
PART 18.2 – ZONING REGULATIONS	3
Chapter 18.2.1 – Zoning Regulations and General Provisions	4
18.2.1.010 Purpose	4
18.2.1.020 Zoning Map and Classification of Zones	4
18.2.1.030 Determination of Zoning Boundaries	5
18.2.1.040 Applicability of Zoning Regulations	5
Chapter 18.2.2 – Base Zones and Allowed Uses	7
18.2.2.010 Purpose	7
18.2.2.020 Applicability	7
18.2.2.030 Allowed Uses	7
Chapter 18.2.3 – Special Use Standards	16
18.2.3.010 Purpose	16
18.2.3.020 Applicability	16
18.2.3.030 Review Process	16
18.2.3.040 Accessory Residential Unit	17
18.2.3.050 Automobile and Truck Repair Facility	17
18.2.3.060 Bottling Plant, Cold Storage Facility, Creamery	18
18.2.3.070 Commercial Excavation and Removal of Earth Products	18
18.2.3.080 Commercial Laundry, Dry-cleaning, Dyeing, and Similar Uses	19
18.2.3.090 [Reserved]	19
18.2.3.100 Drive-Up Use	19
18.2.3.110 Duplex Dwelling Standards	20
18.2.3.120 Dwelling in Historic District Overlay	20
18.2.3.130 Dwelling in Non-Residential Zone	21
18.2.3.140 Food Products Manufacture	21
18.2.3.150 Home Occupation	22
18.2.3.160 Keeping of Livestock and Bees	24
18.2.3.170 Manufactured Home on Individual Lot	27
18.2.3.180 Manufactured Housing Developments	28
18.2.3.190 Medical Marijuana Dispensary	31
18.2.3.200 Multiple-Family Rental Unit Conversion to For-Purchase Units	32
18.2.3.210 Retail Uses Allowed in Railroad Historic District	34
18.2.3.220 Traveler’s Accommodation in R-2 and R-3 Zones	34
Chapter 18.2.4 – General Regulations for Base Zones	36
18.2.4.010 Access and Minimum Street Frontage	36
18.2.4.020 Accessory Structures and Mechanical Equipment	36
18.2.4.030 Arterial Street Setback	36
18.2.4.040 Vision Clearance Area	36
18.2.4.050 Yard Requirements and General Exceptions	37
Chapter 18.2.5 – Standards for Residential Zones	38
18.2.5.010 Purpose	38
18.2.5.020 Applicability	38
18.2.5.030 Unified Standards for Residential Zones	38
18.2.5.040 Accessory Buildings and Structures	42
18.2.5.050 Affordable Housing Standards	44
18.2.5.060 Yard Exceptions	47
18.2.5.070 Maximum Permitted Residential Floor Area in Historic District	47

18.2.5.080	Residential Density Calculation in R-2 and R-3 Zones	48
18.2.5.090	Standards for Single-Family Dwellings	51
Chapter 18.2.6	Standards for Non-Residential Zones	52
18.2.6.010	Purpose	52
18.2.6.020	Applicability	52
18.2.6.030	Unified Standards for Non-Residential Zones	52

PART 18.2 – ZONING REGULATIONS

Chapters:

- 18.2.1 Zoning Regulations and General Provisions
- 18.2.2 Base Zones and Allowed Uses
- 18.2.3 Special Use Standards
- 18.2.4 General Regulations for Base Zones
- 18.2.5 Standards for Residential Zones
- 18.2.6 Standards for Non-Residential Zones

18.2.1 – Zoning Regulations and General Provisions

Chapter 18.2.1 – Zoning Regulations and General Provisions

Sections:

- 18.2.1.010 Purpose
- 18.2.1.020 Zoning Map and Classification of Zones
- 18.2.1.030 Determination of Zoning District Boundaries
- 18.2.1.040 Applicability of Zoning Regulations

18.2.1.010 Purpose

Chapter 18.2.1 establishes zoning districts pursuant to the Comprehensive Plan. Every parcel, lot, and tract of land within the City is designated with a zoning district, or zone. The use of land is limited to the uses allowed by the applicable zone.

18.2.1.020 Zoning Map and Classification of Zones

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

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

18.2.1 – Zoning Regulations and General Provisions

18.2.1.030 Determination of Zoning Boundaries

Unless otherwise specified, zoning boundaries are lot lines, the centerlines of streets, and railroad right-of-way, or such lines extended. Where due to the scale, lack of scale, lack of detail or illegibility of the Zoning Map, or due to any other reason, there is uncertainty, contradiction or conflict as to the intended location of a zoning boundary, the Staff Advisor or, upon referral, the Planning Commission or City Council, shall determine the boundary as follows:

- A. Rights-of-way.** Boundaries that approximately follow the centerlines of a street, highway, alley, bridge, railroad, or other right-of-way shall be construed to follow such centerlines. Whenever any public right-of-way is lawfully vacated, the lands formerly within the vacated right-of-way shall automatically be subject to the same zoning designation that is applicable to lands abutting the vacated areas. In cases where the right-of-way formerly served as a zoning boundary, the vacated lands within the former right-of-way shall be allocated proportionately to the abutting zones.
- B. Parcel, lot, tract.** Where a zoning boundary splits a lot into two zones and the minimum width or depth of a divided area is 20 feet or less, the entire lot shall be placed in the zone that accounts for the greater area of the lot by the adjustment of the zoning boundary. Where a zoning boundary splits a lot into two zones and the minimum width and depth of both divided areas is greater than 20 feet, the lot shall have split zoning with lot area designated proportionately to each zone.
- C. Jurisdiction boundary.** Boundaries indicated as approximately following a City or County boundary, or the Urban Growth Boundary, shall be construed as following said boundary.
- D. Natural features.** Boundaries indicated as approximately following the centerlines of a river or stream, a topographic contour, or similar feature not corresponding to any feature listed in section 18.2.1.030, above, shall be construed as following such feature.

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	
<i>Designation</i>	<i>Applicability</i>
Base Zones	
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)	
Special Districts	
Croman Mill District Zone (CM)	CM District Replaces chapter 18.2
Health Care Services Zone (HC)	
North Mountain Neighborhood (NM)	NM District Replaces chapter 18.2
Southern Oregon University (SOU)	

18.2.1 – Zoning Regulations and General Provisions

Table 18.2.1.040: Applicability of Standards to Zones, Plan Districts and Overlays	
<i>Designation</i>	<i>Applicability</i>
<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

Chapter 18.2.2 – Base Zones and Allowed Uses

Sections:

18.2.2.010	Purpose
18.2.2.020	Applicability
18.2.2.030	Allowed Uses

18.2.2.010 Purpose

Chapter 18.2.2 regulates allowed land uses pursuant to the Comprehensive Plan and the purposes of this ordinance, per chapter 18.1.2.

18.2.2.020 Applicability

All uses of land in the City are subject to the regulations of chapter 18.2.2. Certain types of land uses are also subject to the Special Use regulations in chapter 18.2.3, and some properties are subject to the overlay zone regulations contained in part 18.3, as applicable.

18.2.2.030 Allowed Uses

- A. Uses Allowed in Base Zones.** Allowed uses include those that are permitted, permitted subject to special use standards, and allowed subject to approval of a conditional use permit. Where Table 18.2.2.030 does not list a specific use and chapter 18.6 does not define the use or include it as an example of an allowed use, the City may find that use is allowed, or is not allowed, following the procedures of section 18.1.5.040. Uses not listed in Table 18.2.2.030 and not found to be similar to an allowed use are prohibited. For uses allowed in special districts CM, HC, NM, and SOU, and for regulations applying to the City’s overlays zones, refer to part 18.3.
- B. Permitted Uses and Uses Permitted Subject to Special Use Standards.** Uses listed as “Permitted (P)” are allowed. Uses listed as “Permitted Subject to Special Use Standards (S)” are allowed, provided they conform to chapter 18.2.3 Special Use Standards. All uses are subject to the development standards of zone in which they are located, any applicable overlay zone(s), and the review procedures of part 18.5. See section 18.5.1.020.
- C. Conditional Uses.** Uses listed as “Conditional Use Permit Required (CU)” are allowed subject to the requirements of chapter 18.5.4.
- D. Prohibited Uses.** Uses not listed in Table 18.2.2.030 and not found to be similar to an allowed use following the procedures of section 18.1.5.040 are prohibited. Prohibited uses are subject to the violations, complaints, and penalties sections in 18-1.6.080, 18-1.6.090, and 18-1.6.100.
- E. Uses Regulated by Overlay Zones.** Notwithstanding the provisions of chapter 18.2.2, additional land use standards or use restrictions apply within overlay zones. An overlay zone may also provide for exceptions to some standards of the underlying zone. For regulations applying to the City’s overlays zones, please refer to part 18.3.
- F. Accessory Uses.** Uses identified as “Permitted (P)” are permitted as primary uses and as

18.2.2 – Base Zones and Allowed Uses

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 12.03.
 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.

18.2.2 – Base Zones and Allowed Uses

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 and Farm Use, except Livestock	P	P	P	P	P	P	N	N	N	Animal sales, feed yards, keeping of swine, commercial compost, or similar uses not allowed See Keeping of Livestock and Bees standards in Sec. 18.2.3.160
Keeping of Bees	S	S	S	S	S	S	S	N	N	
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	
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	S	S	S	S	S	N	N	N	N	Sec. 18.2.3.040
Duplex Dwelling	S	P	P	P	N	N	S	S	N	Sec. 18.2.3.110 Duplex Dwelling
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 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

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

18.2.2 – Base Zones and Allowed Uses

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 <i>(continued)</i>										
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
Public Parking Facility	N	N	N	N	N	N	P	N	N	
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 Subject to State licensing requirements
Club Lodge, Fraternal Organization	CU	CU	CU	CU	CU	CU	P	CU	CU	
Community Service, includes Governmental Offices and Emergency Services (e.g., Police, Fire); excluding Outdoor Storage	CU	CU	N	N	CU	CU	P	P	P	
Electrical Substation	N	N	N	N	N	N	CU	CU	P	
Hospitals	CU	CU	CU	CU	CU	N	N	N	N	See chapter 18.3.3 Health Care Services
Governmental Offices and Emergency	CU	CU	N	N	CU	CU	P	P	P	

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

18.2.2 – Base Zones and Allowed Uses

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
Services (e.g., Police, Fire); excluding Outdoor Storage										
D. Public and Institutional Uses (continued) ³										
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 Works/Utilities Storage Yard; includes vehicle and equipment, maintenance, repair	N	N	N	N	N	N	N	P	P	
Recycling Depot	N	N	N	N	N	N	N	P	P	Not allowed within 200 ft of a residential zone
Religious Institution, Houses of Worship	CU	CU	CU	CU	CU	CU	CU	CU	CU	
School, Private (Kindergarten and up)	CU	CU	CU	CU	CU	CU	N	N	N	
School, Public (Kindergarten and up)	P	P	P	P	P	CU	N	N	N	
School, Private College/Trade/Technical School	N	N	N	N	N	N	N	CU	P	
Utility and Service Building, Yard and Structure, Public and Quasi-Public, excluding underground utilities and electrical substations	CU	CU	N	N	CU	CU	P	P	P	Yards not allowed in the C-1 zone
Wireless Communication Facility	CU	CU	CU	CU	CU	CU	P/ CU	P/ CU	P/ 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,	N	N	N	N	N	N	S or CU	S or CU	P	Sec. 18.2.3.050 In C-1 zone, fuel sales and service limited to Freeway Overlay, see chapter

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

18.2.2 – Base Zones and Allowed Uses

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
boats, RVs, trucks, etc.										18.3.8 In E-1 zone, fuel sales requires CU permit
E. Commercial Uses (continued) ⁴										
Automotive Sales and Rental, except within the Historic Interest Area; includes motorcycles, boats, RVs, and trucks	N	N	N	N	N	N	CU	CU	P	Except not allowed within Historic District Overlay
Bakery, except as classified as Food Processing	N	N	N	N	N	N	P	P	P	
Commercial Laundry, Cleaning, and Dyeing Establishment	N	N	N	N	N	N	S	S	P	Sec. 18.2.3.080
Commercial Recreation, includes country club, golf course, swimming club, and tennis club; excluding intensive uses such as driving range, race track, or amusement park	CU	CU	N	N	CU	CU	N	N	N	
Commercial Retail Sales and Services, except Outdoor Sales and Services	N	N	CU+S	N	N	N	P	S	S	In R-2 zone, uses limited to personal and professional services, except see Sec. 18.2.3.210 for retail uses allowed in Railroad Historic District In E-1 zone, Retail limited to 20,000 sq ft of gross leasable floor space per lot. In M-1 zone, uses limited to serving persons working in zone
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

