

Council Business Meeting

October 16, 2018

Agenda Item	Continued Public Hearing for Infill Strategy Ordinance and Map Amendments	
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SUMMARY

The City Council is being asked to hold the continued public hearing for the infill strategy ordinance and map amendments and provide direction to staff regarding any necessary changes to the proposed amendments. The City Council opened the public hearing at the September 18, 2018 meeting, received testimony, continued the public hearing to the October 16 meeting and directed staff to address several issues raised at the meeting. The issues from the September 18 are discussed under the background section of this memo and include the floor area ratio (FAR), site planning, the optional approach, parking and traffic, the relationship between the overlays, and the future transit route through the Croman Mill District.

The proposed ordinance and map amendments are intended to encourage the development of housing 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).



Project objectives for the transit triangle include providing an area to construct greater numbers of 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.

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 St./Tolman Creek Rd. (R41) and the Walker Ave. festival street (R40).

PREVIOUS COUNCIL ACTION

Fregonese Associates and staff presented the land use ordinance and map amendments to the City Council on [September 18, 2018](#). The City Council opened the public hearing at the September 18, 2018 meeting, received testimony, continued the public hearing to the October 16 meeting and directed staff to address several issues raised in public testimony and from City Councilors.

BACKGROUND AND ADDITIONAL INFORMATION

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.

1. Issues from September 18, 2018 Meeting

The City Council directed staff to address several issues identified at the September 18, 2018 meeting, which are discussed below. Fregonese Associates and staff will address the issues outlined below at the October 16 meeting and requests feedback, comments and questions.

a. Floor Area Ratio (FAR)

Floor area ratio (FAR) is the gross floor area of all buildings on a lot divided by the total lot area (AMC 18.6.1 030 Definitions), or $FAR = \text{floor area}/\text{lot area}$. A FAR of 1.0 means that the building floor area equals the size of the lot (see Figure 1 below). The TT overlay requires a minimum FAR of .50 and allows up to 1.25 FAR in the multifamily residential zones (R-2 and R-3) and 1.50 FAR in the commercial and employment zones (C-1 and E-1). The current code includes a maximum FAR in the residential zones in the Historic Districts and a minimum FAR of .50 for areas along the main streets in Ashland, N. Main, downtown, A St. and Clear Creek Dr., Siskiyou Blvd. and Ashland St., as well as in the Croman Mill District.

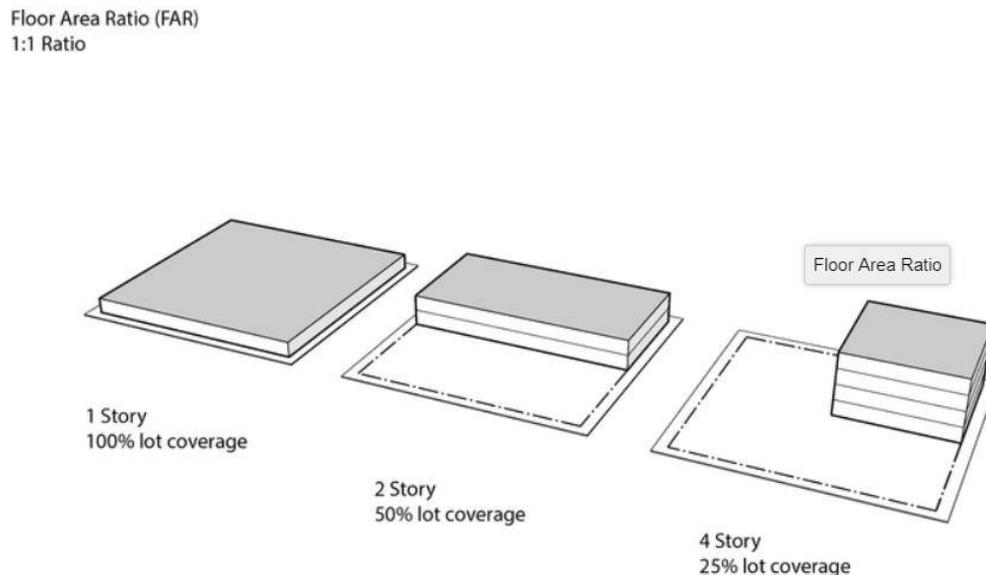


Figure 1: City of Portland Planning and Sustainability

The total or gross floor area represents the volume of a building. FAR regulations determine “how much” building is required or can be created. As a result, FAR can be set as a minimum to achieve a desired level of intensity and land use efficiency and can be also be set as a maximum to control the overall size of the building and impacts associated with the uses within the building. Often additional floor area is awarded through a bonus system when the development provides key public benefits such as rental housing or affordable commercial space.

Typically, a lower FAR is associated with a suburban development pattern with relatively small buildings and larger surface parking lots. In contrast, a higher FAR is associated with an urban development pattern with larger, multi-story buildings in walkable areas with less lot area used for surface level parking.

