

Note: Anyone wishing to speak at any Planning Commission meeting is encouraged to do so. If you wish to speak, please rise and, after you have been recognized by the Chair, give your name and complete address for the record. You will then be allowed to speak. Please note that the public testimony may be limited by the Chair and normally is not allowed after the Public Hearing is closed.

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

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

- II. **ANNOUNCEMENTS**

- III. **PUBLIC FORUM**

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

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

- VI. **ADJOURNMENT**

**CITY OF
ASHLAND**



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

ASHLAND PLANNING DIVISION
STAFF REPORT
Addendum
July 24, 2018

PLANNING ACTION: PA-L-2018-00001

APPLICANT: City of Ashland

ORDINANCE REFERENCES:

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

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

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

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

I. Relevant Facts

A. Background

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

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

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

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

B. Ordinance Amendments

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

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

Minimum Residential Density and Maximum Dwelling Unit Size

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

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

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

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

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

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

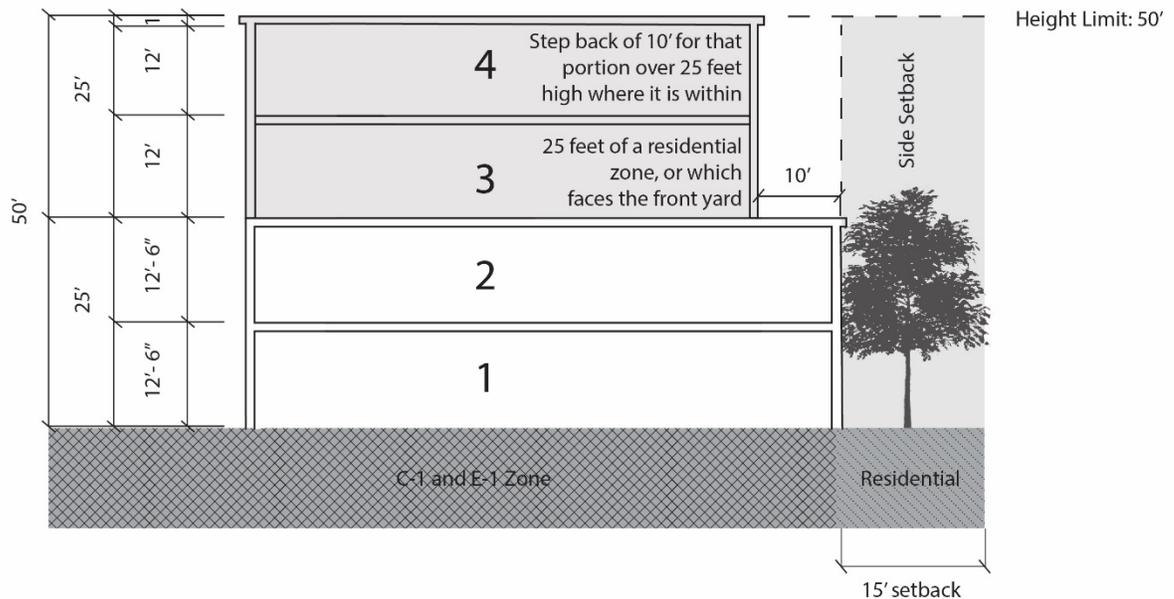
Staff recommends that any requests to depart from the minimum residential density or maximum dwelling unit size are subject to the Exception from the Site Development and Design Standards in 18.5.2.050.E rather than a Variance (see 18.3.14.020.E on page 1 of Chapter 18.3.14 Transit Triangle Overlay).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

Building Step Back

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

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

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



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

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

Minor Amendments and Corrections

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

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

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

II. Procedural

18.5.9.020 Applicability and Review Procedure

Applications for Plan Amendments and Zone Changes are as follows:

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

official maps.

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

III. Conclusions and Recommendations

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

18.3.14 – Transit Triangle Overlay

Chapter 18.3.14 – Transit Triangle Overlay

Sections:

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

18.3.14.010 Purpose

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

18.3.14.020 Applicability

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

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

18.3.14 – Transit Triangle Overlay

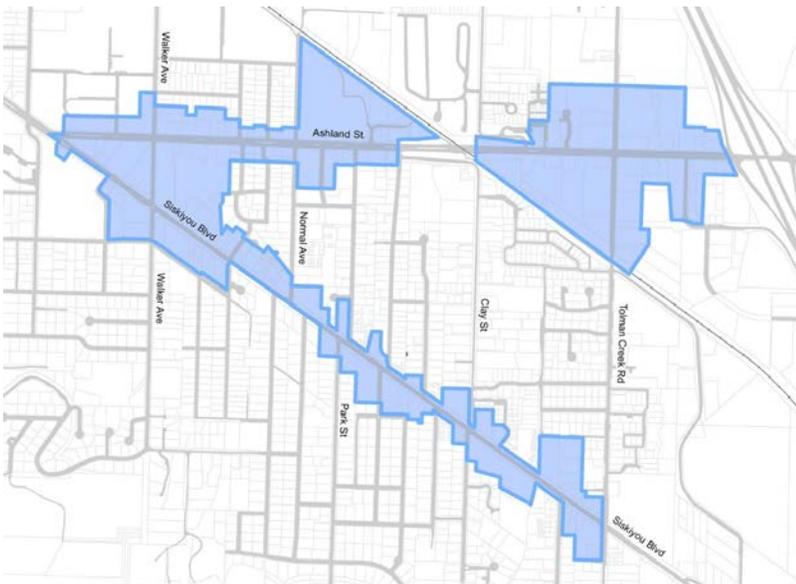


Figure 18.3.14.020
Transit Triangle (TT) Overlay

18.3.14.030 General Requirements

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

18.3.14.040 Allowed Uses

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

18.3.14 – Transit Triangle Overlay

standards and building code requirements are met.

