shall be 60 square feet for every residential dwelling unit developed on site.

Commented [MH2]: The allowed amount of residential uses on the ground floor adjusted from 50 to 65 percent to reflect Planning Commission recommendation vote at the June 12, 2018 meeting.

18.3.14 – Transit Triangle Overlay

18.3.14.050 Dimensional Standards

Notwithstanding the provisions of chapter 18.2.5 Standards for Residential Zones and chapter 18.2.6 Standards for Non-Residential Zones, Table 18.3.14.050 includes the dimensional standards within the TT overlay.

The dimensions shall conform to the standards in Table 18.3.14.050.

Table 18.3.14.050 Transit Triangle Overlay Dimensional Standards				
	Base Zones ¹			
	C-1	E-1	R-2	R-3
Residential Density (dwelling units/acre)				
Minimum	1 unit per 750 sf of lot area		1 unit per 1,000 sf of lot area	
Maximum	Maximum residential density is regulated by the FAR under the TT overlay option. The maximum dwelling units per acre of the base zones do not apply under the TT overlay option.			
Dwelling Unit Floor Area – Maximum	The maximum gross habitable floor area for 75 percent or more of dwelling units shall be 800 square feet or less per unit.			
Floor Area Ratio (FAR) ²				
Minimum	.5	.5	.5	.5
Maximum	1.5	1.5	1.25	1.25
² Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Plazas and pedestrian areas may also be applied toward meeting the landscaping area requirements but shall not constitute more than 50% of the required area.				
Lot Area, Width, Depth and Coverage				
	NA	NA	Land divisions in the R-2 and R-3 zones shall meet the applicable requirements of table 18.2.5.030.A or chapter 18.3.9 Performance Standards Options.	
Yards, Minimum (feet) ⁴				
- Front	There is no minimum front, side, or rear yard required, except where buildings on the subject site abut a residential zone, in which case a side or rear yard of not less than 15 ft is required.		5 ft	5 ft
- Side			See table 18.2.5.030.A for standard yard requirements for the R-2 and R-3 zone	
- Rear				
⁴ See building step back requirement in section 18.3.14.060.				
Building Separation, On Same Site – Minimum				
	NA		Building separation is not required under the TT overlay option, except as required by the building code.	
Building Height ⁵ & ⁶				
Maximum Height – feet/stories	50/4	50/4	42/3	42/3
Solar Setback	Per table 18.2.6.030		Per chapter 18.4.8 Solar Access	
⁵ See definition of “height of building” in section 18.6.1.030.				
⁶ Parapets may be erected up to five feet above the maximum building height in the C-1 and E-1 zone; see also, 184.4.030.G.4 for mechanical equipment screening requirements, and 18.5.2.020 for Site Design Review for mechanical equipment review process.				
Lot Coverage – Maximum (% of lot area)	85%	85%	80%	80%

Commented [MH3]: Staff recommends adding a minimum residential density to ensure that developments using the TT option include the expected number of dwelling units, which in turn affects rental prices. The recommended minimum densities are similar to existing allowed densities in the C-1 and C-1-D zones and based on the projected number of units from the building prototypes in the Envision Tomorrow model.

Commented [MH4]: Staff recommends using a dwelling unit size maximum in combination with the minimum density. This will ensure that developments using the TT option use the additional allowed floor area and flexibility provided by the overlay for the projected smaller units rather than for fewer, larger units.

18.3.14 – Transit Triangle Overlay

Table 18.3.14.050 Transit Triangle Overlay Dimensional Standards				
	Base Zones ¹			
	C-1	E-1	R-2	R-3
Landscape Area – Minimum (% of developed lot area)	15%	15%	20%	20%
Outdoor Recreation Space – Minimum (% of the area)	NA		Outdoor recreation space is not required under the TT overlay option.	

¹ Zones: C-1 = Commercial; E-1 = Employment; R-2 = Low Density Multiple Family; R-3 = High Density Multiple Family.

18.3.14.060 Site Development and Design Standards

New development is subject to Site Design Review under chapter 18.5.2, and must comply with site development and design standards in part 18.4 and section 18.3.14.060, below.

A. C-1 and E-1 zones. Development under the TT overlay option and located in the C-1 and E-1 zones are subject to the following standards.

- Building Step Back.** For building facades within 25 feet of a residential zone or facing a street, reduce building mass through a step back of ten feet for that portion of a building which is over 25 feet or two stories, whichever is greater in height. The building step back requirement does not apply to parapets. See Figure 18.3.14.060.A.1.a. Also, see minimum side or rear yard requirement for buildings abutting a residential zone in table 18.3.14.050.

Commented [MH5]: The alternate articulation standard for the building step back was deleted to reflect the Planning Commission recommendation vote at the June 12, 2018 meeting. Requests to vary from this standard would be processed as an Exception to the Site Design and Development Standards as detailed in 18.3.14.020.E on page 1.

Commented [MH6]: Staff recommends this additional language to account for sloped sites that may have a basement or partial basement. The previous version said, "For building facades within 25 feet of a residential zone or facing a street, reduce building mass through a step back of ten feet for that portion of a building which is over 25 feet high."

Commented [MH7]: The second graphic was deleted.

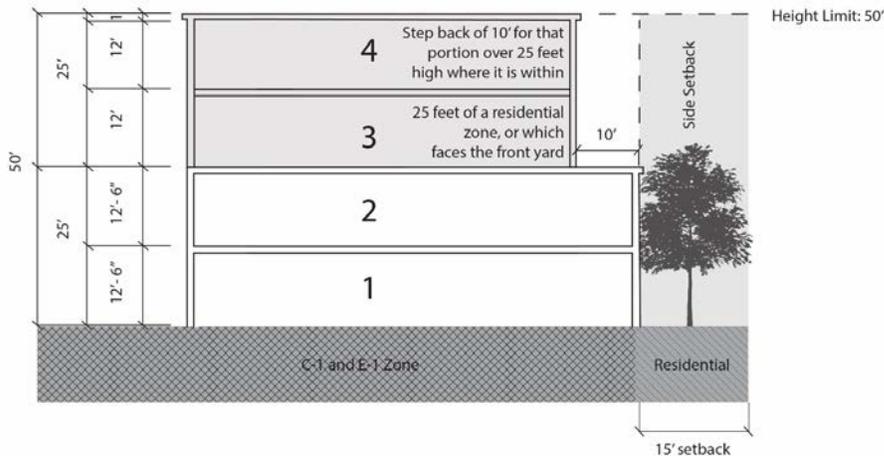


Figure 18.3.14.060.A.1.a

18.3.14 – Transit Triangle Overlay

B. R-2 and R-3 zones. Development under the TT overlay option and located in the R-2 and R-3 zones are subject to the following standards.

1. Detail Site Review Standards. Lots with frontage on Ashland Street shall be subject to the building placement, orientation, and design standards in section 18.4.2.040, including the Detailed Site Review Standards. The area subject to this section shall be 150 feet in depth and the width of the subject lot. The depth of the regulated area shall be measured perpendicular to the lot line that parallels Ashland Street.
2. Sidewalk Setback. Mixed-use buildings shall be setback not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement.
3. Minimum FAR and Plazas. Mixed-use developments shall have a minimum Floor Area Ratio (FAR) of .50. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Projects including existing buildings or vacant parcels of one-half an acre or greater in size shall achieve the required minimum FAR or provide a shadow plan that demonstrates to the approval authority how development may be intensified over time to meet the required minimum FAR.
4. Building Step Back. For building facades within 25 feet of a residential zone or facing a street, reduce building mass through a step back of ten feet for that portion of a building which is over 25 feet or two stories, whichever is greater in height. The building step back requirement does not apply to parapets. See Figure 18.3.14.060.B.1.a. Also, see table 18.2.4.030.A for standard yard requirements for the R-2 and R-3 zone.

Commented [MH8]: The alternate articulation standard for the building step back was deleted to reflect the Planning Commission recommendation vote at the June 12, 2018 meeting. Requests to vary from this standard would be processed as an Exception to the Site Design and Development Standards as detailed in 18.3.14.020.E on page 1.

Commented [MH9]: Same as A. 1 on previous page -- Staff recommends this additional language to account for sloped sites that may have a basement or partial basement. The previous version said, "For building facades within 25 feet of a residential zone or facing a street, reduce building mass through a step back of ten feet for that portion of a building which is over 25 feet high."

Commented [MH10]: The second graphic was deleted.

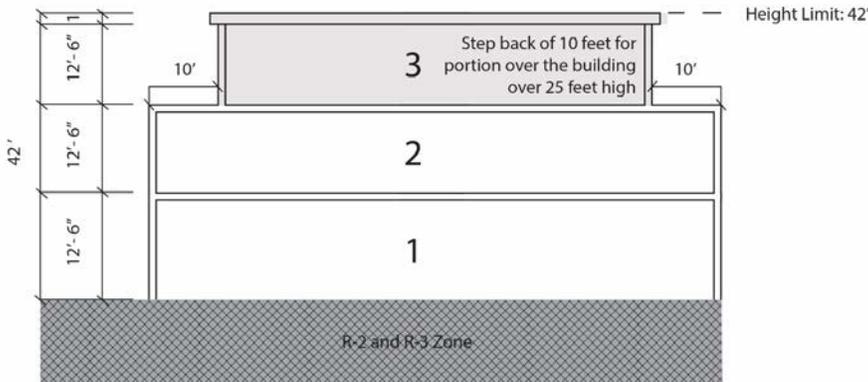


Figure 18.3.14.060.B.1.a

18.3.14 – Transit Triangle Overlay

- C. Parking Ratios.** Properties developed under the TT overlay option are subject to the standard requirements of chapter 18.4.3 Parking, Access, and Circulation, except as provided by subsection 18.4.3.030.C, below.
1. Multi-family Dwellings. The minimum number of off-street automobile parking spaces required for multi-family dwelling units for development under the TT overlay option are as follows.
 - a. Units less than 800 sq. ft. -- 1 space/unit.
 - b. Units greater than 800 sq. ft. and less than 1000 sq. ft. -- 1.5 spaces/unit.
 - c. Units greater than 1,000 sq. ft. -- 2.00 spaces/unit.
 2. Retail Sales and Services, Offices, and Restaurants. The required off-street parking spaces may be reduced up to three parking spaces for retail sales and services, general office, or restaurant uses. The maximum reduction under this subsection is three parking spaces per building.
- D. Availability of Parking Facilities.** For properties developed under the TT overlay option, required off-street automobile parking spaces shall be available for use by residents, customers, and employees, and shall not be limited in use by hours or type of user through signage or other legal instrument. Required off-street automobile parking shall not be used for the storage or display of vehicles or materials.

Amendments to Sections of Title 18 Land Use

Related to Transit Triangle Overlay Option and Miscellaneous Minor Amendments and Corrections

Section 18.2.1.020 is amended to read as follows:

18.2.1.020 Zoning Map and Classification of Zones

For the purpose of this ordinance, the City is divided into zones designated and depicted on the Zoning Map, pursuant to the Comprehensive Plan Map, and summarized in Table 18.2.1.020.

Table 18.2.1.020	
Base Zones	Overlay Zones
Residential - Woodland (WR)	Airport Overlay
	Detail Site Review Overlay
Residential - Rural (RR)	Downtown Design Standards Overlay
Residential - Single-Family (R-1-10, R-1-7.5, and R-1-5)	Freeway Sign Overlay
Residential - Suburban (R-1-3.5)	Historic District Overlay
Residential - Low Density Multiple Family (R-2)	Pedestrian Place Overlay
Residential - High Density Multiple Family (R-3)	Performance Standards Options Overlay
Commercial (C-1)	Physical and Environmental Constraints Overlay
Commercial – Downtown (C-1-D)	-Hillside Lands
Employment (E-1)	-Floodplain Corridor Lands
	-Severe Constraints Lands
Industrial (M-1)	-Water Resources
	-Wildfire Lands
Special Districts	
Croman Mill District (CM)	Residential Overlay
	Transit Triangle Overlay
Health Care Services District (HC)	
Normal Neighborhood District (NN)	
North Mountain Neighborhood District (NM)	
Southern Oregon University District (SOU)	

Section 18.2.1.040 is amended to read as follows:

18.2.1.040 Applicability of Zoning Regulations

Part 18.2 applies to properties with base zone, special district, and overlay zone designations, as follows:

Table 18.2.1.040: Applicability of Standards to Zones, Plan Districts and Overlays	
Designation	Applicability
<u>Base Zones</u>	
Residential - Woodland (WR)	Chapter 18.2 Applies Directly
Residential - Rural (RR)	Chapter 18.2 Applies Directly
Residential - Single-family (R-1-10, R-1-7.5, R-1-5)	Chapter 18.2 Applies Directly
Residential - Suburban (R-1-3.5)	Chapter 18.2 Applies Directly
Residential - Low Density Multiple Family (R-2)	Chapter 18.2 Applies Directly
Residential - High Density Multiple Family (R-3)	Chapter 18.2 Applies Directly
Commercial (C-1)	Chapter 18.2 Applies Directly
Commercial - Downtown (C-1-D)	Chapter 18.2 Applies Directly
Employment (E-1)	Chapter 18.2 Applies Directly
Industrial (M-1)	Chapter 18.2 Applies Directly
<u>Special Districts</u>	
Croman Mill District Zone (CM)	CM District Replaces chapter 18.2
Health Care Services Zone (HC)	
Normal Neighborhood District (NN)	NN District Replaces chapter 18.2
North Mountain Neighborhood (NM)	NN District Replaces chapter 18.2
Southern Oregon University (SOU)	
<u>Overlay Zones</u>	
Airport	Overlay Modifies chapter 18.2
Detail Site Review	Overlay Modifies chapter 18.2
Downtown Design Standards	Overlay Modifies chapter 18.2
Freeway Sign	Overlay Modifies chapter 18.2
Historic	Overlay Modifies chapter 18.2
Pedestrian Place	Overlay Modifies chapter 18.2
Performance Standards Options	Overlay Modifies chapter 18.2
Physical and Environmental Constraints	Overlay Modifies chapter 18.2
Residential	Overlay Modifies chapter 18.2
Transit Triangle	Overlay Modifies chapter 18.2

Section 18.2.2.030 is amended to read as follows:

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 chapter 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. Uses not listed in Table 18.2.2.030 and not found to be similar to an allowed use are prohibited. For uses allowed in special districts CM, HC, NM, and SOU, and for regulations applying to the City’s overlays zones, refer to part 18.3.
- 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 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 regulations applying to the City's overlays zones, please 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 right-of-way, parks, sidewalks, or other public grounds) require a Special Event Permit pursuant to AMC 13.03.
 2. **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 ordinance, garage sales meeting the requirements of this subsection shall not be considered a commercial activity.
 3. **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 ordinance.

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
A. Agricultural Uses¹										
Agriculture, except Keeping of Bees, Livestock and Micro-Livestock, Homegrown Marijuana Cultivation, and Marijuana Production	P	P	P	P	P	P	N	N	N	Animal sales, feed yards, keeping of swine, commercial compost, or similar uses not allowed
Keeping of Bees	S	S	S	S	S	S	N	N	N	Sec. 18.2.3.160
Keeping of Livestock	S	N	N	N	S	S	N	N	N	
Keeping of Micro-Livestock	S	S	S	S	S	S	N	N	N	
Marijuana Cultivation, Homegrown	S	S	S	S	S	S	S	S	S	Sec. 18.2.3.190 See General Industrial, Marijuana Production
B. Residential Uses										
Single-Family Dwelling	P	P	P	P	P	P	S	S	N	See Single-Family standards in Sec. 18.2.5.090 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

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

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Accessory Residential Unit	S	S	S	S	S	N	N	N	N	Sec. 18.2.3.040
Duplex Dwelling	S	P	P	P	N	N	S	S	N	Sec. 18.2.3.110 Duplex Dwelling
B. Residential Uses²										
<i>(continued)</i>										
Manufactured Home on Individual Lot	S	S	S	S	N	N	N	N	N	Sec. 18.2.3.170 and not allowed in Historic District Overlay
Manufactured Housing Development	N	S	CU+S	N	N	N	N	N	N	Sec. 18.2.3.180
Multifamily Dwelling	N	P	P	P	N	N	S	S	N	Sec. 18.2.3.130 for C-1 zone and E-1 zone; dwelling units in Transit Triangle (TT) Overlay, see chapter 18.3.14 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	N	N	S	S	N	N	N	N	N	Sec. 18.2.3.200
Home Occupation	S	S	S	S	S	S	S	S	N	Sec. 18.2.3.150
C. Group Living										
Nursing Homes, Convalescent Homes	CU	CU	CU	CU	CU	CU	N	N	N	See chapter 18.3.3 Health Care Services
Residential Care Home	P	P	P	P	P	P	N	N	N	Subject to State licensing requirements
Residential Care Facility	CU	P	P	P	CU	CU	N	N	N	Subject to State licensing requirements

² KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Room and Boarding Facility	N	P	P	P	N	N	N	N	N	
D. Public and Institutional Uses										
Airport										See chapter 18.3.7 Airport Overlay
Cemetery, Mausoleum, Columbarium	N	N	N	N	CU	N	N	N	N	
D. Public and Institutional Uses (continued)³										
Child Care Facility	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
Club Lodge, Fraternal Organization	CU	CU	CU	CU	CU	CU	P	CU	CU	
Community Service, includes Governmental Offices and Emergency Services (e.g., Police, Fire); excluding Outdoor Storage	CU	CU	N	N	CU	CU	P	P	P	
Electrical Substation	N	N	N	N	N	N	CU	CU	P	
Hospitals	CU	CU	CU	CU	CU	N	N	N	N	See chapter 18.3.3 Health Care Services
Governmental Offices and Emergency Services (e.g., Police, Fire); excluding Outdoor Storage	CU	CU	N	N	CU	CU	P	P	P	
Mortuary, Crematorium	N	N	N	N	CU	N	P	P	P	
Public Park, Open Space, and Recreational Facility, including playgrounds, trails, nature preserves, athletic fields, courts, swim pools, similar uses	P	P	P	P	P	P	N	N	N	

³ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Public Parking Facility	N	N	N	N	N	N	P	N	N	
Public Works/Utilities Storage Yard; includes vehicle and equipment, maintenance, repair	N	N	N	N	N	N	N	P	P	
Recycling Depot	N	N	N	N	N	N	N	P	P	Not allowed within 200 ft of a residential zone
Religious Institution, Houses of Worship	CU	CU	CU	CU	CU	CU	CU	CU	CU	
School, Private (Kindergarten and up)	CU	CU	CU	CU	CU	CU	N	N	N	
School, Public (Kindergarten and up)	P	P	P	P	P	CU	N	N	N	
School, Private College/Trade/Technical School	N	N	N	N	N	N	N	CU	P	
Utility and Service Building, Yard and Structure, Public and Quasi-Public, excluding underground utilities and electrical substations	CU	CU	N	N	CU	CU	P	P	P	Yards not allowed in the C-1 zone
Wireless Communication Facility	CU	CU	CU	CU	CU	CU	P or CU	P or CU	P or CU	Sec.18.4.10
E. Commercial Uses										
Amusement/Entertainment, includes theater, concert hall, bowling alley, miniature golf, arcade; excluding drive-up uses	N	N	N	N	N	N	P	CU	P	
Automotive and Truck Repair, or Service; includes fueling station, car wash, tire sales and repair/replacement, painting, and other repair for automobiles, motorcycles, aircraft, boats, RVs, trucks, etc.	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 limited to Freeway Overlay, see chapter 18.3.8 In E-1 zone, fuel sales requires CU permit

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Automotive Sales and Rental, except within the Historic Interest Area; includes motorcycles, boats, RVs, and trucks	N	N	N	N	N	N	CU	CU	P	Except not allowed within Historic District Overlay
Accessory Travelers' Accommodation (See also Travelers' Accommodation)	N	N	CU+S	CU+S	N	N	N	N	N	Sec. 18.2.3.220
Bakery, except as classified as Food Processing	N	N	N	N	N	N	P	P	P	
Commercial Laundry, Cleaning, and Dyeing Establishment	N	N	N	N	N	N	S	S	P	Sec. 18.2.3.080
Commercial Recreation, includes country club, golf course, swimming club, and tennis club; excluding intensive uses such as driving range, race track, or amusement park	CU	CU	N	N	CU	CU	N	N	N	
Commercial Retail Sales and Services, except Outdoor Sales and Services	N	N	CU+S	N	N	N	P	S	S	In R-2 zone, uses limited to personal and professional services, except see Sec. 18.2.3.210 for retail uses allowed in Railroad Historic District In E-1 zone, Retail limited to 20,000 sq ft of gross leasable floor space per lot. In M-1 zone, uses limited to serving persons working in zone See Marijuana Retail Sales
E. Commercial Uses (continued)⁴										
Drive-Up Use	N	N	N	N	N	N	S	N		Per Sec. 18.2.3.100, Drive-Up uses are limited to area east of Ashland St at intersection of Ashland St/Siskiyou Blvd
Hostel	N	N	CU	CU	N	N	CU*	N	N	*In C-1 zone, requires annual Type I review for at least the first three years, after which time the Planning

⁴ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
										Commission may approve a permanent facility through the Type II procedure
Hotel/Motel	N	N	N	N	N	N	CU	CU	P	
Kennel (See also Veterinary Clinic)	N	N	N	N	N	N	S	S	CU	No animals kept outside within 200 feet of a residential zone
Limited Retail Uses in Railroad Historic District	N	CU	CU	CU	N	N	N	N	N	Sec. 18.2.2.210 for Retail Uses Allowed in Railroad Historic District
Lumber Yard and Similar Sales of Building or Contracting Supplies, or Heavy Equipment	N	N	N	N	N	N	N	CU	P	
Marijuana Retail Sales, includes sale of medical and recreational marijuana	N	N	N	N	N	N	S or CU	S or CU	N	Per Sec. 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	N	N	N	N	N	N	S	CU	P	Not allowed within the Historic District Overlay unless located in C-1-D
Office (See also Commercial Services)	N	N	CU	CU	N	N	P	P	P	
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Plant Nursery, Wholesale, except Marijuana Production	N	N	CU	CU	N	N	N	N	N	
E. Commercial Uses (continued)⁵										
Self-Service Storage, Commercial (Mini-Warehouse)	N	N	N	N	N	N	N	CU	P	

⁵ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Traveler's Accommodation (See also Accessory Travelers' Accommodation)	N	N	CU+S	CU+S	N	N	N	N	N	Sec. 18.2.3.220
Veterinary Clinic	N	N	N	N	N	N	P	P	P	
F. Industrial and Employment Uses										
Cabinet, Carpentry, and Machine Shop, and related Sales, Services, and Repairs	N	N	N	N	N	N	N	S or CU	P	In the E-1 zone, uses within 200 feet of a residential zone require CU permit
Commercial Excavation and Removal of Sand, Gravel, Stone, Loam, Dirty or Other Earth Products	N	N	N	N	CU+S	N	N	N	N	Sec. 18.2.3.070
Concrete or Asphalt Batch Plant	N	N	N	N	N	N	N	N	CU	
Dwelling for a caretaker or watchman	N	N	N	N	N	N	N	CU	CU	
Food Products Manufacture/Processing/Preserving, including canning, bottling, freezing, drying, and similar processing and preserving.	N	N	N	N	N	N	S	S	P	In the C-1 zone, manufacture or assembly of items sold is a permitted use, provided such manufacturing or assembly occupies 600 square feet or less, and is contiguous to the permitted retail outlet In the E-1 zone, See Sec. 18.2.3.140
Manufacture, General, includes Marijuana Laboratory, Processing, and Production	N	N	N	N	N	N	N	P or S	P or S	In E-1 and M-1 zones, marijuana laboratory, processing, and production are subject to the special use standards in Sec. 18.2.3.190 See Marijuana Cultivation, Homegrown

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
F. Industrial and Employment Uses <i>(continued)</i> ⁶										
Manufacture, Light; excluding saw, planing or lumber mills, or molding plants.	N	N	N	N	N	N	S	P	P	Requires assembly, fabricating, or packaging of products from previously prepared materials such as cloth, plastic, paper, cotton, or wood In the C-1 zone, manufacture or assembly of items sold in a permitted use, provided such manufacturing or assembly occupies 600 square feet or less, and is contiguous to the permitted retail outlet
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Television and Radio Broadcasting Studio	N	N	N	N	N	N	N	P	P	
Wholesale Storage and Distribution, includes Marijuana Wholesale	N	N	N	N	N	N	N	S	S	Deliveries and shipments limited to 7AM-9PM 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	N	N	N	N	N	N	N	N	CU	
G. Other Uses										

⁶ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Temporary Tree Sales	N	N	N	N	N	N	P	N	N	Allowed from November 1 to January 1
Temporary Use	CU, except uses lasting less than 72 hours are subject to Ministerial review, per Sec. 18.2.2.030.H									

Section 18.2.3.120 is amended to read as follows:

18.2.3.120 Dwelling in Historic District Overlay

Dwellings in the Historic District Overlay subject to all of the following requirements.

- A. Manufactured homes are prohibited.
- B. Dwellings **located in residential zones** shall conform to the maximum permitted floor area standards of section 18.2.5.070, except that dwellings exceeding the maximum permitted floor area are allowed subject to approval of a Conditional Use Permit under chapter 18.5.4.
- C. Notwithstanding the height standards of the R-1 zone, structures within the Historic Overlay shall not exceed a height of 30 feet.
- D. Retail commercial uses in a dwelling unit within the Railroad Historic Overlay are subject to approval of a Conditional Use Permit under chapter 18.5.4 and shall conform to the standards of section 18.2.3.210.

Commented [MH1]: Clarifies that Maximum Permitted Floor Area (MPFA) applies to homes in residential zones. MPFA in the pre-2015 ordinance was included as a requirement in individual chapters for the single-family (R-1) and multi-family (R-2 and R-3) zones. However, this language was not included in any of the non-residential zones (C-1, E-1 or M-1). This issue came up at the Planning Commission for an application for 868 A St. in 2015.

Section 18.2.3.130 is amended to read as follows:

18.2.3.130 Dwelling in Non-Residential Zone

Where dwellings are allowed in non-residential zones, they are subject to all of the following requirements.

- A. Dwellings in the E-1 zone are limited to the R-overlay zone. See chapter 18.3.13 Residential Overlay.
- B. Dwellings in the E-1 and C-1 zones shall meet all of the following standards: **except that dwellings developed under the Transit Triangle (TT) overlay option are not subject to subsection 18.2.3.130.B, below. See section 18.3.14.040 for the allowed uses in the TT overlay.**
 - 1. **Mixed-Use Developments. If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses.**
 - a. **One Building. When a planning application is limited to one building, residential uses may occupy up to 35 percent of the gross floor area of the ground floor. At least 65 percent of the gross floor area of the ground floor shall be designated for permitted and uses permitted with special use standards, not including residential uses.**
 - b. **More Than One Building. When a planning application includes more than one building, the equivalent of at least 65 percent of the gross floor area of the ground floor for all buildings shall be designated for permitted and uses permitted with special use standards, not including residential uses.**

Commented [MH2]: This language was in the pre-2015 code and inadvertently deleted.

Commented [MH3]: Planning Commission requested simpler methodology and better wording on commercial/residential split for applications involving mixed-use development and multiple buildings. Also raised as an issue to work on by City Council during 2015 code adoption process

2. Residential densities shall not exceed 15 dwelling units per acre in the E-1 zone, 30 dwelling units per acre in the C-1 zone, and 60 dwelling units per acre in the C-1-D zone. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.
3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the underlying zone.
4. Off-street parking is not required for residential uses in the C-1-D zone.
- ~~5. Where the number of residential units exceeds ten, at least ten percent of the residential units shall be affordable for moderate income persons in accord with the standards of section 18.2.5.050. The number of units required to be affordable shall be rounded down to the nearest whole unit.~~

Commented [MH4]: Deleted because inconsistent with state law and appears to be a disincentive to include more than ten residential units in a project.

Section 18.2.5.070 is amended to read as follows:

18.2.5.070 Maximum Permitted Residential Floor Area in Historic District

- A. Purpose.** Section 18.2.5.070 regulates floor area of dwellings to promote compatible building volume and scale in the Historic District.
- B. Applicability.** Within residential zones located in the Historic District Overlay, new structures and additions shall conform to the maximum permitted floor area standards of this section, except as provided by 18.2.5.070.C.

Commented [MH5]: Clarifies that Maximum Permitted Floor Area (MPFA) applies to homes in residential zones. MPFA in the pre-2015 ordinance was included as a requirement in individual chapters for the single-family (R-1) and multi-family (R-2 and R-3) zones. However, this language was not included in any of the non-residential zones (C-1, E-1 or M-1). This issue came up at the Planning Commission for an application for 868 A St. in 2015.

Section 18.3.12.020 is amended to read as follows:

Chapter 18.3.12 – Site Development and Design Overlays

Sections

- 18.3.12.010 Purpose
- 18.3.12.020 Applicability
- 18.3.12.030 Detail Site Review Overlay
- 18.3.12.040 Downtown Design Standards Overlay
- 18.3.12.050 Historic District Overlay
- 18.3.12.060 Pedestrian Place Overlay
- 18.3.12.070 Transit Triangle Overlay**

18.3.12.010 Purpose

The Site Development and Design overlays provide special regulations and standards that supplement the base zoning regulations which are implemented through Site Design Review.

18.3.12.020 Applicability

This chapter applies to the Detail Site Review, Downtown Design Standards, Historic District, ~~and Pedestrian Place~~, and Transit Triangle overlays. Development located within these overlays is required to meet all other applicable sections of this ordinance, except as modified by this chapter. Where the provisions of this chapter conflict with comparable standards described in any other ordinance or regulation, the provisions of this chapter apply.

Section 18.3.12.060 is amended to read as follows:

18.3.12.060 Pedestrian Place Overlay

A. Purpose. The Pedestrian Place overlay is intended to direct and encourage development of small walkable nodes that provide concentrations of gathering places, housing, businesses, and pedestrian amenities situated and designed in a way to encourage walking, bicycling, and transit use.

B. Applicability

1. This section applies to properties designated as Pedestrian Places overlay on the Site Design Zones map.
2. Review Procedure. The Pedestrian Place overlay requirements apply to proposed development located in the Pedestrian Place overlay that requires a planning application approval, and involves development of new structures or additions other than single-family dwellings and associated accessory structures and uses. The provisions of the Pedestrian Place overlay supplement those of the applicable base zoning district and other applicable ordinance requirements.
3. Mixed-Use Buildings in Residential Zones. Mixed-use buildings located in an underlying residential zone require Site Design Review approval in accordance with chapter 18.5.2, and are subject to the standards subsection 18.4.2.040.B Basic Site Review Standards rather than section 18.4.2.030 Residential Development. Mixed-use buildings are subject to all other applicable provisions of part 18.4 Site Development and Design Standards.

4. The Pedestrian Places overlay and development standards do not apply to properties electing to develop under the Transit Triangle (TT) overlay option. See chapter 18.3.14 Transit Triangle Overlay.

C. Pedestrian Place Concept Plans. The Pedestrian Place Concept plans (i.e., site plan, development summary, and building illustrations) are for the purpose of providing an example of development that conforms to the standards, and do not constitute independent approval criteria. Concept plans are attached to the end of this chapter.

D. Development Standards. The following standards shall apply to development in the Pedestrian Places overlay in addition to all applicable provisions of this ordinance.

1. Building Setbacks. The solar access setback in chapter 18.4.8 Solar Access applies only to those lots abutting a residential zone to the north.
2. Plazas and Landscaping Ratio. Outdoor seating areas, plazas, and other useable paved surfaces may be applied toward meeting the landscaping area requirements in chapter 18.4.4 Landscaping, Lighting, and Screening, but shall not constitute more than 50 percent of the required area.

E. Development in Residential Zone. The following standards apply to development located in the Pedestrian Places overlay and a residential zone, in addition to all applicable provisions of this ordinance.

1. Special Permitted Uses. In addition to the permitted uses in the underlying residential zone, the following uses and their accessory uses are permitted subject to the requirements of this section.
 - a. Professional, financial, business and medical offices, and personal service establishments.
 - b. Stores, shops, and offices supplying commodities or performing services.
 - c. Restaurants.
2. Development Standards and Limitations.
 - a. The maximum gross floor area occupied by a special permitted use shall be 2,500 square feet.
 - b. Special permitted uses shall be allowed in a building or in a group of buildings including a mixture of businesses and housing. At least 50 percent of the total gross floor area of a building, or of where there is more than one building on a site, 50 percent of the total lot area including accessory uses such as parking, landscaping and public space, shall be designated for residential uses.
 - c. The development shall meet the minimum housing density requirements of the underlying zone.
 - d. Mixed-use buildings shall be setback not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement.
 - e. Mixed-use developments shall have a minimum Floor Area Ratio (FAR) of .50. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Projects including existing buildings or vacant parcels of a half an acre or greater in size shall achieve the required minimum FAR or provide a shadow plan (see graphic) that demonstrates how development may be intensified over time to meet the required minimum FAR.

Section 18.3.12.070 is added as follows:

18.3.12.070 Transit Triangle Overlay

- A. The Transit Triangle (TT) overlay is that area defined in the Site Design Zones map.**
- B. Development in the Transit Triangle overlay is subject to chapter 18.3.14 Transit Triangle Overlay in addition to all other applicable sections of this ordinance.**

Section 18.3.13.010 is amended as follows:

18.3.13.010 Residential Overlay Regulations

- A. Purpose. The Residential overlay is intended to encourage a concentration and mix of businesses and housing that provides a variety of housing types, supports resource and energy conservation, and promotes walking, bicycling, and transit use.
- B. Applicability. The Residential overlay applies to all property where 'Residential Overlay' (R) is indicated on the Zoning map.
- C. Requirements. The Residential overlay requirements are as follows, ~~except that~~ **except that dwellings developed under the Transit Triangle (TT) overlay option are not subject to subsection 18.3.13.010 C, below. See section 18.3.14.040 for the allowed uses in the TT overlay.**
 - 1. ~~Mixed-Use Developments. If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses.~~
 - a. **One Building. When a planning application is limited to one building, residential uses may occupy up to 35 percent of the gross floor area of the ground floor. At least 65 percent of the gross floor area of the ground floor shall be designated for permitted and uses permitted with special use standards, not including residential uses.**
 - b. **More Than One Building. When a planning application includes more than one building, the equivalent of at least 65 percent of the gross floor area of the ground floor for all buildings shall be designated for permitted and uses permitted with special use standards, not including residential uses.**
 - 2. Residential densities shall not exceed 15 dwelling units per acre. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.
 - 3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the E-1 District.
 - 4. ~~If the number of residential units exceeds ten, then at least 10 percent of the~~

Commented [MH6]: This language was in the pre-2015 code and inadvertently deleted.

Commented [MH7]: Planning Commission requested simpler methodology and better wording on commercial/residential split for applications involving mixed-use development and multiple buildings. Also raised as an issue to work on by City Council during 2015 code adoption process

~~residential units shall be affordable for moderate-income persons in accord with the standards established by resolution of the City Council through procedures contained in the resolution. The number of units required to be affordable shall be rounded down to the nearest whole unit.~~

Commented [MH8]: Deleted because inconsistent with state law and appears to be a disincentive to include more than ten residential units in a project.

Section 18.4.3.030 is amended to read as follows:

18.4.3.030 General Automobile Parking Requirements and Exceptions

A. Minimum Number of Off-Street Automobile Parking Spaces. Off-street parking shall be provided pursuant to one of the following three methods and shall include required Disabled Person Parking.

1. Standard Ratios for Automobile Parking. The standards in Table 18.4.3.040.
2. Unspecified Use. Where automobile parking requirements for any use are not specifically listed in Table 18.4.3.040, such requirements shall be determined by the Staff Advisor based upon the most comparable use specified in this section, and other available data.
3. Parking Demand Analysis. The approval authority through a discretionary review may approve a parking standard that is different than the standards under subsection 1 and 2, above, as follows.
 - a. The applicant submits a parking demand analysis with supporting data prepared by a professional engineer, planner, architect, landscape architect, or other qualified professional;
 - b. The parking analysis, at a minimum, shall assess the average parking demand and available supply for existing and proposed uses on the subject site; opportunities for shared parking with other uses in the vicinity; existing public parking in the vicinity; transportation options existing or planned near the site, such as frequent bus service, carpools, or private shuttles; and other relevant factors. The parking demand analysis option may be used in conjunction with, or independent of, the options provided under section 18.4.3.060 Parking Management Strategies.
 - c. The review procedure shall be the same as for the main project application.

B. Maximum Number of Off-Street Automobile Parking Spaces. The number of spaces provided by any particular use in ground surface lots shall not exceed the number of spaces required by this chapter by more than ten percent. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface lots, shall not apply towards the maximum number of allowable spaces.

C. Commercial Downtown Zone. All uses within the C-1-D zone, except for hotel, motel, and hostel uses, are exempt from the off-street parking requirements of this section.

Commented [MH9]: Commercial added to match C-1-D zone title.

D. North Mountain Plan District. Within the Neighborhood Central zone of the North Mountain (NM) Neighborhood Plan district, all uses are exempt from the off-street parking

requirements of this section, except that residential uses are required to provide a minimum of one parking space per residential unit.

Section 18.4.3.040 is amended to read as follows:

18.4.3.040 Parking Ratios

Except as provided by section 18.4.3.030, the standard ratios required for automobile parking are as follows. See also, accessible parking space requirements in section 18.4.3.050.

Table 18.4.3.040 – Automobile Parking Spaces by Use	
Use Categories	Minimum Parking per Land Use (Based on Gross Floor Area; fractions are rounded to whole number.)
Residential Categories	
Single-Family Dwellings	2 spaces for detached dwelling units-and the following for-attached dwelling units. a. Studio units or 1-bedroom units less than 500 sq. ft. --1 space/unit. b. 1-bedroom units 500 sq. ft. or larger -- 1.50 spaces/unit. c. 2-bedroom units -- 1.75 spaces/unit. d. 3-bedroom or greater units -- 2.00 spaces/unit.
Accessory Residential Units	a. Units less than 800 sq. ft.-- 1 space/unit, except. as exempted in subsection 18.2.3.040.A. b. Units greater than 800 sq. ft. and up to 1,000 sq. ft. -- 2.00 spaces/unit.
Multi-Family Dwellings	a. Studio units or 1-bedroom units less than 500 sq. ft. -- 1 space/unit. b. 1-bedroom units 500 sq. ft. or larger -- 1.50 spaces/unit. c. 2-bedroom units -- 1.75 spaces/unit. d. 3-bedroom or greater units -- 2.00 spaces/unit. e. Retirement complexes for seniors 55-years or greater -- One space per unit. <u>f. Transit Triangle (TT) overlay option developments, see chapter 18.3.14.</u>
Cottage Housing	a. Units less than 800 sq. ft. -- 1 space/unit. b. Units greater than 800 sq. ft. and less than 1000 sq. ft. -- 1.5 spaces/unit. c. Units greater than 1000 sq. ft. -- 2.00 spaces/unit. d. Retirement complexes for seniors 55-years or greater -- One space per unit.

Table 18.4.3.040 – Automobile Parking Spaces by Use	
Use Categories	Minimum Parking per Land Use (Based on Gross Floor Area; fractions are rounded to whole number.)
Manufactured Housing	Parking for Manufactured Home on Single-Family Lot is same as Single Family Dwelling; for Manufactured Housing Developments, see sections 18.2.3.170 and 18.2.3.180.
Performance Standards Developments	See chapter 18.3.9.
Commercial Categories	
Auto, boat or trailer sales, retail nurseries and other open-space uses	1 space per 1,000 sq. ft. of the first 10,000 sq. ft. of gross land area; plus 1 space per 5,000 sq. ft. for the excess over 10,000 sq. ft. of gross land area; and 1 space per 2 employees.
Bowling Alleys	3 spaces per alley, plus 1 space for auxiliary activities set forth in this section.
Chapels and Mortuaries	1 space per 4 fixed seats in the main chapel.
Hotels	1 space per guest room, plus 1 space for the owner or manager; see also, requirements for associated uses, such as restaurants, entertainment uses, drinking establishments, assembly facilities.
Offices	General Office: 1 space per 500 sq. ft. floor area. Medical/Dental Office: 1 space per 350 sq. ft. floor area.
Restaurants, Bars, Ice Cream Parlors, Similar Uses	1 space per 4 seats or 1 space per 100 sq. ft. of gross floor area, whichever is less.
Retail Sales and Services	General: 1 space per 350 sq. ft. floor area. Furniture and Appliances: 1 space per 750 sq. ft. floor area.
Skating Rinks	1 space per 350 sq. ft. of gross floor area.
Theaters, Auditoriums, Stadiums, Gymnasiums and Similar Uses	1 space per 4 seats.
Travelers' Accommodations	1 space per guest room, plus 2 spaces for the owner or manager.
Industrial Categories	
Industrial, Manufacturing and Production, Warehousing and Freight	1 space per 1,000 sq. ft. of gross floor area, or 1 space for each 2 employees whichever is less, plus 1 space per company vehicle.
Institutional and Public Categories	
Aircraft Hangar - Ashland Municipal Airport	One space per hangar or one space per four aircraft occupying a hangar, whichever is greater. Parking spaces shall be provided within the hangar or within designated vehicle parking areas identified in the adopted Ashland Municipal Airport Master Plan.
Clubs, Fraternity and Sorority Houses; Rooming and Boarding Houses; Dormitories	2 spaces for each 3 guest rooms; in dormitories, 100 sq. ft. shall be equivalent to a guest room.
Daycare	1 space per two employees; a minimum of 2 spaces is required.
Golf Courses	Regular: 8 spaces per hole, plus additional spaces for auxiliary uses. Miniature: 4 spaces per hole.
Hospital	2 space per patient bed.
Nursing and Convalescent Homes	1 space per 3 patient beds.

Table 18.4.3.040 – Automobile Parking Spaces by Use	
Use Categories	Minimum Parking per Land Use (Based on Gross Floor Area; fractions are rounded to whole number.)
Public Assembly	1 space per 4 seats
Religious Institutions and Houses of Worship	1 space per 4 seats.
Rest Homes, Homes for the Aged, or Assisted Living	1 space per 2 patient beds or 1 space per apartment unit.
Schools	Elementary and Junior High: 1.5 spaces per classroom, or 1 space per 75 sq. ft. of public assembly area, whichever is greater
	High Schools: 1.5 spaces per classroom, plus 1 space per 10 students the school is designed to accommodate; or the requirements for public assembly area, whichever is greater
	Colleges, Universities and Trade Schools: 1.5 spaces per classroom, plus 1 space per five students the school is designed to accommodate, plus requirements for on-campus student housing.
Other Categories	
Temporary Uses	Parking standards for temporary uses are the same as for primary uses, except that the City decision-making body may reduce or waive certain development and designs standards for temporary uses.

Section 18.4.3.060 is amended to read as follows:

18.4.3.060 Parking Management Strategies

Except for single-family dwellings, the off-street parking spaces may be reduced through the application of the following credits. The total maximum reduction in off-street parking spaces is 50 percent, except as allowed for Off-Site Shared Parking credits in subsection 18.4.3.060.E, below. The approval authority may require a parking analysis prepared by a qualified professional. See 18.4.3.030.A.3 for parking analysis requirements.

A. On-Street Parking Credit. Credit for on-street parking spaces may reduce the required off-street parking spaces up to 50 percent, as follows.

1. Credit. One off-street parking space credit for one on-street parking space meeting the standards of subsections 2-4, below. See Figure 18.4.3.060.A.1.

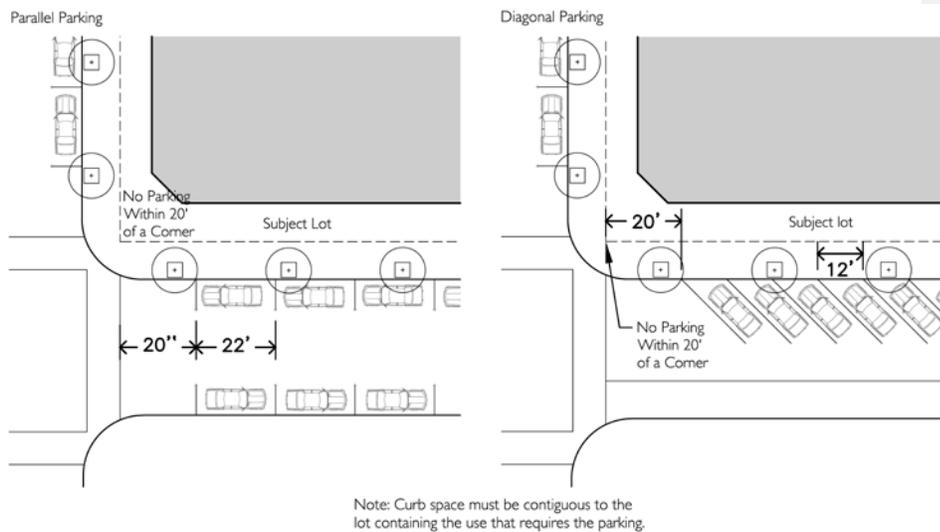


Figure 18.4.3.060.A.1
On-Street Parking Credit

2. Dimensions. On-street parking shall follow the established configuration of existing on-street parking, except that 45-degree diagonal parking may be allowed with the approval of the Public Works Director, taking into account traffic flows and street design, with the parking spaces designed in accord with the standards on file with the Public Works Department.
 - a. Parallel parking, each 22 feet of uninterrupted curb.
 - b. 45-degree diagonal, each 12 feet of uninterrupted curb.
3. Location
 - a. Curb space must be contiguous to the lot containing the use that requires the parking.
 - b. Parking spaces may not be counted that are within 20 feet measured along the curb of any corner or intersection of an alley or street, nor any other parking configuration that violates any law or standard of the City or State.
 - c. Parking spaces located on arterials and collectors may only receive credit if the arterial or collector is greater in width than the minimums established by the street standards in section 18.4.6.040.
 - d. Parking spaces may not be counted that are within 200 feet of a C-1-D or SOU zone.
 - e. Parking spaces may not be counted that are required as on-street parking in accordance with section 18.3.9.060 in a development under the Performance

Standards Option.

4. Availability. On-street parking spaces credited for a specific use shall not be used exclusively by that use, but shall be available for general public use at all times. No signage or actions limiting general public use of on-street spaces shall be permitted.

B. Alternative Vehicle Parking. Alternative vehicle parking facilities may reduce the required off-street parking spaces up to 25 percent, as follows.

1. Motorcycle or scooter parking. One off-street parking space credit for four motorcycle or scooter parking spaces.
2. Bicycle parking. One off-street parking space credit for five additional, non-required bicycle parking spaces.

3. Microcar parking. One off-street parking space credit for two microcar parking spaces. Microcar spaces shall be designed so that one full size automobile can use two microcar spaces, and the microcar spaces shall not be limited in use by hours or type of vehicle through signage or other legal instrument.

C. Mixed Uses. In the event that several users occupy a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for the several uses computed separately unless it can be shown that the peak parking demands are offset, in which case the mixed-use credit may reduce the off-street parking requirement by a percentage equal to the reduced parking demand. A mixed-use parking credit may reduce the required off-street parking spaces up to 50 percent.