Generally speaking, downtown Ashland includes buildings between 1.0 and 3.0 FAR, with the Elk’s Lodge and Ashland Springs Hotel being at the higher end of this range because of the number of stories in each building. In contrast, existing sites adjacent to Ashland Street are generally .25 FAR and lower. The table below includes several examples of the FAR of commercial and mixed-use buildings in Ashland.

Address	Business	Building Size (sq. ft.)	Lot Size (sq. ft.)	FAR
41 N. Main St.	Louie’s	1,445	1,743	.83
67 N. Main St.	Wells Fargo	5,171	29,621	.17
247 E. Main St. *	The Elk’s Lodge	29,356	11,761	2.50
498 Oak St.	Massif	8,986	16,837	.53
565 A St.	A St. Animal Clinic	3,780	5,663	.67
1661 Ashland St.	Rogue Federal Credit Union	4,508	22,651	.20
2301 Ashland St.	Albertson’s	43,456	173,804	.25

*parking lot is on separate parcel

The proposed ordinance includes eliminating the residential density standard in the TT overlay and instead using FAR. FAR is proposed in the TT overlay to control the overall bulk or volume of the building and therefore, the intensity of the development. More floor area in a building means more residents, employees or customers are expected to use that space.

The market feasibility analysis by Fregonese Associates showed that while two and a half and three-story buildings are permitted under the current zoning in the TT overlay, the residential density standard resulted in an overall building volume that was divided between few residential units. As a result, the prototype buildings using current zoning and development standards resulted in large residential units, which in turn increased the price. In contrast, the model demonstrated that if adjustments are made to the zoning and development standards, a physically and financially feasible development scenario includes dividing the volume of the building into more and smaller residential units.

b. Site Planning for Test Sites

Three sites in the TT overlay were analyzed for physical and financial feasibility of development. This allowed the testing of changes to the zoning and development standards on the physical site layout and financial return of the project. Fregonese Associates took this work several steps further by developing a site plan and floor plans for the prototype buildings. The test site information was then used to assemble the recommended ordinance and map amendments. The three test sites were covered in the September 18 presentation and are listed below.

Address	Current Use	Lot Size (square feet)	Zoning
1649 Ashland St.	Vacant	16,553 (.38 Ac)	C-1
1896 Ashland St.	Ross Johnston Tire Sales	28,000 (.64 Ac)	R-2
Tolman and Ashland (northeast corner)	Vacant	59,677 (1.37 Ac)	C-1

The example development program for 1896 Ashland St. is attached and includes the conceptual site plan and floor plans. The building prototype is a three-story building with a third-story setback and contains 25 percent of the ground floor in commercial space and 26 residential units. A third of the site is covered with the building footprint, about half of the site is dedicated to parking and walkways and the remaining 12.5 percent is landscaped area. A similar analysis was performed for the other two test sites.

c. Optional Approach

The question was raised regarding whether the TT overlay should be optional or mandatory at the September 18 meeting.

In the proposed ordinance, the TT overlay provides flexibility in current code requirements to encourage the development of multifamily housing. The applicant or property owner can choose whether to develop under the TT overlay or to develop under the current zoning requirements. Property owners electing to perform development using the TT overlay option are required to meet all of the requirements of the new Chapter 18.3.14. 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.

Zoning codes typically provide a range of uses that are allowed. For example, the TT overlay includes both commercial and employment zoning. Currently, a wide variety of uses, such as offices, movie theaters, food manufacturing, hotels, veterinary clinics and restaurants, are allowed in the C-1 and E-1 zones. The flexibility in the permitted uses allows development to adapt over time to market change and community needs.

While the analysis completed as part of the project can indicate whether a project is physically and financially feasible, the model does not predict market or development trends. The private property owner ultimately determines the types of uses (e.g., residential units, retail space, office space) to include in a project proposal based on a variety of factors such as market demand, financing, location and possibly personal vision. In addition, the mix of considerations can vary considerably given the type of developer. For example, a business owner looking to build a new space for a growing company may have a different set of needs and financial projections than a property owner developing an investment property for commercial and residential rents or sales.

If the City Council wishes to pursue a mandatory option, there are several legal and procedural considerations. Several uses are prohibited in the proposed TT overlay including for-purchase residential units, hotels and travelers' accommodations. This would make existing ownership units, hotels and travelers' accommodations in the TT overlay "nonconforming" uses, meaning they would be grandfathered in and no longer meet the zoning requirements. A nonconforming status can affect the ability to expand an existing use as well as the ability to obtain financing and lending for nonconforming properties. Additionally, the legislative process would need to be extended because state law requires a notice to and public hearing process for all property owners when properties are rezoned or when uses are removed from an existing zone.