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

18.2.2 – Base Zones and Allowed Uses

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										
Hotel (See also Hostel and Traveler's Accommodation)	N	N	N	N	N	N	CU	CU	P	
Kennel (See also Veterinary Clinic)	N	N	N	N	N	N	S	S	CU	No animals kept outside within 200 feet of a residential zone
Limited Retail Uses in Railroad Historic District	N	CU	CU	CU	N	N	N	N	N	Sec. 18.2.3.210 for Retail Uses Allowed in Railroad Historic District
Lumber Yard and Similar Sales of Building or Contracting Supplies, or Heavy Equipment	N	N	N	N	N	N	N	CU	P	
Medical Marijuana Dispensary	N	N	N	N	N	N	S or CU	S or CU	S	Sec. 18.2.3.190
Nightclub, Bar	N	N	N	N	N	N	S	CU	P	Not allowed within the Historic District Overlay unless located in C-1-D
Office (See also Commercial Services)	N	N	CU	CU	N	N	P	P	P	
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Plant Nursery, Wholesale	N	N	CU	CU	N	N	N	N	N	
Self-Service Storage, Commercial (Mini-Warehouse)	N	N	N	N	N	N	N	CU	P	
Traveler's Accommodation (See also Hostels and Hotels)	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/ 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

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

18.2.2 – Base Zones and Allowed Uses

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
F. Industrial and Employment Uses <i>(continued)</i> ⁶										
Concrete or Asphalt Batch Plant	N	N	N	N	N	N	N	N	CU	
Dwelling for a caretaker or watchman	N	N	N	N	N	N	N	CU	CU	
Food Products Manufacture/Processing/Preserving, including canning, bottling, freezing, drying, and similar processing and preserving.	N	N	N	N	N	N	S	S	P	In the C-1 zone, manufacture or assembly of items sold in 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	N	N	N	N	N	N	N	P	P	
Manufacture, Light; excluding saw, planing or lumber mills, or molding plants.	N	N	N	N	N	N	S	P	P	Requires assembly, fabricating, or packaging of products from previously prepared materials such as cloth, plastic, paper, cotton, or wood In the C-1 zone, manufacture or assembly of items sold in a permitted use, provided such manufacturing or assembly occupies 600 square feet or less, and is contiguous to the permitted retail outlet
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Television and Radio Broadcasting Studio	N	N	N	N	N	N	N	P	P	
Wholesale Storage and Distribution	N	N	N	N	N	N	N	N	P	Distribution uses within 200 feet of an residential zone limited to 9PM-7AM
Wrecking, Demolition, and Junk Yards	N	N	N	N	N	N	N	N	CU	

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

18.2.2 – Base Zones and Allowed Uses

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
G. Other Uses⁷										
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									

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

18.2.3 – Special Use Standards

Chapter 18.2.3 – Special Use Standards

Sections:

18.2.3.010	Purpose
18.2.3.020	Applicability
18.2.3.030	Review Process
18.2.3.040	Accessory Residential Unit
18.2.3.050	Automobile and Truck Repair Facility
18.2.3.060	Bottling Plants, Cold Storage, and Creamery
18.2.3.070	Commercial Excavation and Removal of Earth Products
18.2.3.080	Commercial Laundry, Dry-cleaning, and Dyeing
18.2.3.090	[Reserved]
18.2.3.100	Drive-Up Use
18.2.3.110	Duplex Dwelling
18.2.3.120	Dwelling in Historic District Overlay
18.2.3.130	Dwelling in Non-Residential Zones
18.2.3.140	Food Products Manufacture
18.2.3.150	Home Occupation
18.2.3.160	Keeping of Livestock and Bees
18.2.3.170	Manufactured Home on Individual Lot
18.2.3.180	Manufactured Housing Development
18.2.3.190	Medical Marijuana Dispensary
18.2.3.200	Multiple-Family Rental Dwelling Unit Conversion to For-Purchase Housing
18.2.3.210	Retail Uses in Railroad Historic District
18.2.3.220	Traveler's Accommodation in R-2 and R-3 Zones

18.2.3.010 Purpose

Special uses included in chapter 18.2.3 are uses, which, due to their effect on surrounding properties, must be developed in accordance with special conditions and standards. These special use standards may differ from the development standards established for other uses in the same zone.

18.2.3.020 Applicability

Chapter 18.2.3 supplements the other requirements of this ordinance. Uses designated as special uses ("S") in Table 18.2.2.030, and uses the City determines to be similar to such uses, are subject to chapter 18.2.3. Some special use standards are contained in Table 18.2.2.030, and others have a corresponding section in this chapter. Where standards differ between chapters 18.2.2 and 18.2.3, chapter 18.2.3 applies.

18.2.3.030 Review Process

The Staff Advisor or Planning Commission applies the standards of chapter 18.2.3 through the applicable review process (i.e., Ministerial Review, Type I review, or Type II review). Site Design Review pursuant to chapter 18.5.2, or a Conditional Use Permit pursuant to chapter 18.5.4 may be

required for some uses.

18.2.3.040 Accessory Residential Unit

Where accessory residential units are allowed, they are subject to Site Design Review under chapter 18.5.2, and shall meet all of the following requirements.

A. R-1 Zone. Accessory residential units in the R-1 zone shall meet the following requirements.

1. One accessory residential unit is allowed per lot, and the maximum number of dwelling units shall not exceed two per lot.
2. Accessory residential units are not subject to the density or minimum lot area requirements of the zone, except that accessory residential units shall be counted in the density of developments created under the Performance Standards Option in chapter 18.3.9.
3. The maximum gross habitable floor area (GHFA) of the accessory residential unit shall not exceed 50 percent of the GHFA of the primary residence on the lot, and shall not exceed 1,000 square feet GHFA.
4. The proposal shall conform to the overall maximum lot coverage and setback requirements of the underlying zone.
5. Additional parking shall be provided in conformance with the off-street parking provisions for single-family dwellings in section 18.4.3.040, except that parking spaces, turn-arounds, and driveways are exempt from the paving requirements in subsection 18.4.3.080.E.1.

B. RR Zone. In addition to the standards in subsection 18.2.3.040.A, accessory residential units in the RR zone shall meet the following requirements.

1. If the accessory residential unit is not part of the primary dwelling, all construction and land disturbance associated with the accessory residential unit shall occur on lands with less than 25 percent slope.
2. The lot on which the accessory residential unit is located shall have access to an improved city street, paved to a minimum of 20 feet in width, with curbs, gutters, and sidewalks.
3. No on-street parking credits shall be allowed for accessory residential units.
4. If located in the Wildfire zone, the accessory residential unit shall have a residential sprinkler system installed.

C. R-2 and R-3 Zones. Accessory residential units in the R-2 and R-3 zones shall meet the standards in subsection 18.2.3.040.A, except that the maximum gross habitable floor area (GHFA) of the accessory residential structure shall not exceed 50 percent of the GHFA of the primary residence on the lot, and shall not exceed 500 square feet GHFA.

18.2.3.050 Automobile and Truck Repair Facility

Where automobile and truck repair facilities are allowed, they are subject to all of the following requirements.

A. All cars and trucks associated with an automobile or truck repair facility shall be screened from view

18.2.3 – Special Use Standards

from the public right-of-way by a total sight-obscuring fence.

- B. Automobile or truck repair facilities of three service bays or larger shall not be located within 200 feet of a residential zone.
- C. Auto body repair and/or painting shall not be located within 200 feet of a residential zone.
- D. Where a use includes auto body repair and/or painting, all objectionable odors associated with the use shall be confined to the lot, to the greatest extent feasible. For the purposes of this provision, the standard for judging "objectionable odors" shall be that of an average, reasonable person with ordinary sensibilities after taking into consideration the character of the neighborhood in which the odor is made and the odor is detected.
- E. The use shall comply with all requirements of the Oregon Department of Environmental Quality.

18.2.3.060 Bottling Plant, Cold Storage Facility, Creamery

Where bottling plants, cold storage facilities, creameries, and similar uses are allowed, they are subject to all of the following requirements.

- A. All objectionable odors associated with the use shall be confined to the lot upon which the use is located to the greatest extent feasible. For the purposes of this provision, the standard for judging "objectionable odors" shall be that of an average, reasonable person with ordinary sensibilities after taking into consideration the character of the neighborhood in which the odor is made and the odor is detected.
- B. The use shall comply with all requirements of the Oregon Department of Environmental Quality.

18.2.3.070 Commercial Excavation and Removal of Earth Products

Commercial excavation and removal of earth products are subject to all of the following requirements.

- A. Before a Conditional Use Permit for the commercial excavation and removal of earth products can be granted, plans and specifications showing the location of premises, grading plan, existing and proposed drainage, proposed truck access, and details of re-grading and re-vegetation of the site shall be submitted to and approved by, the Planning Commission.
- B. Any deviation from plans approved by the Commission serves as grounds to revoke the Conditional Use Permit.
- C. In reviewing the application, the Commission may consider the most appropriate use of the land, distances from property lines, the protection of pedestrians and vehicles, the prevention of the collection and stagnation of water at all stages of the operation, and the rehabilitation of the land upon termination of operation.
- D. The City may require a bond to ensure performance.
- E. Any expansion of a nonconforming commercial excavation shall require a Conditional Use Permit. An expansion is defined as removal of additional undisturbed topsoil or vegetation or otherwise enlarging the area that had been mined, commonly referred to as the quarry face or active quarry area.

18.2.3.080 Commercial Laundry, Dry-cleaning, Dyeing, and Similar Uses

Where commercial laundries, dry-cleaning, dyeing establishments, and similar uses are allowed, they are subject to the all of the following requirements.

- A. All objectionable odors associated with the use shall be confined to the lot upon which the use is located to the greatest extent feasible. For the purposes of this provision, the standard for judging "objectionable odors" shall be that of an average, reasonable person with ordinary sensibilities after taking into consideration the character of the neighborhood in which the odor is made and the odor is detected.
- B. The use shall comply with all requirements of the Oregon Department of Environmental Quality.

18.2.3.090 [Reserved]

18.2.3.100 Drive-Up Use

Where drive-up uses are allowed they are subject to all of the following criteria.

- A. Drive-up uses are allowed only in the C-1 zone, and they are limited to the area east of a line drawn perpendicular to Ashland Street at the intersection of Ashland Street and Siskiyou Boulevard. The number of drive-up uses shall not exceed the 12 in existence on July 1, 1984.
- B. Drive-up uses are subject to the following standards:
 - 1. The average waiting time in line for each vehicle shall not exceed five minutes. Failure to maintain this average waiting time may be grounds for revocation of the approval.
 - 2. All facilities providing drive-up service shall provide at least two designated parking spaces immediately beyond the service window or provide other satisfactory methods to allow customers requiring excessive waiting time to receive service while parked.
 - 3. A means of egress for vehicular customers who wish to leave the waiting line shall be provided.
 - 4. The grade of the stacking area to the drive-up shall either be flat or downhill to eliminate excessive fuel consumption and exhaust during the wait in line.
 - 5. The drive-up shall be designed to provide as much natural ventilation as possible to eliminate the buildup of exhaust gases.
 - 6. Sufficient stacking area shall be provided to ensure that public rights-of-way are not obstructed.
 - 7. The sound level of communications systems shall not exceed 55 decibels at the property line and shall otherwise comply with the Ashland Municipal Code regarding sound levels.
 - 8. Drive-up uses may be transferred to another location in accord with all requirements of this section. The number of drive-up window stalls shall not exceed one per location, even if the transferred use had greater than one stall.
 - 9. A ministerial Drive-Up Transfer permit shall be obtained for the transfer of any drive-up uses when such transfer is not associated with a Site Design Review or Conditional Use Permit application in order to document transfer of the use.