D. Joint Use of Facilities. Required parking facilities of two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that it can be shown by the owners or operators that the need for the facilities does not materially overlap (e.g., uses primarily of a daytime vs. nighttime nature) and provided that such right of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing such joint use. Jointly-used parking facilities may reduce the required off-street parking spaces up to 50 percent.

E. Off-Site Shared Parking. One off-street parking space credit for every one parking space constructed in designated off-site shared parking areas, or through payment of in-lieu-of-parking fees for a common parking. Off-site shared parking facilities may reduce the required off-street parking spaces up to 100 percent.

F. TDM Plan Credit. Through implementation of an individual Transportation Demand Management (TDM) plan that demonstrates a reduction of long-term parking demand by a percentage equal to the credit requested. A TDM plan may reduce the required off-street parking spaces up to 50 percent.

G. Transit Facilities Credit. Sites where at least 20 spaces are required and where at least one lot line abuts a street with transit service may substitute transit-supportive plazas as follows. A Transit Facilities Credit may reduce the required off-street parking spaces up to 50 percent.

1. Pedestrian and transit supportive plazas may be substituted for up to ten percent of the required parking spaces on-site.

Commented [MH10]: Suggestion from developer roundtable in 2017 to add flexibility to address changing automobile technology.

2. A street with transit service shall have a minimum of 30-minute peak period transit service frequency.
3. Existing parking areas may be converted to take advantage of these provisions.
4. The plaza must be adjacent to and visible from the transit street. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop.
5. The plaza must be at least 300 square feet in area and be shaped so that a ten-foot by ten-foot (10 feet X 10 feet) square will fit entirely in the plaza.
6. The plaza must include all of the following elements.
 - a. A plaza that is open to the public. The owner must record a public access easement that allows public access to the plaza.
 - b. A bench or other sitting area with at least five linear feet of seating.
 - c. A shelter or other weather protection. The shelter must cover at least 20 square feet and the plaza must be landscaped. This landscaping is in addition to any other landscaping or screening required for parking areas by this ordinance.

Section 18.6.1.030 is amended to read as follows:

18.6.1.030 Definitions

The following definitions are organized alphabetically.

Basement. That portion of a building with a floor-to-ceiling height of not less than six-and-a-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.

Floor Area, Gross Habitable. ~~The total area of all floors in a dwelling measured to its outside surfaces that are under the horizontal projection of the roof or floor above with at least seven feet of head room, excluding uninhabitable spaces accessed solely by an exterior door.~~

Commented [MH11]: Planning Commission requested clarification of definitions of basement, floor area and story to address discussion that came up in decision for 1651 Ashland St., Rogue Federal Credit Union.

Floor Area, Gross. ~~The total area of all floors in a building measured to the outside surfaces that are under the horizontal projection of the roof or floor above.~~

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 Area.** The 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 head room of less than six-and-a-half feet, and unenclosed steps, porches, terraces and balconies. Individual sections of this ordinance may exempt

Commented [MH12]: Currently used in code to regulate the commercial and residential split in mixed use projects in the C-1, E-1, M-1, CM, PP and NN zones. Also used to calculate the plaza requirement for large scale project in the Detail Site Review overlay. Also used to regulate building volume and calculate the minimum FAR in the Detail Site Review overlay.

additional spaces from gross floor area.

- **Gross Habitable Floor Area.** The 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 the primary dwelling, including but not limited to potential living spaces within the structure with at least seven feet of head room and attached garages. Basements, detached garages, detached accessory structures, and detached accessory residential units are not counted in the gross floor area for the MPFA calculation if separated from the primary dwelling by six feet or more. Similarly, unenclosed breezeways, and similar open structures connecting an exempt detached structure to the primary dwelling are not counted in the MPFA calculation.

Commented [MH13]: Currently used in code to regulate the size of ARUs and 500 square foot residential units in the C-1, E-1, CM, NM zones.

Commented [MH14]: Used to regulate the volume/size of buildings in the Historic Districts in R-1, R-2 and R-3 zones. This is existing language in 18.2.5.070.D and E that is simply repeated in the definitions for consistency and cross reference.

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

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 accommodate two microcars.

Commented [MH15]: To address new parking management strategy for microcars.

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

Commented [MH16]: Edited for clarity at request of the Planning Commission.

RECEIVED

JUN 14 2018

June 13th, 2018

Ashland City Council & Planning Commission
59 Winbrun Way
Ashland, OR 97520

Subject: Transit Triangle – for the Pending August City Council Hearing

Dear Ashland City Council and Planning Commission members,

I would like to encourage the City Council adopt the proposed Transit Triangle Overlay. Unfortunately, I will be out of town during the planned August hearing, but wanted to forward my comments to the Council for consideration. Further, during the Planning Commission's 6.12.18 public hearing, I presented my comments, but due to the 5 minute time limit and the complex nature of the proposed ordinance, I was not able to fully relay my concerns or praise. That said, the proposed code and its intent are great and I believe it will provide some enticement necessary to develop vertically in this area, but I also feel the following should be considered to truly realize the intended vision:

Rental Unit Requirement: There is no dispute Ashland is in need of rental housing units. However, I would argue Ashland needs *all* types of housing units and by unnecessarily regulating the market to require developments to provide 100% rental units when "opting" to develop under the proposed Transit Triangle code will be an impediment to developers and investors. The intent is good, but the unintended consequences in a very complex financing environment with risk adverse developers and bankers is likely to result in no housing or less housing. In my opinion, this is similar to the 2007 code adoption of where condominium conversions to apartments prior to 2007 required a portion of such units to be affordable. Yes, the code resulted in little to no new conversions, but it also resulted in zero new apartments being developed other than those provided by the Jackson County Housing Authority which is subsidized housing. There are a number of reasons, but the primary reason is that developers since 2007 have simply developed multi-family developments as condominiums or townhomes and either choose to rent or sell based on their circumstances, but most importantly retain control of their investment vs. their investment being under the control of the City Council (i.e. an updated "2018" Condominium Conversion Code).

Smaller Units: The Floor Area Ratio (FAR) strategy is a great method of producing smaller housing units, rental or for sale, without overly regulating the investor's goals or market demands. However, as discussed with the Planning Staff after the meeting, a "minimum density" provision should be considered in addition to the FAR in order to insure the City's goal of creating smaller units. As it stands, without a minimum density provision, an applicant could build a single residential unit of two or three stories and be in compliance with the proposed code.

10' Building Stepback when > 25': This provision also has unintended consequences as it too is an impediment to obtaining needed housing. Depending on the building's design, the added cost to a

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typical three-story building could be between \$60,000 and \$90,000 (possibly more) as the bearing loads shift from the perimeter of the building and thus more steel, concrete and engineering. Further, if the Council elects to retain the requirement that 100% of the proposed units are to be "rental" units, it will simply add costs that further limits potential investment and thus limits opportunity for needed housing. Secondly, I've never known anyone who does not like Downtown Ashland and its mix of eclectic buildings which generally have little to no upper floor stepback volumes (with the one exception of Martino's/Macaronis which design was heavily scrutinized in 1999 and eventually lead to the creation of the Downtown Design Standards and the prohibition of upper story balconies). That said, why would we adopt a stepback provision when we have multiple streetscapes within the well liked Downtown area that does not include stepbacks and in fact, are prohibited?

65% - 35% Rule: As I mentioned to the Planning Commission, the norms of retail along Main Street America are changing drastically. With the predatory practices of Amazon and Big Box retailers as well as internet shopping and inexpensive products from China, India and other emerging economies, our retail and manufacturing zoning codes are antiquated and need reevaluation. That said, I applaud the consultant's recommendation to reduce the 65% - 35% (office/retail vs. residential) code to a more realistic 50% - 50%, but instead argue we should go further and instead adopt a 35% - 65% provision so that we not only reduce the probability of vacant storefronts which in turn deflates commercial investment which in turn will limit any investment within not only the Transit Triangle area, but other parts of Ashland. The end result should help provide needed housing and probably more affordable housing in those ground floor areas.

Note: During the 6.12.18 Planning Commission hearing, the Commission agreed with the 35% - 65% suggestion, but if the Council deems this approach too drastic, I would at least recommend language that starts at 50% (as proposed by the consultant) with a provision that an additional 15% (or more) of the ground floor area could be residential "if" the additional space could be shown, at the time of the Building Permit, to be adaptable space.

Microcar Parking: This provision makes sense only in parallel parking situations (not head-in) as the front car is not dependant on the rear car being moved. However, I'm not clear as to the language that limits signage. In multi-family developments, how are these spaces differentiated if not for signage? Would surface graphics be an acceptable sign (or warning) for third parties not aware of the unique parking space?

Vertical Housing Tax Credit Zone (VHDZ): During the 6.12.18 Planning Commission hearing, some members wanted to offer their support to the Council for this little known tax program, but others either were not aware or felt it really wasn't in their purview to do so. I contend it's a great program with little to zero impact on City funds and request the Council adopt the program.

The program essentially offers a *10 year / 20% Tax Exemption "per floor"* above the ground floor commercial space for multi-story buildings in order to encourage multi-story mixed-use developments in under-utilized, but over-capitalized areas like the Ashland Transit Triangle area. A number of cities

within the State of Oregon already have a VHDZ, such as the City's of Medford and Central Point. If units are sold, the 20% exemption "remains" with unit owners. For example, a \$3,000 annual tax X 20% = \$600 or \$50 per month. If units are rented, the 20% exemption "remains" with the developer and can help offset expensive development regulations such as the suggested building setback as noted above or AMC 18.4.3.080 #5 Environmental & Microclimatic Impacts for parking lots. The same VHDZ program offers an Affordable Housing Option "in combination" with the vertical tax exemption and should be seriously considered along with this effort.

Again, I really do value the proposed code and believe it will become another great land use tool for Ashland, but I do believe some tweaks if not some critical thinking relating to new technologies and business practices for future amendments are warranted. I also believe the code language could be used as an overlay to the vacant Railroad Property, but with even more flexibility to encourage 5 or 6 story buildings. Finally, I have zero financial or professional interest within the Transit Triangle area and speaking solely as an interested citizen.

Sincerely,

Mark Knox
485 W. Nevada Street
Ashland, OR 97520
541-821-3752

RECEIVED

JUN 14 2018

ATTN: LEGAL PUBLICATIONS (NICK)

PUBLIC HEARING NOTICE

On **July 24, 2018**, the Ashland Planning Commission will hold a continued public hearing regarding proposed land use ordinance amendments to Title 18 Land Use in the Ashland Municipal Code related to the Transit Triangle Overlay. The Planning Commission will discuss the use of a minimum density requirement in the Transit Triangle Overlay. The Planning Commission will review the ordinance amendments and make recommendations to the Ashland City Council. The public hearing will be held at 7:00 p.m. at the Ashland Civic Center Council Chambers located at 1175 E. Main St., Ashland, OR.

The Planning Commission held public hearings on May 22, 2018 and June 12, 2018 on a new Chapter 18.3.14 Transit Triangle Overlay, a Transit Triangle (TT) overlay map and a series of amendments to the Ashland Municipal Code (AMC) Title 18 Land Use to implement the recommendations of the infill strategy project for the area surrounding the bus route in the southeastern part of Ashland that circulates on Ashland St., Tolman Creek Rd., and Siskiyou Blvd. The Commission also reviewed minor edits and corrections to AMC 18.2.3.120 Dwelling in Historic District Overlay, AMC 18.2.3.130 Dwelling in Non-Residential Zone, AMC 18.2.5.070 Maximum Permitted Residential Floor Area in Historic District, AMC 18.3.13.010 Residential Overlay Regulations, AMC 18.4.3.030.C Downtown Zone, AMC 18.4.3.060 Parking Management Strategies and AMC 18.6.1.030 Definitions. The Commission recommended approval of the package of ordinances and maps and this recommendation will be forwarded to the Ashland City Council.

The proposed ordinance amendments are available for review online at www.ashland.or.us/transit_triangle and at the City of Ashland Department of Community Development located at 51 Winburn Way, Ashland, OR between 8:30 a.m. and 4:30 p.m. Copies of the ordinance and file information are available for purchase if requested. For additional information concerning these ordinance amendments, call the Ashland Planning Division at 541-488-5305.

Oral and written public testimony, regarding this matter will be accepted at the public hearing before the Planning Commission on July 24, 2018. Written statements are encouraged and may be submitted prior to the hearing dates. Mail written comments to Maria Harris, Planning Manager, City of Ashland Department of Community Development, 20 E. Main St., Ashland OR 97520, via FAX at 541-552-2050, or via E-mail at maria.harris@ashland.or.us. Failure to raise an issue in person or in writing prior to the close of the public hearing with sufficient specificity to provide the reviewing bodies opportunity to respond to the issue may preclude your opportunity for appeal on that issue.

By the order of Bill Molnar, Community Development Director

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at (541) 488-6002 (TTY phone number 1-800-735-2900). Notification 72 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title I).

Publish: Friday July 13, 2018

E-mailed: _____

Purchase Order: # _____

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
MINUTES
June 12, 2018

CALL TO ORDER

Chair Roger Pearce called the meeting to order at 7:04 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

Commissioners Present:

Troy Brown, Jr.
Michael Dawkins
Melanie Mindlin
Haywood Norton
Roger Pearce

Staff Present:

Bill Molnar, Community Development Director
Maria Harris, Planning Manager
Dana Smith, Executive Assistant

Absent Members:

Lynn Thompson

Council Liaison:

Dennis Slattery, absent

ANNOUNCEMENTS

Community Development Director Bill Molnar explained the Commission would hear two public hearings at their meeting June 26, 2018. The Wildfire Ordinance and the appeal of the Southern Oregon University (SOU) cell tower. He recommended starting with the Wildfire Ordinance then continuing it to another meeting to accommodate the appeal. The City Council would have a public hearing June 19, 2018, regarding the Accessory Residential Units Amendments Ordinance. He encouraged commissioners to attend the meeting. He distributed the draft agenda for the upcoming Retreat. Lastly, former Commissioner Miller had withdrawn her request for reappointment.

AD-HOC COMMITTEE UPDATES

Commissioner Brown provided an update on the Transportation System Development Review Committee. They met earlier in the day and set the groundwork for the review process.

CONSENT AGENDA

A. Approval of Minutes

1. May 8, 2018 Regular Meeting
2. May 22, 2018 Study Session

Commissioners Brown/Mindlin m/s to approve the minutes of the Regular meeting May 8, 2018. Chair Pearce was absent for the meeting and abstained from the vote. Voice Vote: all AYES. Motion passed 4-0.

Commissioners Dawkins/Brown m/s to approve the minutes of the Study Session May 22, 2018. Voice Vote: all AYES. Motion passed 5-0.

PUBLIC FORUM

Huelz Gutcheon/Ashland/Spoke on climate change, the need to stop development, how wealthy people moving to town increased criminal behavior, and traffic.

TYPE III PUBLIC HEARINGS

A. PLANNING ACTION: PA-L-2018-00001

DESCRIPTION: An ordinance adding a new Chapter 18.3.14 Transit Triangle Overlay, a Transit Triangle (TT) overlay map and amending chapters 18.2.1, 18.2.2, 18.2.3, 18.2.3, 18.3.12, 18.3.13, 18.4.3, 18.6.1 of the Ashland Municipal Code to implement the recommendations of the infill strategy project for the area surrounding the bus route in the southeastern part of Ashland that circulates on Ashland St., Tolman Creek Rd., and Siskiyou Blvd., also referred to as the transit triangle.

Chair Pearce explained this was a continued public hearing from the meeting May 22, 2018. This was not a quasi-judicial public hearing. The Commission would make a recommendation to the City Council. Community Director Bill Molnar added Fregonese and Associates were unable to attend the meeting due to a family emergency.

Staff Report or Consultant Report

Planning Manager Maria Harris explained the project started in 2016 and consisted of nine public meetings, two phases, two stakeholder's meetings and an open house. Staff emailed the public hearing notice to all participants in the open house and stakeholder meetings in addition to the newspaper.

The Transit Triangle would increase rental housing units and provide an area where residents had options for getting around. Currently, the purchasing power of a median-income household in Ashland was \$217,950. In 2017, the median home price was \$421,500. There were low vacancy rates and increased rental costs. In Ashland, 39.4% of households had one person compared to 27.8 for the state. Of that, 44.8% of those households were renter-occupied. The median size for Ashland was two people per household.

The proposed area had a supply of vacant and re-developable land. It was served by Rogue Valley Transportation District (RVTD) Route 10 with shopping and services within walking distance.

Background supporting the project included:

The 2015 City Council Strategic Plan

- 5.2.a Pursue affordable housing opportunities, especially workforce housing. Identify specific incentives for developers to build more affordable housing.
- 13.2 Develop infill and compact urban form policies.
- 18.2 Develop and encourage alternative transportation options.

The 2012 Greater Bear Creek Valley Regional Plan

- No areas identified for urban growth boundary expansion.
- Minimum of 6.6 dwelling units per gross acre.

A recent report from the Regional Housing Strategy that showed Ashland was slightly behind the minimum 6.6 dwellings at 6.4 units per gross acre.

The project's purpose was encouraging development and redevelopment adjacent to the bus route that included commercial and residential uses. Being near the bus route provided transportation options and promoted sustainable planning.

Project Objectives included:

- Diversify housing supply by providing an area to build moderately priced rental units.
- Provide a better environment for local business development and expansion.
- Support transit service through increased ridership.
- Create a walkable setting in close proximity to existing neighborhoods.

The market feasibility model under the current zoning and development standards indicated large residential units with rates exceeding market rates. Commercial rents were too low to make construction feasible. Changing the

requirements for residential density, the number of stories, required parking and landscaping coverage could result in the following:

- Increased number of residential units.
- A decrease in the size of residential units.
- Rents decreased.

Fregonese and Associates put together several ordinance changes. The Transit Triangle Overlay created a new chapter, **18.3.14** that was optional and not mandatory. However, if a developer elected to use the overlay, they would have to meet all requirements of **18.3.14**. The Overlay option required residential units to be rentals. It prohibited hotel, motel and Travelers' Accommodations prohibited. The commercial and residential split included:

- C-1 and E-1: 50% of the ground floor in permitted uses (non-residential).
- R-2 and R-3: 60 square feet of retail, restaurant or office permitted for each residential unit.

For Dimensional Standards in the Overlay Option, they suggested a maximum Floor Area Ratio (FAR) of 1.5 for C-1 and E-1 Zones. For R-2 and R-3 zones, the maximum would be 1.25 FAR. Building height for C-1 and E-1 would be 50-feet or four stories. R-2 and R-3 zones were 42-feet or three stories.

There were no changes in the landscape area for C-1 and E-1. It would remain at 15%. Landscape area for R-2 and R-3 zones was reduced 20 percent. Open space did not change for C-1 and E-1 zones and was not required for R-2 and R-3.

There were no changes for C-1 and E-1 regarding building separation. In R-2 and R-3 zones, it was not required. Yard setbacks were 15-feet from residential yards for C-1 and E-1 zones. There would be a 5-foot minimum setback for front yards in R-2 and R-3 zones. A new requirement was building step backs for side streets within 25-feet of a residential zone. Any portion of a building over 25 feet must be stepped back 10-feet. An alternative from the developer roundtable included a combination of articulation, offsets, setback, angles or curves to reduce building mass instead of using a step back.

Parking under the Overlay Option would require one space for units less than 800 sq. ft. It would provide a three-space off-street parking credit for retail, restaurant, or office.

Other Amendments deleted the requirement for affordable units in C-1 and E-1 for projects with over 10 residential units. It added a micro-car parking management strategy with a credit of up to 25%.

Next Steps included a public hearing at the City Council meeting on August 7, 2018.

Questions of Staff

Commissioner Mindlin addressed the articulation option for the step back from the developer roundtable discussion. How would they determine if something articulated was adequate? Ms. Harris explained initially the requirement where 25% of the façade shall be articulated was in the original draft. They removed it because it would be difficult to apply. It would be up to the hearing authority to determine. It was similar to the detail site review zone that provided offsets or entry alcoves to break up the building mass. Not all of the Transit Triangle was in the detail site review zone. The R-2 and R-3 zones would be subject to the residential site review standards and then the few standards included in the transit triangle.

Commissioner Brown was not sure it would work. The Transit Triangle was trying to reduce the perception of mass. Articulation made it opinion based and therefore subjective and difficult for the Commission to make a determination. It left the City open to appeals. He was not comfortable replacing the step back with articulation. Mr. Molnar did not think it was different from developing in the detail site review zone or under the large-scale development standards. It did not quantify the actual amount of offset. It had similar standards in terms of using a change of materials. Ultimately

the burden was on the applicant to convince the Commission they tried to reduce building mass. Commissioner Brown explained it was using mass that made it too subjective. The standard was in there but for a different purpose. It could not be done with an objective code statement. Having a 10-foot step back or range worked. Chair Pearce agreed. Commissioner Brown thought it should be removed from **18.3.14(B)(4)**. Commissioner Norton suggested using an average for setback and let public comment determine approval.

Staff confirmed the plaza requirement would apply through the detail site review standards. It counted towards the FAR.

Commissioner Mindlin noted the height definition **18.6.1.030 Definitions**. One definition had a 6.5-foot height and another definition showed 7-feet for floor areas. Ms. Harris clarified the different definitions of floor area were used in different ways. It was not counting at 6.5. It counted at the 7-foot maximum permitted floor area because that was the volume measurement for residential historic district buildings. It counted spaces that could be converted into living space. The maximum permitted floor area was only used in reference to historic districts.

Chair Pearce wanted to include a reference to the vertical housing ordinance. Ms. Harris explained the Council would review a draft vertical housing ordinance in August. Commissioner Norton was not comfortable recommending vertical housing without more information. Ms. Harris added it was included in Fregonese and Associates' Ashland Infill Strategies report. Commissioner Mindlin raised a concern regarding the tax incentive for vertical housing. Chair Pearce explained it was a state statute that could be implemented in certain areas. Ms. Harris further explained the City could tailor the zone to the community. It encouraged development in areas that had languished. Commissioner Mindlin thought it made sense but it was usually geographic with an overlay zone.

Public Testimony

Mark Knox/Ashland/Supported the project with small changes. He addressed the discussion regarding setbacks Commissioner Mindlin and Commissioner Brown had earlier. The state required the setback to be clear and objective. He stated he had no financial interest and was speaking from a citizen and planning perspective only. He referenced the downtown design standards and discussion on having balconies. It resulted in a standard with illustrations on how it could work and withstand appeals. He was recently in Tiburon California and was surprised to see roughly 40% of the businesses were closed due to the influx of Amazon. It was a circumstance that could occur in Ashland. He suggested the ground floor be 35% commercial in this zone and 65% residential. He was struggling with the requirement of having residential units as apartments. It should be a requirement for housing. Adding impediments could affect financing and construction. If the units were built as condominiums, they could still be rentals.

Zach Brombacher/Ashland/Moved to Ashland in the 1960s. People did not think the town could get built up to where it was. He commented on the overcrowding the infill strategy was having on the town. He was zoned E-1 in the south part of Ashland. He wanted to see more jobs created. Requiring residential units above commercial was not conducive to the light industrial and truck traffic. Every square foot of his property was worth quite a bit. Taking away frontage from his land took away money. He did not support having tall buildings in the area. He commented on developments receiving discounts and not having to pay local improvement districts (LIDs) due to low-income and senior citizens. Ashland was a unique place. He believed the homes would always be expensive.

Deliberations & Decision

Commissioner Dawkins had an issue requiring the units to be rentals. He understood why the requirement was there but thought Mr. Knox's point was well taken. Chair Pearce thought the requirement was problematic. The units needed to be affordable. Units could be rented whether they were owned individually or had several owners. Commissioner Brown agreed. It seemed heavy handed. Ms. Harris explained it was in the original drafts from Fregonese and Associates. It was an option for someone if they wanted to develop ownership housing. They could but would be unable to take advantage of the Transit Triangle provisions that included less parking and landscaping and larger buildings. Commissioner Dawkins thought it would deter development. Commissioner Mindlin commented

it was part of their modeling program. It provided developers with a financially feasible plan. Commissioner Dawkins noted at approximately \$1,400 a month, the rental costs were not affordable. Mr. Molnar clarified it was an option to build 30 units an acre at three stories and not be tied to rental or new ownership. He was curious at the long-term affordability with condominiums. This option retained the units as rentals and kept rental costs down over the long term. Chair Pearce observed a single owner would have the same costs as a condominium association. Ms. Harris explained when Fregonese and Associates modeled the plan they had a rate of return for rental units and ownership units. In addition, workforce housing was a City Council goal. Fregonese and Associates looked at the different demographic groups that typically were attracted to different and diverse housing types. Commissioner Norton added there were different standards for condominiums. Converting apartments to condominiums could reduce the number of units in order to meet the standards.

Commissioner Mindlin thought they should try the plan and readdress it if no development occurred over two years. Chair Pearce added City Council wanted to encourage more rentals. He was comfortable keeping it rental. Commissioner Dawkins thought there would be a couple of councilors who would object to keeping it rental. Commissioner Norton supported trying it and seeing what happened.

Commissioner Mindlin appreciated Mr. Knox's suggestion of changing the percentage of commercial versus housing. Commissioner Brown proposed changing it to 35% commercial and 65% residential. Ms. Harris noted in the Transit Triangle chapter, it was reduced it to 50-50. In other areas, it was 65% commercial required on the ground floor. Chair Pearce agreed with 35% commercial and 65% residential. Commissioner Norton suggested reducing commercial further to 25%.

Commissioner Brown noted strip shopping did not work well and he doubted it would be successful in Ashland. Having one building with ground floor commercial and offices above might work better. He was comfortable lowering the percentage of commercial or keeping it the same. Office space on the ground floor mixed with retail was not conducive to a walking environment. Other communities banned office space on ground floors. He liked the concept of the transit district with shopping at the beginning or end node and not sporadic. He thought the commercial space would remain empty. Remove the requirement and require a commercial component instead.

Mr. Molnar explained the Commission could recommend Council review changing the 50-50 to 35% commercial and 65% residential and still meet state requirements. The Commission supported 35% commercial and 65% residential. Regarding the step back, Mr. Molnar would add language they were subject to exceptions that were equivalent or better.

Commissioner Brown/Dawkins m/s to accept the draft plan except for two changes, one to lower the percentage of commercial to residential to 35%-65% and remove the definition of set back and make it an equivalent or better exception. Roll Call: Commissioner Dawkins, Brown, Mindlin, Norton, and Pearce, YES. Motion passed 5-0.

ADJOURNMENT

Meeting adjourned at 8:38 p.m.

*Submitted by,
Dana Smith, Executive Assistant*

**Planning Commission
Speaker Request Form**

- 1) Complete this form and return it to the Secretary prior to the discussion of the item you wish to speak about.
- 2) Speak to the Planning Commission from the table podium microphone.
- 3) State your name and address for the record.
- 4) Limit your comments to the amount of time given to you by the Chair, usually 5 minutes.
- 5) If you present written materials, please give a copy to the Secretary for the record.
- 6) You may give written comments to the Secretary for the record if you do not wish to speak.
- 7) Speakers are solely responsible for the content of their public statement.

Name	<u>MARIL KNOX</u>		
	(please print)		
Address (no P.O. Box)	[REDACTED]		
Phone	[REDACTED]	Email	[REDACTED]
Tonight's Meeting Date	_____		

Regular Meeting

Agenda item number _____ **OR** **Topic for public forum (non agenda item)** T.T.

Land Use Public Hearing	
For: _____	Against: _____
Challenge for Conflict of Interest or Bias	
<p>If you are challenging a member (planning commissioner) with a conflict of interest or bias, please write your allegation complete with supporting facts on this form and deliver it to the clerk immediately. The Chair will address the written challenge with the member. Please be respectful of the proceeding and do not interrupt. You may also provide testimony about the challenge when you testify during the normal order of proceedings.</p>	
Written Comments/Challenge: _____	

The Public Meeting Law requires that all city meetings are open to the public. Oregon law does not always require that the public be permitted to speak. The Ashland Planning Commission generally invites the public to speak on agenda items and during public forum on non-agenda items unless time constraints limit public testimony. No person has an absolute right to speak or participate in every phase of a proceeding. Please respect the order of proceedings for public hearings and strictly follow the directions of the presiding officer. Behavior or actions which are unreasonably loud or disruptive are disrespectful, and may constitute disorderly conduct. Offenders will be requested to leave the room.

Comments and statements by speakers do not represent the opinion of the City Council,
City Officers or employees or the City of Ashland.

**Planning Commission
Speaker Request Form**

- 1) Complete this form and return it to the Secretary prior to the discussion of the item you wish to speak about.
- 2) Speak to the Planning Commission from the table podium microphone.
- 3) State your name and address for the record.
- 4) Limit your comments to the amount of time given to you by the Chair, usually 5 minutes.
- 5) If you present written materials, please give a copy to the Secretary for the record.
- 6) You may give written comments to the Secretary for the record if you do not wish to speak.
- 7) Speakers are solely responsible for the content of their public statement.

Name	Zach Brombacher		
	(please print)		
Address (no P.O. Box)	[REDACTED]		
Phone	[REDACTED]	Email	[REDACTED]
Tonight's Meeting Date	6/12/18		

Regular Meeting

Agenda item number 1 OR Topic for public forum (non agenda item) _____

For: <u>?</u>	Land Use Public Hearing	Against: _____
Challenge for Conflict of Interest or Bias		
<p>If you are challenging a member (planning commissioner) with a conflict of interest or bias, please write your allegation complete with supporting facts on this form and deliver it to the clerk immediately. The Chair will address the written challenge with the member. Please be respectful of the proceeding and do not interrupt. You may also provide testimony about the challenge when you testify during the normal order of proceedings.</p>		
Written Comments/Challenge: _____		

The Public Meeting Law requires that all city meetings are open to the public. Oregon law does not always require that the public be permitted to speak. The Ashland Planning Commission generally invites the public to speak on agenda items and during public forum on non-agenda items unless time constraints limit public testimony. No person has an absolute right to speak or participate in every phase of a proceeding. Please respect the order of proceedings for public hearings and strictly follow the directions of the presiding officer. Behavior or actions which are unreasonably loud or disruptive are disrespectful, and may constitute disorderly conduct. Offenders will be requested to leave the room.

Comments and statements by speakers do not represent the opinion of the City Council,
City Officers or employees or the City of Ashland.

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 that the public testimony may be limited by the Chair and normally is not allowed after the Public Hearing is closed.

ASHLAND PLANNING COMMISSION
June 12, 2018
AGENDA

- I. **CALL TO ORDER:** 7:00 PM, Civic Center Council Chambers, 1175 E. Main Street

- II. **ANNOUNCEMENTS**

- III. **AD-HOC COMMITTEE UPDATES**

- IV. **CONSENT AGENDA**
 - A. **Approval of Minutes**
 - 1. May 8, 2018 Regular Meeting
 - 2. May 22, 2018 Study Session

- V. **PUBLIC FORUM**

- VI. **TYPE III PUBLIC HEARINGS**
 - A. **PLANNING ACTION: PA-L-2018-00001**

DESCRIPTION: An ordinance adding a new Chapter 18.3.14 Transit Triangle Overlay, a Transit Triangle (TT) overlay map and amending chapters 18.2.1, 18.2.2, 18.2.3, 18.2.3, 18.3.12, 18.3.13, 18.4.3, 18.6.1 of the Ashland Municipal Code to implement the recommendations of the infill strategy project for the area surrounding the bus route in the southeastern part of Ashland that circulates on Ashland St., Tolman Creek Rd., and Siskiyou Blvd., also referred to as the transit triangle.

- VII. **ADJOURNMENT**



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development office at 541-488-5305 (TTY phone is 1-800-735-2900). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1).

ASHLAND PLANNING DIVISION STAFF REPORT

June 12, 2018

PLANNING ACTION: PA-L-2018-00001

APPLICANT: City of Ashland

ORDINANCE REFERENCES:

- AMC 18.2.1 Zoning Regulations and General Provisions
- AMC 18.2.2 Base Zones and Allowed Uses
- AMC 18.2.3 Special Use Standards
- AMC 18.2.5 Standards for Residential Zones
- AMC 18.3.12 Site Development and Design Overlays
- AMC 18.3.13 Residential Overlay
- AMC 18.3.14 Transit Triangle Overlay (*new chapter*)
- AMC 18.4.3 Parking, Access, and Circulation
- AMC 18.6.1 Definitions

REQUEST: The proposal includes a new Chapter 18.3.14 Transit Triangle Overlay, a Transit Triangle (TT) overlay map and a series of amendments to the Ashland Municipal Code (AMC) Title 18 Land Use to implement the recommendations of the infill strategy project for the area surrounding the bus route in the southeastern part of Ashland that circulates on Ashland St., Tolman Creek Rd., and Siskiyou Blvd., also referred to as the transit triangle.

The proposed new chapter is 18.3.14 Transit Triangle Overlay provides an optional path that can be used in the mapped overlay area to develop mixed-use projects with residential units in the Commercial and Employment zones (C-1 and E-1) and multi-family projects in the multi-family residential zones (R-2 and R-3) with limits on the building size (i.e., floor area ratio or FAR), increased building height with building step backs or façade articulation, reductions in off-street parking and landscaping requirements, and allowances for small scale commercial uses in the multi-family residential zones. Residential units developed under the TT overlay option are required to be rental units, and condominiums and travelers' accommodations are not permitted. A TT overlay map accompanies the new chapter to designate the physical area in which the development option is available.

Finally, the draft amendments include minor edits and corrections to AMC 18.2.3.120 Dwelling in Historic District Overlay, AMC 18.2.3.130 Dwelling in Non-Residential Zone, AMC 18.2.5.070 Maximum Permitted Residential Floor Area in Historic District, AMC 18.3.13.010 Residential Overlay Regulations, AMC 18.4.3.030.C Downtown Zone, AMC 18.4.3.060 Parking Management Strategies and AMC 18.6.1.030 Definitions.

I. Relevant Facts

A. Background

The City Council identified developing infill and compact urban form as a mid-priority item in the *2015-2017 Council Goals and Objectives* (Objective 13.2). The specific action item was to “update the infill strategy along major transportation corridors to promote housing and business development, as well as alternative transportation choices.”

The proposed package of ordinance and map amendments cover the area surrounding the bus route in the southeastern part of Ashland that circulates on Ashland St., Tolman Creek Rd., and Siskiyou Blvd., also referred to as the transit triangle. The infill strategy prepared by Fregonese Associates identifies the factors that limit development and recommends adjustments to the zoning and land use ordinance to encourage additional housing and business development adjacent to the bus route.



Project Purpose

The purpose of the infill strategy project is to encourage development and redevelopment adjacent to the bus route that includes a mix of commercial and residential uses, especially of housing units. In turn, greater concentrations of housing and businesses near the bus route will provide transportation choices and promote sustainable planning initiatives.

Project objectives for the transit triangle include diversifying the housing supply by providing an area to construct moderately priced rental housing, providing a better environment for local business development and expansion, supporting transit service through increased ridership, and creating a walkable, pedestrian-friendly setting with close proximity to existing residential neighborhoods.

Housing availability and costs have been a concern in Ashland for some time. Recently, the issues have intensified, similar to other cities in the region, state and throughout the west coast. Housing prices throughout Oregon have continued to rise, outpacing employment and wage growth. In addition, the supply of housing was impacted by less construction during the recession.

According to figures released in January 2018 by the Southern Oregon Multiple Listing Service, the median sales price for existing single-family residences in Ashland in 2017 was \$421,500, which was a 7.5 percent gain over 2016 (“Ashland continued to lead house prices in 2017,” Greg Stiles, *Ashland Daily Tidings*, January 10, 2018). In contrast, the purchasing power of an Ashland household earning the median income in 2017 was \$217,950 (median income for household of four).

The rental housing market has also experienced increased prices and shortages over the last several years. Residential rental unit vacancy rates remain at one to two percent for the region. A low vacancy rate for rental units is generally considered to be an indicator that there are little to no available units for rent.

Ashland households earning 120% of median income can afford \$1,270 to \$1,295 per month for housing costs. Workforce housing is considered to be 80 to 120 percent of area median income. Given these parameters, 46 percent of Ashland households can afford up to \$875 a month for housing and an additional eight percent can afford up to \$1,250 a month on housing (*2015 American Community Survey*, U.S. Census). As of May 2018, rentjungle.com shows the average rental unit price in Ashland as \$1,297 a month, with 43 units listed as available. There was one unit listed below \$875 a month and seven units available below \$1,250, leaving 35 of the advertised units or 81 percent of the advertised units above the affordable monthly rents for workforce housing.

The *2016 American Community Survey* by the U.S. Census shows that 39.4 percent of Ashland households are single-person compared to 27.8 percent of Oregon households, and 44.8 percent of single-person households in Ashland are renter-occupied compared to 36 percent of single-person households in Oregon are renter-occupied.

The City of Ashland participated in the regional planning process that resulted in the adoption of the *Greater Bear Creek Valley Regional Plan* in 2012. Cities throughout the region identified reserve areas to accommodate housing for future population growth. The City of Ashland decided to accommodate housing for future population with the Ashland’s current boundaries rather than identify future growth areas on the perimeter of the city.

The City of Ashland committed to provided 6.6 units per gross acre for new development as part of the regional planning process. Recent data from the regional housing strategy shows that new development from 2007 through 2016 resulted in 6.34 units per gross acre, falling below the target. Single-family development in the same time period was at 5.45 dwelling units per gross acre and multifamily development was at 10.41 dwelling units per gross acre.

Fregonese Associates prepared an infill strategy for the transit triangle that includes three recommendations – land use ordinance amendments, streetscape improvements and a vertical housing development zone. Future work would include working with the Public Works Department on the streetscape improvements in the transit triangle and developing the framework for a Vertical Housing Development Zone for the City Council’s consideration. A vertical housing development zone provides a 10-year property tax exemption for residential units developed above the ground floor in mixed-use, multi-story buildings.

Transit Triangle Study Area

There has been limited development or redevelopment over the past several decades in the transit triangle study area. Despite an allowance in the commercial and employment zones (C-1 and E-1) for 15 to 30 dwelling units per acre and in the multi-family residential zones (R-2 and R-3) for 13 to 20 units per acre, past development adjacent to the bus route has primarily comprised of single-use, one story commercial buildings that did not include a residential component.

The transit triangle is served by Rogue Valley Transportation District (RVTD) Route 10 with 20-minute service from 7am-5pm (Monday-Friday) and 30-minute service for the remainder of the day (5am-7am and 5pm-8pm, Monday - Friday). Route 10 also includes service on Saturdays at 30-minute intervals from 6am-7pm. Route 10 provides the highest ridership in the RVTD system (50 percent of all RVTD riders) and the Bi-Mart stop on Tolman Creek Rd. is one of the most used stops system wide.

RVTD provided service enhancements to Route 10 in early 2018 including expanded later evening service Monday through Friday and providing 30-minute service on Saturdays. Weekday service was extended an hour from 7pm to 8pm and Saturday service was changed from hour intervals to 30-minute intervals.

Other opportunities in the transit triangle include vacant and redevelopable land, well-established public facilities, and shopping, services and neighborhoods within walking distance. An important consideration in the transit triangle is the transition between new development and existing residential neighborhoods.

Project Phases and Meetings

The infill strategy project for the transit triangle has involved two phases of work and nine public meetings to date. The project web page www.ashland.or.us/transit_triangle includes a complete list of the public meetings, including meeting materials and minutes. The following section discusses the type of work completed in each of the two phases and the concurrent public meeting sequence.

The first phase of the project involved identifying the factors that limit commercial and residential development in the transit triangle, and testing the impact of adjustments to the factors that the City can control, namely the zoning and land use standards, on market

feasibility and rent levels.

Fregonese Associates was hired to assist with the project and performed a return on investment (ROI) analysis to examine the market feasibility of a variety of building types using the Envision Tomorrow (ET) model. The model incorporates land, construction and permitting costs and the physical attributes of buildings allowed by the zoning and land use standards (e.g., height and size of building, number of residential units, required parking, required landscaping) to produce achievable rents and sales prices for commercial space and residential units. Staff worked with Fregonese Associates to customize the model with the City's zoning and land use standards and permit fees. Interviews with development industry professionals were used to verify the construction costs and rents used in the model.

The analysis determined that under the current zoning and land use standards, the projected commercial rents are too low to make new construction feasible and that the residential unit rental rates exceed those of the current rental market. In addition, the projected dwelling units are primarily 1,000 square feet and larger and the rental rates exceed the amount a two-person household at median income can afford by 30 percent or more.

Once the model was customized to Ashland, several building prototypes were developed for test sites on Ashland St. to begin testing the effect of changes to the zoning and land use standards on market feasibility and rent levels. Changes in requirements for building height, number of stories, parking spaces, landscaping coverage and the maximum number of residential dwelling units allowed per acre, resulted in an increase in the number of units and decrease in the size of units. The model showed that as the number of residential units increases, the size and rents decrease and begin to approach prices targeted for a two-person median income household.

The first phase of work was presented at two Planning Commission study sessions on October 11, 2016 and November 22, 2016, a Developer Roundtable on December 19, 2016 and a City Council study session on December 19, 2016.

The second phase of the project involved developing an implementation plan based on the findings of the first phase of work. Fregonese Associates prepared an infill strategy for the transit triangle that includes three recommendations – land use ordinance amendments, streetscape improvements and a vertical housing development zone.

Future work would include working with the Public Works Department on the streetscape improvements in the transit triangle and developing the framework for a Vertical Housing Development Zone. A vertical housing development zone provides a ten-year property tax exemption for residential units developed above the ground floor in mixed-use, multi-story buildings.

The infill strategy and the draft code amendments were presented to the Planning Commission at the October 24, 2017 study session. Fregonese Associates developed draft

code amendments to address zoning and land use standards that were identified in the first phase as affecting the market feasibility of development, particularly for projects including housing units. The draft code amendments include removing existing housing density maximums to provide an incentive for the private market to build at a higher density with a focus on smaller unit sizes.

An open house meeting was held on December 11, 2017 and a stakeholder meeting of developers, design professionals, real estate brokers and agency representatives was held on December 12, 2017. Approximately 30 people attended the open house meeting on December 11, 2017 and participated in the discussion. Some of the issues discussed and comments included objection to allowing additional building stories or residential units, support of additional stories along street or at intersections, support of additional building height with building step backs, concerns about additional traffic and requiring less parking, support for more affordable housing, and concerns about potential noise impacts from new mechanical equipment on adjacent residential neighborhoods. Approximately 900 invitations were sent by mail to properties located in and surrounding the transit triangle study area. The meeting was also posted on the City of Ashland web site news items.

The presentation at the open house meeting included building design options (e.g., number of stories, with or without a step back) and participants were asked to vote on their preferred design. As a follow-up to the meeting, a questionnaire was emailed to participants to gather the public's preferences regarding various building types and to collect information from community members about desired neighborhood and community characteristics. A summary of the results is included in this meeting packet.

Twelve individuals attended the stakeholder meeting on December 12, 2017 including developers, design professionals, real estate brokers and representatives from Rogue Valley Transportation District (RVTD) and Jackson County Housing Authority. Some of the issues discussed included providing flexibility to the step back requirement to allow articulation through other architectural features, continuing rise of construction costs, providing bus passes and requiring less parking for affordable units, consider higher FAR and more stories because helps with economies of scale, consider allowing development of residential units on ground floor that can be converted to commercial because there is limited commercial demand in Ashland, and the potential of car-sharing programs, smart car parking and the potential for self-driving cars to dramatically change the area required for parking. Thirty individuals were invited to the meeting.

An update on the infill strategy project and overview of the draft code revisions were presented to the City Council on January 16, 2018. The Council directed the Planning Commission to initiate ordinance revisions to implement the infill strategy for the transit triangle study area based on the recommendations prepared by Fregonese Associates. The Council also directed staff to bring a vertical housing development zone incentive program to a future City Council study session. The Planning Commission held a study session on May 22, 2018 to review the draft ordinance revisions in preparation for the public hearing process.

B. Ordinance Amendments

Summary of Ordinance Amendments

The item before the Planning Commission is to hold a public hearing and make a recommendation to the City Council on the package of ordinance and map amendments to implement the recommendations of the infill strategy report by Fregonese Associates for the transit triangle. The infill strategy report and draft code amendments prepared by Fregonese Associates are included in this meeting packet.

The proposed package of ordinance and map amendments is based on the draft code amendments prepared by Fregonese Associates. Fregonese Associates developed draft code amendments to address zoning and land use standards that were identified in the first phase as affecting the market feasibility of development, particularly for projects including housing units. The implementation strategy includes removing existing housing density maximums to provide an incentive for the private market to build at a higher density with a focus on smaller unit sizes.

The draft ordinance amendments are attached and include two components - a new chapter for the Transit Triangle overlay and amendments to the current land use ordinance for consistency. The Transit Triangle overlay map that is included in the new chapter will also be adopted by ordinance and added to the Site Design overlay map.

Since the Chapter 18.3.14 Transit Triangle Overlay is a new chapter, it does not include mark-up changes. The revisions to the current ordinance include **grey text as unchanged**, **strikeout text is deleted** and **underline text is new**.

The recommended zoning changes include establishing a Transit Triangle (TT) overlay. A summary of the ordinance provisions of the new chapter and ordinance amendments follows.

- Developing under the TT overlay is an option for the applicant or property owner. Development using the TT overlay option is required to meet all of the requirements of the new Chapter 18.3.14. Conversely, development that does not elect to fully exercise the TT overlay option cannot use the provisions of the new chapter. For example, a townhome development in the R-2 zone that is located in the TT overlay could not take advantage of the additional height or reduced parking if the dwelling units were for ownership rather than the required rental units.
- Delete the allowed units per acre and instead regulate building volume and intensity by a maximum floor area ratio (FAR). The recommended FAR is 1.5 for C-1 and E-1 zones and 1.25 for the R-2 and R-3 zones. Currently, 30 housing units per acre are allowed in C-1, 15 units per acre are allowed in E-1, 13.5 units per acre in the R-2 zone and 20 units per acre in the R-3 zone. In addition, there is no maximum FAR in place at this time.
- Allowing four-story buildings in the C-1 and E-1 zones and three-story buildings in the R-2 and R-3 zones. Currently, building height is limited to 40 feet with a five-foot

parapet (i.e., three stories) in the C-1 and E-1 zones and 35 feet or 2.5 stories in the R-2 and R-3 zones.

- Buildings would be required to be stepped back at least 10 feet for any portion of the building over 25 feet in height (i.e., third and fourth stories). An alternative would be to have articulation of the building façade. The step back or articulation would be required on the front of the building or any building side that is within 25 feet of a residential zone. Step backs are not currently required.
- Front setbacks in the R-2 and R-3 zones are a minimum of five feet. Currently, minimum front yard is eight feet for unenclosed porches and 15 feet to the enclosed building.
- Side and rear yards abutting residential zones in the C-1 and E-1 zones are 15 feet. Currently, the minimum side yards abutting residential zones is ten feet and the minimum rear yard is 10 feet per story.
- Residential units developed under the TT overlay option would be required to be rental units. Condominiums and travelers' accommodations would not be allowed.
- Reduce the off-street parking requirement to one space for residential units less than 800 square feet. Currently, one parking space is required for units less than 500 square feet.
- Restaurant, retail and office uses located in mixed-use buildings could reduce the off-street parking requirement by three spaces.
- Reduce the required landscape area to 20 percent in the R-2 and R-3 zones. Currently, the required landscape area is 35 percent in the R-2 zone and 25 percent in the R-3 zone.
- Allow limited floor area for commercial uses in the R-2 and R-3 zones.