Finally, the City would likely have to address a potential change in the land available in the C-1 and E-1 zones for development that creates jobs. The TT overlay allows a reduction in commercial and employment uses by up to 30 percent. As an optional development overlay, property owners can continue to develop properties with a higher percentage of commercial and employment uses. If less commercial and employment space and residential dwelling units are required, there may be a

reduction in the amount of land available to meet job creation in the future. State law requires the city to maintain an inventory of land to address employment projections for the next 20 years.

d. Parking and Traffic

The question of adequacy of off-street parking in the TT overlay was raised at the September 18 meeting. The proposed residential parking standard for the TT overlay is currently in place for cottage housing in AMC 18.4.3.040.

Fregonese Associates provided the following links to research on parking demand and supply.

<https://www.planetizen.com/node/92360/reduced-and-more-accurate-parking-requirements>
http://nelsonnygaard.com/wp-content/uploads/2014/03/Oversupplied-Parking_RW_JKR.pdf
https://www.psrc.org/sites/default/files/parking_management.pdf
http://www.vtpi.org/park_man_comp.pdf

The study “*Parking in Mixed-Use U.S. Districts: Oversupplied No Matter How You Slice the Pie*” by Rachel R. Weinberger and Joshua Karlin-Resnick (http://nelsonnygaard.com/wp-content/uploads/2014/03/Oversupplied-Parking_RW_JKR.pdf) compiled and analyzed data from studies of 27 mixed-use districts in the United States including locations on the West and East coasts. The study found parking is oversupplied 65 percent on average and is not correlated with commute mode share, region, type of place, parking charges or other dimension. Sufficient parking supply was defined as 15 percent of spaces open. Districts studied included locations where up to 89 percent of the travel was by automobile.

The example development program for the test site at 1896 Ashland St. includes 33 parking spaces which use 41 percent of the lot area. Under the current code, an additional seven parking spaces would be required to serve the 26 multifamily residential units in the example development program. The use of additional lot area for parking reduces the building footprint and therefore the overall building size. This in turn reduces the amount of gross floor area that can be rented and impacts the return on the project. In modeling the building prototypes for the infill strategy project, the current zoning regulations, including the residential density, parking and landscaping standards, forced the development of fewer, larger residential uses at higher prices.

Staff initiated the engineering analysis necessary to address the concerns regarding potential traffic impacts raised by the Oregon Department of Transportation (ODOT) in their September 14, 2018 letter. The completion date is tentatively scheduled for early November. Staff recommends continuing the public hearing to the November 20 meeting to allow ODOT to review and respond to the engineering analysis.

e. Relationship Between Overlays

The relationship between the Detail Site Review and Pedestrian Places overlays with the proposed TT overlay was raised at the September 18 meeting.

The Detail Site Review overlay was adopted 1992 and includes standards for building design, orientation, scale and materials (AMC 18.4.2.040.C). The Detail Site Review overlay applies to C-1 and E-1 zones in the Historic District, the Railroad property, and along the main streets of Ashland including N. Main St., the downtown, Siskiyou Blvd., Ashland St. and a small portion of Tolman Creek Rd. The Detail Site Review overlay is shown on the “Site Design Zones” map that is attached to this memo.

The Detail Site Review standards include items such as creating offsets, jogs or other distinctive changes in building frontages over 100 feet in length, buffering parking lots from main streets and residentially zoned land, and prohibiting bright or neon exterior building colors. The proposed TT overlay includes one additional building design standard, the building step back requirement.

The Pedestrian Places overlay (AMC 18.3.12.060) was adopted in 2011 and applies to the areas surrounding three street intersections - E. Main St. and N. Mountain Ave., Ashland St. and Walker Ave., and Ashland St. and Tolman Creek Rd. The Pedestrian Places overlay does not include additional building design standards but rather creates additional flexibility in landscaping requirements for plazas and outdoor seating areas and allowances limited commercial uses (Retail, offices and restaurants) in residential zones. The proposed TT overlay ordinance includes language that specifies the Pedestrian Places overlay is not applicable when property is developed under the TT overlay option.

f. Response to Public Comments

The project work and proposed ordinance and map amendments were adjusted over the course of the project to respond to comments, input and issues that were discussed at the stakeholder meetings, open house and Planning Commission 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 adjustments to the proposed ordinance and map amendments are discussed further below.

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.

December 19, 2016 Stakeholder Meeting

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 comments from the stakeholder meeting regarding accuracy of rental rates and construction costs, the work in the second phase began with a review of costs used in the

model and additional phone interviews with developers and brokers to understand changes in the market and prices.

- Stakeholder meeting attendees suggested a financial incentive, such as the vertical housing tax credit, will be necessary for developers to consider pursuing multifamily residential projects in the TT overlay. Reasons cited were greater risk and the desirability of the area. The City Council directed staff to prepare materials for a vertical housing development zone (VHDZ) incentive program for a future study session at the January 16, 2018 City Council meeting.

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](#).

December 11, 2017 Open House

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.

- 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.

December 12, 2017 Stakeholder Meeting

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.

- Meeting attendees raised concerns that the building 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 and an alternative articulation standard.
- Participants at the stakeholder meeting 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.

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. The Planning Commission recommended further reducing the required commercial or employment uses on the ground floor to 35 percent based on testimony at the public hearings.