18.2.3 – Special Use Standards

10. Drive-up uses discontinued without a Drive-Up Transfer permit shall be deemed to have expired after being unused for six months. Discontinuation of a drive-up use is considered to have occurred when the Staff Advisor documents the drive-up use as having ceased on site through a planning application review, or upon on-site verification.
 11. All components of a drive-up use shall be removed within 60 days of discontinuation of the use through abandonment, transfer, relocation, or redevelopment.
- C.** Drive-up uses are prohibited in the Historic District Overlay except that the four existing nonconforming financial institution drive-up uses in operation in the Historic District Overlay as of August 7, 2012 may redevelop or relocate within the C-1 and C-1-D zones in the Historic District Overlay subject to the following additional requirements:
1. Relocation or redevelopment of a drive-up use within the C-1 or C-1-D zones in the Historic District Overlay shall be subject to Site Design Review in chapter 18.5.2 through a Type II procedure in section 18.5.1.060.
 2. Relocated or redeveloped drive-up uses shall be placed on a secondary building elevation, and accessed for an alley or driveway.
 3. Driveways serving relocated or redeveloped drive-up uses shall not enter from or exit to a higher order street frontage or through a primary building elevation. Driveways or queuing lanes shall not be placed between a building and the right-of-way other than an alley.
 4. No demolition of or exterior change to a building considered to be a historic resource shall be permitted to accommodate the relocation or redevelopment of a drive-up use.
 5. Regardless of the number of drive-up windows/lanes in use in the current location, with a relocation or remodel the number of windows/lanes shall be reduced to one.

18.2.3.110 Duplex Dwelling Standards

Duplex dwellings are allowed on corner lots within the R-1 zones in developments using the Performance Standards Option under chapter 18.3.9.

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 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.

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:
 - 1. If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses.
 - 2. Residential densities shall not exceed 15 dwelling units per acre in the E-1 zone, 30 dwelling units per acre in the C-1 zone, and 60 dwelling units per acre in the C-1-D zone. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.
 - 3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the underlying zone.
 - 4. Off-street parking is not required for residential uses in the C-1-D zone.
 - 5. Where the number of residential units exceeds ten, at least ten percent of the residential units shall be affordable for moderate-income persons in accord with the standards of section 18.2.5.050. The number of units required to be affordable shall be rounded down to the nearest whole unit.

18.2.3.140 Food Products Manufacture

In the E-1 zone, the manufacture of food products is subject to all of the following requirements.

- A. The use shall not include the rendering of fats or oils.
- B. Where the use is located within 200 feet of a residential zone, it shall meet all of the following requirements.
 - 1. All objectionable odors associated with the use shall be confined to the lot upon which the use is located, to the greatest extent feasible. For the purposes of this provision, the standard for judging “objectionable odors” shall be that of an average, reasonable person with ordinary sensibilities after taking into consideration the character of the neighborhood in which the odor is made and the odor is detected. Odors that are in violation of this section include but are not limited to the following.
 - a. Odors from solvents, chemicals, or toxic substances.
 - b. Odors from fermenting food products.
 - c. Odors from decaying organic substances or human or animal waste.
 - 2. Mechanical equipment shall be located on the roof or the side of a building with the least exposure to residential zones. Provided, however, that it may be located at any other location on or within the structure or lot where the noise emanating from the equipment is no louder, as

18.2.3 – Special Use Standards

measured from the nearest residential zone, than if located on the side of the building with least exposure to residential zones. Mechanical equipment shall be fully screened and buffered.

18.2.3.150 Home Occupation

- A. Purpose and Intent.** The purpose of this section is to encourage those who are engaged in small commercial ventures which could not necessarily be sustained if it were necessary to lease commercial quarters or which, by the nature of the venture are appropriate in scale and impact to be operated within a residence. Home occupations are recognized for their contribution in reducing the number of vehicle trips often generated by conventional businesses. It is the intent of this chapter that home occupations not infringe upon the right of neighboring residents to enjoy the peaceful and safe occupancy of their homes.
- B. Conduct of Home Occupation – Standards.** Home occupations are permitted pursuant to the following standards. Where a home occupation use does not comply with one or more of the following requirements, the Staff Advisor may find the subject use is no longer permitted.
1. Appearance of Residence.
 - a. The home occupation shall be restricted to the dwelling unit, accessory structure, or yard area not visible from the public right-of-way and be conducted in such a manner as not to give an outward appearance of a business.
 - b. The home occupation shall not result in any structural alterations or additions to the dwelling or accessory structure that will change its primary use.
 - c. No display of products and or equipment produced or used by the home occupation may be displayed so as to be visible from outside the dwelling or accessory structure.
 2. Storage.
 - a. Outside storage, visible from the public right-of-way, or adjacent properties, is prohibited.
 - b. On-site storage of hazardous materials (including toxic, explosive, noxious, combustible or flammable) beyond that normally incidental to residential use is prohibited.
 - c. Storage of inventory or products and all other equipment, fixtures, and activities associated with the home occupation shall be allowed in the dwelling or accessory structure.
 3. Employees.
 - a. Other than family members residing within the dwelling located on the home occupation site, there shall be no more than one full time equivalent employee, and no more than one employee at any given time. As used in this chapter, the term "home occupation site" means the lot on which the home occupation is conducted.
 - b. Additional individuals may be employed by or associated with the home occupation, so long as they do not report to work at the home.
 - c. The home occupation site shall not be routinely used as a headquarters for the assembly of employees for instruction or other purposes, including dispatch to other locations.
 4. Advertising and Signage. No signs shall be permitted on a home occupation site.

5. Automobiles, Parking, and Traffic.

- a. One commercial automobile associated with the home occupation is allowed at the home occupation site. Such automobile shall be of a size that would not overhang into the public right-of-way when parked in the driveway or other location on the home occupation site.
- b. There shall be no excessive commercial vehicle deliveries from or to the home occupation site. Excessive deliveries are defined as more than three per day, during the hours of 7 a.m. to 7 p.m. There shall be no commercial vehicle deliveries during the hours of 7 p.m. to 7 a.m.
- c. There shall be no more than one client or customer's automobile at any one time and no more than eight per day at the home occupation site.

6. Clients or customers are permitted at the home occupation from 7 a.m. to 7 p.m. only.

C. Prohibited Uses. The following uses are prohibited as home occupations.

1. Any activity that produces radio or television interference, noise, glare, vibration, smoke, or odor beyond allowable levels as determined by local, state, or federal standards.
2. Any activity involving on-site retail sales, except as allowed in the Historic District Overlay or items that are incidental to the occupational use, such as the sale of beauty products from salons, lesson books or sheet music for music teachers, or computer software for computer consultants.
3. Any of the following uses, and uses with similar objectionable impacts because of automobile traffic, noise, glare, odor, dust, smoke, or vibration.
 - a. Ambulance service.
 - b. Ammunition or firearm sales.
 - c. Ammunition reloading business.
 - d. Animal hospital, veterinary services, kennels, or animal boarding.
 - e. Auto and other vehicle repair, including auto painting.
 - f. Repair, reconditioning or storage of motorized vehicles, boats, recreational vehicles, or large equipment on-site.
 - g. Medical marijuana dispensary.

D. Permit Required – Application

1. No person shall conduct a home occupation without first obtaining a home occupation permit from the Planning Department and a valid business license as required under AMC title 6.
2. The home occupation permit shall include such information as is necessary to determine the location and type of business, and the manner in which it will be conducted. If the Staff Advisor finds that the proposed home occupation complies with the requirements of this chapter, the Staff Advisor shall issue a permit.
3. The home occupation permit is valid only to the person named on the permit and for the business to be conducted at the location stated on the permit. The permit is not transferable to

18.2.3 – Special Use Standards

another location or to another applicant.

4. Issuance of a home occupation permit under this chapter shall not relieve the applicant from the duty and responsibility to comply with all other rules, regulations, ordinances, or other laws governing the use of the premises and structures thereon, including, but not limited to, the specialty codes defined in AMC 15.04, the fire code standards defined in AMC 15.28, or any private restrictions relative to the property.
5. The Staff Advisor may visit and inspect the site of a home occupation permitted in this chapter periodically to insure compliance with all regulations and conditions to which the permit is subject, during normal business hours, and with reasonable notice.

18.2.3.160 Keeping of Livestock and Bees

Where the keeping of livestock is allowed, it shall meet all of the following requirements.

- A. Lot Size.** No livestock shall be kept on any lot less than one acre in area, except as provided for micro-livestock by subsection 18.2.3.160.E, below.
- B. Structures.** Livestock enclosures and structures, including barns, stables, chicken coops and runs, rabbit hutches, goat barns, and other structures, shall be in compliance with 18.2.4.020, this ordinance and with all applicable building codes.
- C. Number of Livestock.** Not more than two head of livestock over the age of six months may be maintained per acre, except as provided for micro-livestock by subsection 18.2.3.160.E, below.
- D. Swine.** The keeping of swine is prohibited, except as provided for in AMC 9.08.040.
- E Micro-livestock.** Micro-livestock, including chickens, domestic fowl, turkeys, rabbits, and miniature goats may be kept or maintained provided each of the following requirements is continuously met.
 1. Total Number. The total number of all micro-livestock, including both adult and juvenile animals, that may be kept or maintained on any single property shall be limited to no more than ten animals on properties of 5,000 square feet or less, and no more than two additional animals for each 1,000 square feet of lot area in excess of 5,000 square feet, up to a maximum of 20 animals.
 2. Age of livestock. For the purposes of this section, “adult” means over six months of age, and “juvenile” means six months of age and under.
 3. Chickens and Domestic Fowl. For purposes of this section, “domestic fowl” means quails, pheasants, pigeons, doves, and Muscovy ducks (*Cairina moschata*).
 - a. No more than five adult chickens or domestic fowl and five juvenile chickens or domestic fowl shall be kept or maintained on properties of 5,000 square feet or less.
 - b. No more than one adult chicken or domestic fowl and one juvenile chicken or domestic fowl for each 1,000 square feet of lot area shall be kept or maintained on properties greater than 5,000 square feet.
 - c. No more than two adult turkeys and two juvenile turkeys shall be kept or maintained on properties less than one acre.

- d. Rooster, geese, and peacocks are prohibited.
- 3. Rabbits. No more than six adult rabbits shall be kept or maintained on properties of less than one acre.
 - a. Nursing offspring born to permitted adult rabbits may be kept until such animals are weaned.
 - b. Rabbits shall be kept in a hutch or fenced enclosure.
- 4. Miniature Goats. For purposes of this chapter “miniature goats” are those goats commonly known as pygmy, dwarf, and miniature goats weighing less than 95 pounds at full size, and shall be limited as follows.
 - a. No more than two adult miniature goats shall be kept or maintained on properties of less than one acre.
 - b. Nursing offspring born to permitted adult miniature goats may be kept until such animals are weaned.
 - c. Solitary miniature goats are prohibited.
 - d. Male miniature goats shall be neutered.
- 5. Secure Enclosure. Micro-livestock must be secured at all times. A secure enclosure shall be provided to protect micro-livestock from predators and to provide shelter from the weather.
- 6. Maintenance. The areas in which micro-livestock are kept must be maintained to protect public health in compliance with AMC 9.08.060 and the following requirements.
 - a. Animal feed must be kept in rodent and raccoon-proof containers.
 - b. Animal manure must be collected, stored, and removed from the property on a regular basis in accordance with all of the following requirements.
 - i. All stored manure shall be within a non-combustible, air-tight container, and located in accordance with the Oregon Fire Code relating to the outdoor storage of combustibles.
 - ii. No more than one 20-gallon container of manure shall be stored on any one property housing micro-livestock.
 - iii. All manure not used for composting or fertilizing shall be removed.
- 7. Noise. Noise resulting from the keeping or maintaining of micro-livestock must not exceed the limits set forth in AMC 9.08.170.
- 8. Multi-family Development. Micro-livestock are allowed on properties containing multi-family complexes, including duplexes provided all of the following are continuously met.
 - a. The property owner or designated property manager has provided written notification to all residents of the multi-family complex and to the City, verifying the keeping of animals on the property will comply with the requirements of this chapter. Written notification shall include the following:
 - i. Property owner, property manager or home owner association representative contact information including the name, address, and phone number(s).

18.2.3 – Special Use Standards

- ii. Twenty-four-hour emergency contact information for an onsite resident designated as the primary responsible party for the animal area and maintenance. Contact information shall include the name, address, and phone number of the responsible party.
 - iii. The City requirements of the keeping of micro-livestock including the maximum number and type of animals permitted on the subject property and maintenance requirements per this chapter.
- b. The area in which micro-livestock are kept shall be continuously maintained regardless of any change of building tenancy or property ownership.