Change in Circumstances or Conditions

AMC 18.5.9.020.B permits legislative amendments to meet changes in circumstances and conditions. The City Council reviewed the project at the January 16, 2018 meeting and directed the Planning Commission to initiate ordinance revisions to implement the infill strategy for the transit triangle study area based on the recommendations prepared by Fregonese Associates. The Planning Commission makes a recommendation to the City Council and the Council makes the final decision.

As discussed earlier in this report under Project Purpose, housing availability, diversity of housing types, and housing prices have been a concern in Ashland for some time. However, these concerns have been intensified in the last several years throughout the region, state and west coast. Housing prices including rents have continued to rise at a more rapid rate than employment and wage growth. In addition, the supply of housing was impacted by less construction during the recession.

More than half of Ashland's households cannot afford to buy the median-priced home of \$421,500 unless they have considerable equity to put toward the purchase. Rental vacancy rates for the past several years are low, indicating a lack of available units. Average monthly rental prices of \$1,297 exceed the \$875 that 46 percent of Ashland's households can afford. In addition, 37.4 percent of Ashland's household are single-person households which can make smaller, more affordable residential units even more necessary.

At the same time, the transit triangle provides an opportunity for development and redevelopment that includes housing as a mix of uses in the commercial and employment zones (C-1 and E-1) and in multi-family residential projects in the R-2 and R-3 zones. The area is adjacent to Rogue Valley Transportation District's route 10 bus service. There is existing shopping, services and neighborhoods within walking distance.

There has been a change in the housing market that necessitates a change in the zoning and land use ordinance to allow the diversification of the housing supply by providing an area to construct moderately priced rental housing. In addition, more housing and business space on the bus route can support transit service through increased ridership. Finally, the ordinance amendments encouraging redevelopment on the bus route and implementation of *Transportation System Plan* projects in the Ashland St. corridor would address a long-term community goal of creating a walkable, pedestrian-friendly area.

The second change in circumstances involves the City meeting the target housing density that was agreed to as part of the regional planning process. The City of Ashland committed to provided 6.6 units per gross acre for new development as part of the regional planning process. Recent data from the regional housing strategy shows that new development in Ashland from 2007 through 2016 was 6.34 units per gross acre, falling below the target. Changes to the zoning and land use ordinance that encourage development of residential units in the transit triangle can provide needed multi-family residential units to contribute toward meeting the regional density target.

Applicable Goals and Policies

The project addresses a variety of City Council goals and adopted City policies.

The City Council identified developing infill and compact urban form as a mid-priority item in the *2015-2017 Council Goals and Objectives* (Objective 13.2). The specific action item was to “update the infill strategy along major transportation corridors to promote housing and business development, as well as alternative transportation choices.”

The *2015-2017 Council Goals and Objectives* also identified pursuing affordable housing opportunities, especially workforce housing and identifying specific incentives for developers to build ore affordable housing (Objective 5.2). The specific action item was to “adjust infill strategies in order to promote hosing development along major transportation corridors.”

Statewide Planning Goal 10 requires cities to inventory and plan for buildable lands for residential use to provide for adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and to allow for flexibility of housing location, type and density.

The *Ashland Comprehensive Plan* includes a goal to “Ensure a variety of dwelling types and provide housing opportunities for the total cross-section of Ashland's population, consistent with preserving the character and appearance of the city.

The *Ashland Housing Analysis* identified a deficit in rental housing for extremely-low income (less than 30 percent of area median income) and low-income households (between 30 and 50 percent of area median income) and recommended more rental studio and one-bedroom units.

The *Ashland Comprehensive Plan* includes several transportation goals and policies that apply to the project, including the following.

Design the Land Use Ordinance to ensure Ashland Street is developed as a multi-modal corridor including attractive landscaping, sidewalks, bike lanes and controlled access. Development along Ashland Street shall be compatible with and support a multi-modal orientation (10.09.02.7).

Zoning shall allow for residential densities and a mix of commercial businesses with walking distance of existing and planned public transit service which support use of public transportation (10.19.02.2).

The *Transportation System Plan* includes four projects in the transit triangle related to improving sidewalks, bus shelters and intersections enhancements for pedestrians including two projects for Ashland Street Streetscape Enhancements (R38 for Siskiyou Blvd. to Walker Ave. and R-39 for Walker Ave. to Normal Ave.), Ashland Street/Tolman Creek Road (R41) and the Walker Ave. festival street (R40).

The infill strategy project also relates to policies included in the City's *Climate and Energy Action Plan (CEAP)*. Specifically, the plan includes strategies to address residential travel and the emissions associated with passenger cars and trucks. Common strategies for replacing residential travel trips in passenger cars and trucks include promoting land use development patterns that utilize existing public infrastructure and making using transit and alternate modes of transportation possible and even desirable.

The City's *Economic Development Strategy* includes a strategy 7.3 to "Consider changes to Land Use Development Code that may be inhibiting redevelopment or new construction."

II. Procedural

18.5.9.020 Applicability and Review Procedure

Applications for Plan Amendments and Zone Changes are as follows:

- B. Type III.** It may be necessary from time to time to make legislative amendments in order to conform with the Comprehensive Plan or to meet other changes in circumstances or conditions. The Type III procedure applies to the creation, revision, or large-scale implementation of public policy requiring City Council approval and enactment of an ordinance; this includes adoption of regulations, zone changes for large areas, zone changes requiring comprehensive plan amendment, comprehensive plan map or text amendment, annexations (see chapter 18.5.8 for annexation information), and urban growth boundary amendments. The following planning actions shall be subject to the Type III procedure.

1. Zone changes or amendments to the Zoning Map or other official maps, except where minor amendments or corrections may be processed through the Type II procedure pursuant to subsection 18.5.9.020.A, above.
2. Comprehensive Plan changes, including text and map changes or changes to other official maps.
3. Land Use Ordinance amendments.
4. Urban Growth Boundary amendments.

III. Conclusions and Recommendations

If the Commission recommends approval of the attached ordinances, staff will prepare a formal recommendation to the City Council for the Commission's review at a future meeting.

18.3.14 – Transit Triangle Overlay

Chapter 18.3.14 – Transit Triangle Overlay

Sections:

18.3.14.010	Purpose
18.3.14.020	Applicability
18.3.14.030	General Requirements
18.3.14.040	Use Regulations
18.3.14.050	Dimensional Regulations
18.3.14.060	Site Development and Design Standards
18.3.14.070	Open Space Zone

18.3.14.010 Purpose

The Transit Triangle (TT) overlay is intended to promote the development of a mix of housing units and businesses adjacent to the bus route designed in a way that encourages walking, bicycling and transit use. The Transit Triangle (TT) overlay was adopted by the City Council on **date** (Ordinance No. **###**).

18.3.14.020 Applicability

- A. Transit Triangle (TT) Overlay Designation.** This chapter applies to properties designated as Transit Triangle (TT) overlay on the Site Design Zones map, and pursuant to the Transit Triangle overlay development standards and map adopted by Ordinance **###** (**Month**, 2018).
- B. TT Overlay Option.** The TT overlay may be used to develop residential and commercially zoned land located in the TT overlay, but is not mandatory. Development using the TT overlay option shall meet all of the provisions of this chapter and all other applicable sections of this ordinance, except as otherwise provided in this chapter. The provisions of this chapter do not apply to development located in the TT overlay that does not elect to fully exercise the TT overlay option.
- C. Pedestrian Places Overlay.** The Pedestrian Places overlay and associated development standards do not apply to properties electing to develop under the Transit Triangle (TT) overlay option.
- D. Governing Standards.** Notwithstanding the provision of chapter 18.2.2 Base Zones, additional use restrictions and land use standards apply within the TT overlay. Where the provisions of this chapter conflict with comparable standards described in any other ordinance, resolution or regulation, the provisions of the TT overlay shall govern.
- E. Exceptions and Variances.** Requests to depart from the requirements of this chapter are subject to chapter 18.5.5 Variances, except that deviations from the standards in subsections 18.3.14.060.A and B are subject to 18.5.2.050.E Exception to the Site Development and Design Standards.

18.3.14 – Transit Triangle Overlay

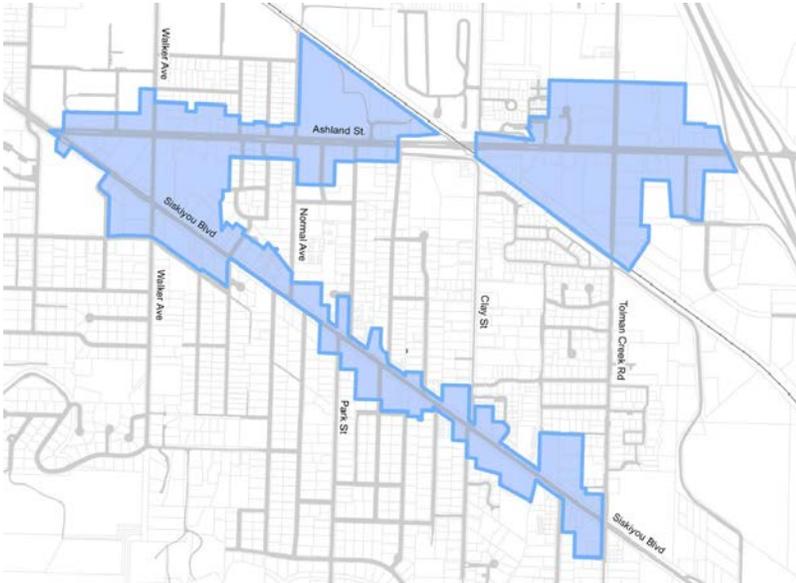


Figure 18.3.14.020
Transit Triangle (TT) Overlay

18.3.14.030 General Requirements

A. Site Development and Design Standards. New development is subject to Site Design Review under chapter 18.5.2, and must comply with the applicable site development and design standards.

18.3.14.040 Allowed Uses

- A. Uses Allowed in TT Overlay.** Allowed uses are determined by the base zone and in accordance with section 18.2.2.030, except as provided for in this chapter. Notwithstanding the provisions of chapter 18.2.2 Base Zones, section 18.3.14.040 includes additional allowed uses, use restrictions and prohibited uses within the TT overlay.
- B. Mixed-Use.** Uses allowed in a zone individually are also allowed in combination with one another, in the same structure or on the same site, provided all applicable development standards and building code requirements are met.

18.3.14 – Transit Triangle Overlay

Table 18.3.14.040 – Transit Triangle (TT) Overlay Uses Allowed by Base Zone ¹					
	Zones				Special Use Standards
	C-1	E-1	R-2	R-3	
A. Residential					
Multifamily dwelling, rental	P	P	P	P	Sec. 18.3.14.040.C.1 for C-1 and E-1 zone
Multifamily dwelling, for purchase	N	N	N	N	
B. Commercial					
Hotel/Motel	N	N	N	N	
Travelers' Accommodation	N	N	N	N	
Commercial Retail Sales and Services, except Outdoor Sales and Services	Per 18.2.2.030	Per 18.2.2.030	S	S	Sec. 18.3.14.040.C.2
Office	Per 18.2.2.030	Per 18.2.2.0e0	S	S	Sec. 18.3.14.040.C.2
Restaurants	Per 18.2.2.030	Per 18.2.2.030	S	S	Sec. 18.3.14.040.C.2

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

C. Special Use Standards. The uses listed as “Permitted with Special Use Standards (S)” in Table 18.3.14.040, above, are allowed provided they conform to the requirements of this section and the requirements of chapter 18.5.2 Site Design Review.

1. Residential Uses. Residential uses provided all of the following standards are met.
 - a. *One Building.* In the C-1 and E-1 zones, when a planning application is limited to one building, residential uses may occupy up to 50 percent of the gross floor area of the ground floor. At least 50 percent of the gross floor area of the ground floor shall be designated for permitted and uses permitted with special use standards, not including residential uses.
 - b. *More Than One Building.* When a planning application includes more than one building, the equivalent of at least 50 percent of the gross floor area of the ground floor for all buildings shall be designated for permitted and uses permitted with special use standards, not including residential uses.
2. Commercial Uses in the R-2 and R-3 Zones. The commercial uses described in Table 18.3.14.040, above, are allowed provided all of the following standards are met.
 - a. The maximum gross floor area occupied shall be 60 square feet for every residential dwelling unit developed on site.

Commented [MH1]: This language was in the pre-2015 code and inadvertently deleted.

Commented [MH2]: Planning Commission requested simpler methodology and better wording on commercial/residential split for applications involving mixed-use development and multiple buildings. Also raised as an issue to work on by City Council during 2015 code adoption process.

18.3.14 – Transit Triangle Overlay

18.3.14.050 Dimensional Standards

Notwithstanding the provisions of chapter 18.2.5 Standards for Residential Zones and chapter 18.2.6 Standards for Non-Residential Zones, Table 18.3.14.050 includes the dimensional standards within the TT overlay.

The dimensions shall conform to the standards in Table 18.3.14.050.

Table 18.3.14.050 Transit Triangle Overlay Dimensional Standards				
	Base Zones ¹			
	C-1	E-1	R-2	R-3
Residential Density (dwelling units/acre)				
Minimum	NA	NA	The development shall meet the minimum housing density requirement of the underlying zone in section 18.2.5.080.	
Maximum	Maximum residential density is regulated by the FAR under the TT overlay option. The maximum dwelling units per acre of the base zones do not apply under the TT overlay option.			
Floor Area Ratio (FAR) ²				
Minimum	.5	.5	.5	.5
Maximum	1.5	1.5	1.25	1.25
² Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Plazas and pedestrian areas may also be applied toward meeting the landscaping area requirements but shall not constitute more than 50% of the required area.				
Lot Area, Width, Depth and Coverage	NA	NA	Land divisions in the R-2 and R-3 zones shall meet the applicable requirements of table 18.2.5.030.A or chapter 18.3.9 Performance Standards Options.	
Yards, Minimum (feet) ⁴				
- Front	There is no minimum front, side, or rear yard required, except where buildings on the subject site abut a residential zone, in which case a side or rear yard of not less than 15 ft is required.		5 ft	5 ft
- Side			See table 18.2.5.030.A for standard yard requirements for the R-2 and R-3 zone.	
- Rear				
⁴ See building step back requirement in section 18.3.14.060.				
Building Separation, On Same Site – Minimum	NA		Building separation is not required under the TT overlay option, except as required by the building code.	
Building Height ⁵ & ⁶				
Maximum Height – feet/stories	50/4	50/4	42/3	42/3
Solar Setback	Per table 18.2.6.030		Per chapter 18.4.8 Solar Access	
⁵ See definition of "height of building" in section 18.6.1.030.				
⁶ Parapets may be erected up to five feet above the maximum building height in the C-1 and E-1 zone; see also, 18.4.4.030.G.4 for mechanical equipment screening requirements, and 18.5.2.020 for Site Design Review for mechanical equipment review process.				
Lot Coverage – Maximum (% of lot area)	85%	85%	80%	80%

18.3.14 – Transit Triangle Overlay

Table 18.3.14.050 Transit Triangle Overlay Dimensional Standards				
	Base Zones ¹			
	C-1	E-1	R-2	R-3
Landscape Area – Minimum (% of developed lot area)	15%	15%	20%	20%
Outdoor Recreation Space – Minimum (% of the area)	NA		Outdoor recreation space is not required under the TT overlay option.	

¹ Zones: C-1 = Commercial; E-1 = Employment; R-2 = Low Density Multiple Family; R-3 = High Density Multiple Family.

18.3.14.060 Site Development and Design Standards

New development is subject to Site Design Review under chapter 18.5.2, and must comply with site development and design standards in part 18.4 and section 18.3.14.060, below.

A. C-1 and E-1 zones. Development under the TT overlay option and located in the C-1 and E-1 zones are subject to the following standards.

1. **Building Step Back.** For building facades within 25 feet of a residential zone or facing a street, reduce building mass through a step back of ten feet for that portion of a building which is over 25 feet high. See Figures 18.3.14.060.A.1.a and b. Also, see minimum side or rear yard requirement for buildings abutting a residential zone in table 18.3.14.050



Figure 18.3.14.060.A.1.a

18.3.14 – Transit Triangle Overlay

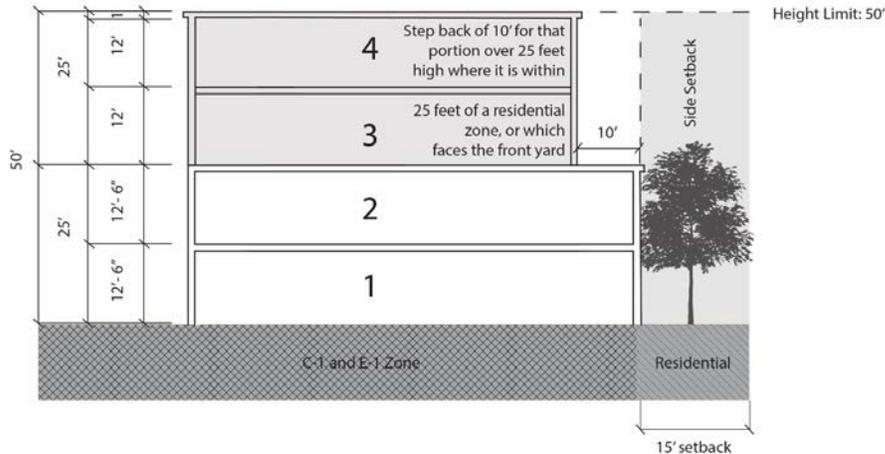


Figure 18.3.14.060.A.1.b

- a. In lieu of a building step back in subsection 18.3.14.060.A.1, above, a combination of articulation, offsets, setback, angles or curves of facades may be used to reduce building mass for building facades within 25 feet of a residential zone or facing a street.

B. R-2 and R-3 zones. Development under the TT overlay option and located in the R-2 and R-3 zones are subject to the following standards.

1. Detail Site Review Standards. Lots with frontage on Ashland Street shall be subject to the building placement, orientation, and design standards in section 18.4.2.040, including the Detailed Site Review Standards. The area subject to this section shall be 150 feet in depth and the width of the subject lot. The depth of the regulated area shall be measured perpendicular to the lot line that parallels Ashland Street.
2. Sidewalk Setback. Mixed-use buildings shall be setback not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement.
3. Minimum FAR and Plazas. Mixed-use developments shall have a minimum Floor Area Ratio (FAR) of .50. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Projects including existing buildings or vacant parcels of one-half an acre or greater in size shall achieve the required minimum FAR or provide a shadow plan that demonstrates to the approval authority how development may be intensified over time to meet the required minimum FAR.
4. Building Step Back. For building facades within 25 feet of a residential zone or facing a street, reduce building mass through a step back of ten feet for that portion of a building

18.3.14 – Transit Triangle Overlay

which is over 25 feet high. See Figures 18.3.14.060.B.1.a and b. Also, see table 18.2.4.030.A for standard yard requirements for the R-2 and R-3 zone.



Figure 18.3.14.060.B.1.a

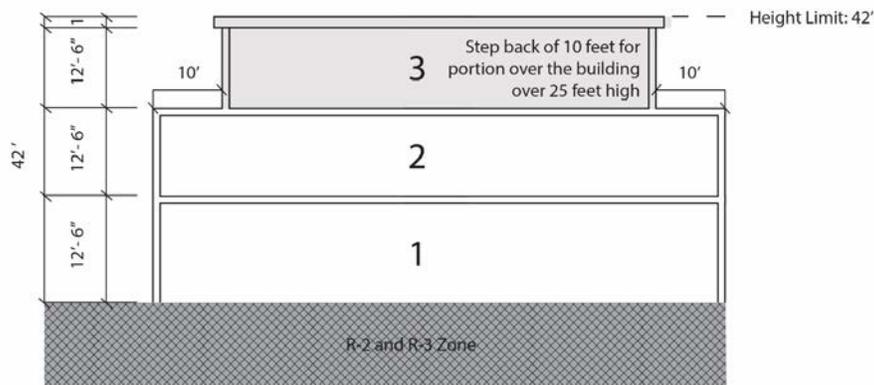


Figure 18.3.14.060.B.1.b

- a. In lieu of a building step back in subsection 18.3.14.060.A.1, above, a combination of articulation, offsets, setback, angles or curves of facades may be used to reduce building mass for building facades within 25 feet of a residential zone or facing a

18.3.14 – Transit Triangle Overlay

street.

- C. Parking Ratios.** Properties developed under the TT overlay option are subject to the standard requirements of chapter 18.4.3 Parking, Access, and Circulation, except as provided by subsection 18.4.3.030.C, below.
1. **Multi-family Dwellings.** The minimum number of off-street automobile parking spaces required for multi-family dwelling units for development under the TT overlay option are as follows.
 - a. Units less than 800 sq. ft. -- 1 space/unit.
 - b. Units greater than 800 sq. ft. and less than 1000 sq. ft. -- 1.5 spaces/unit.
 - c. Units greater than 1,000 sq. ft. -- 2.00 spaces/unit.
 2. **Retail Sales and Services, Offices, and Restaurants.** The required off-street parking spaces may be reduced up to three parking spaces for retail sales and services, general office, or restaurant uses. The maximum reduction under this subsection is three parking spaces per building.
- D. Availability of Parking Facilities.** For properties developed under the TT overlay option, required off-street automobile parking spaces shall be available for use by residents, customers, and employees, and shall not be limited in use by hours or type of user through signage or other legal instrument. Required off-street automobile parking shall not be used for the storage or display of vehicles or materials.

Commented [MH3]: Subsection was reworded for clarity – previous drafted 1,250 square feet of retail, offices and restaurants. Three parking spaces is the equivalent of 1,050 square feet of retail, 1,500 square feet of general office (not medical) or a restaurant that is 300 square feet in size or has up to twelve seats.

Commented [MH4]: Added to address Planning Commission concern that all parking is available to customers and residents at all times.

Section 18.2.1.020 is amended to read as follows:

18.2.1.020 Zoning Map and Classification of Zones

For the purpose of this ordinance, the City is divided into zones designated and depicted on the Zoning Map, pursuant to the Comprehensive Plan Map, and summarized in Table 18.2.1.020.

Table 18.2.1.020	
Base Zones	Overlay Zones
Residential - Woodland (WR)	Airport Overlay
	Detail Site Review Overlay
Residential - Rural (RR)	Downtown Design Standards Overlay
Residential - Single-Family (R-1-10, R-1-7.5, and R-1-5)	Freeway Sign Overlay
Residential - Suburban (R-1-3.5)	Historic District Overlay
Residential - Low Density Multiple Family (R-2)	Pedestrian Place Overlay
Residential - High Density Multiple Family (R-3)	Performance Standards Options Overlay
Commercial (C-1)	Physical and Environmental Constraints Overlay
Commercial – Downtown (C-1-D)	-Hillside Lands
Employment (E-1)	-Floodplain Corridor Lands
	-Severe Constraints Lands
Industrial (M-1)	-Water Resources
	-Wildfire Lands
Special Districts	
Croman Mill District (CM)	Residential Overlay
Health Care Services District (HC)	Transit Triangle Overlay
Normal Neighborhood District (NN)	
North Mountain Neighborhood District (NM)	
Southern Oregon University District (SOU)	

Section 18.2.1.040 is amended to read as follows:

18.2.1.040 Applicability of Zoning Regulations

Part 18.2 applies to properties with base zone, special district, and overlay zone designations, as follows:

Table 18.2.1.040: Applicability of Standards to Zones, Plan Districts and Overlays	
Designation	Applicability
<u>Base Zones</u>	
Residential - Woodland (WR)	Chapter 18.2 Applies Directly
Residential - Rural (RR)	Chapter 18.2 Applies Directly
Residential - Single-family (R-1-10, R-1-7.5, R-1-5)	Chapter 18.2 Applies Directly
Residential - Suburban (R-1-3.5)	Chapter 18.2 Applies Directly
Residential - Low Density Multiple Family (R-2)	Chapter 18.2 Applies Directly
Residential - High Density Multiple Family (R-3)	Chapter 18.2 Applies Directly
Commercial (C-1)	Chapter 18.2 Applies Directly
Commercial - Downtown (C-1-D)	Chapter 18.2 Applies Directly
Employment (E-1)	Chapter 18.2 Applies Directly
Industrial (M-1)	Chapter 18.2 Applies Directly
<u>Special Districts</u>	
Croman Mill District Zone (CM)	CM District Replaces chapter 18.2
Health Care Services Zone (HC)	
Normal Neighborhood District (NN)	NN District Replaces chapter 18.2
North Mountain Neighborhood (NM)	NN District Replaces chapter 18.2
Southern Oregon University (SOU)	
<u>Overlay Zones</u>	
Airport	Overlay Modifies chapter 18.2
Detail Site Review	Overlay Modifies chapter 18.2
Downtown Design Standards	Overlay Modifies chapter 18.2
Freeway Sign	Overlay Modifies chapter 18.2
Historic	Overlay Modifies chapter 18.2
Pedestrian Place	Overlay Modifies chapter 18.2
Performance Standards Options	Overlay Modifies chapter 18.2
Physical and Environmental Constraints	Overlay Modifies chapter 18.2
Residential	Overlay Modifies chapter 18.2
Transit Triangle	Overlay Modifies chapter 18.2

Section 18.2.2.030 is amended to read as follows:

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 chapter 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. Uses not listed in Table 18.2.2.030 and not found to be similar to an allowed use are prohibited. For uses allowed in special districts CM, HC, NM, and SOU, and for regulations applying to the City’s overlays zones, refer to part 18.3.
- 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 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 regulations applying to the City's overlays zones, please 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 right-of-way, parks, sidewalks, or other public grounds) require a Special Event Permit pursuant to AMC 13.03.
 2. **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 ordinance, garage sales meeting the requirements of this subsection shall not be considered a commercial activity.
 3. **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 ordinance.

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
A. Agricultural Uses¹										
Agriculture, except Keeping of Bees, Livestock and Micro-Livestock, Homegrown Marijuana Cultivation, and Marijuana Production	P	P	P	P	P	P	N	N	N	Animal sales, feed yards, keeping of swine, commercial compost, or similar uses not allowed
Keeping of Bees	S	S	S	S	S	S	N	N	N	Sec. 18.2.3.160
Keeping of Livestock	S	N	N	N	S	S	N	N	N	
Keeping of Micro-Livestock	S	S	S	S	S	S	N	N	N	
Marijuana Cultivation, Homegrown	S	S	S	S	S	S	S	S	S	Sec. 18.2.3.190 See General Industrial, Marijuana Production
B. Residential Uses										
Single-Family Dwelling	P	P	P	P	P	P	S	S	N	See Single-Family standards in Sec. 18.2.5.090 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

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

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Accessory Residential Unit	S	S	S	S	S	N	N	N	N	Sec. 18.2.3.040
Duplex Dwelling	S	P	P	P	N	N	S	S	N	Sec. 18.2.3.110 Duplex Dwelling
B. Residential Uses²										
<i>(continued)</i>										
Manufactured Home on Individual Lot	S	S	S	S	N	N	N	N	N	Sec. 18.2.3.170 and not allowed in Historic District Overlay
Manufactured Housing Development	N	S	CU+S	N	N	N	N	N	N	Sec. 18.2.3.180
Multifamily Dwelling	N	P	P	P	N	N	S	S	N	Sec. 18.2.3.130 for C-1 zone and E-1 zone; dwelling units in Transit Triangle (TT) Overlay, see chapter 18.3.14 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	N	N	S	S	N	N	N	N	N	Sec. 18.2.3.200
Home Occupation	S	S	S	S	S	S	S	S	N	Sec. 18.2.3.150
C. Group Living										
Nursing Homes, Convalescent Homes	CU	CU	CU	CU	CU	CU	N	N	N	See chapter 18.3.3 Health Care Services
Residential Care Home	P	P	P	P	P	P	N	N	N	Subject to State licensing requirements
Residential Care Facility	CU	P	P	P	CU	CU	N	N	N	Subject to State licensing requirements

² KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Room and Boarding Facility	N	P	P	P	N	N	N	N	N	
D. Public and Institutional Uses										
Airport										See chapter 18.3.7 Airport Overlay
Cemetery, Mausoleum, Columbarium	N	N	N	N	CU	N	N	N	N	
D. Public and Institutional Uses (continued)³										
Child Care Facility	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
Club Lodge, Fraternal Organization	CU	CU	CU	CU	CU	CU	P	CU	CU	
Community Service, includes Governmental Offices and Emergency Services (e.g., Police, Fire); excluding Outdoor Storage	CU	CU	N	N	CU	CU	P	P	P	
Electrical Substation	N	N	N	N	N	N	CU	CU	P	
Hospitals	CU	CU	CU	CU	CU	N	N	N	N	See chapter 18.3.3 Health Care Services
Governmental Offices and Emergency Services (e.g., Police, Fire); excluding Outdoor Storage	CU	CU	N	N	CU	CU	P	P	P	
Mortuary, Crematorium	N	N	N	N	CU	N	P	P	P	
Public Park, Open Space, and Recreational Facility, including playgrounds, trails, nature preserves, athletic fields, courts, swim pools, similar uses	P	P	P	P	P	P	N	N	N	

³ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Public Parking Facility	N	N	N	N	N	N	P	N	N	
Public Works/Utilities Storage Yard; includes vehicle and equipment, maintenance, repair	N	N	N	N	N	N	N	P	P	
Recycling Depot	N	N	N	N	N	N	N	P	P	Not allowed within 200 ft of a residential zone
Religious Institution, Houses of Worship	CU	CU	CU	CU	CU	CU	CU	CU	CU	
School, Private (Kindergarten and up)	CU	CU	CU	CU	CU	CU	N	N	N	
School, Public (Kindergarten and up)	P	P	P	P	P	CU	N	N	N	
School, Private College/Trade/Technical School	N	N	N	N	N	N	N	CU	P	
Utility and Service Building, Yard and Structure, Public and Quasi-Public, excluding underground utilities and electrical substations	CU	CU	N	N	CU	CU	P	P	P	Yards not allowed in the C-1 zone
Wireless Communication Facility	CU	CU	CU	CU	CU	CU	P or CU	P or CU	P or CU	Sec.18.4.10
E. Commercial Uses										
Amusement/Entertainment, includes theater, concert hall, bowling alley, miniature golf, arcade; excluding drive-up uses	N	N	N	N	N	N	P	CU	P	
Automotive and Truck Repair, or Service; includes fueling station, car wash, tire sales and repair/replacement, painting, and other repair for automobiles, motorcycles, aircraft, boats, RVs, trucks, etc.	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 limited to Freeway Overlay, see chapter 18.3.8 In E-1 zone, fuel sales requires CU permit

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Automotive Sales and Rental, except within the Historic Interest Area; includes motorcycles, boats, RVs, and trucks	N	N	N	N	N	N	CU	CU	P	Except not allowed within Historic District Overlay
Accessory Travelers' Accommodation (See also Travelers' Accommodation)	N	N	CU+S	CU+S	N	N	N	N	N	Sec. 18.2.3.220
Bakery, except as classified as Food Processing	N	N	N	N	N	N	P	P	P	
Commercial Laundry, Cleaning, and Dyeing Establishment	N	N	N	N	N	N	S	S	P	Sec. 18.2.3.080
Commercial Recreation, includes country club, golf course, swimming club, and tennis club; excluding intensive uses such as driving range, race track, or amusement park	CU	CU	N	N	CU	CU	N	N	N	
Commercial Retail Sales and Services, except Outdoor Sales and Services	N	N	CU+S	N	N	N	P	S	S	In R-2 zone, uses limited to personal and professional services, except see Sec. 18.2.3.210 for retail uses allowed in Railroad Historic District In E-1 zone, Retail limited to 20,000 sq ft of gross leasable floor space per lot. In M-1 zone, uses limited to serving persons working in zone See Marijuana Retail Sales
E. Commercial Uses (continued)⁴										
Drive-Up Use	N	N	N	N	N	N	S	N		Per Sec. 18.2.3.100, Drive-Up uses are limited to area east of Ashland St at intersection of Ashland St/Siskiyou Blvd
Hostel	N	N	CU	CU	N	N	CU*	N	N	*In C-1 zone, requires annual Type I review for at least the first three years, after which time the Planning

⁴ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
										Commission may approve a permanent facility through the Type II procedure
Hotel/Motel	N	N	N	N	N	N	CU	CU	P	
Kennel (See also Veterinary Clinic)	N	N	N	N	N	N	S	S	CU	No animals kept outside within 200 feet of a residential zone
Limited Retail Uses in Railroad Historic District	N	CU	CU	CU	N	N	N	N	N	Sec. 18.2.2.210 for Retail Uses Allowed in Railroad Historic District
Lumber Yard and Similar Sales of Building or Contracting Supplies, or Heavy Equipment	N	N	N	N	N	N	N	CU	P	
Marijuana Retail Sales, includes sale of medical and recreational marijuana	N	N	N	N	N	N	S or CU	S or CU	N	Per Sec. 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	N	N	N	N	N	N	S	CU	P	Not allowed within the Historic District Overlay unless located in C-1-D
Office (See also Commercial Services)	N	N	CU	CU	N	N	P	P	P	
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Plant Nursery, Wholesale, except Marijuana Production	N	N	CU	CU	N	N	N	N	N	
E. Commercial Uses (continued)⁵										
Self-Service Storage, Commercial (Mini-Warehouse)	N	N	N	N	N	N	N	CU	P	

⁵ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Traveler's Accommodation (See also Accessory Travelers' Accommodation)	N	N	CU+S	CU+S	N	N	N	N	N	Sec. 18.2.3.220
Veterinary Clinic	N	N	N	N	N	N	P	P	P	
F. Industrial and Employment Uses										
Cabinet, Carpentry, and Machine Shop, and related Sales, Services, and Repairs	N	N	N	N	N	N	N	S or CU	P	In the E-1 zone, uses within 200 feet of a residential zone require CU permit
Commercial Excavation and Removal of Sand, Gravel, Stone, Loam, Dirty or Other Earth Products	N	N	N	N	CU+S	N	N	N	N	Sec. 18.2.3.070
Concrete or Asphalt Batch Plant	N	N	N	N	N	N	N	N	CU	
Dwelling for a caretaker or watchman	N	N	N	N	N	N	N	CU	CU	
Food Products Manufacture/Processing/Preserving, including canning, bottling, freezing, drying, and similar processing and preserving.	N	N	N	N	N	N	S	S	P	In the C-1 zone, manufacture or assembly of items sold is a permitted use, provided such manufacturing or assembly occupies 600 square feet or less, and is contiguous to the permitted retail outlet In the E-1 zone, See Sec. 18.2.3.140
Manufacture, General, includes Marijuana Laboratory, Processing, and Production	N	N	N	N	N	N	N	P or S	P or S	In E-1 and M-1 zones, marijuana laboratory, processing, and production are subject to the special use standards in Sec. 18.2.3.190 See Marijuana Cultivation, Homegrown

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
F. Industrial and Employment Uses <i>(continued)</i> ⁶										
Manufacture, Light; excluding saw, planing or lumber mills, or molding plants.	N	N	N	N	N	N	S	P	P	Requires assembly, fabricating, or packaging of products from previously prepared materials such as cloth, plastic, paper, cotton, or wood In the C-1 zone, manufacture or assembly of items sold in a permitted use, provided such manufacturing or assembly occupies 600 square feet or less, and is contiguous to the permitted retail outlet
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Television and Radio Broadcasting Studio	N	N	N	N	N	N	N	P	P	
Wholesale Storage and Distribution, includes Marijuana Wholesale	N	N	N	N	N	N	N	S	S	Deliveries and shipments limited to 7AM-9PM 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	N	N	N	N	N	N	N	N	CU	
G. Other Uses										

⁶ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Temporary Tree Sales	N	N	N	N	N	N	P	N	N	Allowed from November 1 to January 1
Temporary Use	CU, except uses lasting less than 72 hours are subject to Ministerial review, per Sec. 18.2.2.030.H									

Section 18.2.3.120 is amended to read as follows:

18.2.3.120 Dwelling in Historic District Overlay

Dwellings in the Historic District Overlay subject to all of the following requirements.

- A. Manufactured homes are prohibited.
- B. Dwellings **located in residential zones** shall conform to the maximum permitted floor area standards of section 18.2.5.070, except that dwellings exceeding the maximum permitted floor area are allowed subject to approval of a Conditional Use Permit under chapter 18.5.4.
- C. Notwithstanding the height standards of the R-1 zone, structures within the Historic Overlay shall not exceed a height of 30 feet.
- D. Retail commercial uses in a dwelling unit within the Railroad Historic Overlay are subject to approval of a Conditional Use Permit under chapter 18.5.4 and shall conform to the standards of section 18.2.3.210.

Commented [MH1]: Clarifies that Maximum Permitted Floor Area (MPFA) applies to homes in residential zones. MPFA in the pre-2015 ordinance was included as a requirement in individual chapters for the single-family (R-1) and multi-family (R-2 and R-3) zones. However, this language was not included in any of the non-residential zones (C-1, E-1 or M-1). This issue came up at the Planning Commission for an application for 868 A St. in 2015.

Section 18.2.3.130 is amended to read as follows:

18.2.3.130 Dwelling in Non-Residential Zone

Where dwellings are allowed in non-residential zones, they are subject to all of the following requirements.

- A. Dwellings in the E-1 zone are limited to the R-overlay zone. See chapter 18.3.13 Residential Overlay.
- B. Dwellings in the E-1 and C-1 zones shall meet all of the following standards, **except that dwellings developed under the Transit Triangle (TT) overlay option are not subject to subsection 18.2.3.130.B, below. See section 18.3.14.040 for the allowed uses in the TT overlay.**
 - 1. **Mixed-Use Developments. If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses.**
 - a. **One Building. When a planning application is limited to one building, residential uses may occupy up to 35 percent of the gross floor area of the ground floor. At least 65 percent of the gross floor area of the ground floor shall be designated for permitted and uses permitted with special use standards, not including residential uses.**
 - b. **More Than One Building. When a planning application includes more than one building, the equivalent of at least 65 percent of the gross floor area of the ground floor for all buildings shall be designated for permitted and uses**

Commented [MH2]: This language was in the pre-2015 code and inadvertently deleted.

Commented [MH3]: Planning Commission requested simpler methodology and better wording on commercial/residential split for applications involving mixed-use development and multiple buildings. Also raised as an issue to work on by City Council during 2015 code adoption process.

permitted with special use standards, not including residential uses.

2. Residential densities shall not exceed 15 dwelling units per acre in the E-1 zone, 30 dwelling units per acre in the C-1 zone, and 60 dwelling units per acre in the C-1-D zone. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.
3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the underlying zone.
4. Off-street parking is not required for residential uses in the C-1-D zone.
- ~~5. Where the number of residential units exceeds ten, at least ten percent of the residential units shall be affordable for moderate income persons in accord with the standards of section 18.2.5.050. The number of units required to be affordable shall be rounded down to the nearest whole unit.~~

Commented [MH4]: Deleted because inconsistent with state law and appears to be a disincentive to include more than ten residential units in a project.

Section 18.2.5.070 is amended to read as follows:

18.2.5.070 Maximum Permitted Residential Floor Area in Historic District

- A. **Purpose.** Section 18.2.5.070 regulates floor area of dwellings to promote compatible building volume and scale in the Historic District.
- B. **Applicability.** ~~Within residential zones located in the Historic District Overlay, new structures and additions shall conform to the maximum permitted floor area standards of this section, except as provided by 18.2.5.070.C.~~

Commented [MH5]: Clarifies that Maximum Permitted Floor Area (MPFA) applies to homes in residential zones. MPFA in the pre-2015 ordinance was included as a requirement in individual chapters for the single-family (R-1) and multi-family (R-2 and R-3) zones. However, this language was not included in any of the non-residential zones (C-1, E-1 or M-1). This issue came up at the Planning Commission for an application for 868 A St. in 2015.

Section 18.3.12.020 is amended to read as follows:

Chapter 18.3.12 – Site Development and Design Overlays

Sections

- 18.3.12.010 Purpose
- 18.3.12.020 Applicability
- 18.3.12.030 Detail Site Review Overlay
- 18.3.12.040 Downtown Design Standards Overlay
- 18.3.12.050 Historic District Overlay
- 18.3.12.060 Pedestrian Place Overlay
- 18.3.12.070 Transit Triangle Overlay**

18.3.12.010 Purpose

The Site Development and Design overlays provide special regulations and standards that supplement the base zoning regulations which are implemented through Site Design Review.

18.3.12.020 Applicability

This chapter applies to the Detail Site Review, Downtown Design Standards, Historic District, ~~and Pedestrian Place~~, and Transit Triangle overlays. Development located within these overlays is required to meet all other applicable sections of this ordinance, except as modified by this chapter. Where the provisions of this chapter conflict with comparable standards described in any other ordinance or regulation, the provisions of this chapter apply.

Section 18.3.12.060 is amended to read as follows:

18.3.12.060 Pedestrian Place Overlay

A. Purpose. The Pedestrian Place overlay is intended to direct and encourage development of small walkable nodes that provide concentrations of gathering places, housing, businesses, and pedestrian amenities situated and designed in a way to encourage walking, bicycling, and transit use.

B. Applicability

1. This section applies to properties designated as Pedestrian Places overlay on the Site Design Zones map.
2. Review Procedure. The Pedestrian Place overlay requirements apply to proposed development located in the Pedestrian Place overlay that requires a planning application approval, and involves development of new structures or additions other than single-family dwellings and associated accessory structures and uses. The provisions of the Pedestrian Place overlay supplement those of the applicable base zoning district and other applicable ordinance requirements.
3. Mixed-Use Buildings in Residential Zones. Mixed-use buildings located in an underlying residential zone require Site Design Review approval in accordance with chapter 18.5.2, and are subject to the standards subsection 18.4.2.040.B Basic Site Review Standards rather than section 18.4.2.030 Residential Development. Mixed-use buildings are subject to all other applicable provisions of part 18.4 Site Development and Design Standards.

4. The Pedestrian Places overlay and development standards do not apply to properties electing to develop under the Transit Triangle (TT) overlay option. See chapter 18.3.14 Transit Triangle Overlay.

C. Pedestrian Place Concept Plans. The Pedestrian Place Concept plans (i.e., site plan, development summary, and building illustrations) are for the purpose of providing an example of development that conforms to the standards, and do not constitute independent approval criteria. Concept plans are attached to the end of this chapter.

D. Development Standards. The following standards shall apply to development in the Pedestrian Places overlay in addition to all applicable provisions of this ordinance.

1. Building Setbacks. The solar access setback in chapter 18.4.8 Solar Access applies only to those lots abutting a residential zone to the north.
2. Plazas and Landscaping Ratio. Outdoor seating areas, plazas, and other useable paved surfaces may be applied toward meeting the landscaping area requirements in chapter 18.4.4 Landscaping, Lighting, and Screening, but shall not constitute more than 50 percent of the required area.

E. Development in Residential Zone. The following standards apply to development located in the Pedestrian Places overlay and a residential zone, in addition to all applicable provisions of this ordinance.

1. Special Permitted Uses. In addition to the permitted uses in the underlying residential zone, the following uses and their accessory uses are permitted subject to the requirements of this section.
 - a. Professional, financial, business and medical offices, and personal service establishments.
 - b. Stores, shops, and offices supplying commodities or performing services.
 - c. Restaurants.
2. Development Standards and Limitations.
 - a. The maximum gross floor area occupied by a special permitted use shall be 2,500 square feet.
 - b. Special permitted uses shall be allowed in a building or in a group of buildings including a mixture of businesses and housing. At least 50 percent of the total gross floor area of a building, or of where there is more than one building on a site, 50 percent of the total lot area including accessory uses such as parking, landscaping and public space, shall be designated for residential uses.
 - c. The development shall meet the minimum housing density requirements of the underlying zone.
 - d. Mixed-use buildings shall be setback not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement.
 - e. Mixed-use developments shall have a minimum Floor Area Ratio (FAR) of .50. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Projects including existing buildings or vacant parcels of a half an acre or greater in size shall achieve the required minimum FAR or provide a shadow plan (see graphic) that demonstrates how development may be intensified over time to meet the required minimum FAR.

Section 18.3.12.070 is added as follows:

18.3.12.070 Transit Triangle Overlay

- A. The Transit Triangle (TT) overlay is that area defined in the Site Design Zones map.**
- B. Development in the Transit Triangle overlay is subject to chapter 18.3.14 Transit Triangle Overlay in addition to all other applicable sections of this ordinance.**

Section 18.3.13.010 is amended as follows:

18.3.13.010 Residential Overlay Regulations

- A. Purpose. The Residential overlay is intended to encourage a concentration and mix of businesses and housing that provides a variety of housing types, supports resource and energy conservation, and promotes walking, bicycling, and transit use.
- B. Applicability. The Residential overlay applies to all property where ‘Residential Overlay’ (R) is indicated on the Zoning map.
- C. Requirements. The Residential overlay requirements are as follows, ~~except that~~ **except that dwellings developed under the Transit Triangle (TT) overlay option are not subject to subsection 18.3.13.010 C, below. See section 18.3.14.040 for the allowed uses in the TT overlay.**
 - 1. ~~Mixed-Use Developments. If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses.~~
 - a. **One Building. When a planning application is limited to one building, residential uses may occupy up to 35 percent of the gross floor area of the ground floor. At least 65 percent of the gross floor area of the ground floor shall be designated for permitted and uses permitted with special use standards, not including residential uses.**
 - b. **More Than One Building. When a planning application includes more than one building, the equivalent of at least 65 percent of the gross floor area of the ground floor for all buildings shall be designated for permitted and uses permitted with special use standards, not including residential uses.**
 - 2. Residential densities shall not exceed 15 dwelling units per acre. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.
 - 3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the E-1 District.
 - 4. ~~If the number of residential units exceeds ten, then at least 10 percent of the~~

Commented [MH6]: This language was in the pre-2015 code and inadvertently deleted.

Commented [MH7]: Planning Commission requested simpler methodology and better wording on commercial/residential split for applications involving mixed-use development and multiple buildings. Also raised as an issue to work on by City Council during 2015 code adoption process.

~~residential units shall be affordable for moderate-income persons in accord with the standards established by resolution of the City Council through procedures contained in the resolution. The number of units required to be affordable shall be rounded down to the nearest whole unit.~~

Commented [MH8]: Deleted because inconsistent with state law and appears to be a disincentive to include more than ten residential units in a project.

Section 18.4.3.030 is amended to read as follows:

18.4.3.030 General Automobile Parking Requirements and Exceptions

A. Minimum Number of Off-Street Automobile Parking Spaces. Off-street parking shall be provided pursuant to one of the following three methods and shall include required Disabled Person Parking.

1. Standard Ratios for Automobile Parking. The standards in Table 18.4.3.040.
2. Unspecified Use. Where automobile parking requirements for any use are not specifically listed in Table 18.4.3.040, such requirements shall be determined by the Staff Advisor based upon the most comparable use specified in this section, and other available data.
3. Parking Demand Analysis. The approval authority through a discretionary review may approve a parking standard that is different than the standards under subsection 1 and 2, above, as follows.
 - a. The applicant submits a parking demand analysis with supporting data prepared by a professional engineer, planner, architect, landscape architect, or other qualified professional;
 - b. The parking analysis, at a minimum, shall assess the average parking demand and available supply for existing and proposed uses on the subject site; opportunities for shared parking with other uses in the vicinity; existing public parking in the vicinity; transportation options existing or planned near the site, such as frequent bus service, carpools, or private shuttles; and other relevant factors. The parking demand analysis option may be used in conjunction with, or independent of, the options provided under section 18.4.3.060 Parking Management Strategies.
 - c. The review procedure shall be the same as for the main project application.