- Participants at the stakeholder meeting suggested allowing parking for microcars to address changing motor vehicle technology. In response, the proposed ordinance includes a microcar parking standard that allows microcar parking as an alternative parking strategy and the use of one standard off-street parking space to be used for two microcars.

Planning Commission Public Hearings

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 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).

- 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 allows multifamily rental units, prohibits multifamily dwelling units for purchase, and prohibits hotel units and travelers' accommodations.

g. Croman Transit Route

The inclusion of the Croman Mill District in the TT overlay was raised at the September 18 meeting. The Croman Mill District plan includes a new main street through the former mill site and the bus route moved from Tolman Creek Rd. to the new main street.

The existing bus route was selected for the TT overlay because the street system and transit services are in place and ready to support a greater intensity of residential and commercial uses. In addition, shopping and services are located nearby to provide residents access to their daily needs. Infill and redevelopment sites are located in the TT overlay and are served by an existing street system and public infrastructure (i.e., water, sewer, storm drainage, electric).

While development of multifamily residential units has been limited in the past, the development industry appears to be responding to the strong rental market with increased development of apartment projects. In 2018 to date, 32 building permits were issued for multifamily units compared to no permits in 2017 and nine in 2016. Additionally, the Planning Commission is in the process of reviewing three applications totaling 117 apartments – two of the proposals are for market rate units and one project is subsidized by an affordable housing nonprofit. Ideally, the zoning and development standards for the TT overlay will be in place should the upward trend in multifamily residential unit development continue in the short to mid-term.

In contrast to the area surrounding the existing bus route, the Croman area is abandoned mill site that requires significant site preparation and infrastructure construction to make the area development

ready. Development of the street and the land uses surrounding the street will need to occur before transit services can be re-located from the current route on Tolman Creek Rd. In March 2018, staff presented an option of developing a scope of work for revisions to the Croman Mill District to include a rezone for residential development. Another option would be for staff to integrate the consideration of the TT overlay into the scope of work.

The Croman Mill site was a former planing and saw mill for 62 years, from 1934 – 1996. As a result, the area has limited utilities and infrastructure to support future development. The mill site is served by Mistletoe Rd. on the eastern border and has limited public utilities in place. The property contained an abundance of decommissioned equipment, construction material and piles of debris and organic material. The property owners began preparing the site for development by clearing the equipment, material and buildings after the Croman Mill District was adopted by the City in 2010.

In addition, the property owners began a reclamation process in 2012 to remove layers of organic material from the northwest corner of the site in the former log deck area. The reclamation of the log deck area continues and is projected to be complete in January 2020. Reclamation will also be necessary in other parts of the site and likely need to occur prior to development. Finally, the Oregon Department of Environmental Quality (DEQ) may require a remediation plan which could involve additional site work.



Figure 2: Reclamation Activity at the Former Croman Mill Site

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 TT 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

Staff recommends continuing the public hearing to the November 20 meeting and requests direction regarding any necessary changes to the proposed ordinance and map amendments. The continuation of the public hearing is to allow ODOT to review and respond to the engineering analysis required to address the concerns raised by ODOT in their September 14, 2018 letter. Several potential motions are suggested to address key issues that were discussed at the September 18 public hearing as well as throughout the public meetings and Planning Commission public hearings.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

1. Motion to Continue Public Hearing

I move to continue the public hearing for the infill strategy ordinance and map amendments to the November 20 meeting.

2. Potential Motions to Address Key Issues

Staff requests direction regarding changes to the proposed ordinance and map amendments. The following potential motions are intended to provide options to address the key issues from the public meetings and hearings.

A. Motions for Changes to the Building Step Back

- i. I move to direct staff to revise the ordinance to include an alternative to the building step back requirement.
- ii. I move to direct staff to revise the ordinance to remove the building step back requirement.

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

- i. 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. *(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).*

C. Motions for Changes to Rental Housing Requirement

- i. I move to direct staff to remove the rental housing requirement.