9. Sale of Goods. In residential zones, micro-livestock shall be kept primarily for personal use. Sale of surplus eggs, honey, or similar animal products produced by on-premises micro-livestock is permitted in compliance with applicable licensing and inspection requirements of the Oregon Department of Agriculture.

F. Bees. The keeping or maintaining of bees, bee colonies, bee hives, combs or containers of any kind or character wherein bees are hived is subject to all of the following requirements.

1. Registration with the city is required to keep beehives within the city limits and the Community Development Director shall provide a beekeeping registration process.
2. No more than three bee colonies shall be kept or maintained on properties of less than one acre.
3. No more than five bee colonies shall be kept or maintained on properties of one acre or greater.
4. Bee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.
5. For each colony permitted to be maintained under this ordinance, there may also be maintained upon the same property, one nucleus colony in a hive structure not to exceed one standard 9-5/8 inch depth ten-frame hive body.
6. In each instance where a colony is kept less than 25 feet from a property line, a flyway barrier at least six feet in height shall be maintained parallel to the property line for a minimum of ten feet in either direction of the hive. The flyway barrier may consist of a wall, fence, dense vegetation, or a combination thereof, such that bees will fly over rather than through the material to reach the colony.
7. A constant supply of fresh water shall be provided for the colonies on site within 15 feet of each hive.
8. Each beekeeper shall ensure that no wax comb or other material that might encourage robbing by other bees are left upon the grounds of the property. Such materials once removed from the site shall be handled and stored in sealed containers or placed within a building or other insect proof container.
9. If the beekeeper serves the community by removing a swarm or swarms of honey bees from locations where they are not desired, the beekeeper shall be permitted to temporarily house the swarm on the property for no more than 30 days from the date acquired.
10. The sale of surplus honey or bee's wax produced on site shall be permitted on the property

where the keeping of bees is permitted.

11. Africanized bees are prohibited.

G. Minimum Care Requirements. The applicable minimum care requirements of ORS 167.310 shall apply to all animals identified in this section.

H. Violations. Keeping of animals is a Class III violation.

18.2.3.170 Manufactured Home on Individual Lot

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

- A. Floor Plan.** The manufactured home shall be multi-sectional and have an enclosed floor area of not less than 1,000 square feet.
- B. Roof.** The manufactured home shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees).
- C. Residential Building Materials.** The manufactured home shall have exterior siding and roofing which in color, material, and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered “superior” to metal siding and roofing).
- D. Garages and Carports.** If the manufactured home has a garage or carport, the garage or carport shall be constructed of materials like those used on the house.
- E. Thermal Envelope.** The manufactured home shall be certified by the manufacturer to meet the thermal envelope requirements equivalent to those for a single-family dwelling constructed under the building code. Evidence demonstrating that the manufactured home meets “Super Good Cents” energy efficiency standards, or equivalent standard, is deemed to satisfy the exterior thermal envelope certification requirement.
- F. Placement.** The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that it complies with the applicable building code requirements, including the height above grade, and the minimum set-up standards of the adopted state Administrative Rules for Manufactured Dwellings, OAR 918.
- G. Floodplain.** Manufactured homes shall comply with chapter 18.3.10 Physical and Environmental Constraints.
- H. Foundation Skirt.** The foundation area of the manufactured home shall be fully skirted with concrete, horizontal wood, or vinyl siding, or other materials, pursuant to applicable building codes.
- I. Design Features.** The manufactured home shall incorporate at least two of the single-family design features in section 18.2.5.090.
- J. Prohibited.** The manufactured home shall not be located in a designated historic district.

18.2.3 – Special Use Standards

18.2.3.180 Manufactured Housing Developments

- A. Purpose.** The purpose of this section is to encourage the most appropriate use of land for manufacturing housing development purposes, to encourage design standards which will create pleasing appearances, to provide sufficient open space for light, air, and recreation, to provide adequate access to and parking for manufactured housing sites, and to refer minimum utility service facilities to appropriate City codes.
- B. General Provisions.**
1. Manufactured housing development may be located or relocated only in R-1-3.5 and R-2 zones.
 2. No manufactured housing developments may be located, relocated, or increased in size or number of units within any other zone.
 3. No manufactured housing developments may be located within the Historic District Overlay.
 4. Manufactured housing developments shall be subject to regulations of this chapter and shall be located only on sites approved for use under the provisions of such chapter. No person shall establish, operate, manage, maintain, alter, or enlarge any manufactured housing development contrary to the provisions of this ordinance.
 5. In addition to the requirements of this chapter, all manufactured housing developments shall conform to the regulations of ORS 446, together with such administrative rules as may be adopted from time to time, except where such regulations are exceeded by the requirements of this chapter, in which case the more stringent requirements shall apply.
- C. Procedure for Approval.** The procedure for approving a manufactured home development is the same as for the Performance Standards Option (Outline Plan and Final Plan), pursuant to chapter 18.3.9.
- D. Manufactured Housing Development Design Standards.**
1. Minimum Court Size. A manufactured housing development shall occupy a site of not less than one acre in size.
 2. Density. The maximum density permitted shall be eight manufactured housing units per acre of developed court area. Manufactured housing which is 14 feet wide or less, or which is less than 800 square feet in size will count as 0.75 units for this calculation.
 3. Manufactured Housing Sites or Lots. All manufactured housing sites or lots must be at least 2,000 square feet in size, at least 35 feet wide, and at least 40 feet deep.
 4. Lot Coverage. Maximum lot coverage of any individual manufactured housing lot or site shall be 65 percent in the R-2 zone and 55 percent in the R-1-3.5 zone. In addition, the general lot coverage requirements of the parent zone shall also be complied with for the entire project site.
 5. Setbacks.
 - a. *Exterior Setbacks.* Manufactured housing sites along the exterior boundary of the court shall have the same setbacks as required in the parent zone, and no less than a minimum of five feet from a property boundary line.
 - b. *Interior Front Yard Setbacks.* There shall be a front yard on each manufactured home lot or

18.2.3 – Special Use Standards

space of at least ten feet.

- c. *Interior Side and Rear Yard Setbacks.* There shall be side or rear yards of at least five feet. There shall be a minimum separation of ten feet between manufactured housing units.

6. Street Standards. Public streets shall comply with the design standards contained in chapter 18.4.6. Private streets shall be a minimum of 20 feet in width, and constructed to the same standards as specified for an alley. A private street may be a dead-end street no more than 300 feet in depth from a higher order road. Adequate turn-around shall be provided according to standards established by the Planning Commission.
7. Sidewalk Standards. Every manufactured housing development shall have a permanent pedestrian walkway at least 48 inches wide connecting all manufactured housing units to public or private streets, common open spaces, recreational areas, and commonly-owned buildings and facilities.
8. Off-Street Parking Standards. Each manufactured housing unit shall be provided with one off-street parking space on each manufactured housing site, setback 20 feet from the street. In addition, guest parking facilities of one parking space for each manufactured housing site shall also be provided on the project site, within 200 feet of the units they are intended to serve, either adjacent to the road or in a off street parking lot. Parking space construction, size, landscaping, and design requirements shall be according to chapters 18.4.3 and 18.4.4.
9. Utilities. Provisions for electric, water, and sanitary service shall be made in accordance with established City procedures and law, including number, size, quality, and location of fixtures, connections, and facilities. Telephone and electric lines shall be placed underground.
10. Landscaping.
 - a. All areas of the development not occupied by paved roadways, pathways, parking areas, or not occupied by other facilities shall be landscaped. Areas that contain significant natural vegetation may be left in a natural state, if approved on the final landscaping plans.
 - b. Manufactured housing developments located in an R-1-3.5 zone shall have 45 percent of the entire site landscaped. Developments located in the R-2 zone shall have 35 percent of the entire site landscaped.
11. Fencing. Fencing shall comply with all fencing requirements as per section 18.4.4.060.
12. Open Space. All developments are required to provide a minimum of five percent of the total lot area in Open Space.
13. Play Area. If the manufactured housing development accommodates children less than 14 years of age, a separate general play area a minimum of 2,500 square feet in size, or 100 square feet of play area per unit, whichever is greater, shall be provided.

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

1. Manufactured housing units shall be a minimum of 650 square feet in size.
2. Manufactured housing units shall be at least 12 feet wide.

18.2.3 – Special Use Standards

3. Manufactured housing units shall have the Oregon Department of Commerce "insignia of Compliance." The Building Official shall inspect the manufactured housing unit and occupancy shall be approved only if the Building Official has determined that the manufactured housing unit has a valid insignia of compliance and has not deteriorated beyond an acceptable level of compliance.
4. Manufactured housing units shall be placed on permanent foundations, with wheels and hitches removed, be fully skirted or bermed, and shall have no uncovered open spaces except for vents of sufficient strength to support the loads imposed by the manufactured housing unit, based on accepted engineering design standards, as approved by the Building Official.
5. Manufactured housing units shall be provided with City water, sewer, electricity, telephone, and storm drainage, with easements dedicated where necessary.
6. Manufactured housing units shall comply with the thermal envelope requirements for heat loss required by the building code for single-family detached homes.
7. Manufactured housing units shall have a deck or patio area adjacent to the home. The deck or patio shall be constructed of a permanent material and shall be at least 80 square feet in size, with a minimum width of eight feet in its least dimension.
8. Each manufactured housing unit shall have a one parking space located on or adjacent to the unit space. The parking space shall be setback at least 20 feet from the street.
9. Notwithstanding the above, any manufactured home legally located within the Ashland Urban Growth Boundary prior to July 1, 1990 may be relocated to an approved manufactured home development, subject to a fire and life safety inspection by the Building Official.

F. Storage and Temporary Occupancy of Manufactured Homes.

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

G. Nonconforming Manufactured Housing Developments. Notwithstanding the provisions of chapter 18.1.4 Nonconforming Situations, manufactured housing development and an individual manufactured housing unit utilized for living purposes on the effective date of this ordinance or of amendments thereto, which do not conform to the regulations of this chapter, shall be deemed to be nonconforming and may be continued, subject to the following regulations.

1. Routine maintenance and repairs may be performed within the manufactured housing development or upon individual manufactured housing units.
2. No nonconforming manufactured housing development shall be enlarged, remodeled, or modernized except in conformance with all requirements of this chapter, except that an area of less than two acres for a development to be enlarged, remodeled, or modernized may be

approved through the conditional use permit procedure contained in this ordinance.

3. No manufactured housing unit shall be located on the site of, or substituted for, a nonconforming manufactured housing unit, the use of which has been discontinued, except within a manufactured housing development holding a certificate of sanitation issued by the Board of Health, State of Oregon, issued prior to the effective date of this chapter. Relocation of existing units within the Ashland Urban Growth Boundary is exempted as provided in subsection 18.2.3.180.E.9.
4. If a nonconforming manufactured housing development holding a certificate of sanitation issued by the Board of Health, State of Oregon, ceases operation for a period of six months or more, said development shall be considered abandoned and shall be reinstated only in conformance with the requirements of this chapter.

H. Special Conditions. For the mitigation of adverse impacts, the City may impose conditions, including, but not limited to, requiring view-obscuring shrubbery, walls, or fences, and requiring retention of specified trees, rocks, water ponds or courses, or other natural features.

18.2.3.190 Medical Marijuana Dispensary

A. Boulevard Location. Medical marijuana dispensaries are permitted subject to all of the following design standards.

1. The dispensary must be located on a property with a boundary line adjacent to a boulevard, except that dispensaries are not permitted in the Downtown Design Standards zone.
2. The dispensary must be located in a permanent building and may not locate in a trailer, cargo container, or motor vehicle. Outdoor storage of merchandise, raw materials, or other material associated with the dispensary is prohibited.
3. Any modifications to the subject site or exterior of a building housing the dispensary must be consistent with the Site Design Use Standards, and obtain Site Review approval if required by section 18.5.020. Security bars or grates on windows and doors are prohibited.
4. The dispensary must not have a drive-up use.
5. The dispensary must provide for secure disposal of marijuana remnants or by-products; such remnants or by-products shall not be placed within the dispensary's exterior refuse containers.
6. The dispensary is registered with the Oregon Health Authority under the state of Oregon's medical marijuana facility registration system under ORS 475.300 – ORS 475.346, and meets the requirements of OAR Chapter 333 Division 8 Medical Marijuana Facilities.