B. Maximum Number of Off-Street Automobile Parking Spaces. The number of spaces provided by any particular use in ground surface lots shall not exceed the number of spaces required by this chapter by more than ten percent. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface lots, shall not apply towards the maximum number of allowable spaces.

C. Commercial Downtown Zone. All uses within the C-1-D zone, except for hotel, motel, and hostel uses, are exempt from the off-street parking requirements of this section.

Commented [MH9]: Commercial added to match C-1-D zone title.

D. North Mountain Plan District. Within the Neighborhood Central zone of the North Mountain (NM) Neighborhood Plan district, all uses are exempt from the off-street parking

requirements of this section, except that residential uses are required to provide a minimum of one parking space per residential unit.

Section 18.4.3.040 is amended to read as follows:

18.4.3.040 Parking Ratios

Except as provided by section 18.4.3.030, the standard ratios required for automobile parking are as follows. See also, accessible parking space requirements in section 18.4.3.050.

Table 18.4.3.040 – Automobile Parking Spaces by Use	
Use Categories	Minimum Parking per Land Use (Based on Gross Floor Area; fractions are rounded to whole number.)
Residential Categories	
Single-Family Dwellings	2 spaces for detached dwelling units-and the following for-attached dwelling units. a. Studio units or 1-bedroom units less than 500 sq. ft. --1 space/unit. b. 1-bedroom units 500 sq. ft. or larger -- 1.50 spaces/unit. c. 2-bedroom units -- 1.75 spaces/unit. d. 3-bedroom or greater units -- 2.00 spaces/unit.
Accessory Residential Units	a. Units less than 800 sq. ft.-- 1 space/unit, except. as exempted in subsection 18.2.3.040.A. b. Units greater than 800 sq. ft. and up to 1,000 sq. ft. -- 2.00 spaces/unit.
Multi-Family Dwellings	a. Studio units or 1-bedroom units less than 500 sq. ft. -- 1 space/unit. b. 1-bedroom units 500 sq. ft. or larger -- 1.50 spaces/unit. c. 2-bedroom units -- 1.75 spaces/unit. d. 3-bedroom or greater units -- 2.00 spaces/unit. e. Retirement complexes for seniors 55-years or greater -- One space per unit. <u>f. Transit Triangle (TT) overlay option developments, see chapter 18.3.14.</u>
Cottage Housing	a. Units less than 800 sq. ft. -- 1 space/unit. b. Units greater than 800 sq. ft. and less than 1000 sq. ft. -- 1.5 spaces/unit. c. Units greater than 1000 sq. ft. -- 2.00 spaces/unit. d. Retirement complexes for seniors 55-years or greater -- One space per unit.

Table 18.4.3.040 – Automobile Parking Spaces by Use	
Use Categories	Minimum Parking per Land Use (Based on Gross Floor Area; fractions are rounded to whole number.)
Manufactured Housing	Parking for Manufactured Home on Single-Family Lot is same as Single Family Dwelling; for Manufactured Housing Developments, see sections 18.2.3.170 and 18.2.3.180.
Performance Standards Developments	See chapter 18.3.9.
Commercial Categories	
Auto, boat or trailer sales, retail nurseries and other open-space uses	1 space per 1,000 sq. ft. of the first 10,000 sq. ft. of gross land area; plus 1 space per 5,000 sq. ft. for the excess over 10,000 sq. ft. of gross land area; and 1 space per 2 employees.
Bowling Alleys	3 spaces per alley, plus 1 space for auxiliary activities set forth in this section.
Chapels and Mortuaries	1 space per 4 fixed seats in the main chapel.
Hotels	1 space per guest room, plus 1 space for the owner or manager; see also, requirements for associated uses, such as restaurants, entertainment uses, drinking establishments, assembly facilities.
Offices	General Office: 1 space per 500 sq. ft. floor area. Medical/Dental Office: 1 space per 350 sq. ft. floor area.
Restaurants, Bars, Ice Cream Parlors, Similar Uses	1 space per 4 seats or 1 space per 100 sq. ft. of gross floor area, whichever is less.
Retail Sales and Services	General: 1 space per 350 sq. ft. floor area. Furniture and Appliances: 1 space per 750 sq. ft. floor area.
Skating Rinks	1 space per 350 sq. ft. of gross floor area.
Theaters, Auditoriums, Stadiums, Gymnasiums and Similar Uses	1 space per 4 seats.
Travelers' Accommodations	1 space per guest room, plus 2 spaces for the owner or manager.
Industrial Categories	
Industrial, Manufacturing and Production, Warehousing and Freight	1 space per 1,000 sq. ft. of gross floor area, or 1 space for each 2 employees whichever is less, plus 1 space per company vehicle.
Institutional and Public Categories	
Aircraft Hangar - Ashland Municipal Airport	One space per hangar or one space per four aircraft occupying a hangar, whichever is greater. Parking spaces shall be provided within the hangar or within designated vehicle parking areas identified in the adopted Ashland Municipal Airport Master Plan.
Clubs, Fraternity and Sorority Houses; Rooming and Boarding Houses; Dormitories	2 spaces for each 3 guest rooms; in dormitories, 100 sq. ft. shall be equivalent to a guest room.
Daycare	1 space per two employees; a minimum of 2 spaces is required.
Golf Courses	Regular: 8 spaces per hole, plus additional spaces for auxiliary uses. Miniature: 4 spaces per hole.
Hospital	2 space per patient bed.
Nursing and Convalescent Homes	1 space per 3 patient beds.

Table 18.4.3.040 – Automobile Parking Spaces by Use	
Use Categories	Minimum Parking per Land Use (Based on Gross Floor Area; fractions are rounded to whole number.)
Public Assembly	1 space per 4 seats
Religious Institutions and Houses of Worship	1 space per 4 seats.
Rest Homes, Homes for the Aged, or Assisted Living	1 space per 2 patient beds or 1 space per apartment unit.
Schools	Elementary and Junior High: 1.5 spaces per classroom, or 1 space per 75 sq. ft. of public assembly area, whichever is greater
	High Schools: 1.5 spaces per classroom, plus 1 space per 10 students the school is designed to accommodate; or the requirements for public assembly area, whichever is greater
	Colleges, Universities and Trade Schools: 1.5 spaces per classroom, plus 1 space per five students the school is designed to accommodate, plus requirements for on-campus student housing.
Other Categories	
Temporary Uses	Parking standards for temporary uses are the same as for primary uses, except that the City decision-making body may reduce or waive certain development and designs standards for temporary uses.

Section 18.4.3.060 is amended to read as follows:

18.4.3.060 Parking Management Strategies

Except for single-family dwellings, the off-street parking spaces may be reduced through the application of the following credits. The total maximum reduction in off-street parking spaces is 50 percent, except as allowed for Off-Site Shared Parking credits in subsection 18.4.3.060.E, below. The approval authority may require a parking analysis prepared by a qualified professional. See 18.4.3.030.A.3 for parking analysis requirements.

A. On-Street Parking Credit. Credit for on-street parking spaces may reduce the required off-street parking spaces up to 50 percent, as follows.

1. Credit. One off-street parking space credit for one on-street parking space meeting the standards of subsections 2-4, below. See Figure 18.4.3.060.A.1.

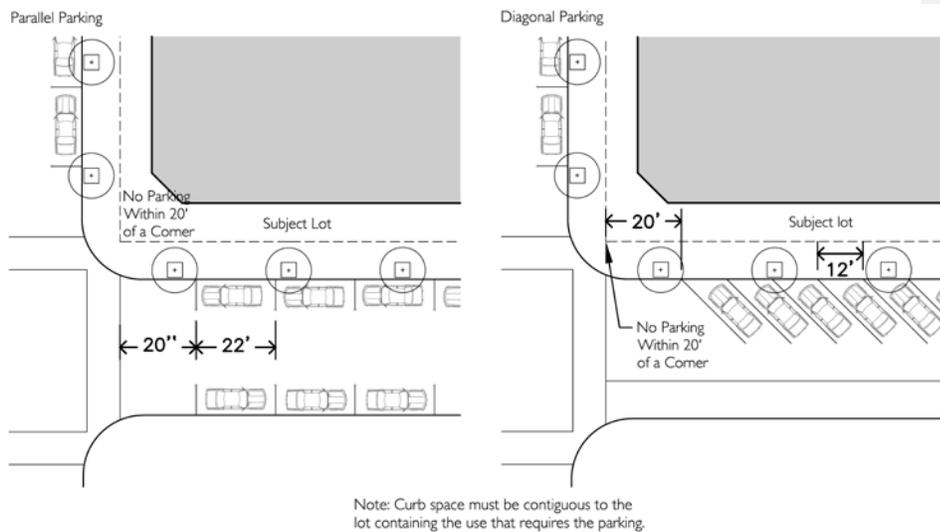


Figure 18.4.3.060.A.1
On-Street Parking Credit

2. Dimensions. On-street parking shall follow the established configuration of existing on-street parking, except that 45-degree diagonal parking may be allowed with the approval of the Public Works Director, taking into account traffic flows and street design, with the parking spaces designed in accord with the standards on file with the Public Works Department.
 - a. Parallel parking, each 22 feet of uninterrupted curb.
 - b. 45-degree diagonal, each 12 feet of uninterrupted curb.
3. Location
 - a. Curb space must be contiguous to the lot containing the use that requires the parking.
 - b. Parking spaces may not be counted that are within 20 feet measured along the curb of any corner or intersection of an alley or street, nor any other parking configuration that violates any law or standard of the City or State.
 - c. Parking spaces located on arterials and collectors may only receive credit if the arterial or collector is greater in width than the minimums established by the street standards in section 18.4.6.040.
 - d. Parking spaces may not be counted that are within 200 feet of a C-1-D or SOU zone.
 - e. Parking spaces may not be counted that are required as on-street parking in accordance with section 18.3.9.060 in a development under the Performance

Standards Option.

4. Availability. On-street parking spaces credited for a specific use shall not be used exclusively by that use, but shall be available for general public use at all times. No signage or actions limiting general public use of on-street spaces shall be permitted.

B. Alternative Vehicle Parking. Alternative vehicle parking facilities may reduce the required off-street parking spaces up to 25 percent, as follows.

1. Motorcycle or scooter parking. One off-street parking space credit for four motorcycle or scooter parking spaces.
2. Bicycle parking. One off-street parking space credit for five additional, non-required bicycle parking spaces.

3. Microcar parking. One off-street parking space credit for two microcar parking spaces. Microcar spaces shall be designed so that one full size automobile can use two microcar spaces, and the microcar spaces shall not be limited in use by hours or type of vehicle through signage or other legal instrument.

C. Mixed Uses. In the event that several users occupy a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for the several uses computed separately unless it can be shown that the peak parking demands are offset, in which case the mixed-use credit may reduce the off-street parking requirement by a percentage equal to the reduced parking demand. A mixed-use parking credit may reduce the required off-street parking spaces up to 50 percent.

D. Joint Use of Facilities. Required parking facilities of two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that it can be shown by the owners or operators that the need for the facilities does not materially overlap (e.g., uses primarily of a daytime vs. nighttime nature) and provided that such right of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing such joint use. Jointly-used parking facilities may reduce the required off-street parking spaces up to 50 percent.

E. Off-Site Shared Parking. One off-street parking space credit for every one parking space constructed in designated off-site shared parking areas, or through payment of in-lieu-of-parking fees for a common parking. Off-site shared parking facilities may reduce the required off-street parking spaces up to 100 percent.

F. TDM Plan Credit. Through implementation of an individual Transportation Demand Management (TDM) plan that demonstrates a reduction of long-term parking demand by a percentage equal to the credit requested. A TDM plan may reduce the required off-street parking spaces up to 50 percent.

G. Transit Facilities Credit. Sites where at least 20 spaces are required and where at least one lot line abuts a street with transit service may substitute transit-supportive plazas as follows. A Transit Facilities Credit may reduce the required off-street parking spaces up to 50 percent.

1. Pedestrian and transit supportive plazas may be substituted for up to ten percent of the required parking spaces on-site.

Commented [MH10]: Suggestion from developer roundtable in 2017 to add flexibility to address changing automobile technology.

2. A street with transit service shall have a minimum of 30-minute peak period transit service frequency.
3. Existing parking areas may be converted to take advantage of these provisions.
4. The plaza must be adjacent to and visible from the transit street. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop.
5. The plaza must be at least 300 square feet in area and be shaped so that a ten-foot by ten-foot (10 feet X 10 feet) square will fit entirely in the plaza.
6. The plaza must include all of the following elements.
 - a. A plaza that is open to the public. The owner must record a public access easement that allows public access to the plaza.
 - b. A bench or other sitting area with at least five linear feet of seating.
 - c. A shelter or other weather protection. The shelter must cover at least 20 square feet and the plaza must be landscaped. This landscaping is in addition to any other landscaping or screening required for parking areas by this ordinance.

Section 18.6.1.030 is amended to read as follows:

18.6.1.030 Definitions

The following definitions are organized alphabetically.

Basement. That portion of a building with a floor-to-ceiling height of not less than six-and-a-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.

~~**Floor Area, Gross Habitable.** The total area of all floors in a dwelling measured to its outside surfaces that are under the horizontal projection of the roof or floor above with at least seven feet of head room, excluding uninhabitable spaces accessed solely by an exterior door.~~

~~**Floor Area, Gross.** The total area of all floors in a building measured to the outside surfaces that are under the horizontal projection of the roof or floor above.~~

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 Area.** The 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 head room of less than six-and-a-half feet, and unenclosed steps, porches, terraces and balconies. Individual sections of this ordinance may exempt additional spaces from gross floor area.

Commented [MH11]: Planning Commission requested clarification of definitions of basement, floor area and story to address discussion that came up in decision for 1651 Ashland St., Rogue Federal Credit Union.

Commented [MH12]: Currently used in code to regulate the commercial and residential split in mixed use projects in the C-1, E-1, M-1, CM, PP and NN zones. Also used to calculate the plaza requirement for large scale project in the Detail Site Review overlay. Also used to regulate building volume and calculate the minimum FAR in the Detail Site Review overlay.

- **Gross Habitable Floor Area.** The 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 the primary dwelling, including but not limited to potential living spaces within the structure with at least seven feet of head room and attached garages. Basements, detached garages, detached accessory structures, and detached accessory residential units are not counted in the gross floor area for the MPFA calculation if separated from the primary dwelling by six feet or more. Similarly, unenclosed breezeways, and similar open structures connecting an exempt detached structure to the primary dwelling are not counted in the MPFA calculation.

Commented [MH13]: Currently used in code to regulate the size of ARUs and 500 square foot residential units in the C-1, E-1, CM, NM zones.

Commented [MH14]: Used to regulate the volume/size of buildings in the Historic Districts in R-1, R-2 and R-3 zones.

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

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 accommodate two microcars.

Commented [MH15]: To address new parking management strategy for microcars.

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

Commented [MH16]: Edited for clarity at request of the Planning Commission.

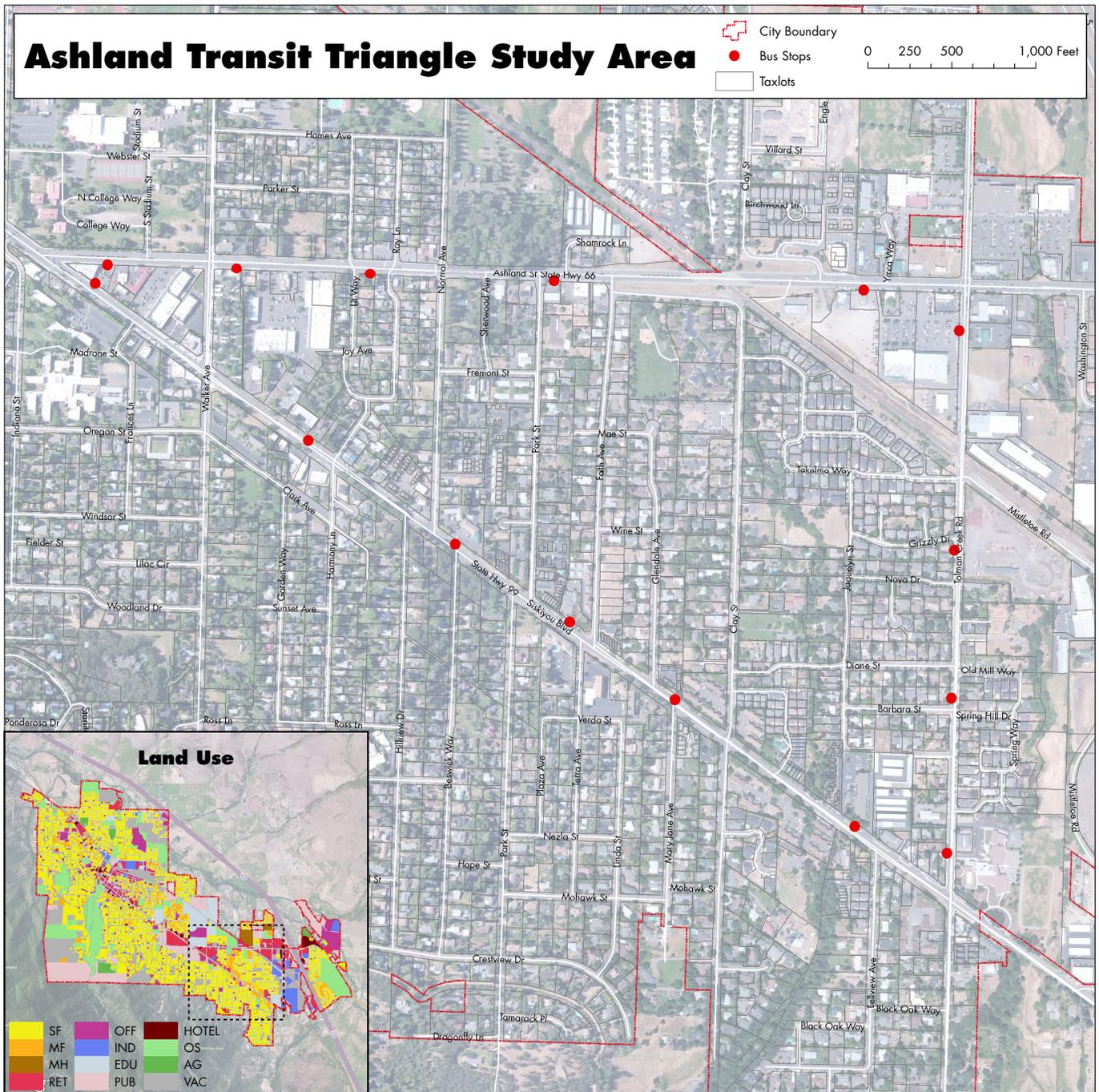
Ashland Transit Triangle

Infill Strategies Project



January 2018

Ashland Transit Triangle



What is the Transit Triangle?

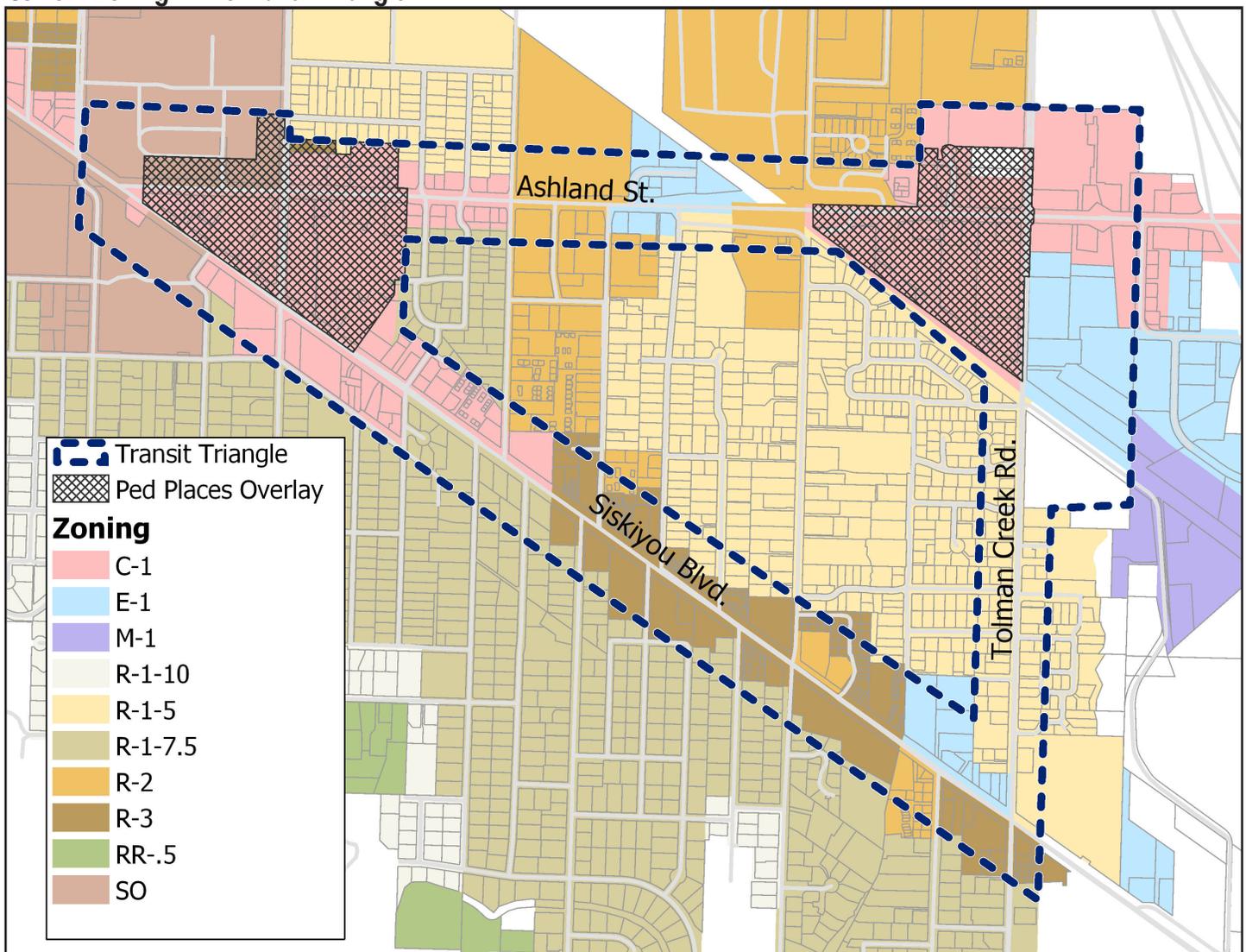
The Transit Triangle is comprised of Ashland Street along the north edge, Siskiyou Boulevard on the southwest side, and Tolman Creek Road on the eastern edge. This area includes opportunities for development of additional businesses and housing. Well established neighborhoods are within walking distance, and the area is served by the Rogue Valley Transportation District (RVTD).

Why is the Transit Triangle Important?

The City Council identified the Infill Strategies Project as one of three high priority long range planning projects in 2014. The project was described as:

“Create and analyze development scenarios accommodating varying levels of future employment and housing growth for the transit corridors in the southeast portion of the city. Identify strategies to encourage a concentration and mix of housing and jobs (i.e. transient-oriented development) and increase the desirability of the corridors for residential living.”

Current Zoning in the Transit Triangle



Previous Findings

Past developments adjacent to the bus route in the study area were primarily comprised of single-use, one story commercial buildings that did not include a residential component despite allowances in zoning allowing residential units.

To better understand why residential units were not being built, Fregonese Associates performed a return on investment analysis to examine the market feasibility of a variety of building types using the Envision Tomorrow model. The model incorporates land, construction and permitting costs, as well as the physical attributes of buildings allowed by the existing zoning and land use standards to produce achievable rents and sales prices for commercial space and residential units.

Issues

Several issues were found to exist under the current zoning and land use standards that limit commercial and residential development in the Transit Triangle, including:

- Projected commercial rents are too low to make new construction feasible.
- The residential unit rental rates are unfeasible because the rental rates exceed those of the current rental market.
- The projected dwelling units are primarily 1,000 square feet and larger.
- The rental rates exceed the amount a two-person household at median income can afford by 30 percent or more.

Further preliminary analysis determined that changes to land use and zoning standards, implemented in tandem with streetscape improvements, allowed for development that could feasibly achieve rents affordable to median income households.

Opportunities

Several opportunities exist in the Transit Triangle, making it an attractive area for future development and redevelopment. These opportunities include:

- RVTD Route 10 runs through the study area, providing convenient transit access.
- Vacant and redevelopable land.
- Well-established public facilities.
- Shopping, services, and neighborhoods within walking distance.

Existing Conditions in the Transit Triangle



A variety of City Council goals and strategies, as well as adopted City plans, support the examination, discussion and consideration of a new approach to land use development and transportation systems in the Transit Triangle.

Applicable Council Goals:

13. Develop and support land use and transportation policies to achieve sustainable development.

13.2 Develop infill and compact urban form policies.

- Update infill strategy along major transportation corridors to promote housing and business development, as well as alternative transportation choices.

21. Be proactive in using best practices in infrastructure management and modernization.

21.2 Expand public transportation options.

Applicable Climate and Energy Action Plan (CEAP) Strategies

The CEAP includes strategies to address residential travel and the emissions associated with passenger cars and trucks. Strategies to reduce and replace these residential trips include:

- Promoting land use development patterns that utilize existing public infrastructure.
- Make using transit and alternate modes of transportation possible and desirable.

Applicable Economic Development Strategies

6. Provide appropriate land supplies for needed business growth/expansion with quality infrastructure to all commercial and employment lands.

6.5 Evaluate land availability for business expansion on lands on or adjacent to existing businesses.

6.6 Determine feasibility and cost/benefit for public purchase of key industrial lands to make “shovel ready” for re-sale for business development.

7. Manage physical development process to ensure understandable requirements with timely and predictable results while safeguarding and improving the quality of the environment and the community.

7.3 Consider changes to Land Use Development Code that may be inhibiting redevelopment or new construction.

Regional Problem Solving Element of the Comprehensive Plan

The City of Ashland did not identify any Urban Reserve Areas (URAs) through the regional planning process. Therefore, it is incumbent upon the City to increase efficiency in the use of land through concentration of housing in centrally located areas within the City UGB which are planned for future urban development. Promoting infill development along transit corridors provides alternatives to, or delays the need for, expansion of the City UGB.

Demographics

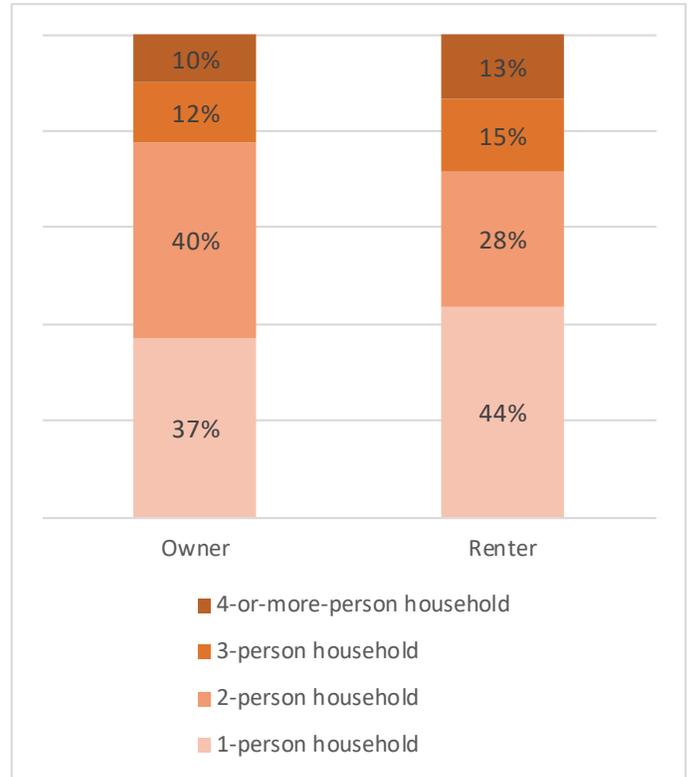
Ashland is changing, and certain segments of the current housing market are not well served by the existing housing pattern, which is predominantly single family. Notably, one- and two-person households, such as students and aging Boomers, comprise a large and growing segment of the housing market today.

Generational Housing Preferences

Ashland's population is largely comprised of young people and older adults. The population pyramid resembles an hourglass more so than a pyramid, reflecting a sizable proportion of people in their teens and early 20s, as well as those in their late 50s and 60s.

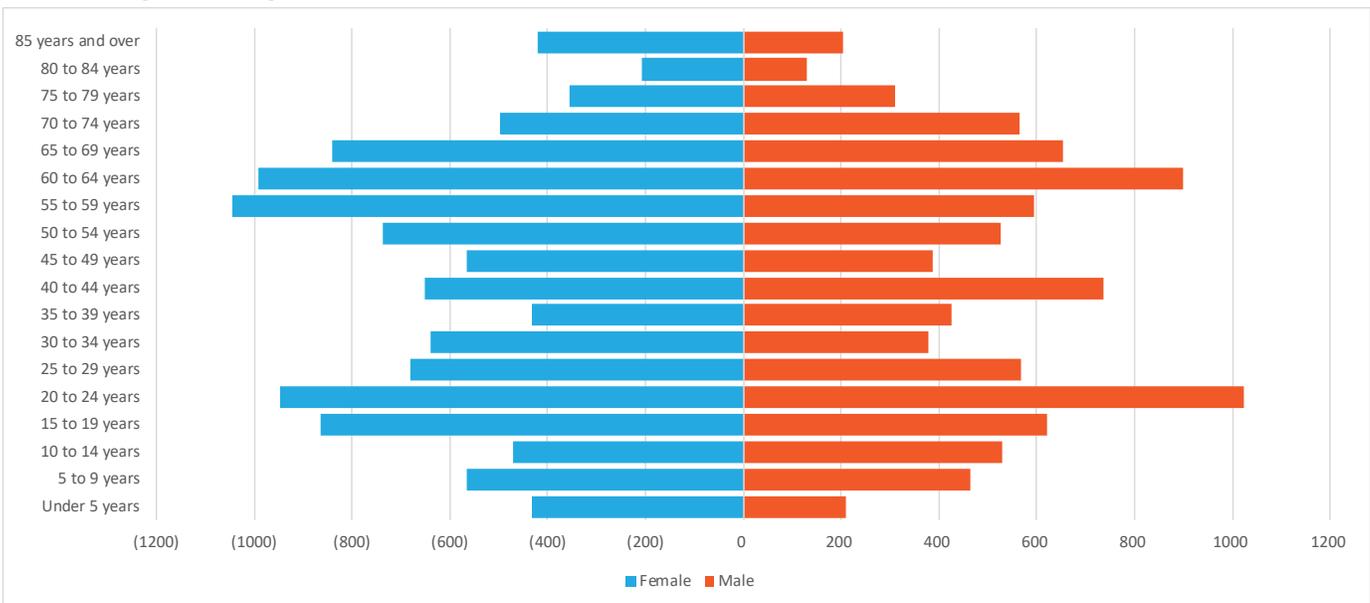
Similar to national trends, households in Ashland today are largely comprised of one and two people. This is reflective of the major population groups – young people and older adults without children. This is a long term national trend that is changing housing demand. Demand for smaller units, including compact single family, townhomes and apartments, is increasing.

Persons per Household by Tenure



Source: US Census, 2015 ACS (5-year Estimates)

Ashland Population Pyramid



Source: US Census, 2015 ACS (5-year Estimates)

Housing Affordability

It is possible to provide the capacity to produce market rate units that are affordable to persons at the median income or below. Fregonese Associates analysis showed that apartments are feasible, without subsidy, at rents of \$1,270 - \$1,295 per month, affordable to the median income household, as defined in Table 1. Units that are affordable below that rate would require an incentive or subsidy, though there are several tools the State has made available that could be used in Ashland for increased affordability, as discussed on page 13.

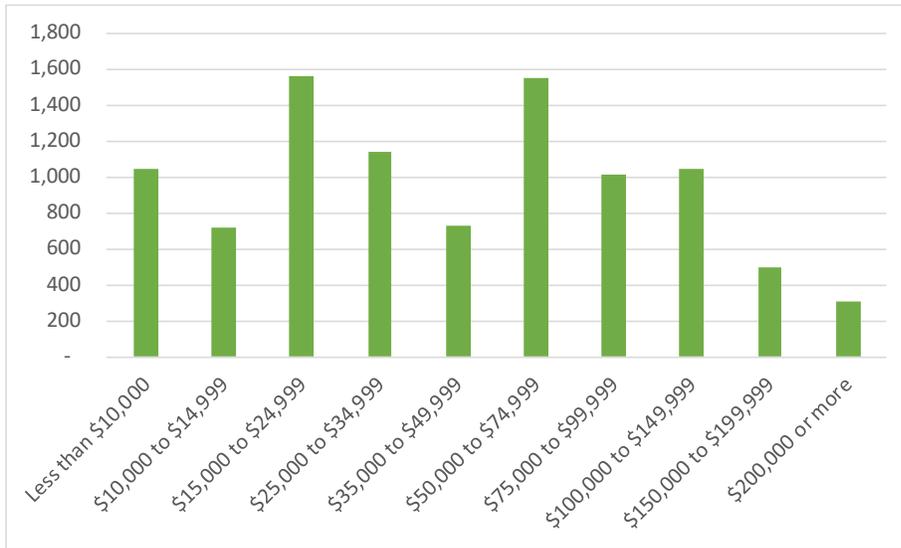
Table 1: Affordable Housing Income Limits by Family Size

Income Level	Number of Persons in Family							
	1	2	3	4	5	6	7	8+
Extremely Low Income (30%)	\$12,060	\$16,240	\$20,420	\$24,600	\$28,780	\$31,100	\$33,250	\$35,400
Low Income (50%)	\$18,800	\$21,450	\$24,150	\$26,800	\$28,950	\$31,100	\$33,250	\$35,400
Income at 60% of Median	\$22,560	\$25,740	\$28,980	\$32,340	\$34,740	\$37,320	\$39,900	\$42,480
Moderate Income (80%)	\$30,050	\$34,350	\$38,650	\$42,900	\$46,350	\$49,800	\$53,200	\$56,650
Median Income (100%)	\$37,600	\$42,900	\$48,300	\$53,600	\$57,900	\$62,200	\$66,500	\$70,800
Income at 120% of Median	\$45,120	\$51,480	\$57,960	\$64,320	\$69,480	\$74,640	\$79,800	\$84,960
Income at 130% of Median	\$48,880	\$55,770	\$62,790	\$69,680	\$75,270	\$80,860	\$86,450	\$92,040

Source: City of Ashland Affordable Housing Income Limits, May 2017 - May 2018

Demographics

Ashland Household Income

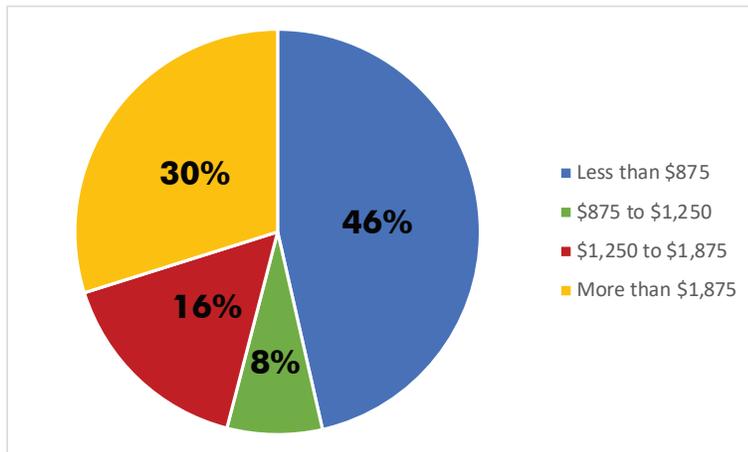


Source: US Census, 2015 ACS (5-year Estimates)

Median Income Comparisons

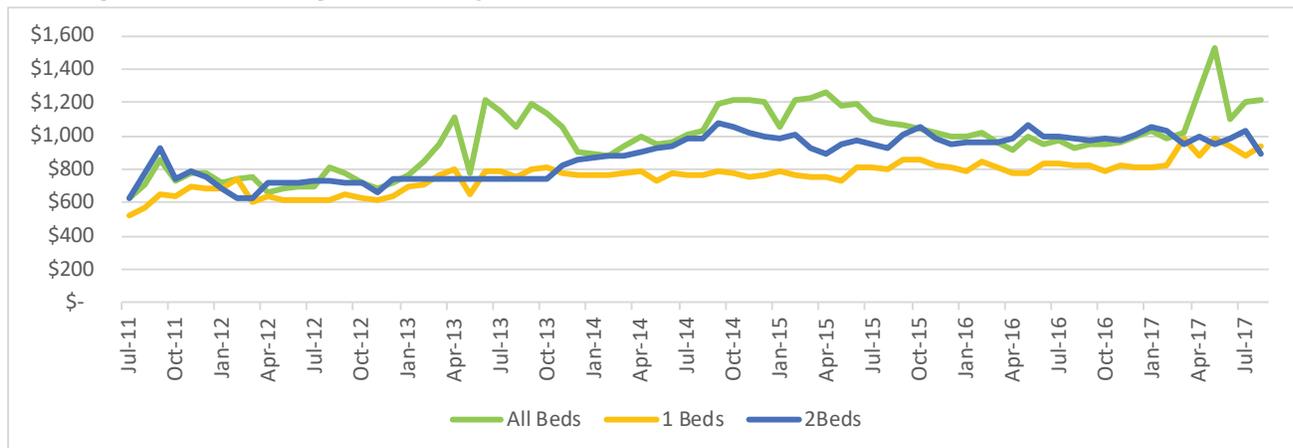
Ashland	\$45,704
Jackson Co.	\$44,028
Portland	\$55,003
Oregon	\$51,243

Ashland Household Incomes Converted to Affordable Monthly Rents (30%)



Source: US Census, 2015 ACS (5-year Estimates)

Monthly Rent Trends (July 2011 - August 2017)

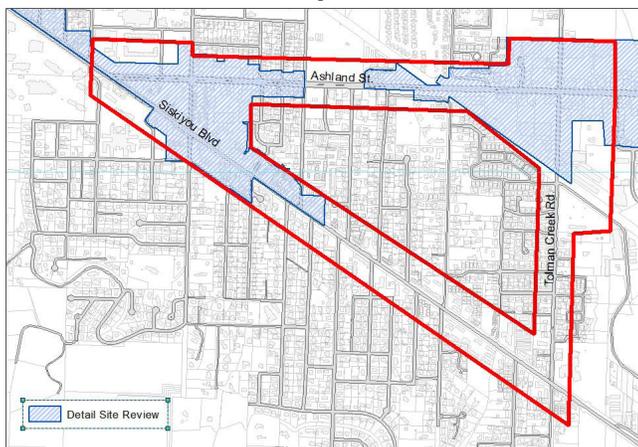


Source: Rent Jungle

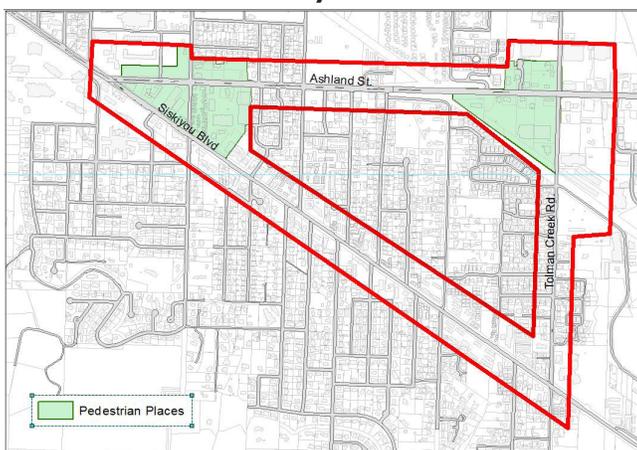
Zoning in the Transit Triangle

The transit triangle area is comprised of a variety of zones, but the primary (re)development opportunities are adjacent to the main roadways and are in the Commercial (C-1), Employment (E-1), High Density Multifamily (R-3) and Residential (R-2) zones. Most of Ashland Street and a portion of Siskiyou Boulevard and Tolman Creek Road are located in the Detail Site Review overlay. The areas surrounding the intersections of Ashland Street and Walker Avenue, and Ashland Street and Tolman Creek Road are also located in the Pedestrian Places overlay.

Detail Site Review Overlay



Pedestrian Places Overlay



Commercial (C-1)

The C-1 zone allows a range of commercial and residential uses, heights of up to 45 feet, including parapet, and residential densities of 30 dwelling units per acre.

Employment (E-1)

The E-1 zone also allows a range of commercial and residential uses, as well as light industrial uses, heights of up to 45 feet, including parapet, and residential densities of 15 dwelling units per acre.

High Density Multiple Family Residential Zone (R-3)

The R-3 zone allows single family and multi-family developments, heights up to two-and-a-half stories and residential densities of 20 units per acre. Like the other residential zones, uses such as parks, religious institutions and schools are also accommodated in the R-3 zone. Offices are allowed in the R-3 zone through the Conditional Use Permit (CUP) process.

Low Density Multiple Family Residential Zone (R-2)

The R-2 zone allows single family and multi-family developments, heights up to two-and-a-half stories and residential densities of 13.5 units per acre.

Zoning

Current Zoning Issues

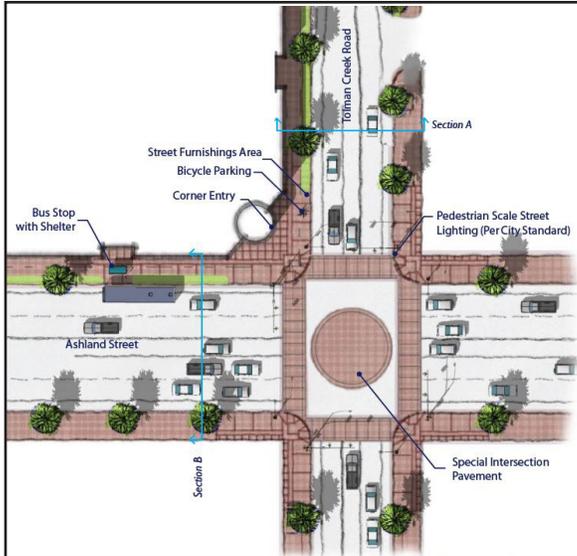
Current zoning in the Transit Triangle was evaluated to determine if it can produce economical housing and mixed-use developments. The production of such housing is not feasible in any of the zones analyzed, based on existing zoning standards (Table 2). The current code encourages the development of large apartments, townhomes and condominiums at low density, contrary to the realities of developing mixed-use infill housing in a city that has the costs found in Ashland.

Table 2: Current Standards for Zones within Transit Triangle

Current Zoning	R-2	R-3	E-1	C-1
Height	35 ft or 2.5 stories	35 ft or 2.5 stories	45 ft	45 ft
Parking Requirements	1-2 per unit	1-2 per unit	2 per 1,000 sq ft (office)	2.8 per 1,000 sq ft (retail)
Allowed Residential Density	13.5 DU/Acre	20 DU/Acre	15 DU/Acre	30 DU/Acre
Landscape Area	35%	25%	15%	15%
Lot Coverage	65%	75%	85%	85%

Source: City of Ashland Land Use Ordinance

Proposed streetscape improvements to Ashland Street & Tolman Creek Road



Streetscape Improvements

Streetscape improvements within the Transit Triangle, such as traffic calming, safer and shorter crossings, bike lanes, on-street parking, and street lights and trees, would increase walkability, desirability and safety in the area. Increased desirability translates into increased demand from a wider demographic cross section, and this increased demand leads to higher achievable rents and expanded investment opportunities.

These improvements are just some of the many urban amenities that increase the value of nearby housing, along with retail, parks, transit, and bike facilities. Streetscape enhancements should be implemented alongside land use and zoning standard updates to achieve the feasible rents demonstrated by Fregonese Associates analysis.

RVTD Route 10



Transit Improvements

The Transit Triangle is served by Rogue Valley Transportation District (RVT) Route 10. RVT recently made service enhancements and, as a result, Route 10 now provides 20 minute service from 7am-5pm (Monday-Friday) and 30 minute service for the remainder of the day (5am-7am and 5pm-7pm, Monday - Friday). Route 10 also includes service on Saturdays at hour intervals. Route 10 provides the highest ridership in the RVT system (50 percent of all RVT riders) and the Bi-Mart stop on Tolman Creek Road is one of the most used stops system wide.

The State of Oregon recently passed a \$5.3 billion transportation bill, which will, in part, be used to improve transit service and access across the state. RVT has developed a number of proposals that will dramatically improve transit service in Ashland. The City should be proactive in partnering with RVT to determine new routes and stops as transit improvements are made.

Building Solutions

Fregonese Associates created and modeled a mixed-use building prototype for an existing property at the corner of Park Street and Ashland Street. This study reveals what a specific project would look like on a real site.

- **Height** – The building represents a modern three-story building, which would permit up to a 42 foot height for a building with three floors. This height is permitted because the first floor in modern mixed-use buildings is often very high - 14 to 16 feet. The roof may also have a parapet, which allows the roof to be used for outdoor facilities, such as a deck or even a small pool.
- **Landscaping** – 20% landscaping.
- **Unit limit** – No unit limit (determined by FAR rather than unit count)
- **Parking** – One parking space per unit; No parking required for the on-site retail up to 1,250 square feet.
- **Unit size** – The building has 650 to 700 square foot apartment units and a small amount of retail on the Ashland Street frontage.

An analysis was conducted with three, four and five story buildings. Tables 3 and 4 illustrate the results for the height experiment as they pertain to dwelling units per acre and average rents.

The height increase adds density - up to 35% more units per acre. There is no change in monthly rents between the stepback design and the standard design. However, research indicates that buildings with stepbacks are more expensive and complex to construct because of load bearing issues. This additional cost is not reflected in the model.

The three-story development, with stepback, would be suitable in R-2 and R-3 zones, and the four-story (50 ft. maximum height) development would be suitable in the C-1 and E-1 zones. These four-story developments will have a stepback only when adjacent to a residential zone. Due to concerns about a cost increase associated with constructing a stepback, articulation may be used in lieu of a stepback to reduce building mass.

Table 3: Dwelling Units per Acre

Stories	DU/Acre with Stepback	DU/Acre without Stepback
3	44.5	48.7
4	51.1	55
5	56.2	60

Table 4: Average Monthly Rents

Stories	Average Monthly Rent (with and without Stepback)
3	\$1,295
4	\$1,282
5	\$1,270

Original Ross Johnson site



Visualization of three-story building with stepback on Ross Johnson site



Implementation

Recommended Zoning Changes

Current zoning issues can be addressed through the implementation of an Ashland Transit Triangle Overlay for the area, supplanting and extending the existing Pedestrian Place Overlay. The provision would allow the more economical development styles that were modeled.