REFERENCES & ATTACHMENTS

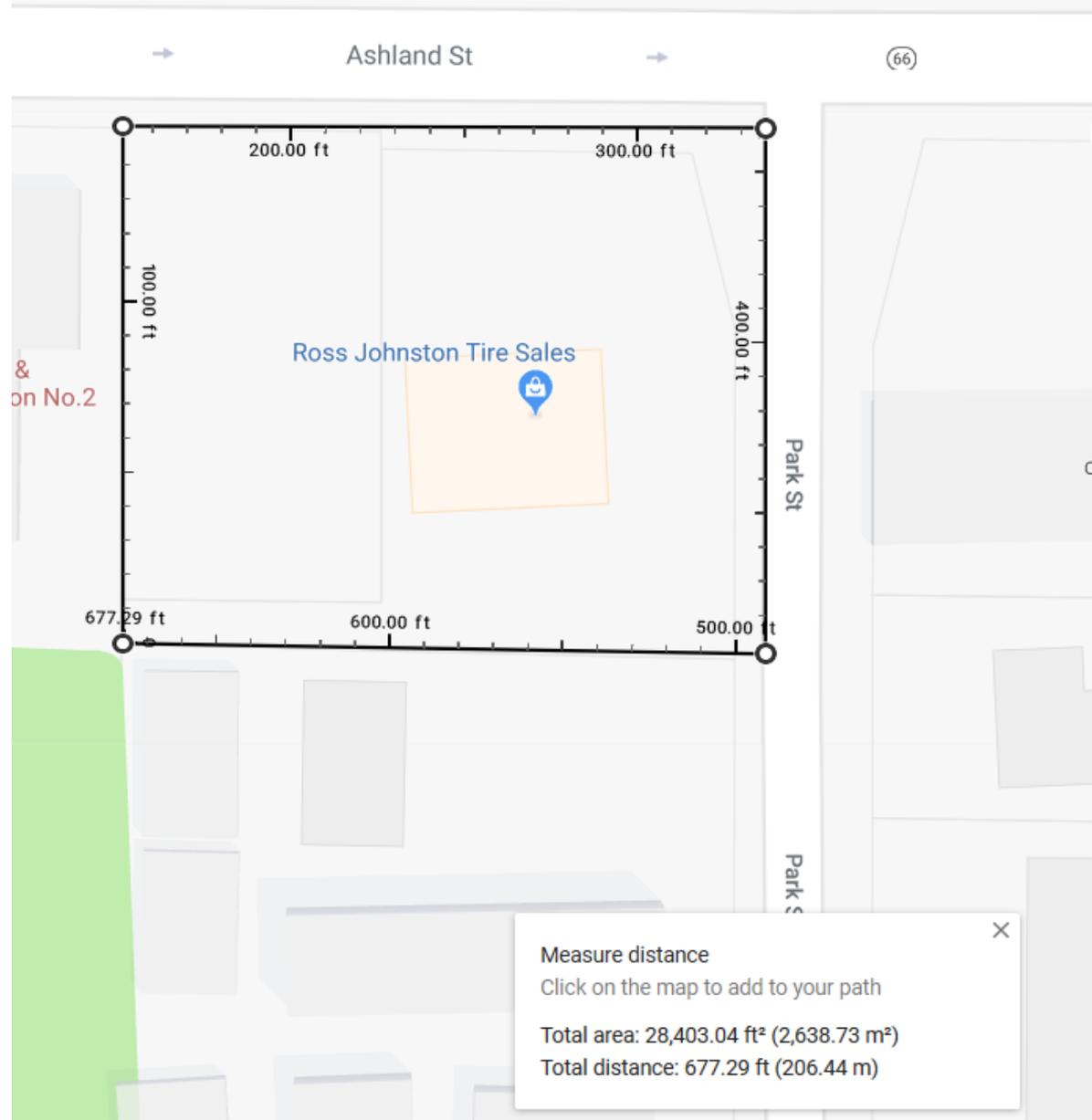
Attachment 1: Example Development Program for 1896 Ashland St.

Attachment 2: 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

Ross Johnson Test Site

- 28,000 SF site
- Two parcels, same ownership



Ross Johnson Site - 1896 Ashland St.



Ross Johnson Site - 1896 Ashland St.



Conceptual Site Plan

Building footprint: 8,755 SF
Parcel: 28,000 SF

Three story building with
third floor step back 10' on
all sides

Percentage of site
coverage:

- 12.5% landscaping
- 31% building
- 15.5% sidewalks
- 41% parking

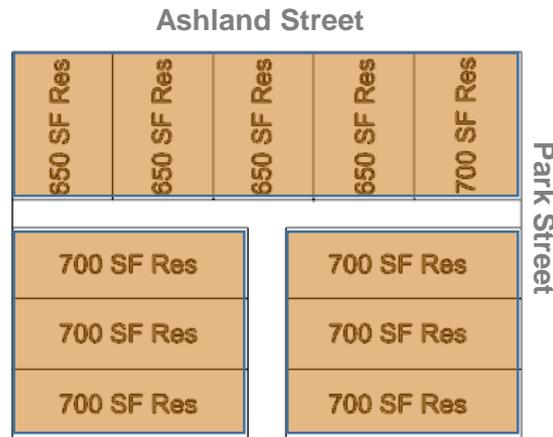


Conceptual Floor Plans

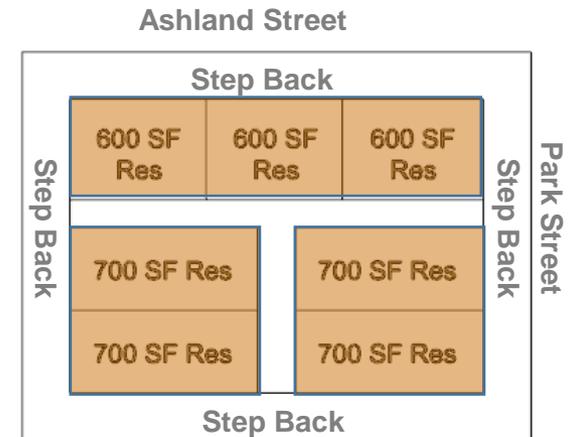
FIRST FLOOR



SECOND FLOOR



THIRD FLOOR



Example Development Program

- 2,200 sf Retail/Office net
- 26 Units (44.5 dwelling units/acre)
 - Approx. Average 650 square feet per unit
 - Sample Mix:
 - 10 - 2 bdrm 700 sq ft
 - 6 - 1 bdrm 650 sq ft
 - 9 - studio 600 sq ft
- .93 Floor Area Ratio (FAR)
- 33 Parking Spaces

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

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 (continued) 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.