B. Other Locations. Medical marijuana dispensaries, except as allowed in section 18.2.3.190.A, are subject to a Conditional Use Permit under chapter 18.5.4 and shall meet all of the following requirements.

1. The dispensary must be located 200 feet or more from a residential zone, except that dispensaries are not permitted in the Downtown Design Standards zone.
2. The dispensary must be located in a permanent building and may not locate in a trailer, cargo container, or motor vehicle. Outdoor storage of merchandise, raw materials, or other material

18.2.3 – Special Use Standards

associated with the dispensary is prohibited.

3. Any modifications to the subject site or exterior of a building housing the dispensary must be consistent with the Site Design Use Standards, and obtain Site Review approval if required by section 18.72.030. Security bars or grates on windows and doors are prohibited.
4. The dispensary must not have a drive-up use.
5. The dispensary must provide for secure disposal of marijuana remnants or by-products; such remnants or by-products shall not be placed within the dispensary's exterior refuse containers.
6. The dispensary is registered with the Oregon Health Authority under the state of Oregon's medical marijuana facility registration system under ORS 475.300 – ORS 475.346, and meets the requirements of OAR Chapter 333 Division 8 Medical Marijuana Facilities.

18.2.3.200 Multiple-Family Rental Unit Conversion to For-Purchase Units

- A. Section 18.2.3.200 applies to existing multiple-family rental units, which for the purpose of this section, are defined as dwelling units designed to house multiple households within one or more structures on a single property that were constructed and occupied prior to November 3, 2007 (Ord. 2942).
- B. Multi-family rental units constructed after November 3, 2007 are not subject to the provisions of this section.
- C. Conversion of existing multiple-family dwelling rental units into for-purchase units, including the demolition of existing multiple-family dwelling rental units, is subject to the following.
 1. Existing multiple-family dwelling structures may be converted from rental units to for-purchase housing, where all or only a portion of the structure is converted, as set forth in Table 18.2.3.200.C.1, provided the existing structure meets the following regulations of the applicable zone: permitted density, yard requirements, maximum height, maximum lot coverage, outdoor recreation space, maximum permitted floor area, waste enclosures, parking, and bike storage.

Number of Dwelling Units on Tax Lot	Market Rate Ownership	Affordable Ownership (per Sec. 18.2.5.050)	Market Rate Rentals	Affordable Rentals (per Sec. 18.2.5.050)
2-4	100%	0%	0%	0%
5-12	75%	0%	25%	0%
13-24	50%	0%	50%	0%
25-48	25%	0%	75%	0%
49+	0%	0%	100%	0%

2. Where an existing multiple-family dwelling structure does not meet the regulations of the applicable zone, as listed in subsection 18.2.3.200.C.1, rental units may be converted to for-purchase units, as set forth in Table 18.2.3.200.C.2 and the standards below:

18.2.3 – Special Use Standards

- a. Conversion of existing multiple-family structures to for-purchase housing shall comply with the following general regulations and the site development and design standards in part 18.4: number of bike and automobile parking spaces, trash, and recycling enclosures.
- b. Conversion of existing multiple-family structures to for-purchase housing shall demonstrate that there are adequate public facilities and public services available to serve the development, including but not limited to water, sewer, electric, fire protection, and storm drainage.
- c. Conversion of existing multiple-family structures to for-purchase housing shall improve the street frontage to meet adopted the applicable design standards of this ordinance, including landscaping, sidewalks and street trees, pursuant to part 18.4.

Table 18.2.3.200.C.2: Conversion of Nonconforming Multifamily Dwelling Rental Units to For-Purchase Units				
Number of Dwelling Units on Tax Lot	Market Rate Ownership	Affordable Ownership (per Sec. 18.2.5.050)	Market Rate Rentals	Affordable Rentals (per Sec. 18.2.5.050)
2-4	75%	25%	0%	0%
5-12	56.25%	0%	25%	18.75%
13-24	37.50%	0%	50%	12.50%
25-48	18.75%	0%	75%	6.25%
48+	0.00%	0%	100%	0%

3. As an incentive to provide affordable rental housing units above minimum requirements in projects of five or more units, an applicant shall be granted an equal percentage of for-purchase ownership units per Table 18.2.3.200.C.3.

Table 18.2.3.200.C.3: For-Purchase Unit Bonus Where Affordable Units Exceed Minimum				
Number of Dwelling Units on Tax Lot	Market Rate Ownership	Affordable Ownership (per Sec. 18.2.5.050)	Market Rate Rentals	Affordable Rentals (per Sec. 18.2.5.050)
2-4	na	na	na	na
5-12	68.75%	na	0%	31.25%
13-24	62.50%	na	0%	37.50%
25-48	56.25%	na	0%	43.75%
48+	50.00%	na	0%	50.00%

4. Units designated as market rate or affordable rental units shall be retained as one condominium tract under one ownership. This remaining rental tract shall be restricted from further consideration of conversion to for-purchase housing.
5. Affordable Housing Units provided under 18.2.3.200.C.2 and 18.2.3.200.C.3 shall meet the following affordability standards:

18.2.3 – Special Use Standards

- a. Affordable Rental Units shall be affordable for rent by households earning at or below 60 percent of the AMI in accordance with the standards established by section 18.2.5.050 (Resolution 2006-13).
 - b. Affordable Ownership Units shall be affordable for purchase by households earning at or below 80 percent of the AMI in accordance with the standards established by section 18.2.5.050 (Resolution 2006-13).
6. Prior to offering any units for sale the developer must comply with AMC 15.104.
 7. Conversion of existing rental units into for-purchase housing shall comply with AMC 10.115.

18.2.3.210 Retail Uses Allowed in Railroad Historic District

Home-oriented commercial uses located in a dwelling unit within the Railroad Historic District are subject to all of the following requirements.

- A. The business shall be no greater than 600 square feet in total area, including all storage and accessory uses.
- B. The business shall be operated only by the occupant of the dwelling unit and not more than one half full-time equivalent employee (up to 25 hours per week).
- C. Uses are limited to those designed to serve primarily pedestrian traffic. No additional off-street parking is required, except for accessible parking as required by the building code.
- D. The use shall be located only a street having fully improved sidewalk on at least the side occupied by the business. The abutting street must be fully improved pursuant to residential City standards or greater.
- E. The residential character of the property shall be maintained.

18.2.3.220 Traveler's Accommodation in R-2 and R-3 Zones

Where traveler's accommodations are allowed, they require a Conditional Permit under chapter 18.5.4, are subject to Site Design Review under chapter 18.5.2, and shall meet all of the following requirements.

- A. During operation of a traveler's accommodation, the property on which the traveler's accommodation is sited must be the primary residence of the business-owner. "Business-owner" shall be defined as a person or persons who own the property and accommodation outright; or who have entered into a lease agreement with the property owner(s) allowing for the operation of the accommodation. Such lease agreement must specifically state that the property owner is not involved in the day-to-day operation or financial management of the accommodation, and that the business-owner has actual ownership of the business and is wholly responsible for all operations associated with the accommodation, and has actual ownership of the business.
- B. The property is located within 200 feet of a boulevard, avenue, or neighborhood collector as identified on the Street Dedication Map in the Comprehensive Plan. Distances to the property from a boulevard, avenue, or neighborhood collector shall be measured via a public street or public alley

to a lot line.

- C.** The primary residence on the site must be at least 20 years old. The primary residence may be altered and adapted for traveler's accommodation use, including expansion of floor area. Additional structures may be allowed to accommodate additional units, but must be in conformance with all setback and lot coverage standards of the underlying zone.
- D.** The number of traveler's accommodation units allowed shall be determined by the following criteria.
 - 1. The total number of units, including the business-owner's unit, shall be determined by dividing the total square footage of the lot by 1,800 square feet. Contiguous lots under the same ownership may be combined to increase lot area and the number of units, but not in excess of the maximum established by this ordinance. The maximum number of accommodation units shall not exceed nine per approved traveler's accommodation with primary lot frontage on boulevard streets. For traveler's accommodation without primary lot frontage on a designated boulevard, but within 200 feet of a boulevard, avenue, or neighborhood collector street, the maximum number of units shall be seven. Street designations shall be as determined by the Street Dedication Map in the Comprehensive Plan. Distances to the property from a boulevard, avenue, or neighborhood collector shall be measured via a public street or public alley to a lot line.
 - 2. Excluding the business-owner's unit and the area of the structure it will occupy, there must be at least 400 square feet of gross interior floor space remaining per unit.
- E.** Each accommodation must have one off-street parking space and the business-owner's unit must have two parking spaces. All parking spaces shall be in conformance with chapter 18.4.3.
- F.** Only one ground or wall sign, constructed of a non-plastic material, non-interior illuminated, and a maximum of six square feet total surface area is allowed. Any exterior illumination of signage shall be installed such that it does not directly illuminate any residential structures adjacent or nearby the traveler's accommodation in accordance with subsection 18.4.4.050.C.1.
- G.** Traveler's accommodations must meet all applicable building, fire, and related safety codes at all times and must be inspected by the Fire Department before occupancy following approval of a Conditional Use Permit and periodically thereafter pursuant to AMC 15.28.
- H.** An annual inspection by the Jackson County Health Department shall be conducted as required by the laws of Jackson County or the State of Oregon.
- I.** The business-owner must maintain a city business license and pay all transient occupancy tax in accordance with AMC 4.24 and AMC 6.04 as required.
- J.** Advertising for any traveler's accommodation must include the City planning action number assigned to the land use approval.
- K.** Offering the availability of residential property for uses as a traveler's accommodation without a valid Conditional use Permit approval, current business license and Transient Occupancy Tax registration is prohibited and shall be subject to enforcement procedures.
- L.** Transfer of business-ownership of a traveler's accommodation shall be subject to all requirements of this section and conform with the criteria of this section. Any further modifications beyond the existing approval shall be in conformance with all requirements of this section.

18.2.4 – General Regulations for Base Zones

Chapter 18.2.4 – General Regulations for Base Zones

Sections:

- 18.2.4.010 Access and Minimum Street Frontage
- 18.2.4.020 Accessory Structures and Mechanical Equipment
- 18.2.4.030 Arterial Street Setback
- 18.2.4.040 Vision Clearance Area
- 18.2.4.050 Yard Exceptions and Requirements

18.2.4.010 Access and Minimum Street Frontage

Each lot shall abut a public street other than an alley for a width of not less than 40 feet; except, where a lot is part of an approved flag partition or abuts a cul-de-sac vehicle turn-around area, the minimum width is 25 feet.

18.2.4.020 Accessory Structures and Mechanical Equipment

- A. Accessory Structures.** Accessory buildings and structures shall comply with all requirements for the principal use, except where specifically modified by this ordinance.
- B. Mechanical Equipment.** Mechanical equipment shall not be located between the main structure on the site and any street adjacent to a front or side yard, and every attempt shall be made to place such equipment so that it is not visible from adjacent public streets. Mechanical equipment and associated enclosures, not taller than allowed fence heights, may be located within required interior side or rear yards, provided such installation and operation is consistent with other provisions of this ordinance or the Ashland Municipal Code, including but not limited to noise attenuation. Any installation of mechanical equipment shall require a building permit.

18.2.4.030 Arterial Street Setback

The setback from an arterial street shall be not less than 20 feet, or the width required to install sidewalk and park row improvements, consistent with the street standards in chapter 18.4.6, whichever is less.

18.2.4.040 Vision Clearance Area

No visual obstruction (e.g., planting, fence, wall, sign, structure, fence, or temporary or permanent obstructions) exceeding 2 ½ in height shall be placed in “vision clearance areas” at street intersections as illustrated in Figure 18.2.4.040.A and Figure 18.2.4.040.B. Street lights, post or poles supporting street signs, street lights, traffic control signs or devices, utility poles, on-street parking, and street trees exceeding this height may be located in vision clearance areas, unless the cumulative impact of the placement results in an obstruction to vision. Street trees shall be trimmed so that branches and foliage are eight feet above grade. Height in the vision clearance area shall be measured from the top of the curb.

18.2.4 – General Regulations for Base Zones

The following distances shall be used in establishing the size of the vision clearance area.