The Ashland Transit Triangle Overlay would be intended to direct and encourage development of small, walkable nodes that provide concentrations of gathering places, housing, businesses, and pedestrian amenities, situated and designed in a way to encourage walking, bicycling, and transit use.

Example of a three-story building with stepback



Example of a three-story building with articulation



The following changes would be instituted:

In the R2 and R3 zones:

- 1) Allow 3 story buildings with stepback or articulation
- 2) Reduce landscaping to 20%
- 3) Limit building intensity by FAR regulation to 1.25, rather than units per acre
- 4) Allow limited mixed-use
- 5) Reduce parking for apartments less than 800 sq. ft. to 1 space per unit
- 6) Do not require parking in mixed use buildings for the first 1,250 square feet of commercial use

In the C1 and E1 zones:

- 1) Allow 4 story buildings with a stepback or articulation if adjacent to residential zones
- 2) Landscaping remains at 15%
- 3) Limit building intensity by FAR to 1.5 FAR
- 4) Encourage mixed-use
- 5) Reduce parking for apartments less than 800 sq. ft. to 1 space per unit
- 6) Do not require parking in mixed use buildings for the first 1,250 square feet of commercial use

In addition, require new supplemental design standards to build a more walkable street environment.

For details, see the attached draft ordinance.

Articulation vs. Stepbacks

While stepbacks are an effective method of reducing building mass, they are often expensive to implement, due to higher construction costs. Articulation is an alternative design approach that also reduces building mass, with the added benefit of being more feasible while accomplishing the same goal.

Providing Affordable Units in the Ashland Transit Triangle

As part of changing the zoning in the Ashland Transit Triangle, the City should adopt a Vertical Housing Development Zone (VHDZ) within the area. A VHDZ is designed to encourage the private sector to build higher-density mixed-use development in targeted areas of a city, and provides a partial tax exemption on increased property value for qualified projects. We are recommending that Ashland implement a VHDZ with a tax exemption only available to developments with at least 20 percent of units affordable at 80 percent median family income.

Qualified new development projects within a VHDZ are eligible to receive a 10-year property tax exemption on the value of new construction or rehabilitation for 20 percent per residential floor for the floors above ground floor commercial, as permitted by zoning. Total property tax abatement of the new construction is limited to no more than 80 percent.

The City of Milwaukie recently adopted a VHDZ to incentivize higher density, mixed-use development in their core and near transit, to increase the number of residents and businesses in the downtown area, and to increase housing affordability and access to affordable housing. The first project eligible for the Vertical Housing Tax Credit will break ground in Downtown Milwaukie in March 2018.

Other cities that have successfully implemented a VHDZ include Oregon City, Forest Grove, Grants Pass, Roseburg, and Hillsboro.

In addition to the VHDZ, many new affordable housing tools were made available by the State in the 2016 legislative session.

The tools include:

- 1) Inclusionary units can be 20% of units for projects of 20 units or more.
- 2) The income standard is 80% AMFI.
- 3) The City must provide the developer an option to pay a fee-in-lieu of the affordable units.
- 4) The City must offer one of the following financial incentives:
 - a. Fee waivers*
 - b. SDC waivers*
 - c. Finance based incentives
 - d. Property tax exemptions
- 5) The City can offer a series of zoning incentives:
 - a. Density adjustments*
 - b. Expedited service for local permitting processes
 - c. Modification of height, floor area or other site-specific requirements
 - d. Other incentives as determined by the city or county

The legislation also allows the City to impose a 1% construction excise tax to fund affordable housing, which is a tax on the permit value of new construction. Additionally, some exemptions can be made, including exemptions for affordable housing development.

**City currently provides these incentives*

Community Outreach

Public Involvement

Community engagement and input has been an essential part of the Transit Triangle planning process. The public involvement process has included:

- Several rounds of stakeholder and developer interviews
- Developer roundtables
- A Community Open House
- Online outreach and surveys (full survey results may be found attached to this report)
- Four Planning Commission briefings
- A City Council work session

The community's participation during the planning process helped shape the overarching vision and community values for the Transit Triangle, which ultimately guides the recommended strategies in the Plan.

Many posters, including those below, provided information for attendees at the Community Open House.

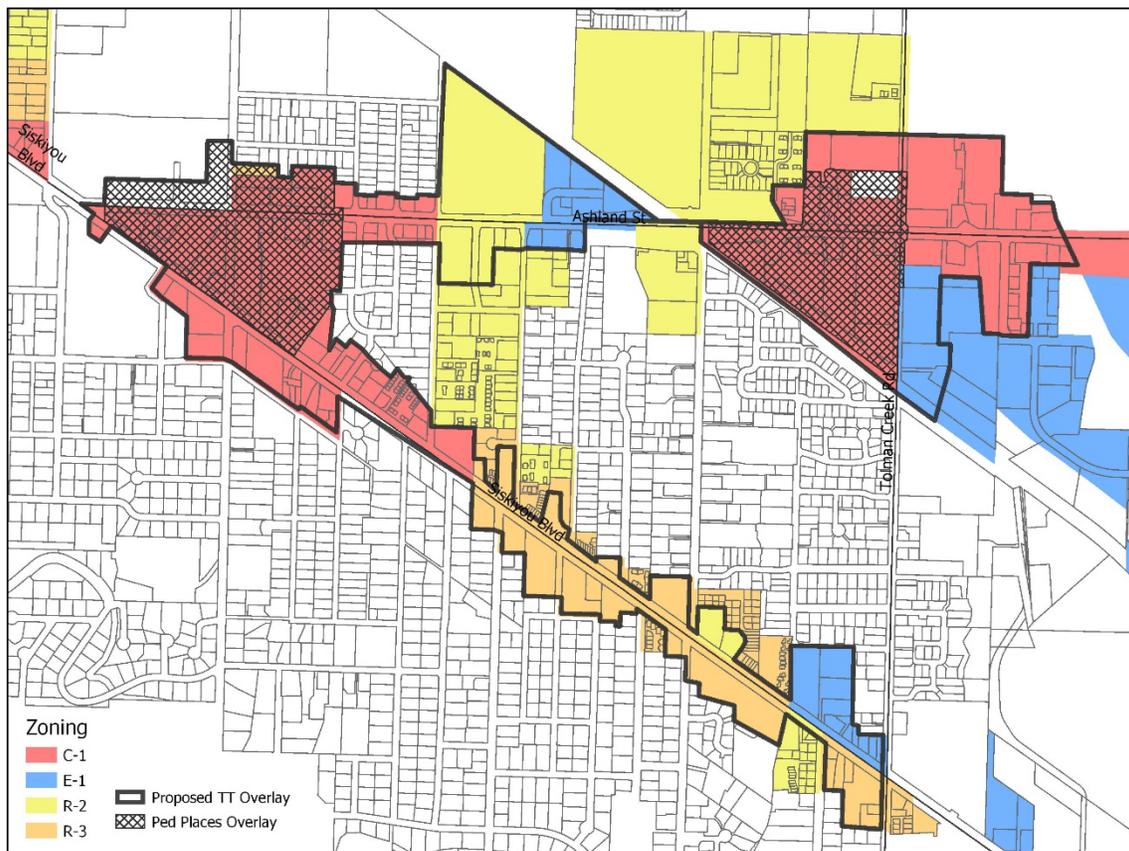
The image displays three informational posters from a Community Open House. The first poster, titled "VISUALIZING THE FUTURE", shows "Before" and "After" images for three sites: Ashland Vet Site, Ross Johnson Site, and Tolman Creek Rd. & Ashland St. Site. The second poster, titled "RECOMMENDED ZONING CHANGES", explains the Ashland Transit Triangle Overlay and lists specific regulations for different zones. The third poster, titled "AFFORDABLE HOUSING", discusses zoning changes and provides examples of affordable housing projects like The Orchards, Stellar Apartments, and Little Deschutes Lodge II.

18.3.12.070 Ashland Transit Triangle Overlay

A. Purpose. The Ashland Transit Triangle Overlay is intended to direct and encourage development of small walkable nodes that provide concentrations of gathering places, housing, businesses, and pedestrian amenities situated and designed in a way to encourage walking, bicycling, and transit use.

B. Applicability.

1. This section applies to properties designated as Transit Triangle overlay on the Site Design Zones map, as included below:



2. Review Procedure. The Ashland Transit Triangle Overlay requirements apply to proposed development located in the Ashland Transit Triangle Overlay that requires a planning application approval, and involves development of new structures or additions other than single-family dwellings and associated accessory structures and uses. The provisions of the

Ashland Transit Triangle Overlay supplement those of the applicable base zoning district and other applicable ordinance requirements.

3. Standards for buildings in the Transit Triangle Overlay.

All buildings and uses require Basic, Detail Site Review and Large Scale Development Site Design and Use Standards shall be applicable in accordance with Chapter 18.4 except as provided in this section

C. Development Standards. The following standards shall apply to development in the Ashland Transit Triangle overlay in addition to all applicable provisions of this ordinance.

1. Building Setbacks. The solar access setback in chapter [18.4.8](#) Solar Access applies only to those lots abutting a residential zone to the north.

2. Plazas and Landscaping Ratio. Outdoor seating areas, plazas, and other useable paved surfaces may be applied toward meeting the landscaping area requirements in chapter [18.4.4](#) Landscaping, Lighting, and Screening, but shall not constitute more than 50 percent of the required area.

3. Parking for Residential Dwellings. Residential dwellings in the Ashland Transit Triangle Overlay of less than 800 square feet are required to provide one off street parking space per unit, rather than the parking required in Section 18.96

D. Development Standards in R-2 and R-3 Zones. The following standards apply to development located in the Transit Triangle Overlay and a R-2 or R-3 zone, in addition to all applicable provisions of this ordinance.

1. Special Permitted Uses. In addition to the permitted uses in the underlying residential zone, the following uses and their accessory uses are permitted subject to the requirements of this section.

- a) Professional, financial, business and medical offices, and personal service establishments.
- b) Stores, shops, and offices supplying commodities or performing services.
- c) Restaurants.

2. Parking. No parking is required for the first 1,250 square feet of retail or restaurant use per acre of development site.

3. Development Standards and Limitations.

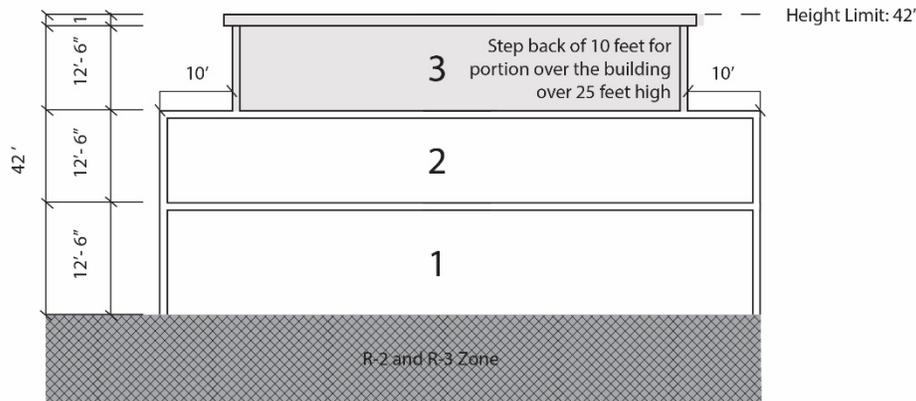
- a) The maximum gross floor area occupied by a special permitted use shall be 60 square feet for every residential dwelling unit developed on the site.
- b) Special permitted uses shall be allowed in a building or in a group of buildings including a mixture of businesses and housing. At least 50 percent of the total gross floor area of a building, or of where there is more than one building on a site, 50 percent of the total lot area including accessory uses such as parking, landscaping and public space, shall be designated for residential uses.
- c) The development shall meet the minimum housing density requirements of the underlying zone.
- d) Mixed-use buildings shall be setback not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement.
- e) Mixed-use developments shall have a minimum Floor Area Ratio (FAR) of .50. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Projects including existing buildings or vacant parcels of a half an acre or greater in size shall achieve the required minimum FAR or provide a shadow plan (see graphic) that demonstrates how development may be intensified over time to meet the required minimum FAR.

E. Development density standards in R-2 and R-3 zones

1. For the R-2 and R-3 zones the following standards.

- a) Maximum height permitted in 42 feet, and no more than 3 stories.
- b) Attention needs to be given to scale, massing, and facade design so as to reduce the effect of large single building masses. Reduction of building mass can be accomplished through a step back of 10 feet for that portion of the building that is over 25 feet high.
- c) In lieu of a stepback, articulation, offsets, setbacks, angles or curves of facades may be used. Articulation is required to include at least 25% of building frontage, with at least 10 feet of offset.





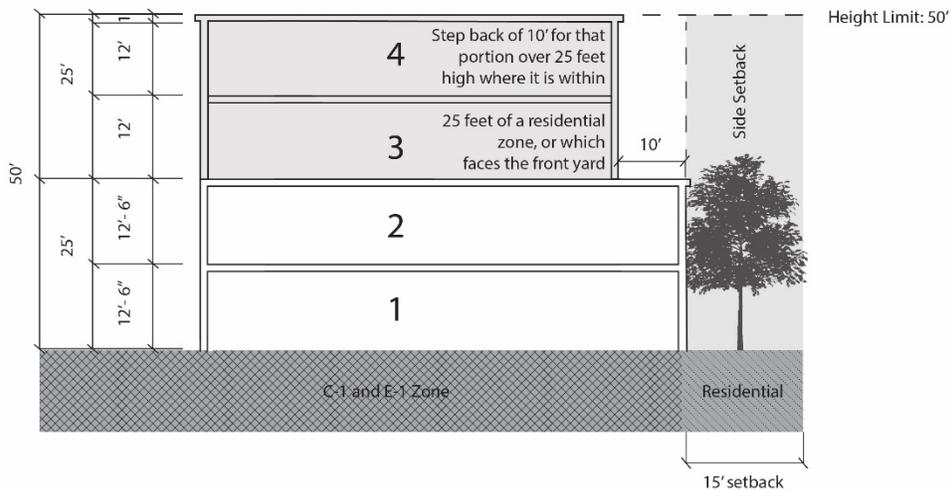
- d) Maximum Floor Area Ratio (FAR) of 1.25
- e) Minimum FAR is 1.0 in the Transit Triangle Overlay
- f) A least 20% of the site is required to be landscaped according to the standards of the Ashland Land Use Ordinance.
- g) No parking required for the first 1,250 square feet of retail or restaurant (per acre) if in a mixed use building.
- h) Any residential units developed under this section shall be long term rental units only (greater than 30 day lease). Condominiums and short term rental of units built under this section are not permitted.

F. Development Standards in C-1 and E-1 Zones. The following standards apply to development located in the Transit Triangle Overlay and a C-1 or E-1 zone, in addition to all applicable provisions of this ordinance.

1. Parking. No parking is required for the first 1,250 square feet of retail or restaurant use per acre of development site.

2. Development Standards and Limitations.

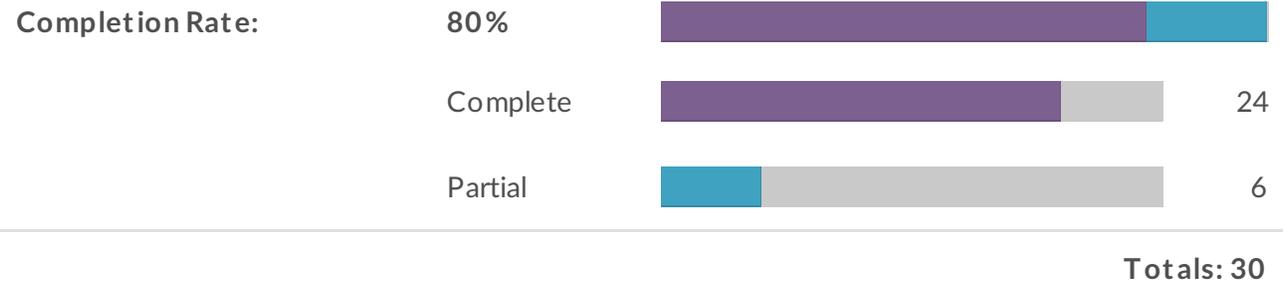
- a) Maximum height of 50 feet permitted, and no more than 4 stories
- b) Attention needs to be given to scale, massing, and facade design so as to reduce the effect of large single building masses. Reduction of building mass can be accomplished through a ground-floor setback of 15 feet, and a step back of 10' for that portion over 25 feet high where it is within 25 feet of a residential zone, or which faces the front yard.
- c) In lieu of a stepback, articulation, offsets, setbacks, angles or curves of facades may be used. Articulation is required to include at least 25% of building frontage, with at least 10 feet of offset.



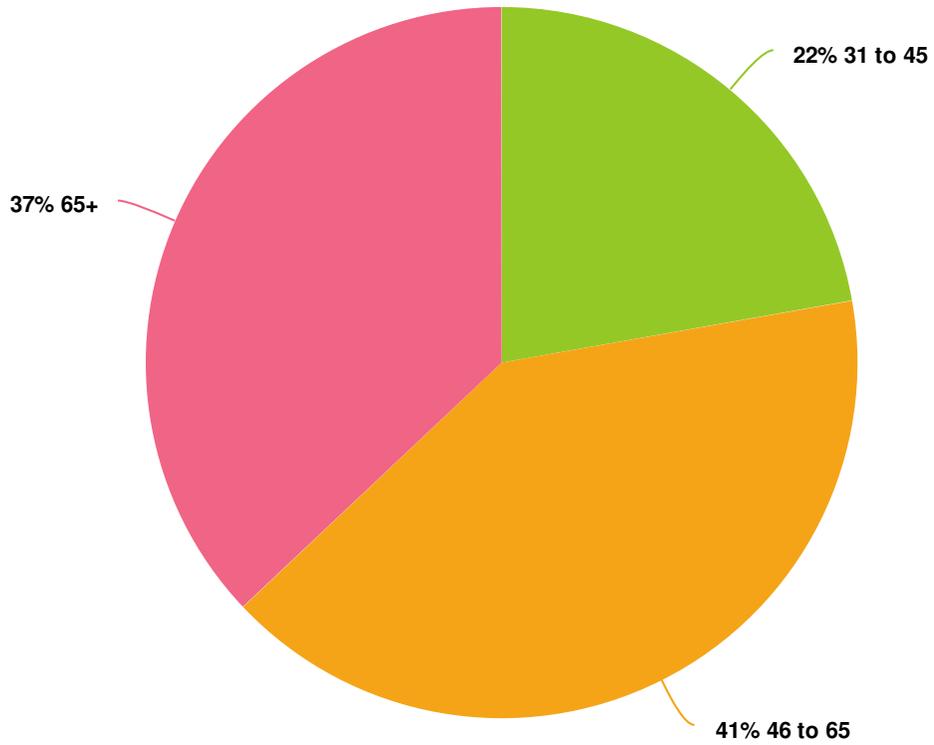
- d) A maximum density of 1.5 FAR is permitted.
- e) A least 15% of the site is required to be landscaped according to the standards of the Ashland Land Use Ordinance.
- f) No parking required for the first 1,250 square feet of retail or restaurant (per acre) if in a mixed use building.
- g) Any residential units developed under this section shall be long term rental units only (greater than 30 day lease). Condominiums and short term rental of units built under this section are not permitted.

Report for Ashland Transit Triangle Survey

Response Counts



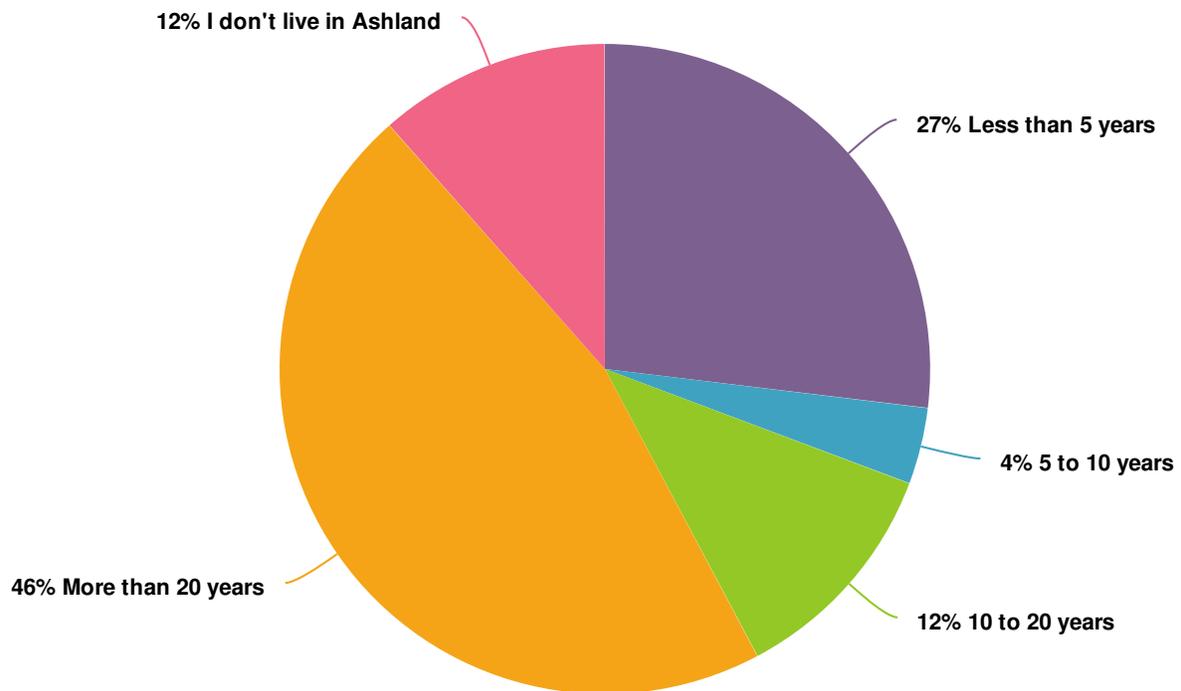
1. How old are you?



Value	Percent	Responses
31 to 45	22.2%	6
46 to 65	40.7%	11
65+	37.0%	10

Totals: 27

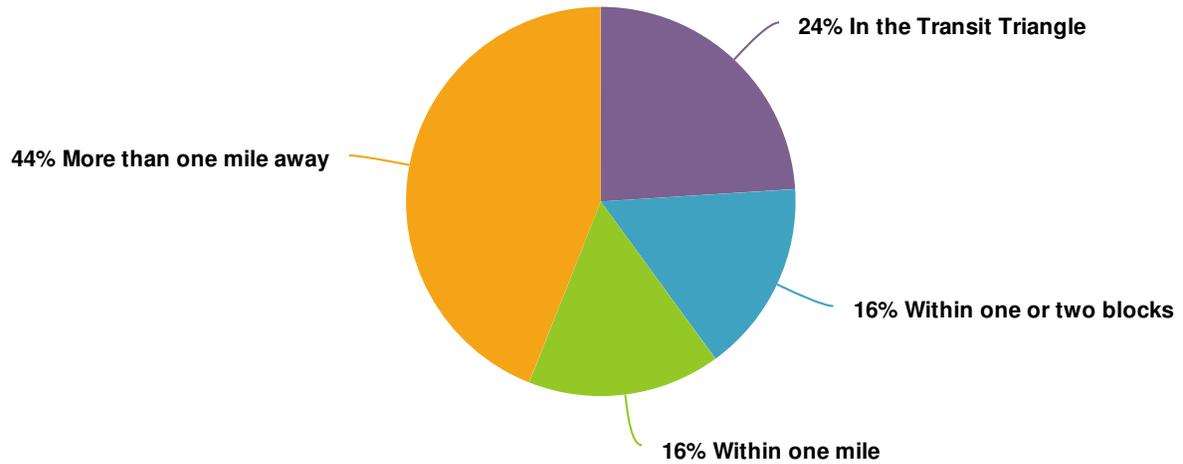
2. How long have you lived in Ashland?

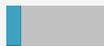


Value	Percent	Responses
Less than 5 years	26.9%	7
5 to 10 years	3.8%	1
10 to 20 years	11.5%	3
More than 20 years	46.2%	12
I don't live in Ashland	11.5%	3

Totals: 26

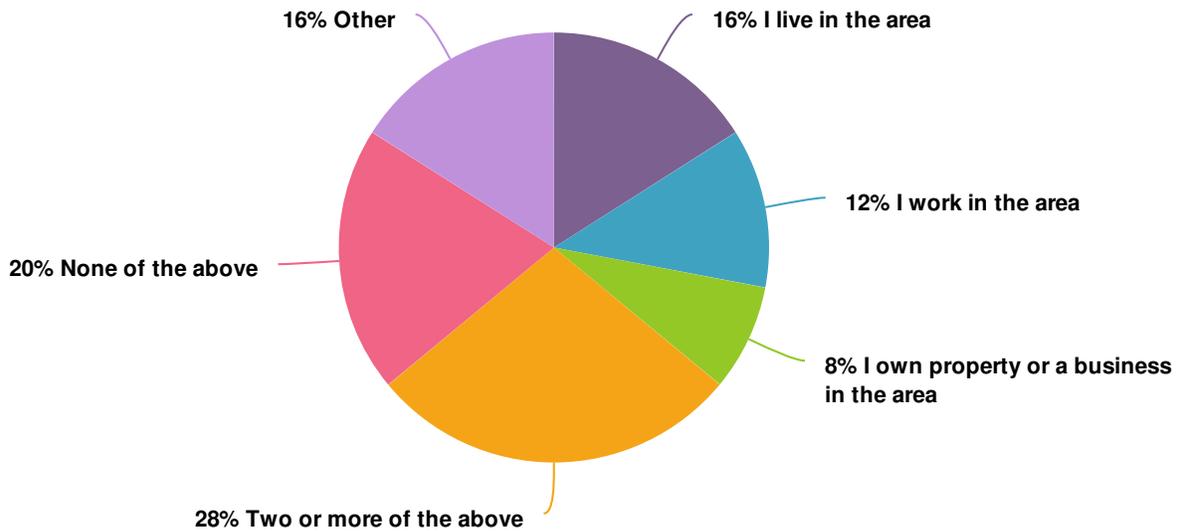
3. How close do you live to the Transit Triangle?



Value		Percent	Responses
In the T ransit T riangle		24.0%	6
Within one or two blocks		16.0%	4
Within one mile		16.0%	4
More than one mile away		44.0%	11

Totals: 25

4. What is your connection to the Transit Triangle?

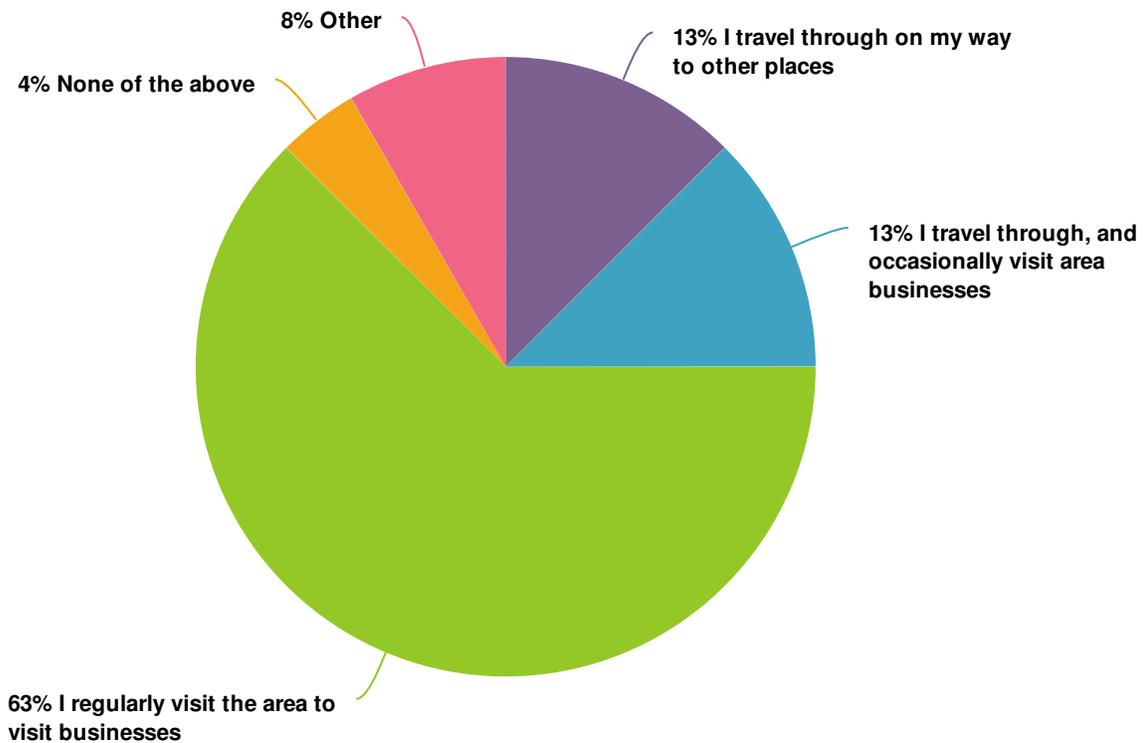


Value	Percent	Responses
I live in the area	16.0%	4
I work in the area	12.0%	3
I own property or a business in the area	8.0%	2
Two or more of the above	28.0%	7
None of the above	20.0%	5
Other	16.0%	4

Totals: 25

Other	Count
I sit on the Housing and Human Service Commission and am interested in policy and planning issues that affect those living in Ashland.	1
Local Architect	1
Planning Consultant; family lives adjacent to transit triangle	1
Totals	3

5. How do you use the Transit Triangle area?



Value	Percent	Responses
I travel through on my way to other places	12.5%	3
I travel through, and occasionally visit area businesses	12.5%	3
I regularly visit the area to visit businesses	62.5%	15
None of the above	4.2%	1
Other	8.3%	2

Totals: 24

Other

Count

University Staff

1

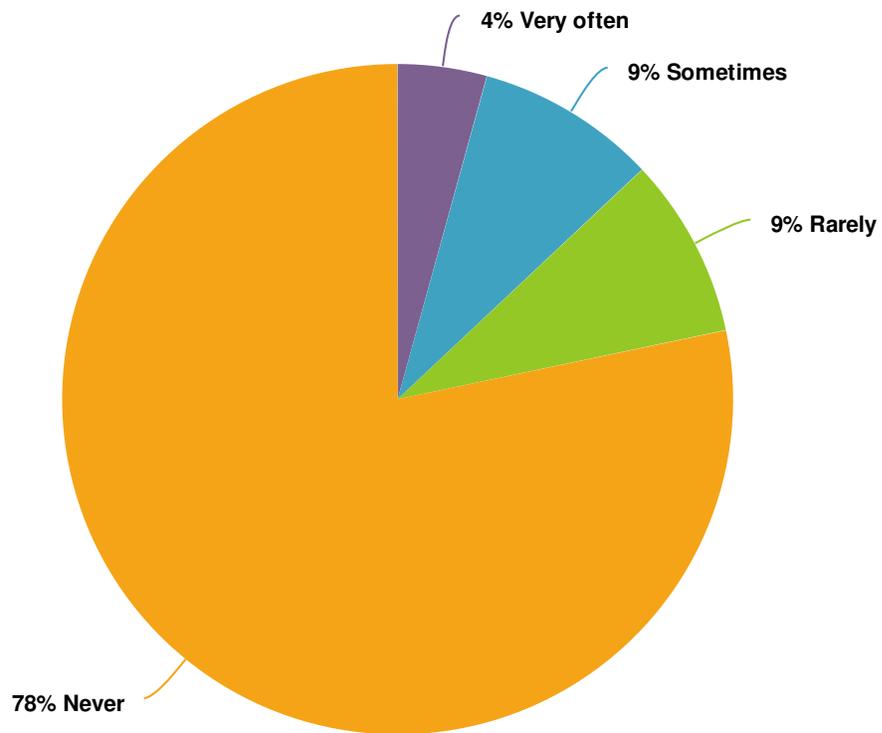
own undeveloped property in triangle

1

Totals

2

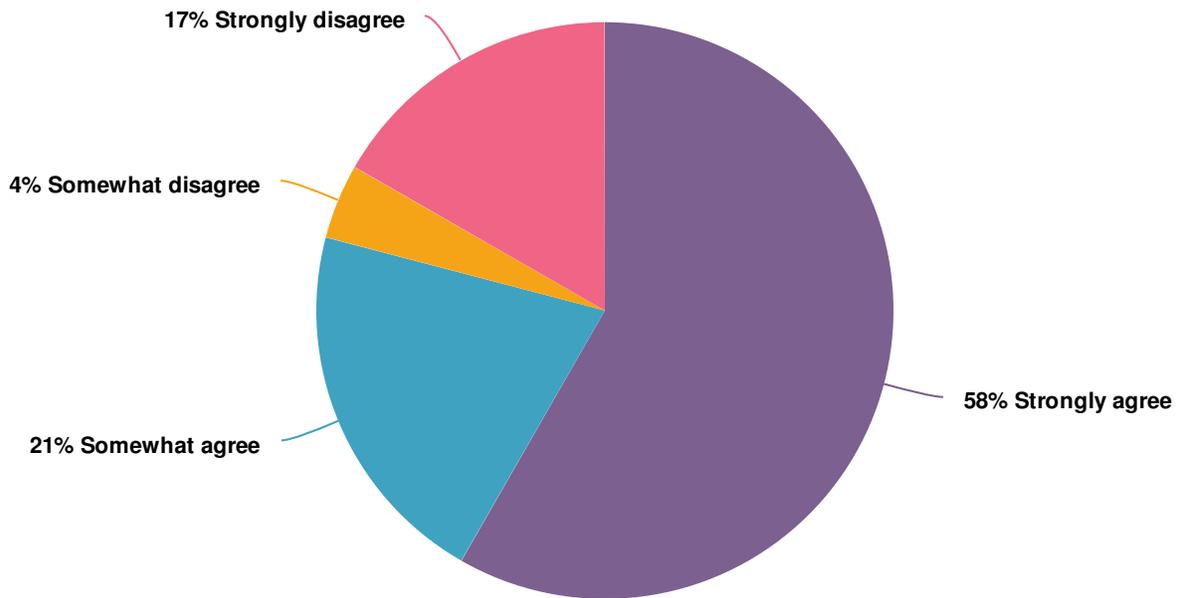
6. How often do you use RVTD Route 10?



Value		Percent	Responses
Very often		4.3%	1
Sometimes		8.7%	2
Rarely		8.7%	2
Never		78.3%	18

Totals: 23

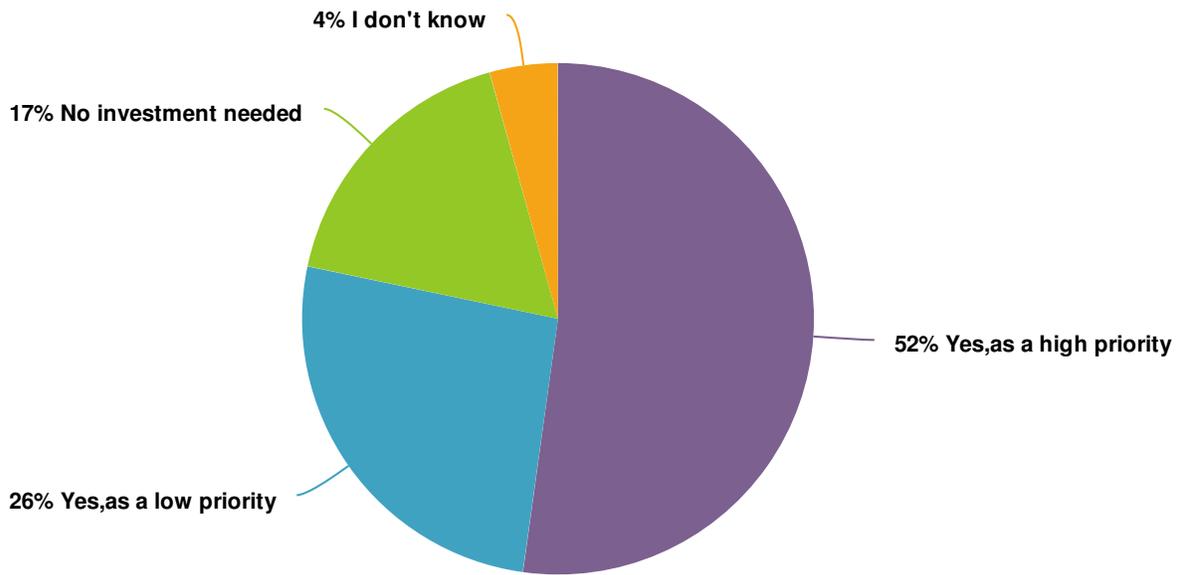
7. The Transit Triangle is a good place for more businesses and other destinations



Value	Percent	Responses
Strongly agree	58.3%	14
Somewhat agree	20.8%	5
Somewhat disagree	4.2%	1
Strongly disagree	16.7%	4

Totals: 24

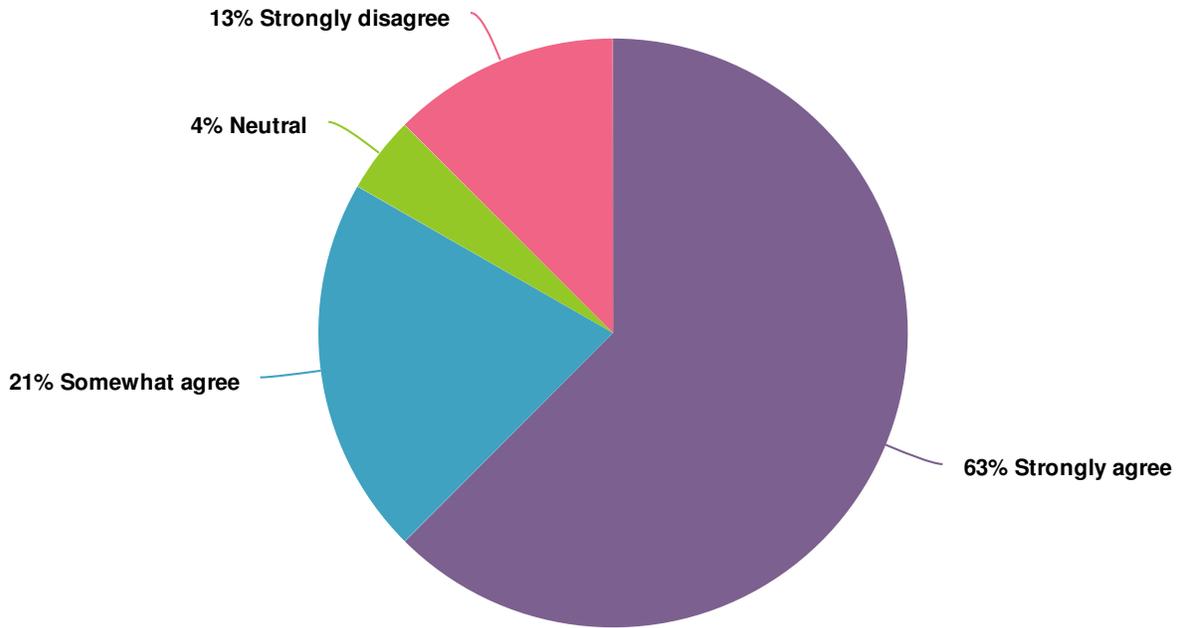
8. Should we invest in sidewalks, bike routes, and more crossings to improve safety in the Transit Triangle?



Value	Percent	Responses
Yes, as a high priority	52.2%	12
Yes, as a low priority	26.1%	6
No investment needed	17.4%	4
I don't know	4.3%	1

Totals: 23

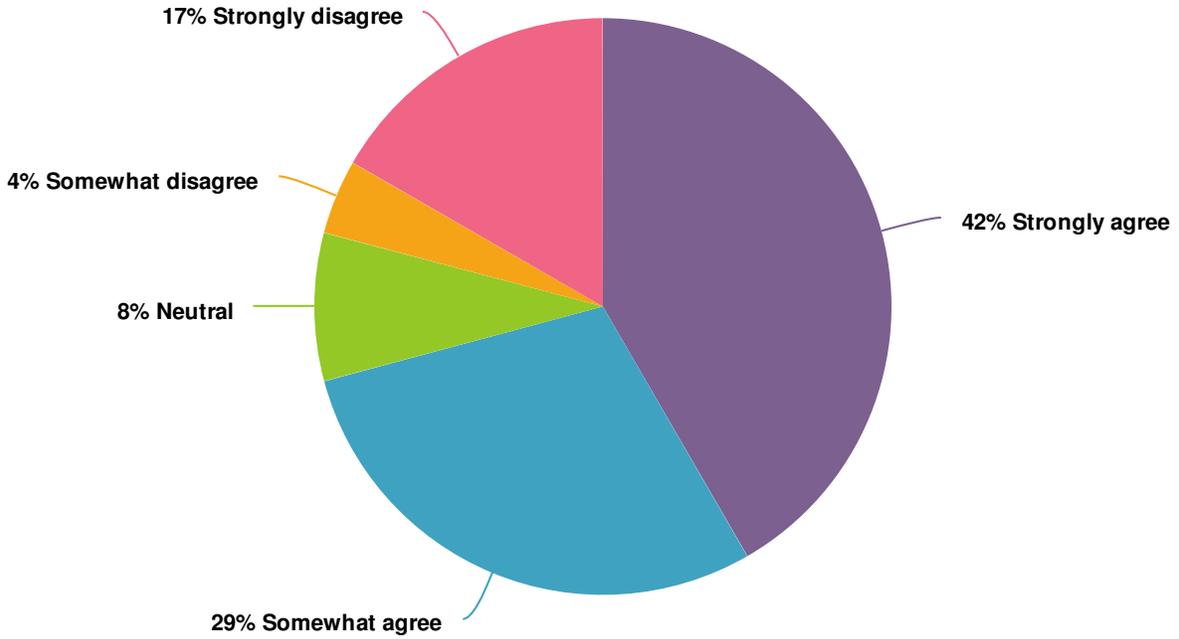
9. The Transit Triangle is a good place for more housing



Value	Percent	Responses
Strongly agree	62.5%	15
Somewhat agree	20.8%	5
Neutral	4.2%	1
Strongly disagree	12.5%	3

Totals: 24

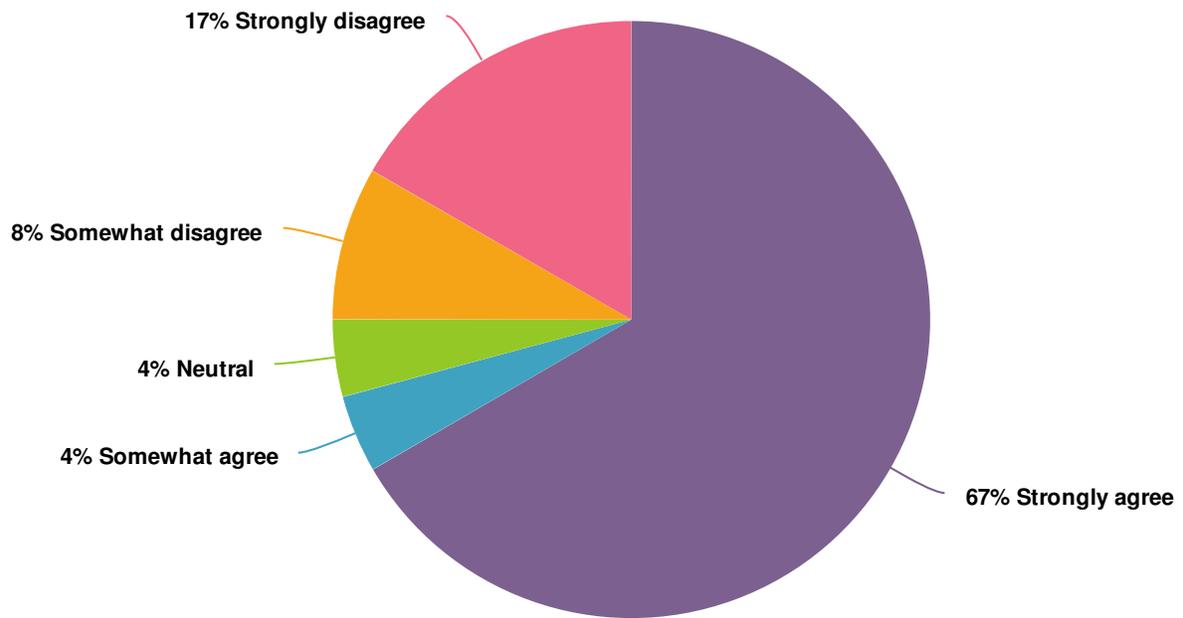
10. It is important to provide affordable housing in the Transit Triangle



Value	Percent	Responses
Strongly agree	41.7%	10
Somewhat agree	29.2%	7
Neutral	8.3%	2
Somewhat disagree	4.2%	1
Strongly disagree	16.7%	4

Totals: 24

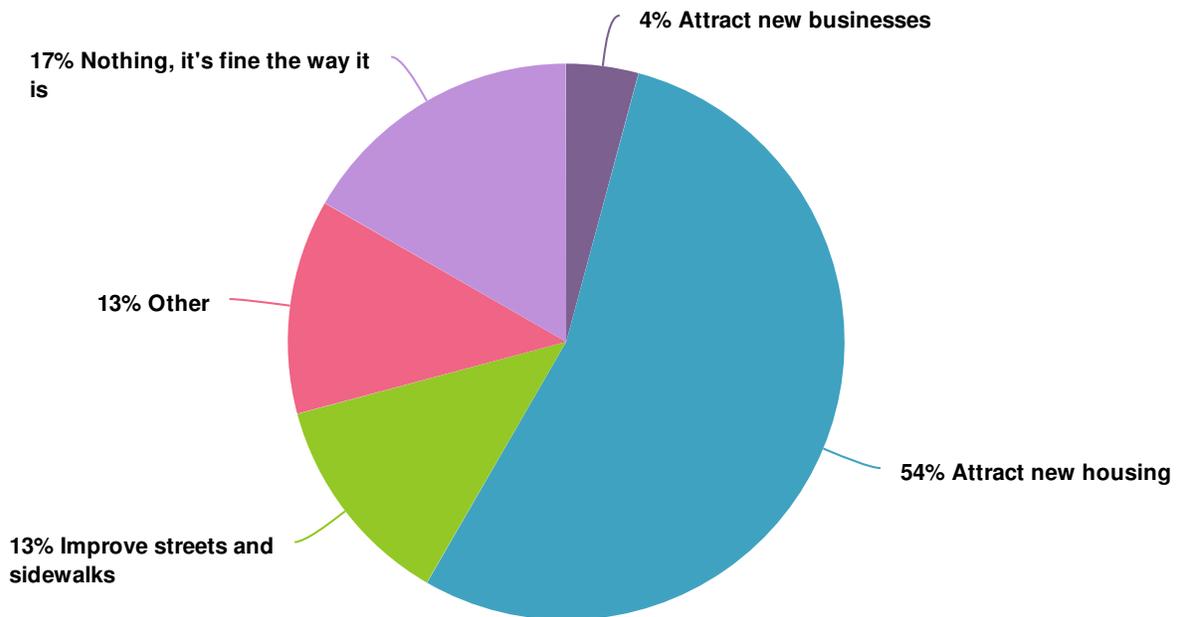
11. Are you in favor of 3-4 story, mixed-use development in the Transit Triangle?