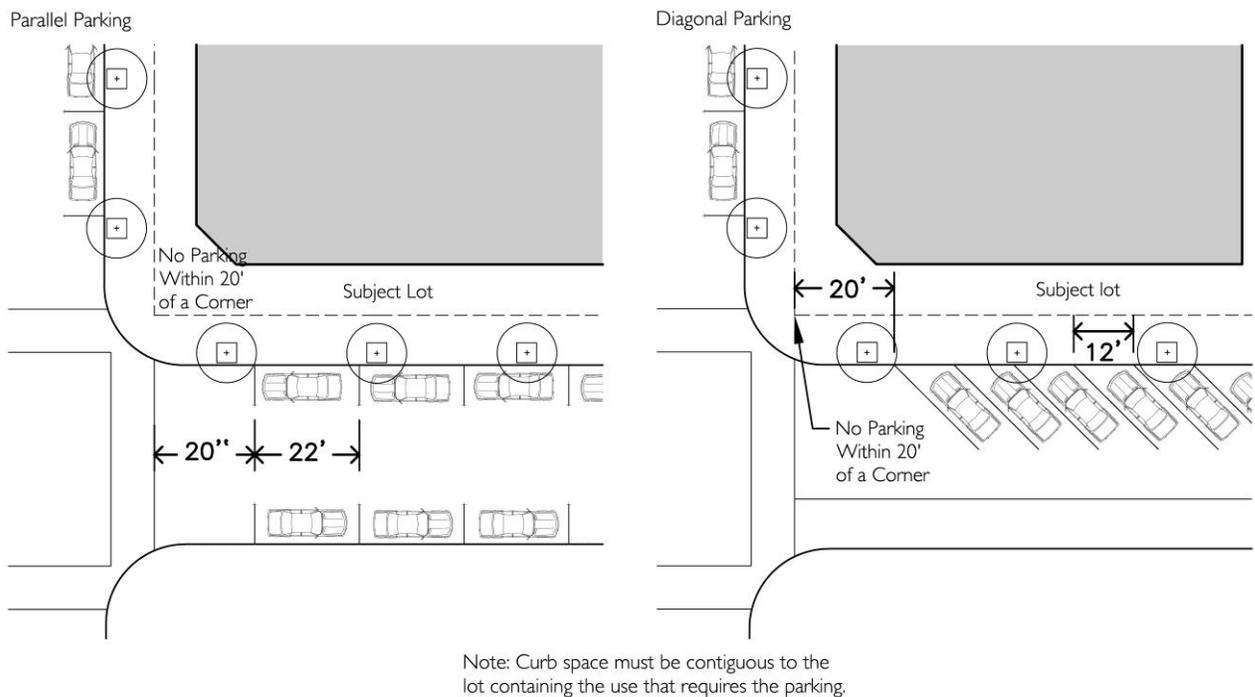


Figure 18.4.3.060.A.1
On-Street Parking Credit

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

Ordinance No. _____

Page 4 of 4



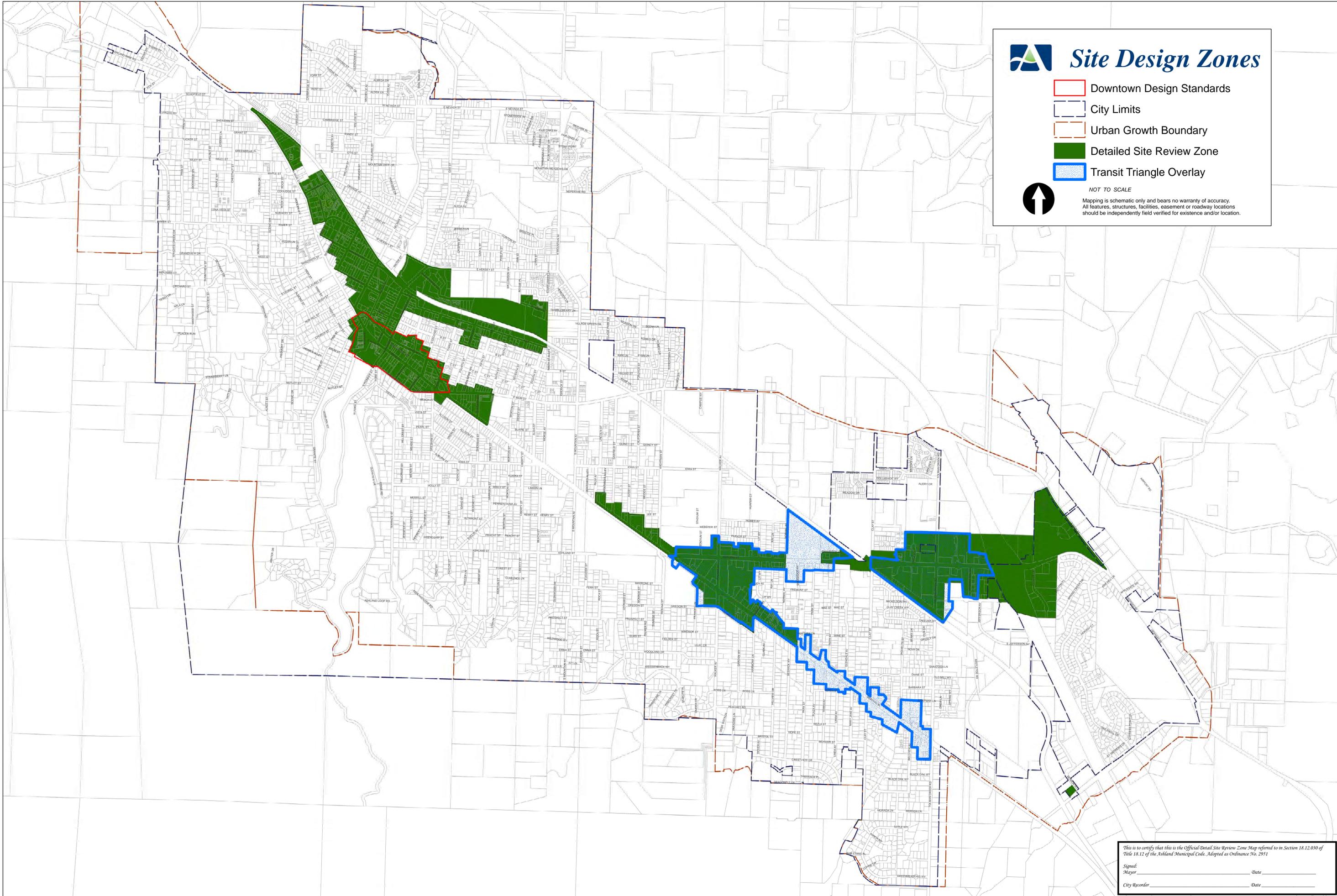
Site Design Zones

-  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: _____

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.

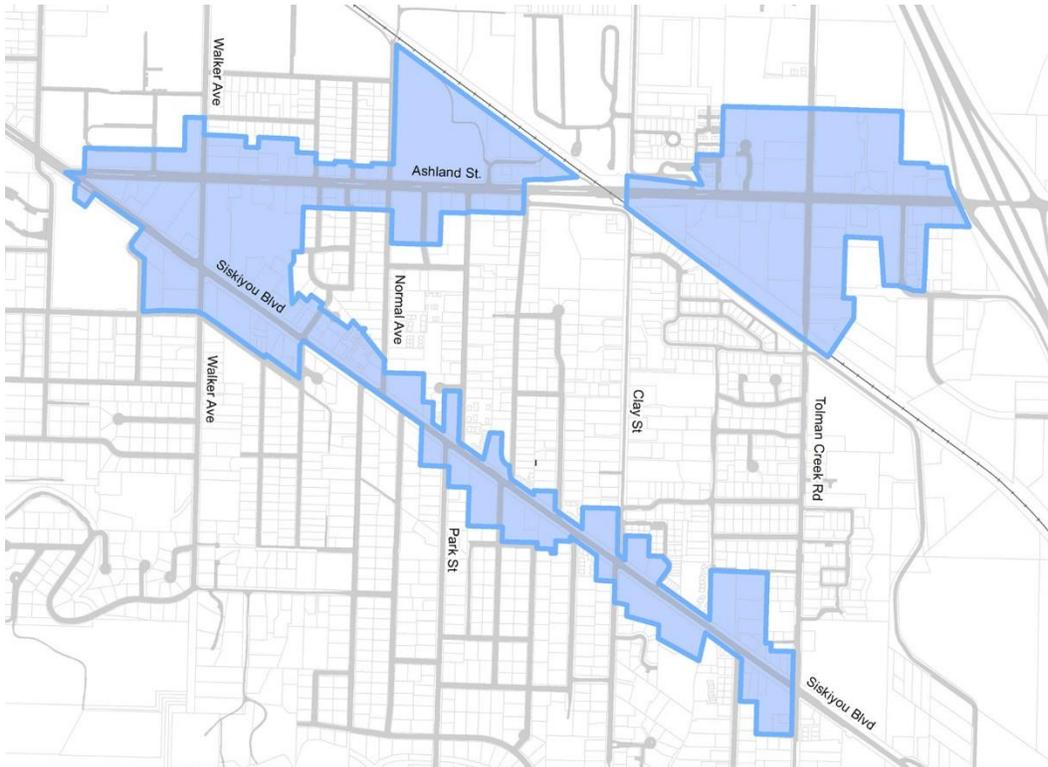


Figure 18.3.14.020
Transit Triangle (TT) Overlay

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.