- A. In any residential zone, the minimum distance shall be 25 feet or, at intersections including an alley, ten feet.
- B. In all other zones, the minimum distance shall be 15 feet or, at intersections, including an alley, ten feet, except that the C-1, E-1, and CM zones are exempt from these requirements. When the angle of intersection between streets, other than an alley, is less than 30 degrees, the distance shall be 25 feet.
- C. The vision clearance standards established by this section are not subject to a Variance pursuant to chapter 18.5.5 Variances.

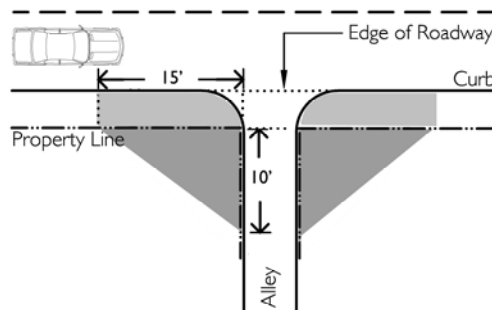
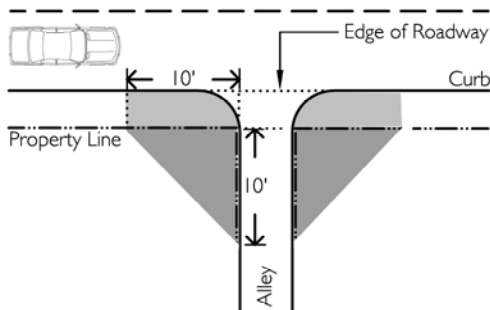
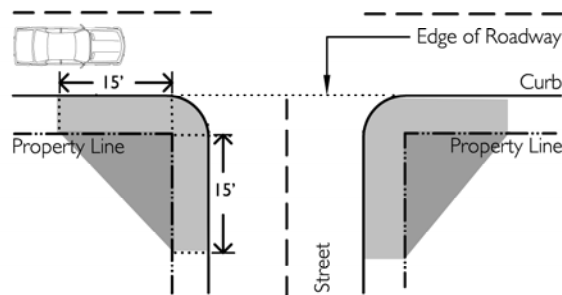
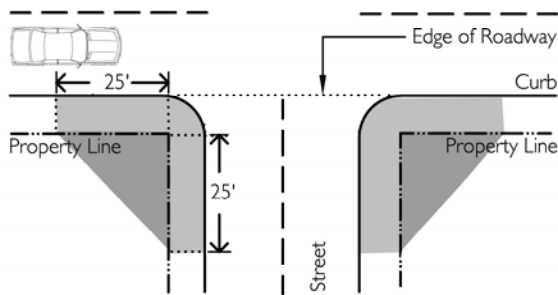


Figure 18.24.040.A
Vision Clearance Area in Residential Zones

Figure 18.24.040.B
Vision Clearance Area in Non-Residential Zones

18.2.4.050 Yard Requirements and General Exceptions

- A. In addition to the requirements of chapters 18.2.5 and 18.2.6, yard requirements shall conform to the Solar Access standards of chapter 18.4.8.
- B. Eaves and awnings may encroach three feet into required yards; all other architectural projections may encroach 18 inches into required yards.
- C. The following general exceptions are allowed for structures that are 30 inches in height or less, including entry stairs, uncovered porches, patios, and similar structures:
 - 1. The structures are exempt from the side and rear yard setback requirements.
 - 2. The front and side yards abutting a public street may be reduced by half.

18.2.5 – Standards for Residential Zones

Chapter 18.2.5 – Standards for Residential Zones

Sections:

18.2.5.010	Purpose
18.2.5.020	Applicability
18.2.5.030	Unified Standards for Residential Zones
18.2.5.040	Accessory Buildings and Structures
18.2.5.050	Affordable Housing Standards
18.2.5.060	Yard Exceptions
18.2.5.070	Maximum Permitted Residential Floor Area in Historic District
18.2.5.080	Residential Density Calculation in R-2 and R-3 Zones
18.2.5.090	Standards for Single-Family Dwellings

18.2.5.010 Purpose

Chapter 18.2.5 sets forth lot and development standards, including minimum dimensions, area, density, coverage, structure height, and other provisions that control the intensity, scale, and location of development, for Ashland's base residential zones, pursuant to the Comprehensive Plan and the purposes of this ordinance.

18.2.5.020 Applicability

The standards contained in this chapter apply to all uses and development in the City's residential zones. Property owners are responsible for verifying whether a proposed use or development meets the applicable standards of this ordinance, and for obtaining zoning permits.

18.2.5.030 Unified Standards for Residential Zones

A. Standards for Urban Residential Zones. Table 18.2.5.030.A contains standards for the R-1, R-1-3.5, R-2, and R-3 zones. Standards for the RR and WR zones are contained in subsections 18.2.5.030.B and 18.2.5.030.C.

18.2.5 – Standards for Residential Zones

Table 18.2.5.030.A – Standards for Urban Residential Zones

(Except as modified under chapter 18.5.5 Variances or chapter 18.3.9 Performance Standards Option.)

Standard	R-1				R-2	R-3
	R-1-10	R-1-7.5	R-1-5	R-1-3.5		
Residential Density (dwelling units/acre) <ul style="list-style-type: none"> - Minimum - Maximum See also Sec. 18.2.5.080, for R-2 and R-3 zones	NA Per Min. Lot Area	NA Per Min. Lot Area	NA Per Min. Lot Area	NA Per Min. Lot Area	See density standards in Sec. 18.2.5.080	
Lot Area – Minimum (square feet) <ul style="list-style-type: none"> - Lot 	10,000 sf	7,500 sf	5,000 sf, 6,000 sf for corner lots	5,000 sf ¹	See density standards in Sec. 18.2.5.080	
¹ Exception providing for minimum lot area of 3,500 sf in R-1-3.5 zone applies only where the lot contains an existing single-family dwelling that meets setback, density, and lot coverage standards; variances under this section are subject to Type I procedure.						
Lot Width – Minimum (feet)	75 ft ²	65 ft ²	50 ft ²	50 ft ²	50 ft	50 ft
² Width shall not exceed depth						
Lot Depth (feet) <ul style="list-style-type: none"> - Minimum - Maximum³ ³ Does not apply to Partitions	80 ft 150 ft	80 ft 150 ft	80 ft 150 ft	80 ft 250% of width	80 ft 250% of width	80 ft 250% of width
Standard Yards – Minimum ⁴ (feet) <ul style="list-style-type: none"> - Front – Standard, except: - Front – Unenclosed Porch⁵ - Front – Garage Opening - Side – Standard - Side – Corner Lot Adjacent to Street - Rear – Single-Story Building - Rear – Multi-Story Building 	15 ft 8 ft 20 ft 6 ft 10 ft 10 ft 10 ft per Bldg Story, 5 ft per Half Story	15 ft 8 ft 20 ft 6 ft 10 ft 10 ft 10 ft per Bldg Story, 5 ft per Half Story	15 ft 8 ft 20 ft 6 ft 10 ft 10 ft 10 ft per Bldg Story, 5 ft per Half Story	15 ft 8 ft 20 ft 6 ft 10 ft 10 ft 10 ft per Bldg Story, 5 feet per Half Story	15 ft 8 ft 20 ft 6 ft 10 ft 10 ft 10 ft per Bldg Story, 5 feet per Half Story	15 ft 8 ft 20 ft 6 ft 10 ft 10 ft 10 ft per Bldg Story, 5 feet per Half Story

18.2.5 – Standards for Residential Zones

Table 18.2.5.030.A – Standards for Urban Residential Zones (Except as modified under chapter 18.5.5 Variances or chapter 18.3.9 Performance Standards Option.)							
Standard	R-1				R-2	R-3	
	R-1-10	R-1-7.5	R-1-5	R-1-3.5			
⁴ See sections 18.2.4.050 and 18.2.5.060 for yard exceptions, and 18.2.5.040 for accessory structure setback exceptions; additional setbacks may be required to avoid easement encroachments, and to comply with Solar Access requirements in chapter 18.4.8. ⁵ For setback, or the width of any existing public utility easement, whichever is greater; an unenclosed porch must be no less than 6 feet in depth and 8 feet in width, see section 18.6.1.030 for definition of porch; in the Historic District Overlay unenclosed porch provisions do not apply, and the minimum front yard is 20 ft. ⁶ Does not apply to a side yard adjacent to an alley.							
Building Separation, On Same Site – Minimum	NA ⁷	NA ⁷	NA ⁷	NA ⁷	½ the height of the tallest building, where building height is measured at the two closest exterior walls; maximum separation required is 12 ft ⁸ (see Figure 18.3.9.070.B)		
⁷ Except as required under chapter 18.3.9 Performance Standards Option. ⁸ Except as required by building code; accessory structures are exempt from this requirement and subject to applicable building code requirements.							
Building Height – Maximum ⁹ (feet)	35 ft or 2 ½ stories, whichever is less, except structures within Historic District Overlay shall not exceed 30 ft					35 ft or 2 ½ stories, except up to 50 ft with CU permit approval	
⁹ See figure in the definition of “height of building” in section 18.6.1.030.							
Lot Coverage – Maximum ¹⁰ (% of lot area)	40%	45%	50%	55%	65%	75%	
¹⁰ A total area up to 200 sf or 5% of the permitted lot coverage, whichever is less, may be developed in an approved, porous solid surface that allows storm water infiltration, and is exempt from the lot coverage maximum; the porous solid surface exemption does not apply to driveways and parking areas.							
Landscape Area – Minimum (% of developed lot area)	60%	55%	50%	45%	35%	25%	
Outdoor Recreation Space - Minimum (% of site area) ¹¹	NA	NA	NA	NA	8%	8%	
¹¹ See chapter 18.3.9 for additional open space requirements in Performance Standard Options developments.							

18.2.5 – Standards for Residential Zones

B. Woodland Residential Zone. Standards for the Woodland Residential (WR) zone follow:

Table 18.2.5.030.B – Standards for Woodland Residential (WR) Zone (Except as modified under chapter 18.5.5 Variances or chapter 18.3.9 Performance Standards Option.)			
Minimum Lot Area and Maximum Density	Slope	Min. Lot Size	DU/Acre
<i>Limits on density transfer.</i> All developments, with the exception of partitioning, must be developed under the Performance Standards Option, chapter 18.3.9. Not more than 25% of the density allowed in a WR zone may be transferred to a higher density zone in a Performance Standard Options development.	Less than 40%	2.0	.5
	40 to 50%	2.5	.4
	50 to 60%	5.0	.2
	Over 60%	10.0	.1
	Outside UGB	20.0	.05
Lot Coverage – Maximum ¹ (% of lot area)	7%		
¹ A total area up to 200 sf or 5% of the permitted lot coverage, whichever is less, may be developed in an approved, porous solid surface that allows storm water infiltration, and is exempt from the lot coverage maximum; the porous solid surface exemption does not apply to driveways and parking areas.			
Lot Width - Minimum (feet)	100 ft		
Lot Depth - Minimum and Maximum (feet)	150 ft		
Standard Yards – Minimum ² (feet)			
- Front – Standard	20 ft		
- Side – Standard, except:	6 ft		
- Side – Corner-Street/Alley Side	10 ft		
- Rear – Single-Story Building	10 ft		
- Rear – Multi-Story Building	10 ft per Bldg Story		
² See sections 18.2.4.050 and 18.2.5.060 for yard exceptions, and 18.2.5.040 for accessory structure setback exceptions; additional setbacks may be required to avoid easement encroachments, and to comply with Solar Access requirements in chapter 18.4.8.			
Maximum Building Height	35 ft or 2 ½ stories, whichever is less.		