Value	Percent	Responses
Strongly agree	66.7%	16
Somewhat agree	4.2%	1
Neutral	4.2%	1
Somewhat disagree	8.3%	2
Strongly disagree	16.7%	4

Totals: 24

12. If you could do just one thing for the Transit Triangle, what would be your top priority?

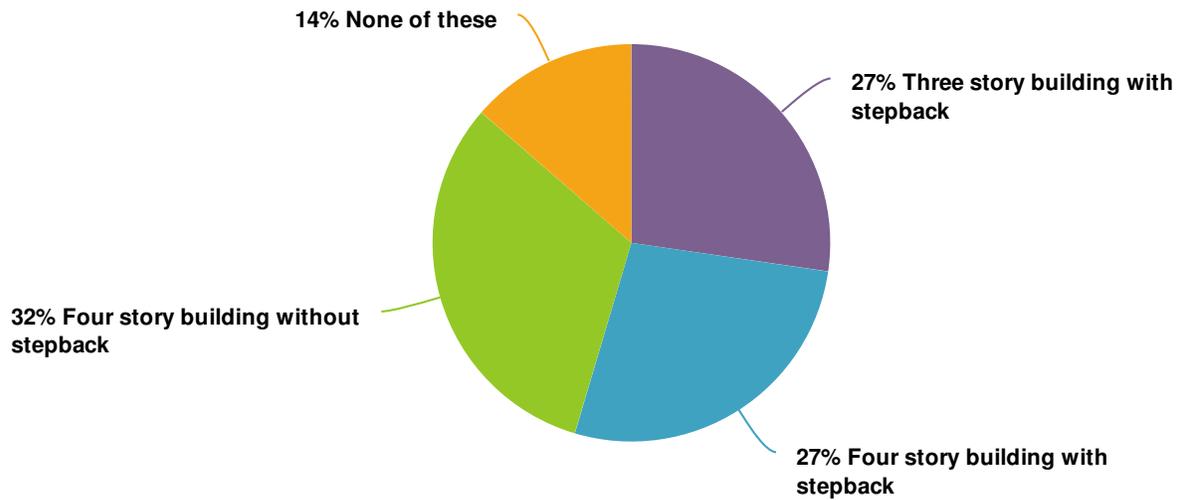


Value	Percent	Responses
Attract new businesses	4.2%	1
Attract new housing	54.2%	13
Improve streets and sidewalks	12.5%	3
Other	12.5%	3
Nothing, it's fine the way it is	16.7%	4

Totals: 24

Other	Count
Attract new businesses and housing	1
Improve infrastructure including streets, sidewalks and utilities with City financing so developers can focus on site development.	1
Mixed Use, housing over Commercial	1
Totals	3

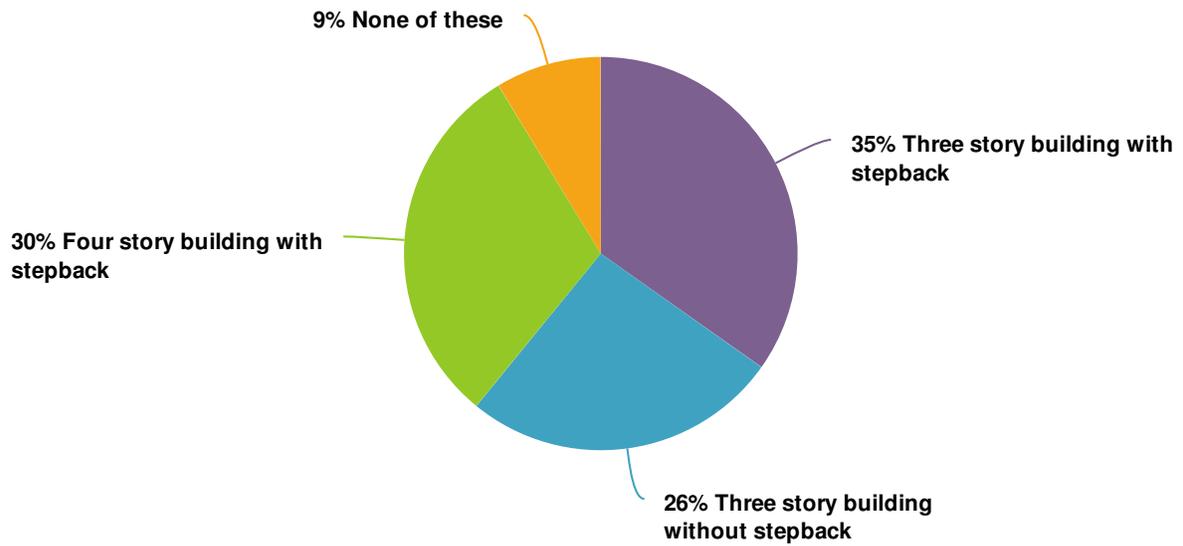
13. Which image do you like BEST?



Value	Percent	Responses
Three story building with stepback	27.3%	6
Four story building with stepback	27.3%	6
Four story building without stepback	31.8%	7
None of these	13.6%	3

Totals: 22

14. Which image do you like BEST?



Value		Percent	Responses
Three story building with stepback		34.8%	8
Three story building without stepback		26.1%	6
Four story building with stepback		30.4%	7
None of these		8.7%	2

Totals: 23

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
STUDY SESSION
MINUTES
May 22, 2018

CALL TO ORDER

Chair Roger Pearce called the meeting to order at 7:00 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

Commissioners Present:

Troy Brown, Jr.
Michael Dawkins
Melanie Mindlin
Haywood Norton
Roger Pearce
Lynn Thompson

Staff Present:

Bill Molnar, Community Development Director
Maria Harris, Planning Manager
Brandon Goldman, Senior Planner
Dana Smith, Executive Assistant

Absent Members:

Council Liaison:

Dennis Slattery, absent

ANNOUNCEMENTS

Community Development Director Bill Molnar discussed the Planning Commission retreat date and time with the Commission. They agreed on June 22, 2018, from 8:30 a.m. to 1:30 p.m. Staff would work on a meeting venue. The public hearing for the Transit Triangle would happen at the Planning Commission meeting June 12, 2018. The first reading of the Accessory Residential Units Amendments would occur at the City Council meeting June 19, 2018. The Planning Commission would have the public hearing on the Wildfire Code Amendments June 26, 2018. It would go before City Council in July. A discussion on a vertical housing building zone was tentatively scheduled for a City Council study session on August 6, 2018.

AD-HOC COMMITTEE UPDATES - None

PUBLIC FORUM

Huelz Gutcheon/Ashland/Explained carbon offset and how the government and oil companies affected the progress of renewable energy in the 1990s into the 2000s. He commented on the 20-year contract the City had with Bonneville Power Administration (BPA) and the need to turn everything electric to meet the 10x20 requirements.

DISCUSSION ITEMS

A. Ashland Transit Triangle – Infill Strategies Project

Chair Pearce explained the matter was originally noticed as a public hearing. However, Fregonese and Associates had to cancel and the public hearing was continued to the June 12, 2018 meeting. Planning Manager Maria Harris would send an email to everyone who attended the Open House December 11, 2017, and the Stakeholder meeting December 12, 2017. Since the continuation was not noticed in the paper, Chair Pearce opened the Public Hearing for anyone interested in speaking.

Public Testimony

Debbie Miller/Ashland/Her concern with the Transit Triangle presentations was the emphasis on what Portland had done. She wanted to know what cities of 20,000 to 40,000 had done and the impacts they experienced. That was her one concern with adopting the plan.

Ms. Harris provided a presentation on the Transit Triangle. Background on the project included:

2015 City Council Strategic Plan

- 5.2.a Pursue affordable housing opportunities, especially workforce housing. Identify specific incentives for developers to build more affordable housing.
- 13.2 Develop infill and compact urban form policies.
- 18.2 Develop and encourage alternative transportation options.

2012 Greater Bear Creek Valley Regional Plan

- No areas identified for urban growth boundary expansion.
- Minimum of 6.6 dwelling units per gross acre.

Reasons to change the Land Use Ordinance:

Market feasibility model shows under current zoning and development standards:

- Large residential units.
- Residential rates exceed market rates.
- Commercial rents are too low to make construction feasible.

Tested changes in requirements for residential density, number of stories, required parking and landscaping coverage:

- Increased number of residential units.
- Decrease in size of residential units.
- Rents decreased.

Transit Triangle Overlay

- New Chapter 18.3.14
- Optional not mandatory. If elect to use overlay, have to meet all requirements of 18.3.14.

Uses

- Residential units must be rentals.
- Hotel/Motel and Travelers' Accommodations prohibited.

Commercial/Residential Split

- C-1 and E-1: 50% of ground floor in permitted uses (non-residential).
- R-2 and R-3: 60 square feet of retail, restaurant or office permitted for each residential unit.

Dimensional Standards in Overlay Option

- Maximum Floor Area Ratio (FAR)
 - C-1 and E-1: 1.5 FAR
 - R-2 and R-3: 1.25 FAR
- Building Height
 - C-1 and E-1: 50 feet or 4 stories
 - R-2 and R-3: 20 percent
- Landscape Area
 - C-1 and E-1: no change, stays at 15 percent
 - R-2 and R-3: 20 percent
- Open Space
 - C-1 and E-1: no change, does not apply
 - R-2 and R-3: not required

- Building Separation
 - C-1 and E-1: no change, does not apply
 - R-2 and R-3: not required
- Yards (setbacks)
 - C-1 and E-1: no change
 - R-2 and R-3: 5-foot minimum for front yard
- Building Step Back
 - Street side or within 25 feet of residential zone.
 - Any portion of building over 25 feet must be stepped back 10'.
 - Or a combination of articulation, offsets, setback, angles or curves to reduce building mass on at least 25 percent of frontage.

Graphics of C-1 and E-1 with 10-foot step back

The graphic showing the step back was difficult to discern. The Commission suggested depicting the image from a higher elevation to capture the depth of the step back. Other comments noted the sidewalk trees were mature and would reach the third story windows, further blocking the view from the street.

Graphics of R-2 and R-3

Parking under Overlay Option

- 1 space for units less than 800 sq. ft.
- Parking not required for first 1250 sq. ft. of retail, restaurant or office

Other Amendments

- Deleted requirement in C-1 and E-1 for affordable units for projects over 10 residential units.

This requirement proved ineffective. Developers at times would submit plans for 10 units or less to avoid adding affordable units.

- Micro-car parking standard

Next Steps

June 12: PC Public Hearing
 August 7: City Council Public Hearing
 More info: www.ashland.or.us/transit_triangle

Commissioner Thompson thought Fregonese and Associates had conducted a feasibility model in relation to lower building heights in response to concerns of going to four stories. Ms. Harris explained Mr. Fregonese had brought several iterations of each site and building to a previous meeting. Commissioner Thompson also thought the Commission had wanted the analysis to alleviate concerns regarding building height. The analysis would have determined if there was a framework to evaluate losses in terms of rental rates and unit size. Commissioner Mindlin was sure they had already provided that information. Ms. Harris clarified they had analyzed all the existing R-1, R-2 and R-3 stories in the first phase. The analysis revealed the projected rental costs were not sustainable. She would include those comparisons in the future. The last report addressed going to four stories in the C-1 and E-1 zones and showed the tradeoffs if they stayed at three stories.

Commissioner Mindlin wanted the rationale for not requiring parking for first 1200 square feet. Ms. Harris explained the units were on a bus route to attract people who might not use a car. It was a walkable environment with urban style living. With residential and commercial uses the expectation was some cars would leave during the day and free up spaces.

Commissioner Mindlin noted the table on page 4 for Maximum Height. Feet/stories indicated 3 stories for C-1 and E-1 and four for R-2 and R-3. Ms. Harris would correct the table. Commissioner Thompson added on page 6, item 2 under **B/ R-2 and R-3 zones**, should read “...a half or greater...” instead of “...a half and are or greater...”

Commissioner Norton thought the 1.25 and 1.5 FAR was new information. He wanted examples of existing projects along Ashland Street and Siskiyou Boulevard that were close to the FAR proposed in the draft ordinance. Parking concerned him as well. There was no parking on Ashland Street. Siskiyou Boulevard had parking turnouts that were typically filled with cars avoiding university parking fees. He recognized 1.25 and 1.5 FAR was only seven feet higher.

Staff explained the purpose of the project was creating an environment with a mix of housing to support transit and be more viable in terms of walkability. Most of the buildings on Ashland Street were one story. This was a different design palate. Fregonese and Associates was proposing a maximum FAR. Ashland did not have a maximum. They had a minimum FAR of .25. The Commission discussed floor area ratio with staff in 2016. Commissioner Mindlin added the discussion had been about using floor area ratio instead of density.

Commissioner Thompson had a slight concern exempting commercial units from the first 1200 square feet. Mr. Molnar explained the residential occupants would vacate spaces during the day. Chair Pearce noted it could be shared parking. Mr. Molnar added shared was implied by the ordinance but they could make the language clear the expectation was shared parking. Commissioner Brown doubted there would be much commercial or office space in the area and gave North Mountain as an example.

Another concern from Commissioner Thompson was adequate compatibility with the rest of the environment. Mr. Molnar used Fire Station II as an example of a two-story building in a multifamily zone. Commissioner Thompson questioned if it was really an urban concept they were juxtaposing into a little strip and would it look mismatched. Commissioner Dawkins explained the point was where to place the added density. It would have an urban feel. There were very few houses directly behind the proposed units. Alternately, there was no east-west passage through the triangle. It was something that should have been identified in the TSP as part of the Safe Routes to School.

Commissioner Norton did not think the extra seven or 10- feet would create a huge urban environment. The urban feel would come from the increase in traffic. He asked if anyone had looked at the traffic capacity. It could add up over the years and have a negative impact in the future. Commissioner Mindlin commented Ashland had decided not to expand their growth boundary and chose infill instead.

Commissioner Thompson wanted to know what would prevent someone from selling the units as condominiums. Chair Pearce explained the City regulated condominiums differently from multifamily rentals. Mr. Molnar further explained in order to sell the units they would have to submit a condominium survey. They would not be permitted to plat a condominium. The improvements would stay on one lot. They would not be able to divide the airspace. Chair Pearce thought that was the intention of the Overlay. It discriminated heavily against condominiums and pertained to short-term hotels and vacation rentals. Someone could come back for a variance but it would be very difficult. It would prohibit anything rented for less than thirty days.

Chair Pearce noted **D. Special Use Standards(1)(a)** on page 3 discriminated against residential on the ground floor. He thought the intention was no more than 50% of the ground floor square footage in all buildings combined. Staff responded it was 50% of the total lot area. It looked at parking, landscaping and the buildings. The standard had been in place for a long time. Staff had proposed different wording for Council but at the time, they did not want it changed. It tended to apply to larger sites. There were questions on whether it was dealing with the amount of square footage. Chair Pearce thought staff should review it again.

This was an opportunity to revisit the FAR definition. The definition currently stated FAR was the floor covered by the floor above. He asked staff to also review the definition of story as well. Staff and the Commission discussed the definition of story currently in the code.

Chair Pearce continued the Public Hearing to June 12, 2018, at 7:00 p.m. in Council Chambers.

ADJOURNMENT

Meeting adjourned at 8:04 p.m.

*Submitted by,
Dana Smith, Executive Assistant*

**Planning Commission
Speaker Request Form**

- 1) Complete this form and return it to the Secretary prior to the discussion of the item you wish to speak about.
- 2) Speak to the Planning Commission from the table podium microphone.
- 3) State your name and address for the record.
- 4) Limit your comments to the amount of time given to you by the Chair, usually 5 minutes.
- 5) If you present written materials, please give a copy to the Secretary for the record.
- 6) You may give written comments to the Secretary for the record if you do not wish to speak.
- 7) Speakers are solely responsible for the content of their public statement.

Name	<u>Debbie Mulvey</u>		
	(please print)		
Address (no P.O. Box)	[REDACTED]		
Phone	[REDACTED]	Email	[REDACTED]
Tonight's Meeting Date	<u>5/22/18</u>		

Regular Meeting

Agenda item number _____ OR Topic for public forum (non agenda item) _____
Transit Triangle study session

Land Use Public Hearing	
For: <u>trans</u>	Against: _____
Challenge for Conflict of Interest or Bias	
If you are challenging a member (planning commissioner) with a conflict of interest or bias, please write your allegation complete with supporting facts on this form and deliver it to the clerk immediately. The Chair will address the written challenge with the member. Please be respectful of the proceeding and do not interrupt. You may also provide testimony about the challenge when you testify during the normal order of proceedings.	
Written Comments/Challenge: <u>transit triangle - concern that all the examples I have seen are from Portland and other large metropolitan areas. What are smaller cities and towns of 20-40,000 doing to accommodate growth without looking like a big city?</u>	

The Public Meeting Law requires that all city meetings are open to the public. Oregon law does not always require that the public be permitted to speak. The Ashland Planning Commission generally invites the public to speak on agenda items and during public forum on non-agenda items unless time constraints limit public testimony. No person has an absolute right to speak or participate in every phase of a proceeding. Please respect the order of proceedings for public hearings and strictly follow the directions of the presiding officer. Behavior or actions which are unreasonably loud or disruptive are disrespectful, and may constitute disorderly conduct. Offenders will be requested to leave the room.

Comments and statements by speakers do not represent the opinion of the City Council, City Officers or employees or the City of Ashland.

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 that the public testimony may be limited by the Chair and normally is not allowed after the Public Hearing is closed.

**ASHLAND PLANNING COMMISSION
STUDY SESSION
May 22, 2018
AGENDA**

- I. **CALL TO ORDER:** 7:00 PM, Civic Center Council Chambers, 1175 E. Main Street.

- II. **ANNOUNCEMENTS**

- III. **AD-HOC COMMITTEE UPDATES**

- IV. **PUBLIC FORUM**

- V. **DISCUSSION ITEMS**
 - A. Ashland Transit Triangle – Infill Strategies Project

- VI. **ADJOURNMENT**



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development office at 541-488-5305 (TTY phone is 1-800-735-2900). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1).

Memo

DATE: May 22, 2018

TO: Ashland Planning Commission

FROM: Maria Harris, Planning Manager

RE: Infill Strategy Code Revisions

The Planning Commission reviewed the recommendations for the infill strategy for the transit triangle study area (see map below) at the October 24, 2017 study session. Subsequently, the City Council reviewed the project materials at the January 16, 2018 meeting and directed the Planning Commission to initiate ordinance revisions to implement the infill strategy for the transit triangle study area based on the recommendations prepared by Fregonese Associates. The Council also directed staff to bring a vertical housing development zone incentive program to a future City Council study session. A vertical housing development zone provides a 10-year property tax exemption for residential units developed above the ground floor in mixed-use, multi-story buildings.



The study session is intended to familiarize the Commission with the draft ordinance materials, address any questions or concerns, and provide the Commission with an opportunity to discuss the materials. The public hearing for the Planning Commission public hearing on the draft amendments is tentatively

scheduled for the June 12 or 26 meeting. The public hearing packet will include a formal staff report and additional background materials.

The purpose of the infill strategy is to identify the factors that limit development and create incentives for additional housing and business development adjacent to the bus route which in turn, may result in increased transit ridership. Fregonese Associates prepared an infill strategy for the transit triangle that includes three components – land use ordinance amendments, streetscape improvements and a vertical housing development zone. The land use ordinance recommendations address current zoning and land use standards that were identified in the first phase as affecting the market feasibility of development, particularly for projects including housing units. The implementation strategy includes removing existing housing density maximums to provide an incentive for the private market to build at a higher density with a focus on smaller unit sizes.

Staff prepared draft ordinance amendments which include two components - a new chapter for the Transit Triangle Overlay and amendments to the current land use ordinance for consistency. Also attached is the initial ordinance concept prepared by Fregonese Associates.

Since the Chapter 18.3.14 Transit Triangle Overlay is a new chapter, it does not include mark-up changes. The revisions to the current ordinance include grey text as unchanged, ~~strikeout text is deleted~~ and underline text is new.

The draft land use ordinance revisions are attached. The recommended zoning changes include establishing a Transit Triangle Overlay, including the following ordinance amendments.

- Allowing four-story buildings in the C-1 and E-1 zones and three-story buildings in the R-2 and R-3 zones. Currently, building height is limited to 40 feet with a five-foot parapet (i.e., three stories) in the C-1 and E-1 zones and 35 feet or 2.5 stories in the R-2 and R-3 zones.
- Buildings would be required to be stepped back at least 10 feet for any portion of the building over 25 feet in height (i.e., third and fourth stories). An alternative would be to have articulation for at least 25% of the building façade. The step back or articulation would be required on the front of the building or any building side that is within 25 feet of a residential zone. Step backs are not currently required.
- Delete the allowed units per acre and instead regulate building volume and intensity by a maximum floor area ratio (FAR). The recommended FAR is 1.5 for C-1 and E-1 zones and 1.25 for the R-2 and R-3 zones. Currently, 30 housing units per acre are allowed in C-1, 15 units per acre are allowed in E-1, 13.5 units per acre in the R-2 zone and 20 units per acre in the R-3 zone. In addition, there is no maximum FAR at this time.
- Residential units developed under the Transit Triangle Overlay option would be required to be rental units. Condominiums and travelers' accommodations would not be allowed.
- Reduce the off-street parking requirement to one space for residential units less than 800 square feet. Currently, one parking space is required for units less than 500 square feet.



- Additional parking would not be required for the first 1,250 square feet of commercial floor area in mixed use buildings (e.g., commercial and residential uses).
- Reduce the required landscape area to 20 percent in the R-2 and R-3 zones. Currently, the required landscape area is 35 percent in the R-2 zone and 25 percent in the R-3 zone.
- Allow limited floor area for commercial uses in the R-2 and R-3 zones.



Chapter 18.3.14 – Transit Triangle Overlay

Sections:

18.3.14.010	Purpose
18.3.14.020	Applicability
18.3.14.030	General Requirements
18.3.14.040	Use Regulations
18.3.14.050	Dimensional Regulations
18.3.14.060	Site Development and Design Standards
18.3.14.070	Open Space Zone

18.3.14.010 Purpose

The Transit Triangle Overlay is intended to promote the development of a mix of housing units and businesses adjacent to the bus route designed in a way that encourages walking, bicycling and transit use. The Transit Triangle (TT) Overlay was adopted by the City Council on **date** (Ordinance No. **###**).

18.3.14.020 Applicability

- A. Transit Triangle (TT) Overlay Designation.** This chapter applies to properties designated as Transit Triangle (TT) overlay on the Site Design Zones map, and pursuant to the Transit Triangle overlay development standards and map adopted by Ordinance **### (Month, 2018)**.
- B. TT Overlay Option.** The TT overlay may be used to develop residential and commercially zoned land located in the TT overlay, but is not mandatory. Development using the TT overlay option shall meet all of the provisions of this chapter and all other applicable sections of this ordinance, except as otherwise provided in this chapter. The provisions of this chapter do not apply to development located in the TT overlay that does not elect to fully exercise the TT overlay option.
- C. Pedestrian Places Overlay.** The Pedestrian Places overlay and associated development standards do not apply to properties developed under the Transit Triangle (TT) overlay option.
- D. Governing Standards.** Where the provisions of this chapter conflict with comparable standards described in any other ordinance, resolution or regulation, the provisions of the TT overlay shall govern.

18.3.14 – Transit Triangle Overlay

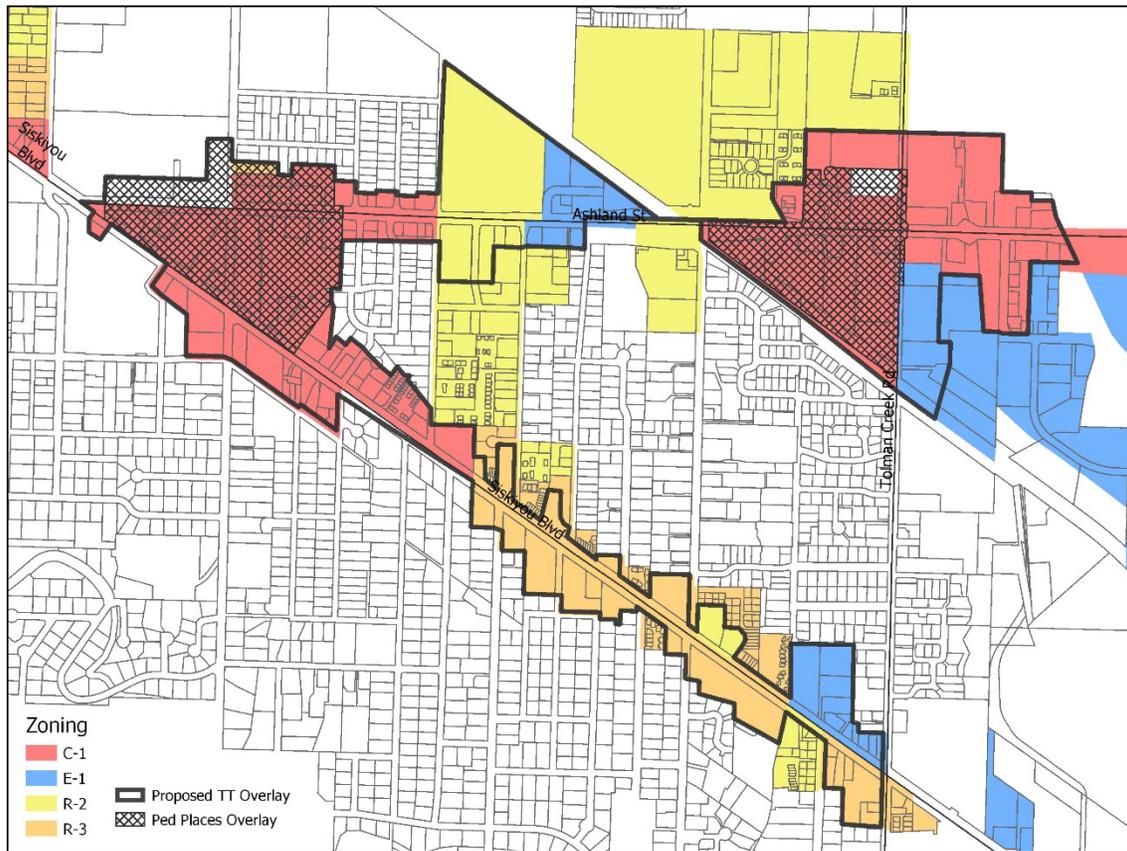


Figure 18.3.14.020
Transit Triangle (TT) Overlay

18.3.14.030 General Requirements

A. Site Development and Design Standards. New development is subject to Site Design Review under chapter 18.5.2, and must comply with the applicable site development and design standards.

18.3.14.040 Allowed Uses

- A. Uses Allowed in TT Overlay.** Allowed uses are determined by the base zone and in accordance with section 18.2.2.030, except as provided for in this chapter.
- B. Uses Regulated by TT Overlay.** Notwithstanding the provisions of chapter 18.2.2 Base Zones, Table 18.3.14.040 includes additional allowed and prohibited uses within TT overlay. The TT overlay may also provide for exceptions to some standards of the underlying zone. For regulations applying to the City's overlays zones, please refer to part 18.3.
- C. Mixed-Use.** Uses allowed in a zone individually are also allowed in combination with one

18.3.14 – Transit Triangle Overlay

another, in the same structure or on the same site, provided all applicable development standards and building code requirements are met.

Table 18.3.14.040 – Transit Triangle (TT) Overlay Uses Allowed by Base Zone ¹					
	Zones				Special Use Standards
	C-1	E-1	R-2	R-3	
A. Residential					
Multifamily dwelling, rental	P	P	P	P	
Multifamily dwelling, for purchase	N	N	N	N	
B. Commercial					
Hotel/Motel	N	N	N	N	
Travelers' Accommodation	N	N	N	N	
Commercial Retail Sales and Services, except Outdoor Sales and Services	Per 18.2.2.030	Per 18.2.2.030	S	S	Sec. 18.3.14.040.D.2
Office	Per 18.2.2.030	Per 18.2.2.0e0	S	S	Sec. 18.3.14.040.D.2
Restaurants	Per 18.2.2.030	Per 18.2.2.030	S	S	Sec. 18.3.14.040.D.2

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

D. Special Use Standards. The uses listed as “Permitted with Special Use Standards (S)” in Table 18.3.14.040, above, are allowed provided they conform to the requirements of this section and the requirements of chapter 18.5.2 Site Design Review.

1. Residential Uses. Residential uses provided all of the following standards are met.
 - a. In the C-1 and E-1 zones, ground floor residential uses shall occupy no more than 50 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses.
 - b. At least 50 percent of the ground floor or total lot area shall be shall be designated for permitted and uses permitted with special use standards, not including residential uses.
2. Commercial Uses in the R-2 and R-3 Zones. The commercial uses described in Table 18.3.14.040, above, are allowed provided all of the following standards are met.
 - a. The maximum gross floor area occupied shall be 60 square feet for every residential dwelling unit developed on site.

18.3.14.050 Dimensional Standards

Notwithstanding the provisions of chapter 18.2.5 Standards for Residential Zones and chapter 18.2.6 Standards for Non-Residential Zones, Table 18.3.14.050 includes the dimensional standards within TT overlay.

18.3.14 – Transit Triangle Overlay

The dimensions shall conform to the standards in Table 18.3.14.050.

Table 18.3.14.050 Transit Triangle Overlay Dimensional Standards				
	Base Zones ¹			
	C-1	E-1	R-2	R-3
Residential Density (dwelling units/acre)				
Minimum	NA	NA	The development shall meet the minimum housing density requirement of the underlying zone in section 18.2.5.080.	
Maximum	Maximum residential density is regulated by the FAR under the TT overlay option. The maximum dwelling units per acre of the base zones do not apply under the TT overlay option.			
Floor Area Ratio (FAR) ²				
Minimum	.5	.5	.5	.5
Maximum	1.5	1.5	1.25	1.25
² Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Plazas and pedestrian areas may also be applied toward meeting the landscaping area requirements but shall not constitute more than 50% of the required area.				
Lot Area, Width, Depth and Coverage		NA	NA	Land divisions in the R-2 and R-3 zones shall meet the applicable requirements of table 18.2.5.030.A or chapter 18.3.9 Performance Standards Options.
Yards, Minimum (feet) ⁴				
- Front	There is no minimum front, side, or rear yard required, except where buildings on the subject site abut a residential zone, in which case a side or rear yard of not less than 15 ft is required.		5 ft	5 ft
- Side			See table 18.2.5.030.A for standard yard requirements for the R-2 and R-3 zone.	
- Rear				
⁴ See building step back requirement in section 18.3.14.060.				
Building Separation, On Same Site – Minimum		NA		Building separation is not required under the TT overlay option, except as required by the building code.
Building Height ⁵ & ⁶				
Maximum Height – feet/stories		42/3	42/3	50/4
Solar Setback		Per table 18.2.6.030		Per chapter 18.4.8 Solar Access
⁵ See definition of “height of building” in section 18.6.1.030. ⁶ Parapets may be erected up to five feet above the maximum building height in the C-1 and E-1 zone; see also, 18.4.4.030.G.4 for mechanical equipment screening requirements, and 18.5.2.020 for Site Design Review for mechanical equipment review process.				
Lot Coverage – Maximum (% of lot area)		85%	85%	80%
Landscape Area – Minimum (% of developed lot area)		15%	15%	20%
Outdoor Recreation Space – Minimum (% of the area)		NA		Outdoor recreation space is not required under the TT overlay option.

18.3.14 – Transit Triangle Overlay

¹ Zones: C-1 = Commercial; E-1 = Employment; R-2 = Low Density Multiple Family; R-3 = High Density Multiple Family.

18.3.14.060 Site Development and Design Standards

New development is subject to Site Design Review under chapter 18.5.2, and must comply with site development and design standards in part 18.4 and section 18.3.14.060, below.

A. C-1 and E-1 zones. Development under the TT overlay option and located in the C-1 and E-1 zones are subject to the following standards.

1. **Building Step Back.** For building facades within 25 feet of a residential zone or facing a street, reduce building mass through a step back of ten feet for that portion of a building which is over 25 feet high. See Figures 18.3.14.060.A.1.a and b.



Figure 18.3.14.060.A.1.a

18.3.14 – Transit Triangle Overlay

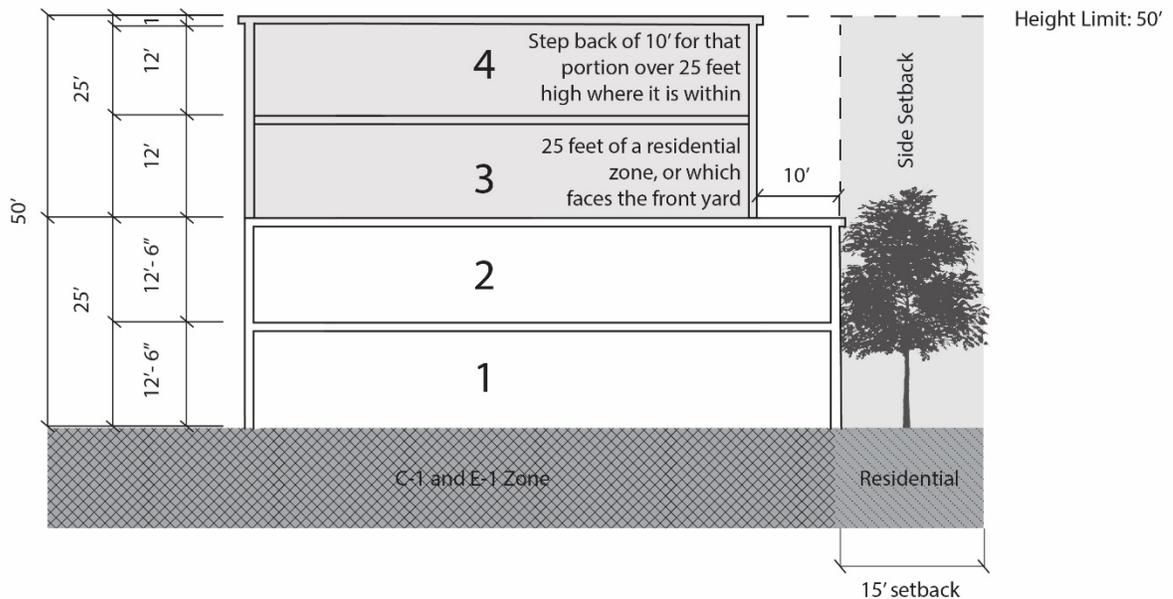


Figure 18.3.14.060.A.1.b

- a. In lieu of a building step back in subsection 18.3.14.060.A.1, above, a combination of articulation, offsets, setback, angles or curves of facades may be used to reduce building mass. Articulation is required to include at least 25 percent of the building frontage.

B. R-2 and R-3 zones. Development under the TT overlay option and located in the C-1 and E-1 zones are subject to the following standards.

1. Sidewalk Setback. Mixed-use buildings shall be setback not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement.
2. Minimum FAR and Plazas. Mixed-use developments shall have a minimum Floor Area Ratio (FAR) of .50. Plazas and pedestrian areas shall count as floor area for the purposes of meeting in the minimum FAR. Projects including existing buildings or vacant parcels of a half and are or greater in size shall achieve the required minimum FAR or provide a shadow plan (see graphic) that demonstrates to the approval authority how development may be intensified over time to meet the required minimum FAR.
3. Building Step Back. For building facades within 25 feet of a residential zone or facing a street, reduce building mass through a step back of ten feet for that portion of a building which is over 25 feet high. See Figures 18.3.14.060.B.1.a and b.

18.3.14 – Transit Triangle Overlay



Figure 18.3.14.060.B.1.a

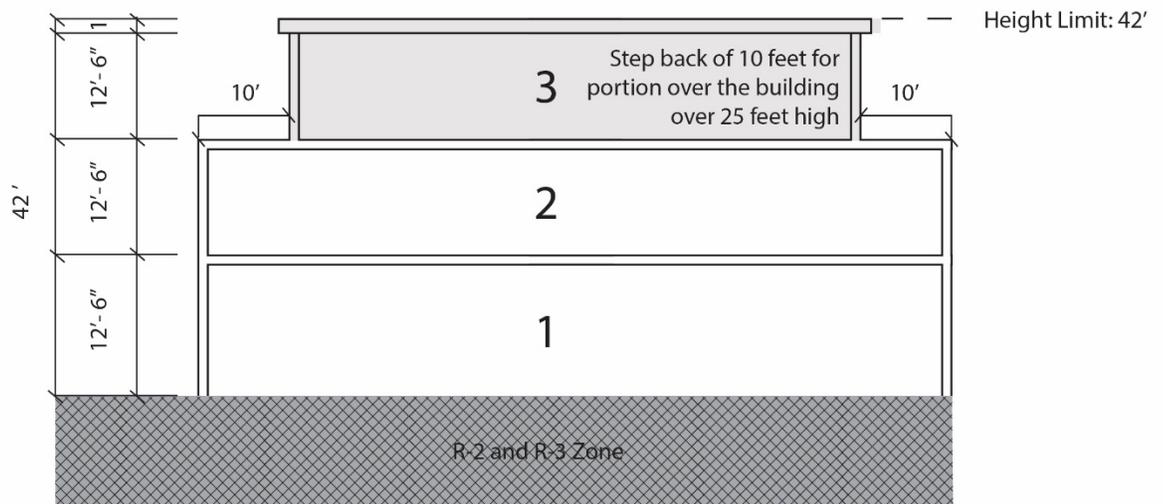


Figure 18.3.14.060.B.1.b

- a. In lieu of a building step back in subsection 18.3.14.060.A.1, above, a combination of articulation, offsets, setbacks, angles or curves of facades may be used to reduce building mass. Articulation is required to include at least 25 percent of the building frontage.

18.3.14 – Transit Triangle Overlay

C. Parking Ratios. Properties developed under the TT overlay option are subject to the standard requirements of chapter 18.4.3 Parking, Access, and Circulation, except as provided by subsection 18.4.3.030.C, below.

1. Multi-family Dwellings. The minimum parking for multi-family dwelling units for development under the TT overlay option are as follows.
 - a. Units less than 800 sq. ft. -- 1 space/unit.
 - b. Units greater than 800 sq. ft. and less than 1000 sq. ft. -- 1.5 spaces/unit.
 - c. Units greater than 1,000 sq. ft. -- 2.00 spaces/unit.
2. Retail Sales and Services, Offices, and Restaurants. Parking is not required for the first 1,250 square feet of retail, office or restaurant use per acre of development site.

Section 18.2.2.020 is amended to read as follows:

18.2.1.020 Zoning Map and Classification of Zones

For the purpose of this ordinance, the City is divided into zones designated and depicted on the Zoning Map, pursuant to the Comprehensive Plan Map, and summarized in Table 18.2.1.020.

Table 18.2.1.020	
Base Zones	Overlay Zones
Residential - Woodland (WR)	Airport Overlay
	Detail Site Review Overlay
Residential - Rural (RR)	Downtown Design Standards Overlay
Residential - Single-Family (R-1-10, R-1-7.5, and R-1-5)	Freeway Sign Overlay
Residential - Suburban (R-1-3.5)	Historic District Overlay
Residential - Low Density Multiple Family (R-2)	Pedestrian Place Overlay
Residential - High Density Multiple Family (R-3)	Performance Standards Options Overlay
Commercial (C-1)	Physical and Environmental Constraints Overlay
Commercial – Downtown (C-1-D)	-Hillside Lands
Employment (E-1)	-Floodplain Corridor Lands
	-Severe Constraints Lands
Industrial (M-1)	-Water Resources
	-Wildfire Lands
Special Districts	
Croman Mill District (CM)	Residential Overlay
	<u>Transit Triangle Overlay</u>
Health Care Services District (HC)	
Normal Neighborhood District (NN)	
North Mountain Neighborhood District (NM)	
Southern Oregon University District (SOU)	

Section 18.2.1.040 is amended to read as follows:

18.2.1.040 Applicability of Zoning Regulations

Part 18.2 applies to properties with base zone, special district, and overlay zone designations, as follows:

Table 18.2.1.040: Applicability of Standards to Zones, Plan Districts and Overlays	
Designation	Applicability
<u>Base Zones</u> Residential - Woodland (WR) Residential - Rural (RR) Residential - Single-family (R-1-10, R-1-7.5, R-1-5) Residential - Suburban (R-1-3.5) Residential - Low Density Multiple Family (R-2) Residential - High Density Multiple Family (R-3) Commercial (C-1) Commercial - Downtown (C-1-D) Employment (E-1) Industrial (M-1)	Chapter 18.2 Applies Directly Chapter 18.2 Applies Directly Chapter 18.2 Applies Directly
<u>Special Districts</u> Croman Mill District Zone (CM) Health Care Services Zone (HC) Normal Neighborhood District (NN) North Mountain Neighborhood (NM) Southern Oregon University (SOU)	CM District Replaces chapter 18.2 NN District Replaces chapter 18.2 NM District Replaces chapter 18.2
<u>Overlay Zones</u> Airport Detail Site Review Downtown Design Standards Freeway Sign Historic Pedestrian Place Performance Standards Options Physical and Environmental Constraints Residential Transit Triangle	Overlay Modifies chapter 18.2 Overlay Modifies chapter 18.2 Overlay Modifies chapter 18.2

Section 18.2.2.030 is amended to read as follows:

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 chapter 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. Uses not listed in Table 18.2.2.030 and not found to be similar to an allowed use are prohibited. For uses allowed in special districts CM, HC, NM, and SOU, and for regulations applying to the City’s overlays zones, refer to part 18.3.
- 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 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 regulations applying to the City's overlays zones, please 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 right-of-way, parks, sidewalks, or other public grounds) require a Special Event Permit pursuant to AMC 13.03.
 2. **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 ordinance, garage sales meeting the requirements of this subsection shall not be considered a commercial activity.
 3. **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 ordinance.

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
A. Agricultural Uses¹										
Agriculture, except Keeping of Bees, Livestock and Micro-Livestock, Homegrown Marijuana Cultivation, and Marijuana Production	P	P	P	P	P	P	N	N	N	Animal sales, feed yards, keeping of swine, commercial compost, or similar uses not allowed
Keeping of Bees	S	S	S	S	S	S	N	N	N	Sec. 18.2.3.160
Keeping of Livestock	S	N	N	N	S	S	N	N	N	
Keeping of Micro-Livestock	S	S	S	S	S	S	N	N	N	
Marijuana Cultivation, Homegrown	S	S	S	S	S	S	S	S	S	Sec. 18.2.3.190 See General Industrial, Marijuana Production
B. Residential Uses										
Single-Family Dwelling	P	P	P	P	P	P	S	S	N	See Single-Family standards in Sec. 18.2.5.090 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

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

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Accessory Residential Unit	S	S	S	S	S	N	N	N	N	Sec. 18.2.3.040
Duplex Dwelling	S	P	P	P	N	N	S	S	N	Sec. 18.2.3.110 Duplex Dwelling
B. Residential Uses² <i>(continued)</i>										
Manufactured Home on Individual Lot	S	S	S	S	N	N	N	N	N	Sec. 18.2.3.170 and not allowed in Historic District Overlay
Manufactured Housing Development	N	S	CU+S	N	N	N	N	N	N	Sec. 18.2.3.180
Multifamily Dwelling	N	P	P	P	N	N	S	S	N	Sec. 18.2.3.130 for C-1 zone and E-1 zone; <u>dwelling units in Transit Triangle (TT) Overlay, see chapter 18.3.14</u> 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	N	N	S	S	N	N	N	N	N	Sec. 18.2.3.200
Home Occupation	S	S	S	S	S	S	S	S	N	Sec. 18.2.3.150
C. Group Living										
Nursing Homes, Convalescent Homes	CU	CU	CU	CU	CU	CU	N	N	N	See chapter 18.3.3 Health Care Services
Residential Care Home	P	P	P	P	P	P	N	N	N	Subject to State licensing requirements
Residential Care Facility	CU	P	P	P	CU	CU	N	N	N	Subject to State licensing requirements

² KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Room and Boarding Facility	N	P	P	P	N	N	N	N	N	
D. Public and Institutional Uses										
Airport										See chapter 18.3.7 Airport Overlay
Cemetery, Mausoleum, Columbarium	N	N	N	N	CU	N	N	N	N	
D. Public and Institutional Uses <i>(continued)</i> ³										
Child Care Facility	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
Club Lodge, Fraternal Organization	CU	CU	CU	CU	CU	CU	P	CU	CU	
Community Service, includes Governmental Offices and Emergency Services (e.g., Police, Fire); excluding Outdoor Storage	CU	CU	N	N	CU	CU	P	P	P	
Electrical Substation	N	N	N	N	N	N	CU	CU	P	
Hospitals	CU	CU	CU	CU	CU	N	N	N	N	See chapter 18.3.3 Health Care Services
Governmental Offices and Emergency Services (e.g., Police, Fire); excluding Outdoor Storage	CU	CU	N	N	CU	CU	P	P	P	
Mortuary, Crematorium	N	N	N	N	CU	N	P	P	P	
Public Park, Open Space, and Recreational Facility, including playgrounds, trails, nature preserves, athletic fields, courts, swim pools, similar uses	P	P	P	P	P	P	N	N	N	

³ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Public Parking Facility	N	N	N	N	N	N	P	N	N	
Public Works/Utilities Storage Yard; includes vehicle and equipment, maintenance, repair	N	N	N	N	N	N	N	P	P	
Recycling Depot	N	N	N	N	N	N	N	P	P	Not allowed within 200 ft of a residential zone
Religious Institution, Houses of Worship	CU	CU	CU	CU	CU	CU	CU	CU	CU	
School, Private (Kindergarten and up)	CU	CU	CU	CU	CU	CU	N	N	N	
School, Public (Kindergarten and up)	P	P	P	P	P	CU	N	N	N	
School, Private College/Trade/Technical School	N	N	N	N	N	N	N	CU	P	
Utility and Service Building, Yard and Structure, Public and Quasi-Public, excluding underground utilities and electrical substations	CU	CU	N	N	CU	CU	P	P	P	Yards not allowed in the C-1 zone
Wireless Communication Facility	CU	CU	CU	CU	CU	CU	P or CU	P or CU	P or CU	Sec.18.4.10
E. Commercial Uses										
Amusement/Entertainment, includes theater, concert hall, bowling alley, miniature golf, arcade; excluding drive-up uses	N	N	N	N	N	N	P	CU	P	
Automotive and Truck Repair, or Service; includes fueling station, car wash, tire sales and repair/replacement, painting, and other repair for automobiles, motorcycles, aircraft, boats, RVs, trucks, etc.	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 limited to Freeway Overlay, see chapter 18.3.8 In E-1 zone, fuel sales requires CU permit

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Automotive Sales and Rental, except within the Historic Interest Area; includes motorcycles, boats, RVs, and trucks	N	N	N	N	N	N	CU	CU	P	Except not allowed within Historic District Overlay
Accessory Travelers' Accommodation (See also Travelers' Accommodation)	N	N	CU+S	CU+S	N	N	N	N	N	Sec. 18.2.3.220
Bakery, except as classified as Food Processing	N	N	N	N	N	N	P	P	P	
Commercial Laundry, Cleaning, and Dyeing Establishment	N	N	N	N	N	N	S	S	P	Sec. 18.2.3.080
Commercial Recreation, includes country club, golf course, swimming club, and tennis club; excluding intensive uses such as driving range, race track, or amusement park	CU	CU	N	N	CU	CU	N	N	N	
Commercial Retail Sales and Services, except Outdoor Sales and Services	N	N	CU+S	N	N	N	P	S	S	In R-2 zone, uses limited to personal and professional services, except see Sec. 18.2.3.210 for retail uses allowed in Railroad Historic District In E-1 zone, Retail limited to 20,000 sq ft of gross leasable floor space per lot. In M-1 zone, uses limited to serving persons working in zone See Marijuana Retail Sales
E. Commercial Uses (continued)⁴										
Drive-Up Use	N	N	N	N	N	N	S	N		Per Sec. 18.2.3.100, Drive-Up uses are limited to area east of Ashland St at intersection of Ashland St/Siskiyou Blvd
Hostel	N	N	CU	CU	N	N	CU*	N	N	*In C-1 zone, requires annual Type I review for at least the first three years, after which time the Planning

⁴ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
										Commission may approve a permanent facility through the Type II procedure
Hotel/Motel	N	N	N	N	N	N	CU	CU	P	
Kennel (See also Veterinary Clinic)	N	N	N	N	N	N	S	S	CU	No animals kept outside within 200 feet of a residential zone
Limited Retail Uses in Railroad Historic District	N	CU	CU	CU	N	N	N	N	N	Sec. 18.2.2.210 for Retail Uses Allowed in Railroad Historic District
Lumber Yard and Similar Sales of Building or Contracting Supplies, or Heavy Equipment	N	N	N	N	N	N	N	CU	P	
Marijuana Retail Sales, includes sale of medical and recreational marijuana	N	N	N	N	N	N	S or CU	S or CU	N	Per Sec. 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	N	N	N	N	N	N	S	CU	P	Not allowed within the Historic District Overlay unless located in C-1-D
Office (See also Commercial Services)	N	N	CU	CU	N	N	P	P	P	
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Plant Nursery, Wholesale, except Marijuana Production	N	N	CU	CU	N	N	N	N	N	
E. Commercial Uses (continued)⁵										
Self-Service Storage, Commercial (Mini-Warehouse)	N	N	N	N	N	N	N	CU	P	

⁵ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Traveler's Accommodation (See also Accessory Travelers' Accommodation)	N	N	CU+S	CU+S	N	N	N	N	N	Sec. 18.2.3.220
Veterinary Clinic	N	N	N	N	N	N	P	P	P	
F. Industrial and Employment Uses										
Cabinet, Carpentry, and Machine Shop, and related Sales, Services, and Repairs	N	N	N	N	N	N	N	S or CU	P	In the E-1 zone, uses within 200 feet of a residential zone require CU permit
Commercial Excavation and Removal of Sand, Gravel, Stone, Loam, Dirty or Other Earth Products	N	N	N	N	CU+S	N	N	N	N	Sec. 18.2.3.070
Concrete or Asphalt Batch Plant	N	N	N	N	N	N	N	N	CU	
Dwelling for a caretaker or watchman	N	N	N	N	N	N	N	CU	CU	
Food Products Manufacture/Processing/Preserving, including canning, bottling, freezing, drying, and similar processing and preserving.	N	N	N	N	N	N	S	S	P	In the C-1 zone, manufacture or assembly of items sold is a permitted use, provided such manufacturing or assembly occupies 600 square feet or less, and is contiguous to the permitted retail outlet In the E-1 zone, See Sec. 18.2.3.140
Manufacture, General, includes Marijuana Laboratory, Processing, and Production	N	N	N	N	N	N	N	P or S	P or S	In E-1 and M-1 zones, marijuana laboratory, processing, and production are subject to the special use standards in Sec. 18.2.3.190 See Marijuana Cultivation, Homegrown

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
F. Industrial and Employment Uses <i>(continued)</i> ⁶										
Manufacture, Light; excluding saw, planing or lumber mills, or molding plants.	N	N	N	N	N	N	S	P	P	Requires assembly, fabricating, or packaging of products from previously prepared materials such as cloth, plastic, paper, cotton, or wood In the C-1 zone, manufacture or assembly of items sold in a permitted use, provided such manufacturing or assembly occupies 600 square feet or less, and is contiguous to the permitted retail outlet
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Television and Radio Broadcasting Studio	N	N	N	N	N	N	N	P	P	
Wholesale Storage and Distribution, includes Marijuana Wholesale	N	N	N	N	N	N	N	S	S	Deliveries and shipments limited to 7AM-9PM_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	N	N	N	N	N	N	N	N	CU	
G. Other Uses										

⁶ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Temporary Tree Sales	N	N	N	N	N	N	P	N	N	Allowed from November 1 to January 1
Temporary Use	CU, except uses lasting less than 72 hours are subject to Ministerial review, per Sec. 18.2.2.030.H									

Section 18.2.3.130 is amended to read as follows:

18.2.3.130 Dwelling in Non-Residential Zone

Where dwellings are allowed in non-residential zones, they are subject to all of the following requirements.