- 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.

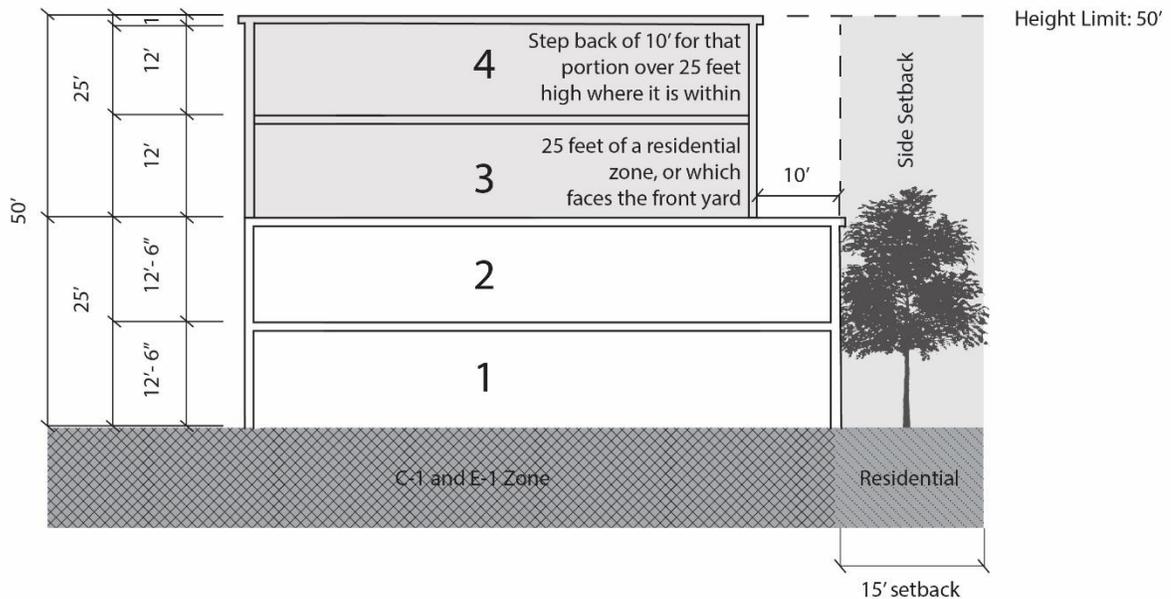
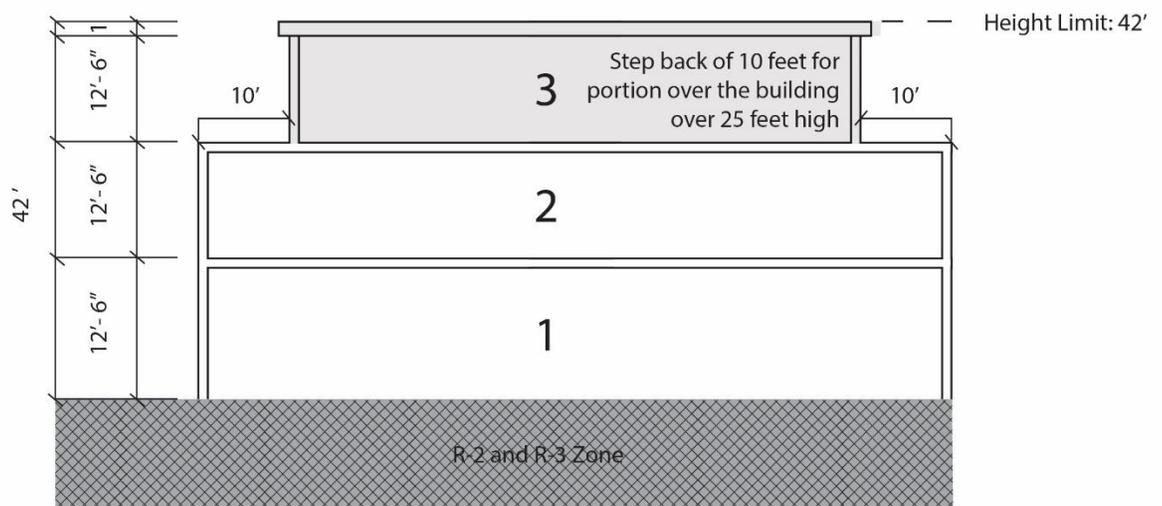


Figure 18.3.14.060.A.1.a

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.



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.