18.2.5 – Standards for Residential Zones

C. Rural Residential Zone. Standards for the Rural Residential (RR) zone follow:

Table 18.2.5.030.C – Standards for Rural Residential (RR) Zone (Except as modified under chapter 18.5.5 and Variances or chapter 18.3.9 Performance Standards Option.)		
Minimum Lot Area and Maximum Density ¹ See also 18.2.5.080 Residential Density.	Zone	Min. Lot Size*
	RR-.5	0.5 acre
	RR-1	1 acre
	RR-2.5	2.5 acres
¹ The minimum lot size depends on the topographic nature, service availability, surrounding land uses, and other relevant characteristics of the area.		
Lot Coverage – Maximum (% of lot area) ²	Lot Type	Lot Coverage
	RR-.5	20%
	RR-1	12%
	RR-2.5	7%
² A total area up to 200 sf or 5% of the permitted lot coverage, whichever is less, may be developed in an approved, porous solid surface that allows storm water infiltration, and is exempt from the lot coverage maximum; the porous solid surface exemption does not apply to driveways and parking areas.		
Lot Width - Minimum (feet)	100 ft	
Lot Depth - Minimum and Maximum (feet)	150 ft and not more than 300% of width	
Standard Yards – Minimum ³ (feet)		
- Front – Standard	20 ft	
- Side – Standard, except:	6 ft	
- Side – Corner-Street/Alley Side	10 ft	
- Rear – Single-Story Building	10 ft	
- Rear – Multi-Story Building	10 ft per Bldg Story	
³ See sections 18.2.4.050 and 18.2.5.060 for yard exceptions, and 18.2.5.040 for accessory structure setback exceptions; additional setbacks may be required to avoid easement encroachments, and to comply with Solar Access requirements in chapter 18.4.8.		
Maximum Building Height	35 ft or 2 ½ stories, whichever is less; except the height of agricultural structures is not limited, when the structure is placed 50 feet or more from all property lines.	

18.2.5.040 Accessory Buildings and Structures

Accessory buildings and structures shall comply with all requirements for the principal use, except where specifically modified by this ordinance, and shall comply with the following limitations:

- A. Setback Yard Exceptions.** See subsection 18.2.5.060.B.2.
- B. Guesthouse.** A guesthouse may be maintained accessory to a single-family dwelling provided there are no kitchen cooking facilities in the guesthouse.
- C. Greenhouse or Hothouse.** A greenhouse or hothouse may be maintained accessory to a dwelling in a residential zone.
- D. Livestock Structures.** Except as provided for micro-livestock in subsection 18.2.5.040.E, below, barns, stables, and other structures shall be located a minimum of 50 feet from any property line, and structures housing large livestock shall be more than 100 feet from dwellings on adjoining properties.

18.2.5 – Standards for Residential Zones

E. Micro-Livestock Enclosure. An enclosure housing micro-livestock may be maintained in a residential district, pursuant to section 18.2.3.160. Enclosures shall be constructed as follows:

1. The structure shall not be located in a required front yard.
2. The structures shall be setback a minimum of ten feet from abutting properties as illustrated in Figure 18.2.5.040.E.2.
3. The structures shall be at least 20 feet from dwellings on adjoining properties. Within a multifamily complex, structures must also be located at least 20 feet from any dwelling within the complex.
4. The structures shall not exceed six feet in height.
5. Chicken coops and rabbit hutches shall not exceed 40 square feet in area, or four square feet per animal, whichever is greater.
6. Chicken and rabbit runs, as enclosed outdoor structures, shall not exceed 100 square feet in area, or ten square feet per animal, whichever is greater.

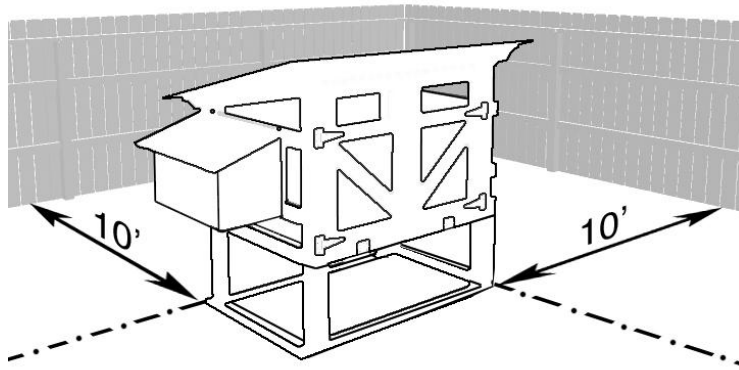


Figure 18.2.5.040.E.2
Micro-Livestock Enclosure/Minimum Setback to Property Line

F. Rain Barrels. Rain barrels may be located within required side or rear yards provided such installation and operation is consistent with other provisions of this ordinance or the Ashland Municipal Code, and meet the all of the following requirements:

1. Rain barrels shall not exceed six feet in height.
2. Rain barrels shall be located so that a minimum clear width of three feet is provided and maintained between the barrel and property line.
3. Rain barrels shall be secured and installed on a sturdy and level foundation, or platform, designed to support the rain barrel's full weight.
4. Every attempt shall be made to place rain barrels so that they are screened from view of adjacent properties and public streets.

18.2.5 – Standards for Residential Zones

18.2.5.050 Affordable Housing Standards

A. General Eligibility – Rental and Purchased Housing.

1. All qualifying ownership or rental units required to be affordable through density bonuses, annexation, zone change, condominium conversion, or other land use approval under this ordinance shall not be eligible to receive a waiver of the Community Development and Engineering Services fees associated with the development of said affordable units unless a waiver is approved by the City Council.
2. All qualifying ownership or rental units required to be affordable through density bonuses, annexation, zone change, condominium conversion, or other land use approval under this ordinance shall be eligible to receive a deferral of the System Development Charges associated with the development of said affordable units.
3. All qualifying ownership or rental units voluntarily provided as affordable to low income households, consistent with subsections 18.2.5.050.A.1 and 18.2.5.050.A.2, above, shall be eligible for a System Development Charge, Engineering Service, and Community Development Fee deferral or waiver without obtaining approval from the Council.
4. Affordable Housing Units covered under this section can only be sold or rented to occupant households from the same income category as the original purchasers or renters for a period of not less than 30 years, or as required through the condition of approval for a unit required to be affordable through a land use approval.
5. System Development Charges, Engineering Services, and Community Development Fees may be deferred or waived when units are sold or rented to low-income persons. For purposes of this subsection, "low-income persons" means:
 - a. With regard to rental housing, persons with an income at or below 60 percent of the area median income (AMI) as determined by the State Housing Council based on information from the United States Department of Housing and Urban Development (HUD); and
 - b. With regard to home ownership housing and lease to purchase home ownership housing, persons with an income at or below 80 percent of the AMI as determined by the State Housing Council based on information from HUD.

B. Rental Housing. Units designated for affordable rental housing in developments which have qualified for density bonuses, annexation, zone change, condominium conversion, or other land use approval under this ordinance shall be rented to individuals or households-whose annual income is consistent with the target income identified in the planning approval. Incomes shall be qualified at the 60 percent or 80 percent median income levels for households in the Medford-Ashland Metropolitan Statistical Area (MSA). This figure shall be known as the "qualifying household income" and shall be determined by the City's Community Development Department in May of each year from the annual family incomes published by HUD for the Medford-Ashland MSA.

1. Area Median Income – 80 percent. The rent charged for such affordable rental housing benefiting households earning 80 percent AMI or greater, including any home-owners association or maintenance fees, shall not exceed 23 percent of the qualifying monthly income (qualifying family income divided by twelve) as provided in the following formulas:

18.2.5 – Standards for Residential Zones

<i>Unit Type</i>	<i>Maximum Rent Charges</i>
Studio Apartment	23% of the average of 1 & 2 person qualifying monthly incomes
1 Bedroom	23% of the average of 2 & 3 person qualifying monthly incomes
2 Bedroom	23% of the average of 3, 4, & 5 person qualifying monthly incomes
3 Bedroom	23% of the average of 4, 5, 6, & 7 person qualifying monthly incomes
4 Bedroom	23% of the average of 5, 6, 7, & 8 person qualifying monthly incomes

- a. The City's Community Development Department shall maintain a table of maximum rent levels permitted pursuant to the formulas of Table 18.2.5.050.B and shall annually update the table in May of each year.
2. **Area Median Income – 60 percent or lower.** The rent charged for such affordable rental housing benefiting households earning 60 percent AMI or less, including any home-owners association or maintenance fees, shall comply with the maximum rents established by the State of Oregon HOME Program based on the target income qualification as adjusted annually by HUD for the Medford-Ashland MSA. The HOME program indexed allowable rents are adjusted annually by the State of Oregon Housing and Community Services Department (OHCS).
3. **Owner's Obligation.** The owner of the affordable rental housing shall sign a 30-year agreement, or longer depending on the period of affordability established through this ordinance, with the City that guarantees these rent levels will not be exceeded and that the owner will rent only to households meeting the income limits. The agreement shall bind subsequent owners who purchase the rental housing during the established period of affordability. The agreement shall also require the owner to allow the unit to be rented to HUD Section 8 qualified applicants and agree to accept rent vouchers for all of the affordable units when applicable. The City shall file the agreement for recordation in the County Clerk deed records, Jackson County, Oregon.

Certification of qualifying occupants. The owner of record, or the designated agent of the record, owner, shall annually file with the City a signed certificate stating the occupants of the record owner's rental housing units continue to be qualified households, or are a household that qualified at its initial occupancy, within the meaning of this resolution, and any amendment made to it. The City shall provide the record owner or the record owner's agent with access to a form to complete and sign to comply with this provision.

C. Purchased Houses – Qualifying. Units designated for affordable housing available for purchase in developments which have qualified for density bonuses annexation, zone change, condominium conversion, or other land use approval under this ordinance must satisfy the criteria in subsections 18.2.5.050.C.1 and 18.2.5.050.C.2, below:

1. They shall only be sold to occupant households whose:
 - a. Annual income is consistent with the target income identified in the planning approval for the development. Incomes shall be qualified at the applicable 60 percent, 80 percent, 100 percent, or 120 percent median income levels for households based on number of people per household as adjusted annually by HUD for the Medford-Ashland MSA.

18.2.5 – Standards for Residential Zones

- b. The maximum monthly payment for a covered unit shall be established to not exceed the affordability limits, established in the paragraph above, and pursuant to the occupancy number indicated in Table 18.2.5.050.C.

Table 18.2.5.050.C - Occupancy Basis for Affordable Rental Housing		
Unit Type		Occupancy
Studio	=	1 person household income for the designated income level
1 Bedroom	=	2 person household income for the designated income level
2 Bedroom	=	4 person household income for the designated income level
3 Bedroom	=	6 person household income for the designated income level
4 Bedroom	=	7 person household income for the designated income level
Households with a greater or lesser number of occupants shall remain eligible for covered units but the sale price shall not be adjusted due to household size above the limits established above.		

- c. Net assets, excluding pension plans and IRA's and excluding the down payment and closing costs, do not exceed \$20,000 for a household or \$130,000 if one household member is 65 years or older.
- d. Mortgage payment does not exceed more than 30 percent of the monthly income for the target income level indicated in subsection 18.2.5.050.C.1.a, above on total housing costs which includes principal, interest, taxes, insurance, and any homeowners or regular maintenance fees.
- e. The maximum monthly payment for a covered unit shall be calculated by utilizing the interest rate for the Oregon Bond Loan Rate Advantage as updated by the OHCS.
2. They shall remain affordable as follows:
- a. The purchasers of the affordable housing units shall agree to the City of Ashland Affordable Housing Resale Restriction Agreement establishing a period of affordability of not less than 30 years. In no event will a purchaser be required to sell the unit subject to the aforementioned Agreement for less than his or her original purchase price, plus any applicable closing costs and realtor fees.
- b. For housing financed by Farmer' s Home Administration (FmHA), the affordability shall be assured by the FmHA' s recapture provisions FmHA which require sellers to repay FmHA for all the subsidies accrued during the period the sellers resided in the housing unit.

18.2.5.060 Yard Exceptions

A. Front Yard Exceptions.

1. If there are dwellings or accessory buildings on both abutting lots (even if separated by an alley or private way) with front or side yards abutting a public street with less than the required setback for the district, the front yard for the lot need not exceed the average yard of the abutting structures.
2. If there is a dwelling or accessory building on one abutting lot with a front yard of less than the required depth for the district, the front yard need not exceed the average yard of the depth of the abutting lot and the required front yard depth.
3. The front yard may be reduced to ten feet on hillside lots where the terrain has an average steepness equal to or exceeding a one foot rise or fall in four feet of horizontal distance within the entire required yard; vertical rise or fall is measured from the natural ground level at the property.

B. Side and Rear Yard Exceptions for Accessory Buildings and Accessory Residential Units.

1. Yards Abutting an Alley. For accessory buildings and accessory residential units that are not attached to any other building and not more than 15 feet in height, the side yard abutting an alley may be reduced to three feet and the rear yard abutting an alley may be reduced to four feet. The reduced side or rear yard provision does not apply to the primary structure.
2. Other Side and Rear Yards. For accessory buildings that are not attached to any other building, are not more than 15 feet in height, and are erected more than 50 feet from any street, the side or rear yard may be reduced to three feet, except when said yard is abutting an alley as provided in subsection 18.2.5.060.B.1, above.