- A. Dwellings in the E-1 zone are limited to the R-overlay zone. See chapter 18.3.13 Residential Overlay.
- B. Dwellings in the E-1 and C-1 zones shall meet all of the following standards: **except that dwellings developed under the Transit Triangle (TT) overlay option are not subject to subsection 18.2.3.130.B, below. See section 18.3.14.040 for the allowed uses in the TT overlay.**
 - 1. If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses.
 - 2. Residential densities shall not exceed 15 dwelling units per acre in the E-1 zone, 30 dwelling units per acre in the C-1 zone, and 60 dwelling units per acre in the C-1-D zone. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.
 - 3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the underlying zone.
 - 4. Off-street parking is not required for residential uses in the C-1-D zone.
 - ~~5. Where the number of residential units exceeds ten, at least ten percent of the residential units shall be affordable for moderate-income persons in accord with the standards of section 18.2.5.050. The number of units required to be affordable shall be rounded down to the nearest whole unit.~~

Section 18.3.12.020 is amended to read as follows:

Chapter 18.3.12 – Site Development and Design Overlays

Sections

18.3.12.010	Purpose
18.3.12.020	Applicability
18.3.12.030	Detail Site Review Overlay
18.3.12.040	Downtown Design Standards Overlay
18.3.12.050	Historic District Overlay
18.3.12.060	Pedestrian Place Overlay

18.3.12.070 Transit Triangle Overlay

18.3.12.010 Purpose

The Site Development and Design overlays provide special regulations and standards that supplement the base zoning regulations which are implemented through Site Design Review.

18.3.12.020 Applicability

This chapter applies to the Detail Site Review, Downtown Design Standards, Historic District, ~~and Pedestrian Place,~~ **and Transit Triangle** overlays. Development located within these overlays is required to meet all other applicable sections of this ordinance, except as modified by this chapter. Where the provisions of this chapter conflict with comparable standards described in any other ordinance or regulation, the provisions of this chapter apply.

Section 18.3.12.060 is amended to read as follows:

18.3.12.060 Pedestrian Place Overlay

A. Purpose. The Pedestrian Place overlay is intended to direct and encourage development of small walkable nodes that provide concentrations of gathering places, housing, businesses, and pedestrian amenities situated and designed in a way to encourage walking, bicycling, and transit use.

B. Applicability

1. This section applies to properties designated as Pedestrian Places overlay on the Site Design Zones map.
2. Review Procedure. The Pedestrian Place overlay requirements apply to proposed development located in the Pedestrian Place overlay that requires a planning application approval, and involves development of new structures or additions other than single-family dwellings and associated accessory structures and uses. The provisions of the Pedestrian Place overlay supplement those of the applicable base zoning district and other applicable ordinance requirements.
3. Mixed-Use Buildings in Residential Zones. Mixed-use buildings located in an underlying residential zone require Site Design Review approval in accordance with chapter 18.5.2, and are subject to the standards subsection 18.4.2.040.B Basic Site Review Standards rather than section 18.4.2.030 Residential Development. Mixed-use buildings are subject to all other applicable provisions of part 18.4 Site Development and Design Standards.
4. **The Pedestrian Places overlay and development standards do not apply to properties developed under the Transit Triangle (TT) overlay option. See chapter 18.3.14 Transit Triangle Overlay.**

C. Pedestrian Place Concept Plans. The Pedestrian Place Concept plans (i.e., site plan,

development summary, and building illustrations) are for the purpose of providing an example of development that conforms to the standards, and do not constitute independent approval criteria. Concept plans are attached to the end of this chapter.

D. Development Standards. The following standards shall apply to development in the Pedestrian Places overlay in addition to all applicable provisions of this ordinance.

1. Building Setbacks. The solar access setback in chapter 18.4.8 Solar Access applies only to those lots abutting a residential zone to the north.
2. Plazas and Landscaping Ratio. Outdoor seating areas, plazas, and other useable paved surfaces may be applied toward meeting the landscaping area requirements in chapter 18.4.4 Landscaping, Lighting, and Screening, but shall not constitute more than 50 percent of the required area.

E. Development in Residential Zone. The following standards apply to development located in the Pedestrian Places overlay and a residential zone, in addition to all applicable provisions of this ordinance.

1. Special Permitted Uses. In addition to the permitted uses in the underlying residential zone, the following uses and their accessory uses are permitted subject to the requirements of this section.
 - a. Professional, financial, business and medical offices, and personal service establishments.
 - b. Stores, shops, and offices supplying commodities or performing services.
 - c. Restaurants.
2. Development Standards and Limitations.
 - a. The maximum gross floor area occupied by a special permitted use shall be 2,500 square feet.
 - b. Special permitted uses shall be allowed in a building or in a group of buildings including a mixture of businesses and housing. At least 50 percent of the total gross floor area of a building, or of where there is more than one building on a site, 50 percent of the total lot area including accessory uses such as parking, landscaping and public space, shall be designated for residential uses.
 - c. The development shall meet the minimum housing density requirements of the underlying zone.
 - d. Mixed-use buildings shall be setback not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement.
 - e. Mixed-use developments shall have a minimum Floor Area Ratio (FAR) of .50. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Projects including existing buildings or vacant parcels of a half an acre or greater in size shall achieve the required minimum FAR or provide a shadow plan (see graphic) that demonstrates how development may be intensified over time to meet the required minimum FAR.

Section 18.3.12.070 is added as follows:

18.3.12.070 Transit Triangle Overlay

- A. The Transit Triangle Overlay is that area defined in the Site Design Zones map.**
 - B. Development in the Transit Triangle Overlay is subject to chapter 18.3.14 Transit Triangle Overlay in addition to all other applicable sections of this ordinance.**
-

Section 18.3.13.010 is amended as follows:

18.3.13.010 Residential Overlay Regulations

- A. Purpose. The Residential overlay is intended to encourage a concentration and mix of businesses and housing that provides a variety of housing types, supports resource and energy conservation, and promotes walking, bicycling, and transit use.
- B. Applicability. The Residential overlay applies to all property where 'Residential Overlay' (R) is indicated on the Zoning map.
- C. Requirements. The Residential overlay requirements are as follows: ~~1.;~~ **except that dwellings developed under the Transit Triangle (TT) overlay option are not subject to subsection 18.3.13.010 C, below. See section 18.3.14.040 for the allowed uses in the TT overlay.**
 - 1. If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses.
 - a. At least 65 percent of the ground floor or 50 percent of the total lot area shall be shall be designated for permitted and uses permitted with special use standards, not including residential uses.**
 - 2. Residential densities shall not exceed 15 dwelling units per acre. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.
 - 3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the E-1 District.
 - ~~4. If the number of residential units exceeds ten, then at least 10 percent of the residential units shall be affordable for moderate-income persons in accord with the standards established by resolution of the City Council through procedures contained in the resolution. The number of units required to be affordable shall be rounded down to the nearest whole unit.~~

Section 18.4.3.030 is amended to read as follows:

18.4.3.030 General Automobile Parking Requirements and Exceptions

- A. Minimum Number of Off-Street Automobile Parking Spaces.** Off-street parking shall be provided pursuant to one of the following three methods and shall include required Disabled Person Parking.
1. Standard Ratios for Automobile Parking. The standards in Table 18.4.3.040.
 2. Unspecified Use. Where automobile parking requirements for any use are not specifically listed in Table 18.4.3.040, such requirements shall be determined by the Staff Advisor based upon the most comparable use specified in this section, and other available data.
 3. Parking Demand Analysis. The approval authority through a discretionary review may approve a parking standard that is different than the standards under subsection 1 and 2, above, as follows.
 - a. The applicant submits a parking demand analysis with supporting data prepared by a professional engineer, planner, architect, landscape architect, or other qualified professional;
 - b. The parking analysis, at a minimum, shall assess the average parking demand and available supply for existing and proposed uses on the subject site; opportunities for shared parking with other uses in the vicinity; existing public parking in the vicinity; transportation options existing or planned near the site, such as frequent bus service, carpools, or private shuttles; and other relevant factors. The parking demand analysis option may be used in conjunction with, or independent of, the options provided under section 18.4.3.060 Parking Management Strategies.
 - c. The review procedure shall be the same as for the main project application.
- B. Maximum Number of Off-Street Automobile Parking Spaces.** The number of spaces provided by any particular use in ground surface lots shall not exceed the number of spaces required by this chapter by more than ten percent. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface lots, shall not apply towards the maximum number of allowable spaces.
- C. Commercial Downtown Zone.** All uses within the C-1-D zone, except for hotel, motel, and hostel uses, are exempt from the off-street parking requirements of this section.
- D. North Mountain Plan District.** Within the Neighborhood Central zone of the North Mountain (NM) Neighborhood Plan district, all uses are exempt from the off-street parking requirements of this section, except that residential uses are required to provide a minimum of one parking space per residential unit.

Section 18.4.3.020 is amended to read as follows:

18.4.3.020 Applicability

- A. The requirements of this chapter apply to parking, access, and circulation facilities in all zones, except those specifically exempted, whenever any building is erected or enlarged, parking, access or circulation is expanded or reconfigured, or the use is changed.
- B. The City may require a study prepared by a qualified professional to determine offsets in parking demand, access, circulation, and other transportation impacts, pursuant to this section.
- C. All required parking, access, and circulation facilities shall be constructed when a use is intensified by the addition of floor space, seating capacity, or change in use, or when an existing building or dwelling is altered or enlarged by the addition or creation of dwelling units or guest rooms.
- D. **Exceptions and Variances.** Requests to depart from the requirements of this chapter are subject to chapter 18.5.5 Variances, except that deviations from the standards in subsections 18.4.3.080.B. ~~4 and 5~~ **and 6** and section 18.4.3.090 Pedestrian Access and Circulation are subject to 18.5.2.050.E Exception to the Site Development and Design Standards.
- E. **Variance to Parking Standard for Commercial Buildings in the Historic District.** In order to preserve existing structures within the Historic District overlay while permitting the redevelopment of property to its highest commercial use, the Staff Advisor, through a Type I procedure and pursuant to section 18.5.1.050, may grant a Variance to the parking standards of section 18.4.3.040 by up to 50 percent for commercial uses within the Historic District overlay. The intent of this provision is to provide as much off-street parking as practical while preserving existing structures and allowing them to develop to their full commercial potential. The City, through this ordinance provision, finds that reuse of the building stock within the Historic District overlay is an exceptional circumstance and an unusual hardship for the purposes of granting a variance.

Section 18.4.3.040 is amended to read as follows:

18.4.3.040 Parking Ratios

Except as provided by section 18.4.3.030, the standard ratios required for automobile parking are as follows. See also, accessible parking space requirements in section 18.4.3.050.

Table 18.4.3.040 – Automobile Parking Spaces by Use	
Use Categories	Minimum Parking per Land Use (Based on Gross Floor Area; fractions are rounded to whole number.)
Residential Categories	
Single-Family Dwellings	2 spaces for detached dwelling units-and the following for-attached

Table 18.4.3.040 – Automobile Parking Spaces by Use	
Use Categories	Minimum Parking per Land Use (Based on Gross Floor Area; fractions are rounded to whole number.)
	<p>dwelling units.</p> <ul style="list-style-type: none"> a. Studio units or 1-bedroom units less than 500 sq. ft. –1 space/unit. b. 1-bedroom units 500 sq. ft. or larger – 1.50 spaces/unit. c. 2-bedroom units – 1.75 spaces/unit. d. 3-bedroom or greater units -- 2.00 spaces/unit.
Accessory Residential Units	<ul style="list-style-type: none"> a. Units less than 800 sq. ft.– 1 space/unit, except. as exempted in subsection 18.2.3.040.A. b. Units greater than 800 sq. ft. and up to 1,000 sq. ft. – 2.00 spaces/unit.
Multi-Family Dwellings	<ul style="list-style-type: none"> a. Studio units or 1-bedroom units less than 500 sq. ft. -- 1 space/unit. b. 1-bedroom units 500 sq. ft. or larger -- 1.50 spaces/unit. c. 2-bedroom units -- 1.75 spaces/unit. d. 3-bedroom or greater units -- 2.00 spaces/unit. e. Retirement complexes for seniors 55-years or greater -- One space per unit. f. <u>Transit Triangle (TT) overlay option developments, see chapter 18.3.14.</u>
Cottage Housing	<ul style="list-style-type: none"> a. Units less than 800 sq. ft. -- 1 space/unit. b. Units greater than 800 sq. ft. and less than 1000 sq. ft. -- 1.5 spaces/unit. c. Units greater than 1000 sq. ft. -- 2.00 spaces/unit. d. Retirement complexes for seniors 55-years or greater -- One space per unit.
Manufactured Housing	Parking for Manufactured Home on Single-Family Lot is same as Single Family Dwelling; for Manufactured Housing Developments, see sections <u>18.2.3.170</u> and <u>18.2.3.180</u> .
Performance Standards Developments	See chapter <u>18.3.9</u> .
Commercial Categories	
Auto, boat or trailer sales, retail nurseries and other open-space uses	1 space per 1,000 sq. ft. of the first 10,000 sq. ft. of gross land area; plus 1 space per 5,000 sq. ft. for the excess over 10,000 sq. ft. of gross land area; and 1 space per 2 employees.
Bowling Alleys	3 spaces per alley, plus 1 space for auxiliary activities set forth in this section.
Chapels and Mortuaries	1 space per 4 fixed seats in the main chapel.
Hotels	1 space per guest room, plus 1 space for the owner or manager; see

Table 18.4.3.040 – Automobile Parking Spaces by Use	
Use Categories	Minimum Parking per Land Use (Based on Gross Floor Area; fractions are rounded to whole number.)
	also, requirements for associated uses, such as restaurants, entertainment uses, drinking establishments, assembly facilities.
Offices	General Office: 1 space per 500 sq. ft. floor area.
	Medical/Dental Office: 1 space per 350 sq. ft. floor area.
Restaurants, Bars, Ice Cream Parlors, Similar Uses	1 space per 4 seats or 1 space per 100 sq. ft. of gross floor area, whichever is less.
Retail Sales and Services	General: 1 space per 350 sq. ft. floor area.
	Furniture and Appliances: 1 space per 750 sq. ft. floor area.
Skating Rinks	1 space per 350 sq. ft. of gross floor area.
Theaters, Auditoriums, Stadiums, Gymnasiums and Similar Uses	1 space per 4 seats.
Travelers' Accommodations	1 space per guest room, plus 2 spaces for the owner or manager.
Industrial Categories	
Industrial, Manufacturing and Production, Warehousing and Freight	1 space per 1,000 sq. ft. of gross floor area, or 1 space for each 2 employees whichever is less, plus 1 space per company vehicle.
Institutional and Public Categories	
Aircraft Hangar - Ashland Municipal Airport	One space per hangar or one space per four aircraft occupying a hangar, whichever is greater. Parking spaces shall be provided within the hangar or within designated vehicle parking areas identified in the adopted Ashland Municipal Airport Master Plan.
Clubs, Fraternity and Sorority Houses; Rooming and Boarding Houses; Dormitories	2 spaces for each 3 guest rooms; in dormitories, 100 sq. ft. shall be equivalent to a guest room.
Daycare	1 space per two employees; a minimum of 2 spaces is required.
Golf Courses	Regular: 8 spaces per hole, plus additional spaces for auxiliary uses.
	Miniature: 4 spaces per hole.
Hospital	2 space per patient bed.
Nursing and Convalescent Homes	1 space per 3 patient beds.
Public Assembly	1 space per 4 seats
Religious Institutions and Houses of Worship	1 space per 4 seats.
Rest Homes, Homes for the Aged, or Assisted Living	1 space per 2 patient beds or 1 space per apartment unit.
Schools	Elementary and Junior High: 1.5 spaces per classroom, or 1 space per 75 sq. ft. of public assembly area, whichever is greater
	High Schools: 1.5 spaces per classroom, plus 1 space per 10 students the school is designed to accommodate; or the requirements for public assembly area, whichever is greater
	Colleges, Universities and Trade Schools: 1.5 spaces per classroom, plus 1 space per five students the school is designed to accommodate, plus requirements for on-campus student housing.

Table 18.4.3.040 – Automobile Parking Spaces by Use	
Use Categories	Minimum Parking per Land Use (Based on Gross Floor Area; fractions are rounded to whole number.)
Other Categories	
Temporary Uses	Parking standards for temporary uses are the same as for primary uses, except that the City decision-making body may reduce or waive certain development and designs standards for temporary uses.

Section 18.4.3.080 is amended to read as follows:

18.4.3.080 Vehicle Area Design

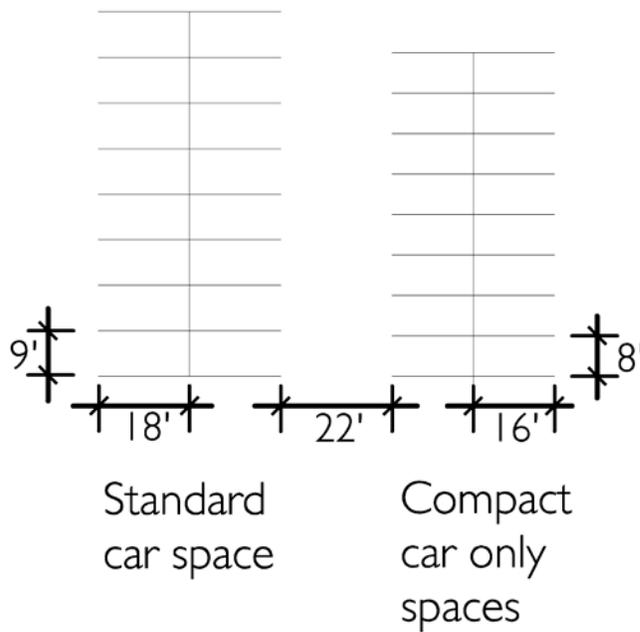
A. Parking Location

1. Except for single and two-family dwellings, required automobile parking facilities may be located on another parcel of land, provided said parcel is within 200 feet of the use it is intended to serve. The distance from the parking lot to the use shall be measured in walking distance from the nearest parking space to an access to the building housing the use, along a sidewalk or other pedestrian path separated from street traffic. Such right to use the off-site parking must be evidenced by a deed, lease, easement, or similar written instrument establishing such use, for the duration of the use.
2. Except as allowed in the subsection below, automobile parking shall not be located in a required front and side yard setback area abutting a public street, except alleys.
3. In all residential zones, off-street parking in a front yard for all vehicles, including trailers and recreational vehicles is limited to a contiguous area no more than 25 percent of the area of the front yard, or a contiguous area 25 feet wide and the depth of the front yard, whichever is greater. Since parking in violation of this section is occasional in nature, and is incidental to the primary use of the site, no vested rights are deemed to exist and violations of this section are not subject to the protection of the nonconforming use sections of this ordinance.

B. Parking Area Design. Required parking areas shall be designed in accordance with the following standards and dimensions as illustrated in 18.4.3.080.B. See also, accessible parking space requirements in section 18.4.3.050 and parking lot and screening standards in subsection 18.4.4.030.F.

1. Parking spaces shall be a minimum of 9 feet by 18 feet.
2. Up to 50 percent of the total automobile parking spaces in a parking lot may be designated for compact cars. Minimum dimensions for compact spaces shall be 8 feet by 16 feet. Such spaces shall be signed or the space painted with the words "Compact Car Only."
- 3. Up to 10 percent of the total automobile parking spaces in a parking lot may be designated for smart cars. Minimum dimensions for smart car spaces shall be ###. Such spaces shall be signed or the space painted with the words "Smart Car Only."**

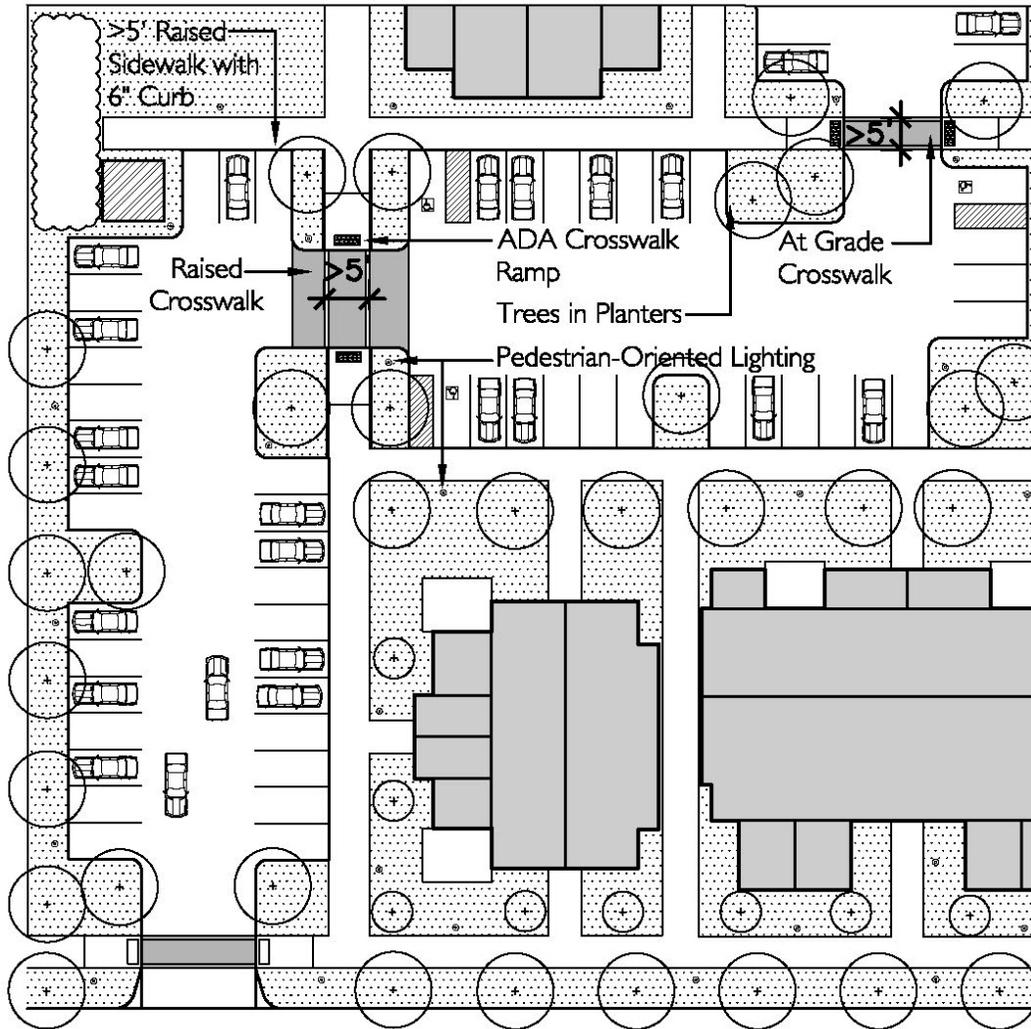
34. Parking spaces shall have a back-up maneuvering space not less than 22 feet, except where parking is angled, and which does not necessitate moving of other vehicles.



Note: Up to 50% of the total of all parking spaces in parking lot may be designated for compact cars.

Figure 18.4.3.080.B
Parking Area Dimensions

45. Parking lots with 50 or more parking spaces, and parking lots where pedestrians must traverse more than 150 feet of parking area, as measured as an average width or depth, shall be divided into separate areas by one or more of the following means: a building or group of buildings; plazas landscape areas with walkways at least five feet in width; streets; or driveways with street-like features as illustrated in Figure 18.4.3.080.B.45 Street-like features, for the purpose of this section, means a raised sidewalk of at least five feet in width, with six-inch curb, accessible curb ramps, street trees in planters or tree wells and pedestrian-oriented lighting (i.e., not exceeding 14 feet typical height).



Insert Figure 18.4.3.080.B.45
Dividing Parking Lots into Separate Areas

56. Parking areas shall be designed to minimize the adverse environmental and microclimatic impacts of surface parking through design and material selection as illustrated in Figure 18.4.3.080.B.56. Parking areas of more than seven parking spaces shall meet the following standards.

- a. Use at one or more of the following strategies for the surface parking area, or put 50 percent of parking underground. For parking lots with 50 or more spaces, the approval authority may approve a combination of strategies.
 - i. Use light colored paving materials with a high solar reflectance (Solar Reflective Index (SRI) of at least 29) to reduce heat absorption for a minimum of 50 percent of the parking area surface.
 - ii. Provide porous solid surfacing or an open grid pavement system that is at least 50 percent pervious for a minimum of 50 percent of the parking area surface.

- iii. Provide at least 50 percent shade from tree canopy over the parking area surface within five years of project occupancy.
 - iv. Provide at least 50 percent shade from solar energy generating carports, canopies or trellis structures over the parking area surface.
- b. Design parking lots and other hard surface areas in a way that captures and treats runoff with landscaped medians and swales.

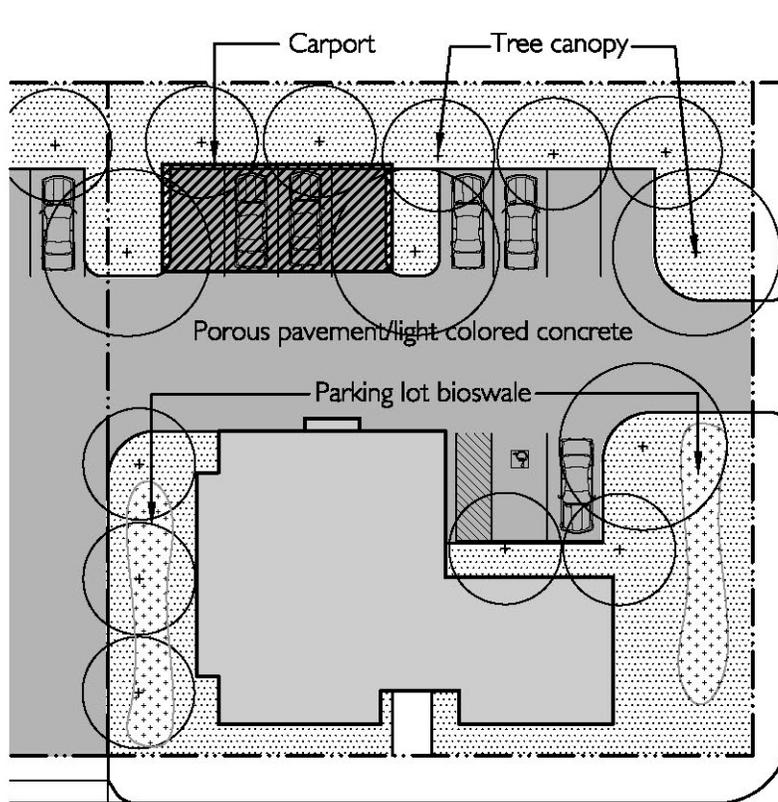


Figure 18.4.3.080.B **56**
 Parking Design to Reduce Environmental Impacts

C. Vehicular Access and Circulation. The intent of this subsection is to manage access to land uses and on-site circulation and maintain transportation system safety and operations. For transportation improvement requirements, refer to chapter 18.4.6 Public Facilities.

1. Applicability. This section applies to all public streets within the City and to all properties that abut these streets. The standards apply when developments are subject to a planning action (e.g., Site Design Review, Conditional Use Permit, Land Partition, Performance Standards Subdivision).
2. Site Circulation. New development shall be required to provide a circulation system that accommodates expected traffic on the site. All on-site circulation systems shall incorporate street-like features as described in 18.4.3.080.B **45**. Pedestrian connections on the site, including connections through large sites, and connections between sites

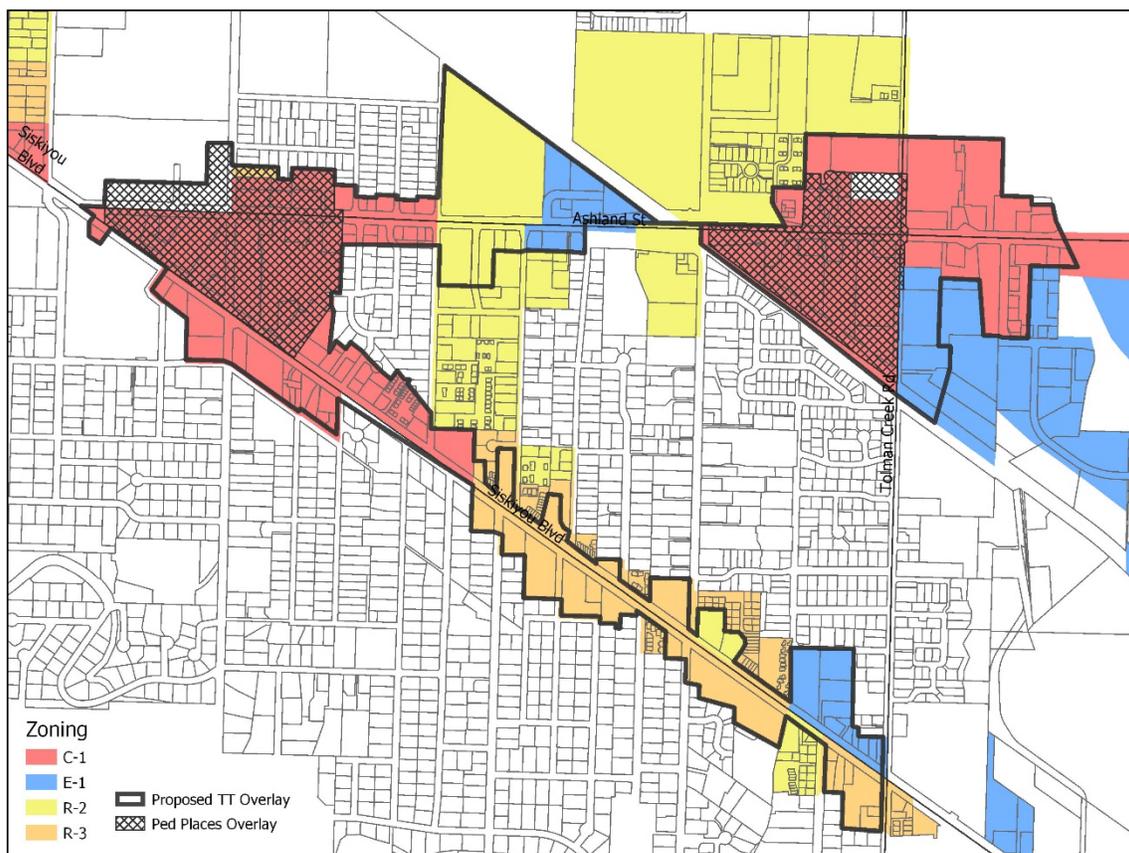
and adjacent sidewalks must conform to the provisions of section 18.4.3.090.

18.3.12.070 Ashland Transit Triangle Overlay

A. Purpose. The Ashland Transit Triangle Overlay is intended to direct and encourage development of small walkable nodes that provide concentrations of gathering places, housing, businesses, and pedestrian amenities situated and designed in a way to encourage walking, bicycling, and transit use.

B. Applicability.

1. This section applies to properties designated as Transit Triangle overlay on the Site Design Zones map, as included below:



2. Review Procedure. The Ashland Transit Triangle Overlay requirements apply to proposed development located in the Ashland Transit Triangle Overlay that requires a planning application approval, and involves development of new structures or additions other than single-family dwellings and associated accessory structures and uses. The provisions of the

Ashland Transit Triangle Overlay supplement those of the applicable base zoning district and other applicable ordinance requirements.

3. Standards for buildings in the Transit Triangle Overlay.

All buildings and uses require Basic, Detail Site Review and Large Scale Development Site Design and Use Standards shall be applicable in accordance with Chapter 18.4 except as provided in this section

C. Development Standards. The following standards shall apply to development in the Ashland Transit Triangle overlay in addition to all applicable provisions of this ordinance.

1. Building Setbacks. The solar access setback in chapter [18.4.8](#) Solar Access applies only to those lots abutting a residential zone to the north.

2. Plazas and Landscaping Ratio. Outdoor seating areas, plazas, and other useable paved surfaces may be applied toward meeting the landscaping area requirements in chapter [18.4.4](#) Landscaping, Lighting, and Screening, but shall not constitute more than 50 percent of the required area.

3. Parking for Residential Dwellings. Residential dwellings in the Ashland Transit Triangle Overlay of less than 800 square feet are required to provide one off street parking space per unit, rather than the parking required in Section 18.96

D. Development Standards in R-2 and R-3 Zones. The following standards apply to development located in the Transit Triangle Overlay and a R-2 or R-3 zone, in addition to all applicable provisions of this ordinance.

1. Special Permitted Uses. In addition to the permitted uses in the underlying residential zone, the following uses and their accessory uses are permitted subject to the requirements of this section.

- a) Professional, financial, business and medical offices, and personal service establishments.
- b) Stores, shops, and offices supplying commodities or performing services.
- c) Restaurants.

2. Parking. No parking is required for the first 1,250 square feet of retail or restaurant use per acre of development site.

3. Development Standards and Limitations.

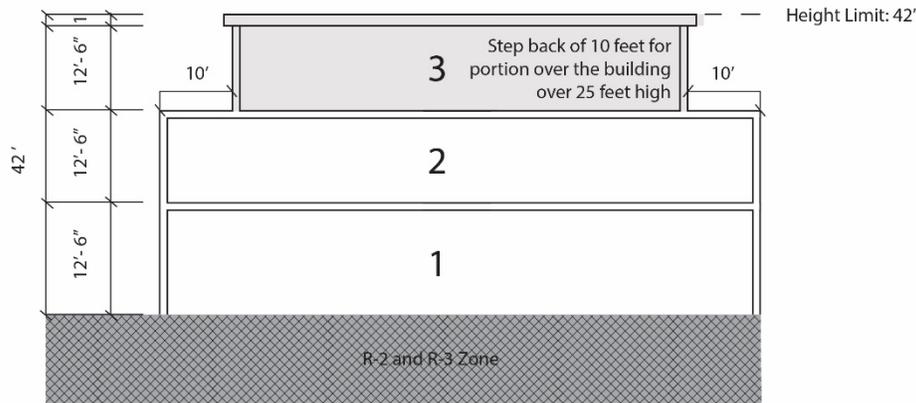
- a) The maximum gross floor area occupied by a special permitted use shall be 60 square feet for every residential dwelling unit developed on the site.
- b) Special permitted uses shall be allowed in a building or in a group of buildings including a mixture of businesses and housing. At least 50 percent of the total gross floor area of a building, or of where there is more than one building on a site, 50 percent of the total lot area including accessory uses such as parking, landscaping and public space, shall be designated for residential uses.
- c) The development shall meet the minimum housing density requirements of the underlying zone.
- d) Mixed-use buildings shall be setback not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement.
- e) Mixed-use developments shall have a minimum Floor Area Ratio (FAR) of .50. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Projects including existing buildings or vacant parcels of a half an acre or greater in size shall achieve the required minimum FAR or provide a shadow plan (see graphic) that demonstrates how development may be intensified over time to meet the required minimum FAR.

E. Development density standards in R-2 and R-3 zones

1. For the R-2 and R-3 zones the following standards.

- a) Maximum height permitted in 42 feet, and no more than 3 stories.
- b) Attention needs to be given to scale, massing, and facade design so as to reduce the effect of large single building masses. Reduction of building mass can be accomplished through a step back of 10 feet for that portion of the building that is over 25 feet high.
- c) In lieu of a stepback, articulation, offsets, setbacks, angles or curves of facades may be used. Articulation is required to include at least 25% of building frontage, with at least 10 feet of offset.





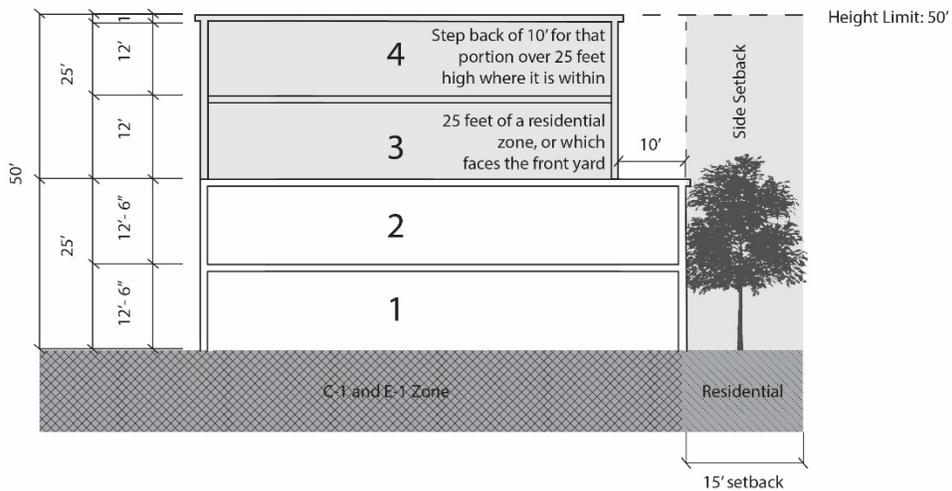
- d) Maximum Floor Area Ratio (FAR) of 1.25
- e) Minimum FAR is 1.0 in the Transit Triangle Overlay
- f) A least 20% of the site is required to be landscaped according to the standards of the Ashland Land Use Ordinance.
- g) No parking required for the first 1,250 square feet of retail or restaurant (per acre) if in a mixed use building.
- h) Any residential units developed under this section shall be long term rental units only (greater than 30 day lease). Condominiums and short term rental of units built under this section are not permitted.

F. Development Standards in C-1 and E-1 Zones. The following standards apply to development located in the Transit Triangle Overlay and a C-1 or E-1 zone, in addition to all applicable provisions of this ordinance.

1. Parking. No parking is required for the first 1,250 square feet of retail or restaurant use per acre of development site.

2. Development Standards and Limitations.

- a) Maximum height of 50 feet permitted, and no more than 4 stories
- b) Attention needs to be given to scale, massing, and facade design so as to reduce the effect of large single building masses. Reduction of building mass can be accomplished through a ground-floor setback of 15 feet, and a step back of 10' for that portion over 25 feet high where it is within 25 feet of a residential zone, or which faces the front yard.
- c) In lieu of a stepback, articulation, offsets, setbacks, angles or curves of facades may be used. Articulation is required to include at least 25% of building frontage, with at least 10 feet of offset.



- d) A maximum density of 1.5 FAR is permitted.
- e) A least 15% of the site is required to be landscaped according to the standards of the Ashland Land Use Ordinance.
- f) No parking required for the first 1,250 square feet of retail or restaurant (per acre) if in a mixed use building.
- g) Any residential units developed under this section shall be long term rental units only (greater than 30 day lease). Condominiums and short term rental of units built under this section are not permitted.

ATTN: LEGAL PUBLICATIONS (NICK)

PUBLIC HEARING NOTICE

On **May 22, 2018**, the Ashland Planning Commission will hold a public hearing regarding proposed land use ordinance amendments to Title 18 Land Use in the Ashland Municipal Code to create a Transit Triangle Overlay. The proposed overlay and related ordinance amendments units are intended to provide incentives for additional housing and business development adjacent to the southeastern portion of the bus route on Ashland St. and Siskiyou Blvd. The Planning Commission will review the ordinance amendments and make recommendations to the Ashland City Council. The public hearing will be held at 7:00 p.m. at the Ashland Civic Center Council Chambers located at 1175 E. Main St., Ashland, OR.

The proposed ordinance amendments are available for review online at www.ashland.or.us/transit_triangle and at the City of Ashland Department of Community Development located at 51 Winburn Way, Ashland, OR between 8:30 a.m. and 4:30 p.m. Copies of the ordinance and file information are available for purchase if requested. For additional information concerning these ordinance amendments, call the Ashland Planning Division at 541-488-5305.

Oral and written public testimony, regarding this matter will be accepted at the public hearing before the Planning Commission on May 22, 2018. Written statements are encouraged and may be submitted prior to the hearing dates. Mail written comments to Maria Harris, Planning Manager, City of Ashland Department of Community Development, 20 E. Main St., Ashland OR 97520, via FAX at 541-552-2050, or via E-mail at maria.harris@ashland.or.us. Failure to raise an issue in person or in writing prior to the close of the public hearing with sufficient specificity to provide the reviewing bodies opportunity to respond to the issue may preclude your opportunity for appeal on that issue.

By the order of Bill Molnar, Community Development Director

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at (541) 488-6002 (TTY phone number 1-800-735-2900). Notification 72 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title I).

Publish: **Saturday May 12, 2018**

E-mailed: _____

Purchase Order: # _____

CITY OF ASHLAND

Infill Strategies Project
Developer Roundtable
December 19, 2016

Guests:

Eric Bonetti
Mark DiRienzo
Randy Jones
Kelly Koziol
Mark Knox
Jerryck Murrey
Alan Noble
Jerome White

Staff/Consultants Present:

Bill Molnar, Community Development Director
Maria Harris, Planning Manager
Brandon Goldman, Senior Planner
John Fregonese, Fregonese Associates
Scott Fregonese, Fregonese Associates

Presentation

John Fregonese made a presentation about the Infill Strategy project including the analysis of development barriers and opportunities in the transit triangle and a sample building prototype developed using a return on investment model. The presentation slides are available at ashland.or.us/transit_triangle.

Comments

- As more stories/uses are added, the building footprint shrinks because more of site needed for parking spaces.
- Would like to see requirements similar to N. Mountain Neighborhood zoning that allows flexibility to build to a commercial standard but allow ground floor to be used for residential and converted to a commercial use later when there is demand. It is difficult for a storefront to compete with online.
- Asking for a parking variance to increase intensity/uses in building is not feasible. (Fregonese - used ratio of one parking space per unit.)
- Struggling with the concept of doing four stories, there would be pushback from the surrounding neighborhood.
- Suggest looking at the plaza space requirement and impacts on building intensity/uses. Being able to count plazas in landscape area ratio (e.g. in Pedestrian Places overlay) helps.
- Did look at doing away with required nonresidential uses on ground floor? (Fregonese – Affordability got better when modeled at all residential.)
- Does model include costs of street frontage and offsite improvements? (Fregonese – model does not include frontage and offsite improvement costs.)
- Would you develop new design standards for the transit triangle and layer on top of the standards that are already in place? (Fregonese – No, would recommend consolidate overlays that are in place and have one set of standards for study area. Recommend using a form based approach.)
- Suggest using this approach to other areas, for example the railroad property. There are other nodes that can accommodate more than three stories.
- Have questions about rates used in model. Not sure about residential rate (\$1.75 to \$1.90 per sq ft), currently highest listed on rental properties in town is \$1.70/sq ft. Offices are more in the \$15/sq ft range. Also construction costs seem low.
- Agree with that, we're seeing over \$150/sq ft for construction hard costs, not including permits.
- There is a demand for housing but no demand for commercial space.
- Landlords lose tenants if lose parking.

- What happens to commercial spaces if parking goes away?
- Nowhere to go with overflow parking between overpass and Walker.
- Got to have people who can pay rent – in examples, was there economic development that goes along with it?
- Debt service ratio that is used in model is close enough that bank may turn down.
- Parking lot improvements (i.e., to minimize adverse environmental/microclimatic impacts) raise costs by 5%. Plaza requirements, solar setback and excess landscaping all raise costs.
- Question feasibility of condos being built for \$250,000 to \$300,000 for one and two bedroom, costs more to build. (Fregonese clarified that they didn't evaluate ownership units in building prototype because prices were more affordable for rentals.)
- Commercial space drives up the price of residential rentals. Rents run around 1.92 per square foot but can't get that in this study area.
- Incentives, such as vertical housing tax credit, are going to be the key.
- The importance of timing is key with rentals because one doesn't want to get stuck with them.
- Property on map that is shown as developable isn't available, have contacted all of them and owners aren't motivated to sell.

Transit Triangle Open House – Comments

December 11, 2017

- I am against added density which brings parking problems, traffic problems and a lessening of the quality of my life at my residence in the center of this proposal.
- Four story with or without set back at intersections. Three story with or without set back on “infill” lots.
- Ok keep going. Mini parks good. Visual graphics to show buildings is a good tool.
- I own 2 properties in the triangle. I am totally opposed to increasing density in the triangle. No to any four stories. No to tall 3 story units. A huge No to reducing the parking space requirements. Parking will be an issue if this goes. Your proposal totally alters the complexion of this neighborhood.
- Keep it up. Four stories with step back. Add Mistletoe instead of Tolman as the third leg. See Adopted Croman Plan that already calls for bus route to move there.
- I'd like to see progress on affordable housing. Glad you're doing this.
- This is what Ashland needs. Make it happen.
- Well done. Don't stop now!
- Adjacent to residential zoned areas, noise reduction should be required on roof and open equipment, SAC(?) refrigeration, heat.
- We live in two houses behind Bi-Mart and Shop N Kart. In the last few years – Shop N Kart put in new refrigerators and freezers. The noise is very loud. Unbearable. Like living near an airport. I would like to see noise reduction required adjacent to residential areas. ROOF FANS – VERY LOUD!!! Tolman Creek Road is getting very busy. Sometimes cars are backed up to Takelma from Ashland Street! It is problematic.
- This is very concerning.
- Great presentation.



CITY OF ASHLAND

Infill Strategies Project
Developer Roundtable
December 12, 2017

Guests:

Laz Ayala
Tom Bradley
Eric Bonetti
Ray Chirgwin
Mark DiRienzo
Mark Knox
Rick Lindemann
Gil Livni
David Thruston
Paige West
Jerome White

Staff/Consultants Present:

Bill Molnar, Community Development Director
Maria Harris, Planning Manager
Brandon Goldman, Senior Planner
Dana Smith,
John Fregonese, Fregonese Associates
Scott Fregonese, Fregonese Associates
Cassandra Dobson, Fregonese Associates

Presentation

John Fregonese made a presentation about the Infill Strategy project including the ideas for amendments to the land use ordinance and development standards. The presentation slides are available at ashland.or.us/transit_triangle.

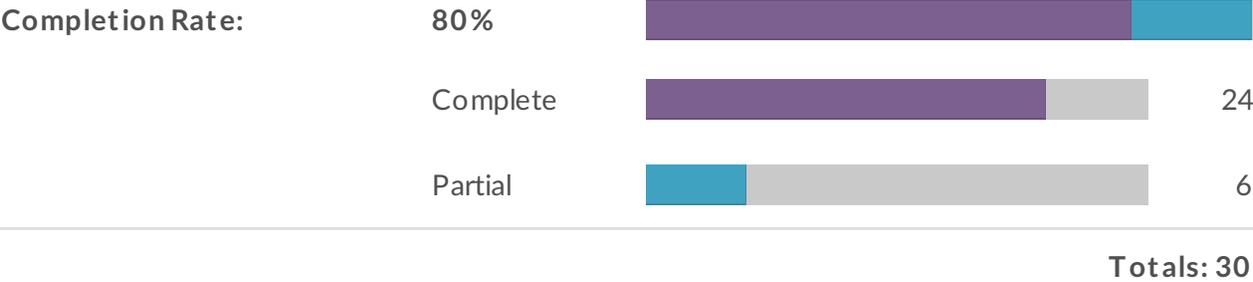
Comments

- Like it all except have a problem with the building step back. This is too prescriptive. Should add flexibility for design alternatives because there are other ways to provide articulation in upper stories.
- Would love to see an examples you may have or think of for language for architectural articulation standard.
- Agree about building stepbacks. People love downtown with its multi-story buildings. Shouldn't water down, especially at Tolman because it is the entrance to our town.
- Did allow room for circulation in interior in building prototypes in ROI model?
- Construction costs have gone up and continue to rise. Around \$180 to \$185 a square foot. Includes permitting costs.
- Only one manufacturer makes elevators for three-story buildings. More flexibility in getting elevators for four stories.
- Is this an exercise to increase housing in the transit triangle or increase affordable housing? Don't like requirement of affordable. This creates a question going into a site, decreases the incentive to building housing.
- We've seen construction costs as high as \$225 a square foot.
- Have there been any conversations about allowing a higher FAR and more stories? This helps with the economies of scale.
- Have considered unbundling the parking requirements for the affordable units since those folks often don't have a vehicle. DHS gives clients free bus pass. Developer could provide a program and binding agreement that residents don't have car – build a bus stop, provide bust program, provide car share. This compared to the cost of building parking can be far less.
- Heard at previous stakeholder meeting that market will drive how much parking is needed. Also, banks sometimes won't lend if not showing "enough" parking.
- What is the thinking of prohibiting condos? Where do residents go from there, if they start renting and want to buy something.

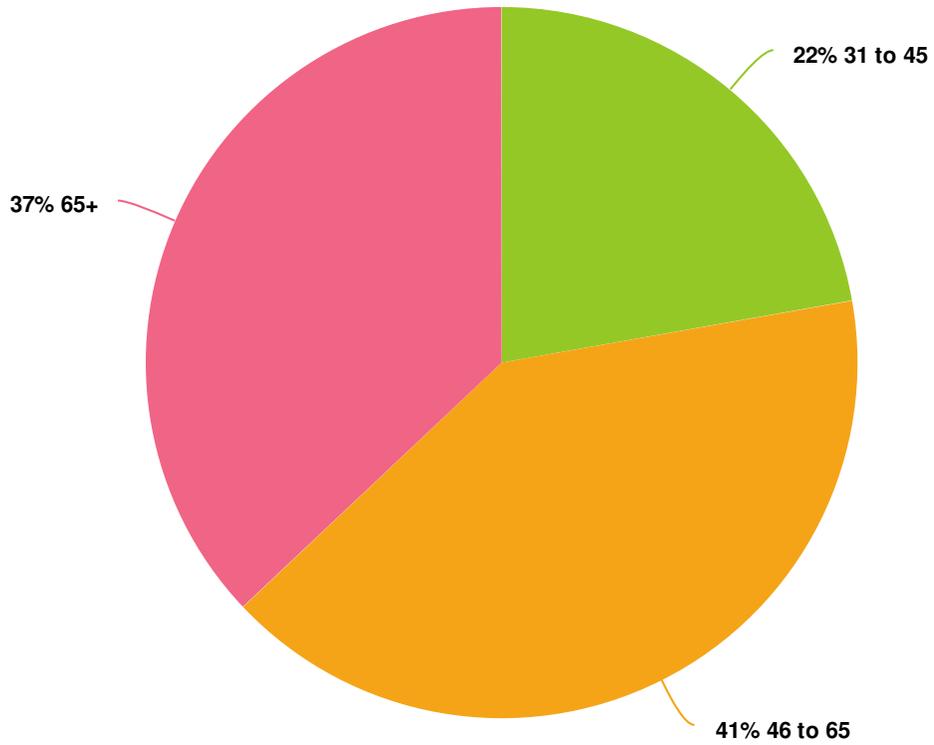
- One could still be condos but not using the option offered in the transit triangle overlay using FAR rather than density cap, reduced landscaping and parking. Concern with condos is that they tend to be a luxury and used as second homes rather than housing for workforce. If have those buyers can drive up market price.
- If goal is to loosen code and encourage housing, consider allowing more residential and requiring less commercial requirement drives up costs because there is limited demand in Ashland for retail and office space. This becomes a risk, and too much if have to build 65% commercial on ground floor. Suggest model where allow residential on ground floor that can be later converted to commercial space.
- How about live/work units.
- What about parking placement and allowing on both sides?
- Parking at rear of building provides buffer from adjacent residential zones.
- It would be best to have parking on Ashland St.
- How far have you drilled into future of cars and autonomous car. If I were developing, I would incorporate flexibility in design so that as parking isn't needed could replace with more residential development.
- My kids are in their 20's, have driver's licenses but don't want or have cars. We're focused on early retirees who want and have cars but this will change soon, is changing with the next generation.
- What about option for development that provides car share? Could have two or three cars, residents buy into program and managed by HOA. But would need reduction in parking to offset costs.
- Consider allowing smaller spaces for ultra-compact cars – can fit two in one traditional space.
- Have you looked at commuting patterns and commuting between cities? Still a lot of that going on in the valley.
- The idea is if there were some rental units in this area, some of those people could live and work in Ashland thereby eliminating some of the daily travel between cities.

Report for Ashland Transit Triangle Survey

Response Counts



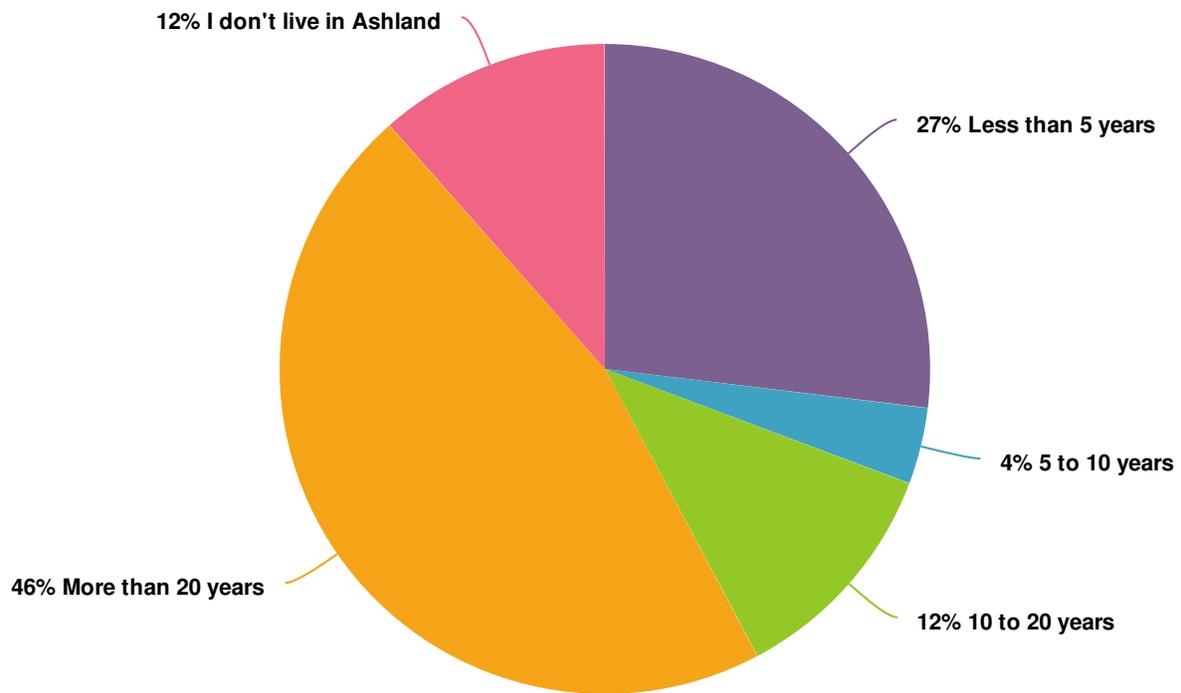
1. How old are you?



Value		Percent	Responses
31 to 45		22.2%	6
46 to 65		40.7%	11
65+		37.0%	10

Totals: 27

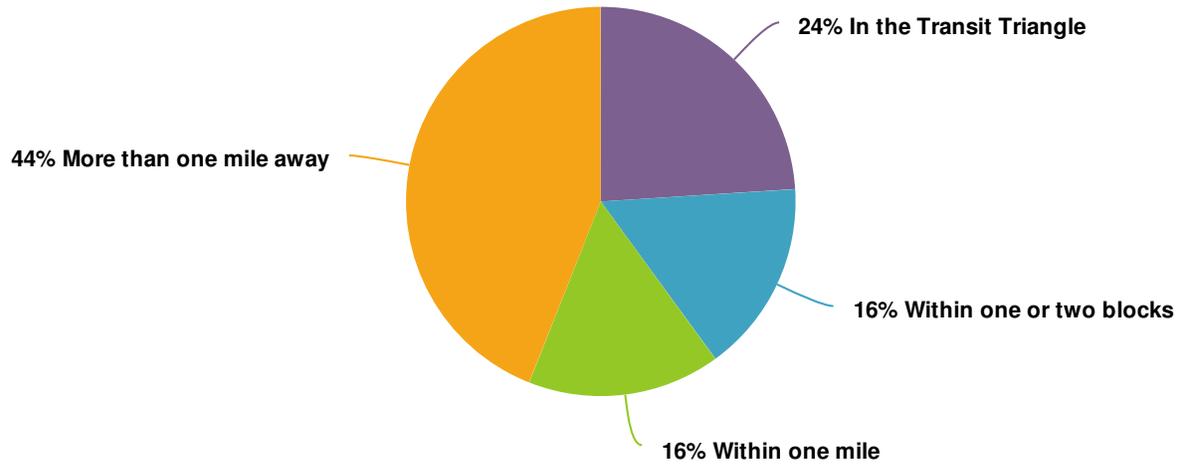
2. How long have you lived in Ashland?

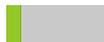


Value	Percent	Responses
Less than 5 years	26.9%	7
5 to 10 years	3.8%	1
10 to 20 years	11.5%	3
More than 20 years	46.2%	12
I don't live in Ashland	11.5%	3

Totals: 26

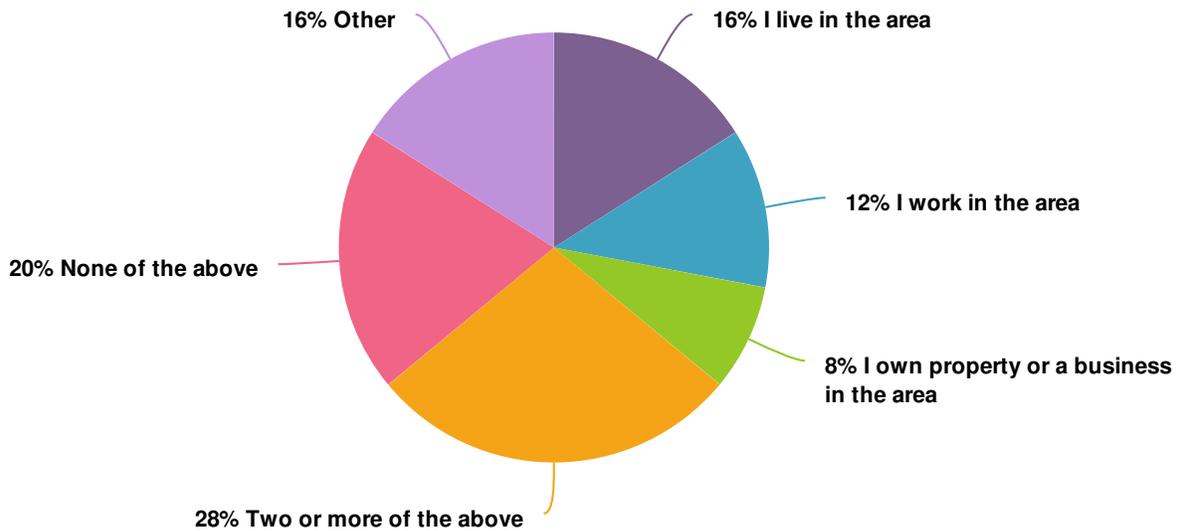
3. How close do you live to the Transit Triangle?



Value		Percent	Responses
In the T ransit T riangle		24.0%	6
Within one or two blocks		16.0%	4
Within one mile		16.0%	4
More than one mile away		44.0%	11

Totals: 25

4. What is your connection to the Transit Triangle?

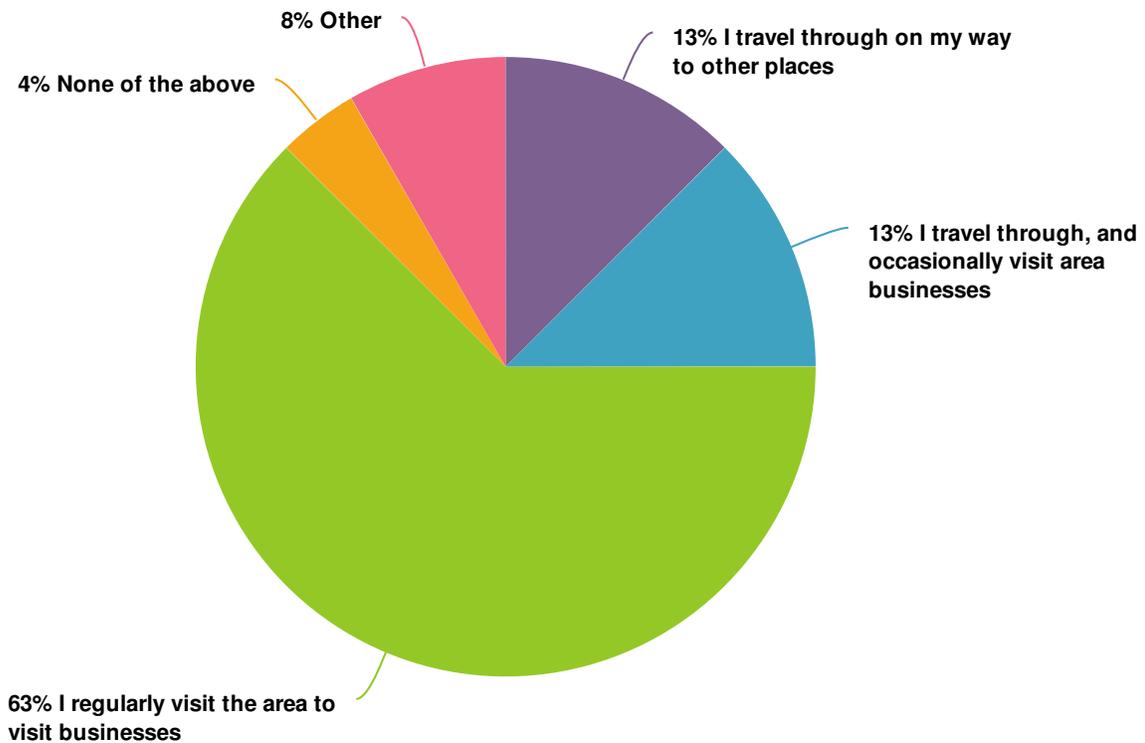


Value	Percent	Responses
I live in the area	16.0%	4
I work in the area	12.0%	3
I own property or a business in the area	8.0%	2
Two or more of the above	28.0%	7
None of the above	20.0%	5
Other	16.0%	4

Totals: 25

Other	Count
I sit on the Housing and Human Service Commission and am interested in policy and planning issues that affect those living in Ashland.	1
Local Architect	1
Planning Consultant; family lives adjacent to transit triangle	1
Totals	3

5. How do you use the Transit Triangle area?



Value	Percent	Responses
I travel through on my way to other places	12.5%	3
I travel through, and occasionally visit area businesses	12.5%	3
I regularly visit the area to visit businesses	62.5%	15
None of the above	4.2%	1
Other	8.3%	2

Totals: 24

Other**Count**

University Staff

1

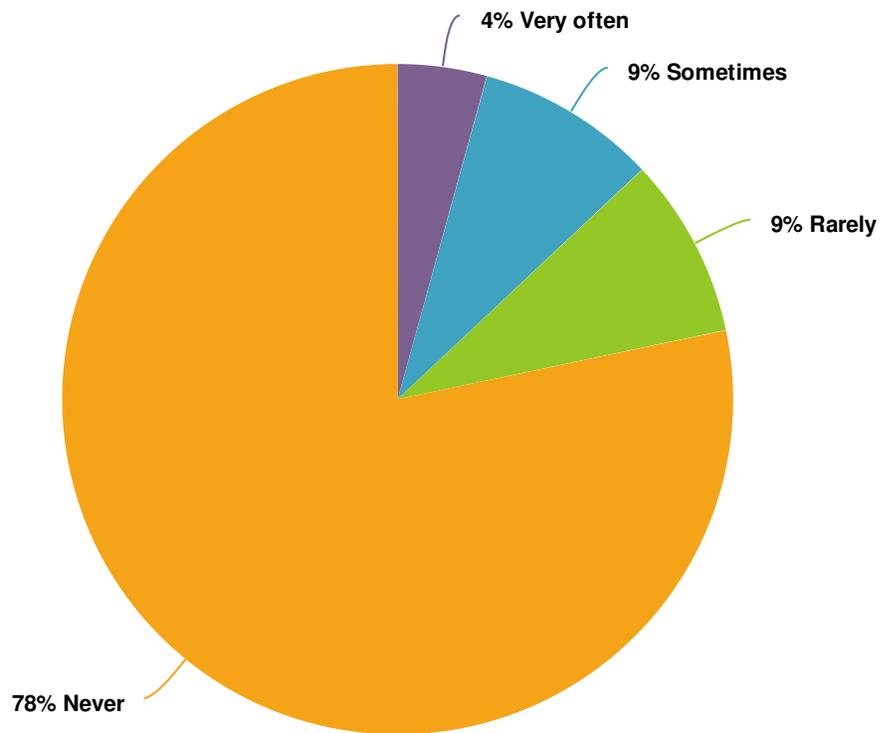
own undeveloped property in triangle

1

Totals

2

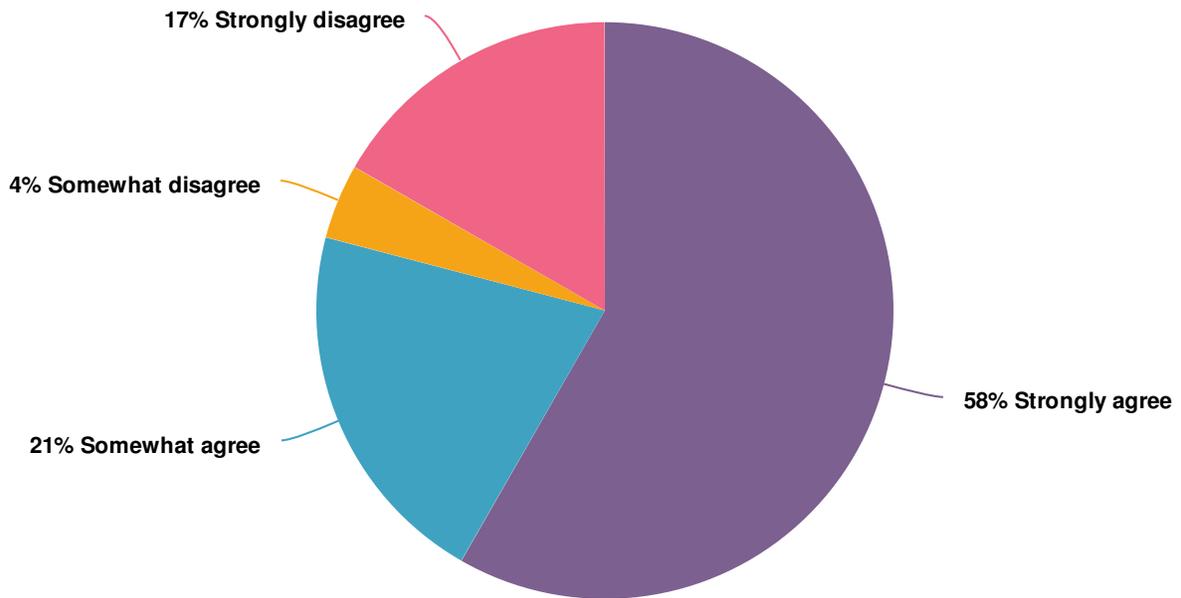
6. How often do you use RVTD Route 10?



Value		Percent	Responses
Very often		4.3%	1
Sometimes		8.7%	2
Rarely		8.7%	2
Never		78.3%	18

Totals: 23

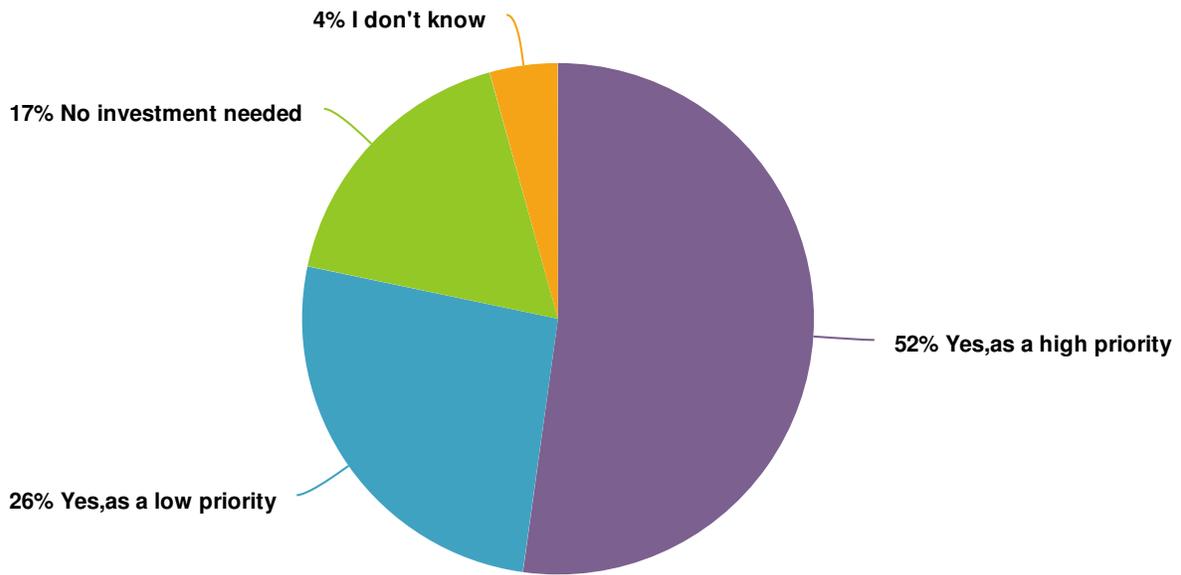
7. The Transit Triangle is a good place for more businesses and other destinations



Value	Percent	Responses
Strongly agree	58.3%	14
Somewhat agree	20.8%	5
Somewhat disagree	4.2%	1
Strongly disagree	16.7%	4

Totals: 24

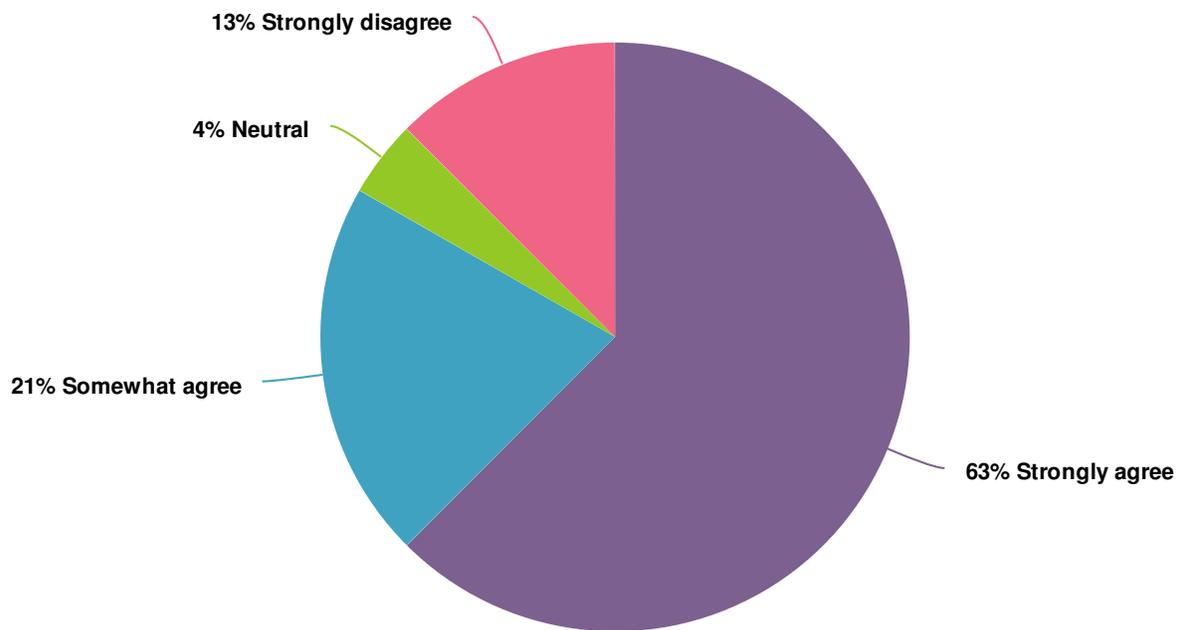
8. Should we invest in sidewalks, bike routes, and more crossings to improve safety in the Transit Triangle?



Value	Percent	Responses
Yes, as a high priority	52.2%	12
Yes, as a low priority	26.1%	6
No investment needed	17.4%	4
I don't know	4.3%	1

Totals: 23

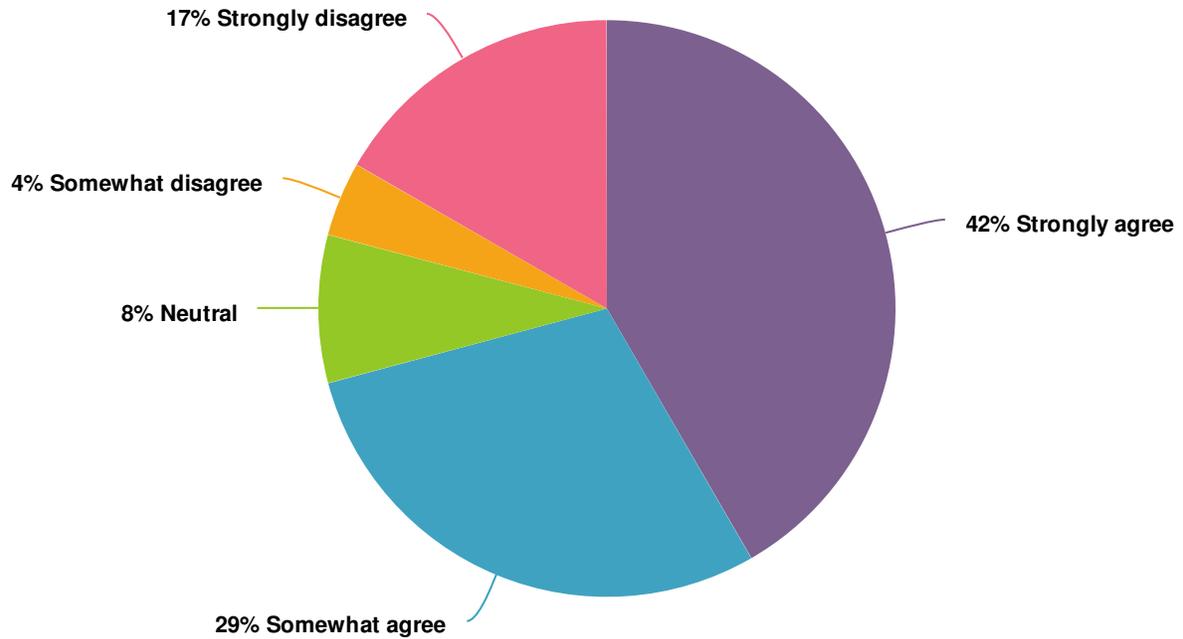
9. The Transit Triangle is a good place for more housing



Value		Percent	Responses
Strongly agree		62.5%	15
Somewhat agree		20.8%	5
Neutral		4.2%	1
Strongly disagree		12.5%	3

Totals: 24

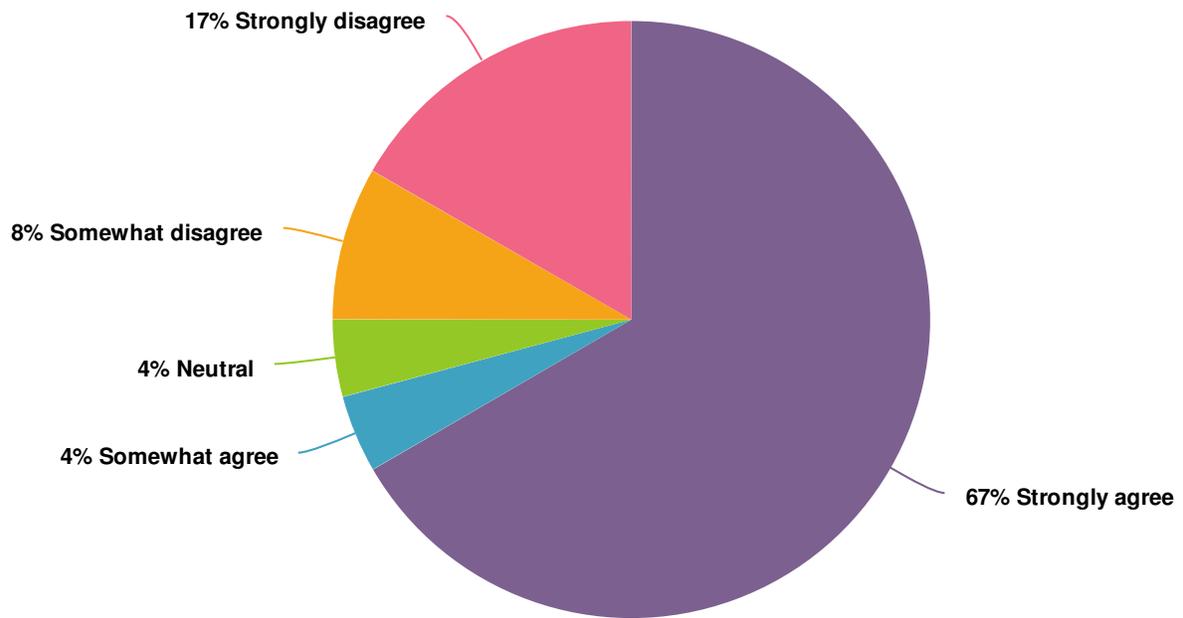
10. It is important to provide affordable housing in the Transit Triangle



Value		Percent	Responses
Strongly agree		41.7%	10
Somewhat agree		29.2%	7
Neutral		8.3%	2
Somewhat disagree		4.2%	1
Strongly disagree		16.7%	4

Totals: 24

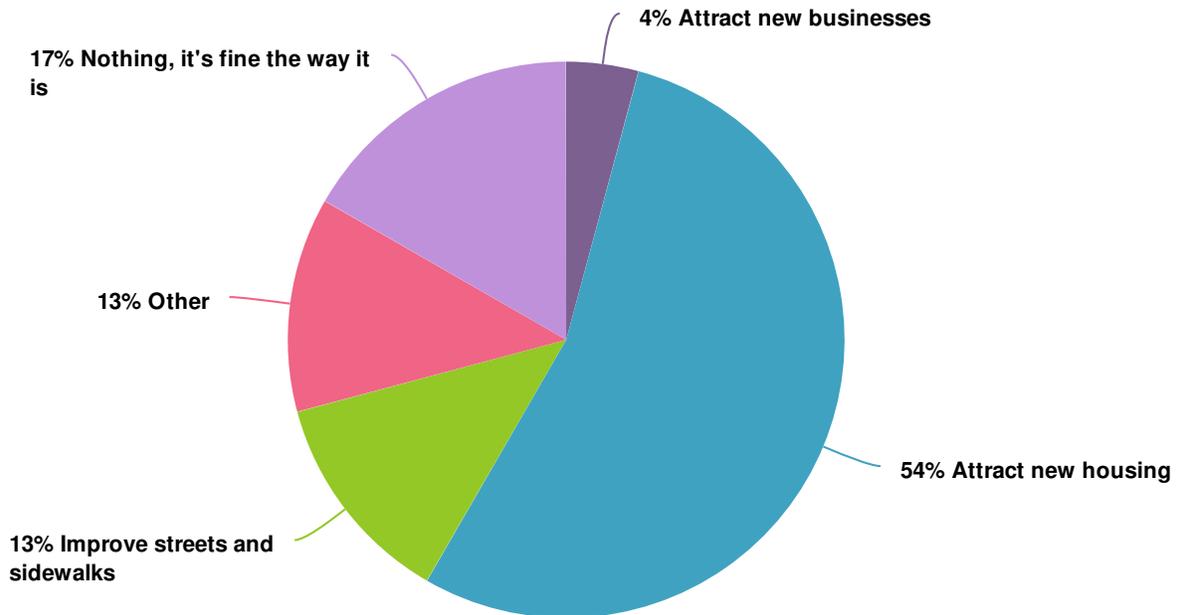
11. Are you in favor of 3-4 story, mixed-use development in the Transit Triangle?



Value	Percent	Responses
Strongly agree	66.7%	16
Somewhat agree	4.2%	1
Neutral	4.2%	1
Somewhat disagree	8.3%	2
Strongly disagree	16.7%	4

Totals: 24

12. If you could do just one thing for the Transit Triangle, what would be your top priority?

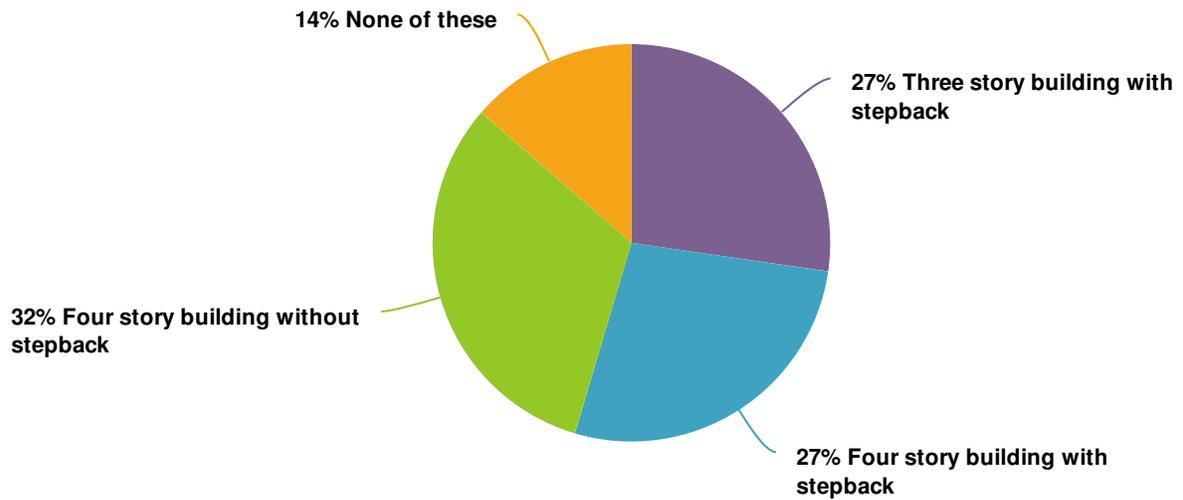


Value	Percent	Responses
Attract new businesses	4.2%	1
Attract new housing	54.2%	13
Improve streets and sidewalks	12.5%	3
Other	12.5%	3
Nothing, it's fine the way it is	16.7%	4

Totals: 24

Other	Count
Attract new businesses and housing	1
Improve infrastructure including streets, sidewalks and utilities with City financing so developers can focus on site development.	1
Mixed Use, housing over Commercial	1
Totals	3

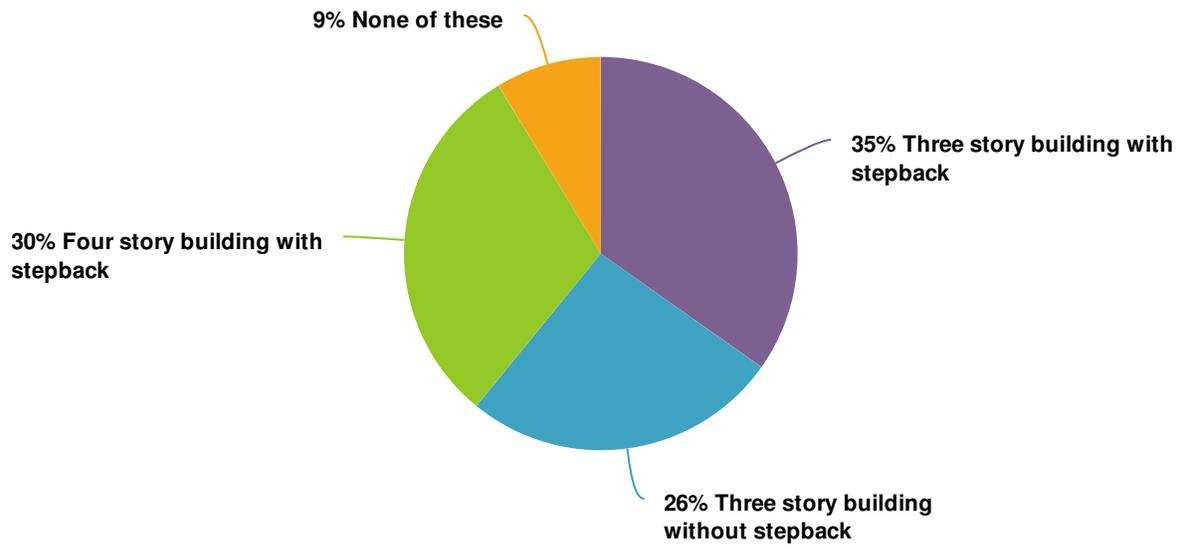
13. Which image do you like BEST?



Value		Percent	Responses
Three story building with stepback		27.3%	6
Four story building with stepback		27.3%	6
Four story building without stepback		31.8%	7
None of these		13.6%	3

Totals: 22

14. Which image do you like BEST?



Value		Percent	Responses
Three story building with stepback		34.8%	8
Three story building without stepback		26.1%	6
Four story building with stepback		30.4%	7
None of these		8.7%	2

Totals: 23



Oregon

Kate Brown, Governor

Department of Transportation
Region 3 Planning and Programming Unit
3500 NW Stewart Parkway
Roseburg, OR 97470
Phone: (541) 580-6178

September 14, 2018

Ashland City Council
City of Ashland
20 E. Main Street
Ashland, OR 97520

RE: Infill Strategy Ordinance and Map Amendments

Dear Ashland City Council,

We have reviewed the Transit Triangle (TT) overlay and ordinance amendments. We believe it is an excellent approach to providing much-needed housing opportunities and is supportive of transit users, bicyclists, and pedestrians.

However, the findings in the staff report do not support the proposed overlay and ordinance amendments. We request the Council postpone adoption of the TT overlay and ordinances until such a time as analysis can be completed to show compliance with the Ashland Transportation System Plan (TSP) and State Transportation Planning Rule (TPR).

Ashland Transportation System Plan

The City of Ashland adopted its TSP in 2012. The TSP identifies future transportation conditions for major intersections and corridors, based on existing and future land uses. The TSP included "Level of Service" as the standard for showing whether a transportation facility can support traffic. That is, developments and proposed zone changes must show that the additional traffic they generate will not exceed the Level of Service standard.

The TSP also identifies several ODOT intersections that are within the TT overlay zone. Analysis performed for the TSP shows several intersections near or exceeding the state "Volume to Capacity Ratio" standard. That is, several state intersections within the TT overlay are at or near the amount of congestion allowed under state standards.

The staff report identifies four projects in the TSP that are within the proposed TT overlay, and notes that the projects support transit, bicyclists, and pedestrians. While it is true that the projects are supportive, they do not address the City's adopted Level of Service standard or the State's adopted Volume to Capacity Ratio standard. As the findings do not address those standards, they are inadequate to show compliance with the TSP.

Our concern is that the increased density provided for in the TT overlay has the potential to create more traffic than was assumed in the 2012 TSP. Although the TT overlay and ordinance amendments provide options for developers to reduce parking requirements and include amenities supportive of transit, bicyclist, and pedestrians, they are largely optional. As a result, there exists a very real possibility that traffic generated within the proposed TT overlay could greatly exceed what was assumed in the TSP, and result in violations of the Level of Service and Volume to Capacity Ratio standards.

Transportation Planning Rule

The TPR establishes standards local jurisdictions must meet when proposing development code or zoning changes that may result in increased traffic. In the present case, Ashland must demonstrate that the TT overlay and ordinance amendments will not result in levels of traffic that are inconsistent with the existing or planned transportation facilities.

In determining whether a proposal is inconsistent, the TPR relies upon standards in the TSP and, for State transportation systems, the Oregon Highway Plan – essentially, the same standards outlined in the City’s TSP.

As with the TSP, the findings are silent as to compliance with the TPR, and therefore do not support the proposed TT overlay and ordinance amendments.

Recommendation

We recommend the City Council postpone adoption of the TT overlay and ordinance amendments, until such a time as appropriate analysis can be completed to demonstrate compliance with the TSP and TPR.

Respectfully,



John McDonald
Development Review Planner



Oregon

Kate Brown, Governor

Department of Transportation
Region 3 Planning and Programming Unit
3500 NW Stewart Parkway
Roseburg, OR 97470
Phone: (541) 580-6178

September 17, 2018

Maria Harris
City of Ashland
20 E. Main Street
Ashland, OR 97520

RE: Infill Strategy Ordinance and Map Amendments

Dear Ms. Harris,

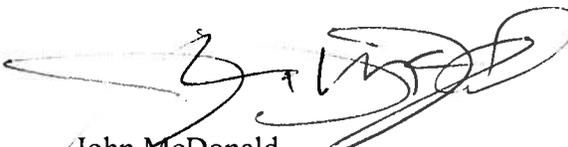
Thank you for taking the time to talk with me this morning regarding the Transit Triangle (TT) overlay and ordinance amendments. Please feel free to include this letter in the record if it will help provide clarity to the comments in last week's letter.

More specifically, thank you for correcting a misunderstanding about the findings. You noted that findings are still being developed for the TT overlay and ordinance amendments, and that those findings will demonstrate compliance with the Ashland Transportation System Plan and State Transportation Planning Rule (TPR).

ODOT staff look forward to working with City staff to resolve any issues of compliance with the TPR.

As I noted in my letter last week, ODOT believes the TT overlay and ordinance amendments provide an excellent approach to providing much-needed housing opportunities, and is supportive of transit users, bicyclists, and pedestrians.

Respectfully,



John McDonald
Development Review Planner