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 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.

C. Increases in Allowable MPFA. A Conditional Use Permit under chapter 18.5.4 is required to exceed the MPFA standards of subsections 18.2.5.070.F and 18.2.5.070.G, below. In addition to the approval criteria for a Conditional Use Permit, the criteria for Historic District Design Standards approval must be met. In no case shall the permitted floor area exceed 25 percent of the MPFA.

D. Maximum Permitted Floor Area. For purposes of this section, maximum permitted floor area (MPFA) means 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, except as provided by subsection 18.2.5.070.E, below.

E. Exceptions. 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

18.2.5 – Standards for Residential Zones

similar open structures connecting an exempt detached structure to the primary dwelling are not counted in the MPFA calculation.

- F. Calculation and Standards.** Except as modified by subsection 18.2.5.070.G for multiple dwellings on a lot and residential subdivisions proposed under the performance standards option, the following formula shall be used to calculate the MPFA for single family dwellings, provided however, that regardless of lot size, the MPFA shall not exceed 3,249 square feet:

$$\text{Lot area} \times \text{Adj. Factor [from Table 18.2.5.070(E)]} = \text{Adjusted lot area} \times 0.38 \text{ FAR} = \text{MPFA}$$

Lot Area	Adj. Factor	Lot Area	Adj. Factor	Lot Area	Adj. Factor	Lot Area	Adj. Factor
0 – 2500	1.20	6501 - 7000	0.88	11001 – 11500	0.66	15501 - 16000	0.55
2501 – 3000	1.16	7001 - 7500	0.85	11501 – 12000	0.64	16001 - 16500	0.54
3001 – 3500	1.12	7501 - 8000	0.82	12001 – 12500	0.62	16501 - 17000	0.53
3501 – 4000	1.08	8001 - 8500	0.79	12501 – 13000	0.61	17001 - 17500	0.52
4001 – 4500	1.04	8501 - 9000	0.77	13001 – 13500	0.60	17501 - 18000	0.51
4501 – 5000	1.00	9001 - 9500	0.75	13501 – 14000	0.59	18001 - 18500	0.50
5001 – 5500	0.97	9501 - 10000	0.73	14001 – 14500	0.58	18501 - 19000	0.49
5501 – 6000	0.94	10001 - 10500	0.71	14501 – 15000	0.57	19001 - 19500	0.48
6001 – 6500	0.91	10501 - 11000	0.68	15001 – 15500	0.56	19500 and greater	0.47

- G. Multiple Dwellings and Residential Performance Standards Option.** Where multiple dwellings are proposed on a single lot, or where a residential subdivision is proposed under the Performance Standards Option of chapter 18.3.9, the MPFA shall be determined using the following formula:

$$\text{Lot area} \times \text{Adj. Factor [from Table 18.2.5.070(E)]} = \text{Adjusted lot area} \times \text{Graduated FAR [from Table 18.2.5.070(F)]} = \text{MPFA}$$

# units	FAR	# units	FAR	# units	FAR
1	.38	5	.46	9	.54
2	.40	6	.48	10	.56
3	.42	7	.50	11	.58
4	.44	8	.52	>11	.60

18.2.5.080 Residential Density Calculation in R-2 and R-3 Zones

- A. Density Standard.** Except density gained through bonus points under section 18.2.5.080 or chapter 18.3.9 Performance Standards Option, development density in the R-2 and R-3 zones shall not exceed the densities established by this section.

B. Density Calculation.

1. Except as specified in the minimum lot area dimensions below, the density in R-2 and R-3 zones shall be computed by dividing the total number of dwelling units by the acreage of the project, including land dedicated to the public, and subject to the exceptions below.

18.2.5 – Standards for Residential Zones

2. Units less than 500 square feet of gross habitable area shall count as 0.75 units for the purposes of density calculations.
3. Accessory residential units are not required to meet the density or minimum lot area requirements of this section. See section 18.2.3.040 for accessory residential unit standards.

C. Minimum Density.

1. The minimum density shall be 80 percent of the calculated base density.
2. Exceptions to minimum density standards. The following lots are totally or partially exempt from minimum density standards.
 - a. Lots less than 10,000 sq. ft. in existence prior to the effective date of this ordinance.
 - b. Lots located within any Historic District designated within the Ashland Municipal Code.
 - c. Lots with existing or proposed conditional uses may be exempt for that portion of the property that is subject to the conditional use for calculations of the minimum base density standard.
 - d. Where a lot is occupied by a single-family residence January 9, 2005 (Ord. 2914), the single-family residence may be enlarged or reconstructed without being subject to the minimum base density standard.
 - e. In the event that a fire or natural hazard destroys a single-family residence, such residence may be replaced without being subject to the minimum base density standard.
 - f. Where floodplains, streams, land drainages, wetlands, and/or steep slopes exist upon the lot an exception to minimum density requirements may be obtained to better meet the standards of chapter 18.3.10 Physical and Environmental Constraints.
 - g. A lot that is nonconforming in minimum density may not move further out of conformance with the minimum density standard. However, units may be added to the lot which bring the lot closer to conformance without coming all the way into conformance provided it is demonstrated that the minimum density will not be precluded.

D. Base Densities and Minimum Lot Dimensions.

1. R-2 Zone. Base density for the R-2 zone shall meet the following standards:
 - a. Minimum lot area for one unit shall be 5,000 square feet, except as allowed in section 18.2.3.040 for accessory residential units.
 - b. Minimum lot area for two units shall be 7,000 square feet.
 - c. Minimum lot area for three units shall be 9,000 square feet, except that the residential density bonus in subsection 18.2.5.080.F, below, may be used to increase density of lots greater than 8,000 square feet up to three units.
 - d. For more than three units, the base density shall be 13.5 dwelling units per acre. The permitted base density shall be increased by the percentage gained through the residential density bonus in subsection 18.2.5.080.F.
2. R-3 Zone. Base density for the R-3 zone shall meet the following standards:

18.2.5 – Standards for Residential Zones

- a. Minimum lot area for one unit shall be 5,000 square feet, except as allowed in section 18.2.3.040 for accessory residential units.
- b. Minimum lot area for two units shall be 6,500 square feet.
- c. Minimum lot area for three units shall be 8000 square feet.
- d. For more than three units, the base density shall be 20 dwelling units per acre. The permitted base density shall be increased by the percentage gained through the residential density bonus is subsection 18.2.5.080.F, below.

E. Exceptions. An accessory residential unit is not required to meet density or minimum lot area requirements per section 18.2.3.040.

F. Residential Density Bonus.

1. Density Bonus Points Authorized. Except as allowed under chapter 18.3.9 Performance Standards Option, the permitted base density shall be increased only pursuant to this section.
2. Maximum Bonus Points. The total maximum bonus permitted shall be 60 percent.
3. Bonus Point Criteria. The following bonuses shall be awarded:
 - a. *Conservation Housing.* The maximum bonus for conservation housing is 15 percent. One hundred percent of the homes or residential units approved for development, after bonus point calculations, shall meet the minimum requirements for certification as an Earth Advantage home, as approved by the Conservation Division under the City' s Earth Advantage program as adopted by resolution 2006-6.
 - b. *Outdoor Recreation Space.* The maximum bonus for provision of outdoor recreation space above minimum requirement established by this ordinance is ten percent. The purpose of the density bonus for outdoor recreational space is to permit areas that could otherwise be developed as a recreational amenity. It is not the purpose of this provision to permit density bonuses for incidental open spaces that have no realistic use by project residents on a day-to-day basis. One percent increased density bonus for each percent of the project dedicated to outdoor recreation space beyond the minimum requirement of this ordinance.
 - c. *Major Recreational Facilities.* The maximum bonus for provision of major recreational facilities is ten percent. Density bonus points shall be awarded for the provision of major recreational facilities, such as tennis courts, swimming pools, playgrounds, or similar facilities. For each one percent of the total project cost devoted to recreational facilities, a six percent density bonus shall be awarded to a maximum of ten percent. Total project cost shall be defined as the estimated sale price or value of each residential unit times the total number of units in the project. Estimated value shall include the total market value for the structure and land. A qualified architect or engineer using current costs of recreational facilities shall estimate the cost of the recreational facility for City review and approval.
 - d. *Affordable Housing.* The maximum bonus for affordable housing is 35 percent. Developments shall receive a density bonus of two units for each affordable housing unit provided. Affordable housing bonus shall be for residential units that are guaranteed affordable in accord with the standards of section 18.2.5.050.

18.2.5.090 Standards for Single-Family Dwellings

- A.** The following standards apply to new single-family dwellings constructed in the R-1, R-1-3.5, R-2, and R-3 zones; the standards do not apply to dwellings in the WR or RR zones.
- B.** Single-family dwellings subject to this section shall utilize at least two of the following design features to provide visual relief along the front of the residence:
1. Dormers
 2. Gables
 3. Recessed entries
 4. Covered porch entries
 5. Cupolas
 6. Pillars or posts
 7. Bay window (min. 12" projection)
 8. Eaves (min. 6" projection)
 9. Off-sets in building face or roof (min. 16")

18.2.6 – Standards for Non-Residential Zones

Chapter 18.2.6 – Standards for Non-Residential Zones

Sections:

- 18.2.6.010 Purpose
- 18.2.6.020 Applicability
- 18.2.6.030 Unified Standards for Non-Residential Zones

18.2.6.010 Purpose

Chapter 18.2.6 sets forth lot and development standards, including minimum dimensions, area, density, coverage, structure height, and other provisions that control the intensity, scale, and location of development, for Ashland's base employment zones, pursuant to the Comprehensive Plan and the purposes of this ordinance.

18.2.6.020 Applicability

The standards contained in this chapter apply to all uses and development in the city's employment zones. Property owners are responsible for verifying whether a proposed use or development meets the applicable standards of this ordinance, and for obtaining Zoning Permits.

18.2.6.030 Unified Standards for Non-Residential Zones

Table 18.2.6.030 – Standards for Non-Residential Zones (Except as modified under chapter 18.5.5 Variances.)				
Standard	C-1	C-1-D	E-1	M-1
Residential Density ¹ (dwelling units/acre)	30 du/ac	60 du/ac	15 du/ac	NA
¹ where allowed per section 18.2.3.130; within E-1 zone, per R-Overlay (see chapter 18.3.13 Residential Overlay).				
Lot Area, Width, Depth Lot Coverage	There is no minimum lot area, width or depth, or maximum lot coverage; or minimum front, side or rear yard, except as required to comply with the special district and overlay zone provisions of part 18.3 or the site development and design standards of part 18.4.			

18.2.6 – Standards for Non-Residential Zones

Table 18.2.6.030 – Standards for Non-Residential Zones (Except as modified under chapter 18.5.5 Variances.)				
Standard	C-1	C-1-D	E-1	M-1
Setback Yards (feet)	<p>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 of not less than 10 ft and a rear yard of not less than 10 ft per story is required.</p> <p>The solar setback standards of chapter 18.4.8 do not apply to structures in the C-1-D zone.</p> <p>Except for buildings within 100 feet of a residential zone, the solar setback standards of chapter 18.4.8 do not apply to structures in the C-1 zone.</p> <p>See also section 18.2.4.030 Arterial Street Setback.</p>			<p>There is no minimum front, side, or rear yard, except 20 ft where adjoining a residential zone.</p>
Building Height ^{2&3} – Maximum (feet)	<p>40 ft, except:</p> <ul style="list-style-type: none"> - Buildings greater than 40 ft and less than 55 ft are permitted in C-1-D zone with approval of a Conditional Use Permit. - Where located more than 100 feet from a residential zone, buildings greater than 40 ft and less than 55 ft are permitted in C-1 zone with approval of a Conditional Use Permit. 			40 ft
<p>²See definition of “height of building” in section 18.6.1.030.</p> <p>³Parapets may be erected up to five feet above the maximum building height; 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.</p>				
Landscape Area – Minimum (% of developed lot area)	15%	<p>None, except parking areas and service stations shall meet the standards of chapters 18.4.3 Parking, Access, and Circulation, and 18.4.4 Landscaping, Lighting, and Screening.</p>	15%	10%