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

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

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

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

a. One Building. In the C-1 and E-1 zones, when a planning application is limited to one building, residential uses may occupy up to 65 percent of the gross floor area of the ground floor. At least 35 percent of the gross floor area of the ground floor shall be designated for permitted and uses permitted with special use standards, not including residential uses.

b. More Than One Building. When a planning application includes more than one building, the equivalent of at least 35 percent of the gross floor area of the ground floor for all buildings shall be designated for permitted and uses permitted with special use standards, not including residential uses.

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

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

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

18.3.14 – Transit Triangle Overlay

18.3.14.050 Dimensional Standards

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

The dimensions shall conform to the standards in Table 18.3.14.050.

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

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

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

18.3.14 – Transit Triangle Overlay

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

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

18.3.14.060 Site Development and Design Standards

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

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

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

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

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

Commented [MH7]: The second graphic was deleted.

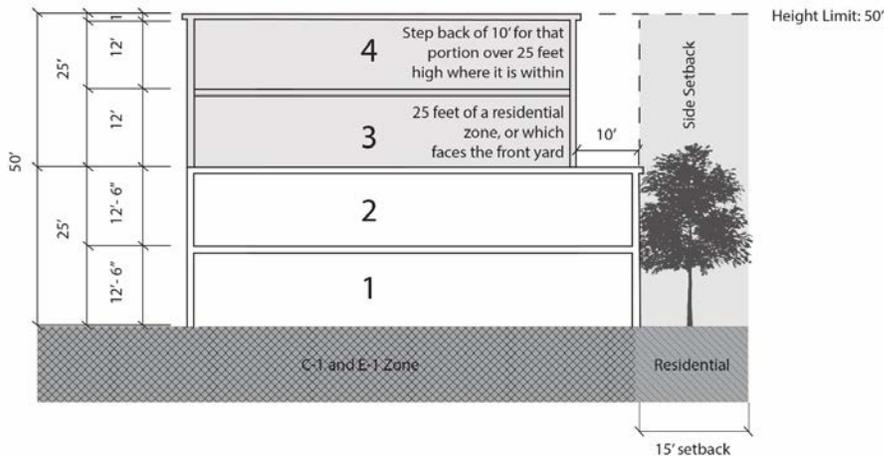


Figure 18.3.14.060.A.1.a

18.3.14 – Transit Triangle Overlay

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

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

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

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

Commented [MH10]: The second graphic was deleted.

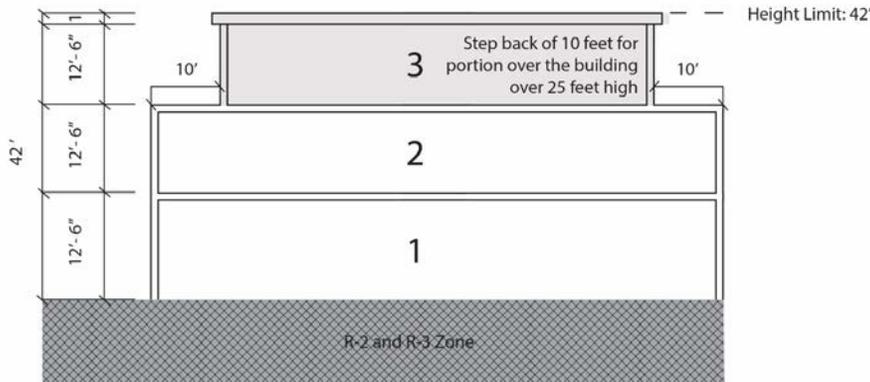


Figure 18.3.14.060.B.1.a

18.3.14 – Transit Triangle Overlay

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

Amendments to Sections of Title 18 Land Use

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

Section 18.2.1.020 is amended to read as follows:

18.2.1.020 Zoning Map and Classification of Zones

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

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

Section 18.2.1.040 is amended to read as follows:

18.2.1.040 Applicability of Zoning Regulations

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

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

Section 18.2.2.030 is amended to read as follows:

18.2.2.030 Allowed Uses

- A. Uses Allowed in Base Zones.** Allowed uses include those that are permitted, permitted subject to special use standards, and allowed subject to approval of a conditional use permit. Where Table 18.2.2.030 does not list a specific use and chapter 18.6 does not define the use or include it as an example of an allowed use, the City may find that use is allowed, or is not allowed, following the procedures of section 18.1.5.040. Uses not listed in Table 18.2.2.030 and not found to be similar to an allowed use are prohibited. For uses allowed in special districts CM, HC, NM, and SOU, and for regulations applying to the City’s overlays zones, refer to part 18.3.
- B. Permitted Uses and Uses Permitted Subject to Special Use Standards.** Uses listed as “Permitted (P)” are allowed. Uses listed as “Permitted Subject to Special Use Standards (S)” are allowed, provided they conform to chapter 18.2.3 Special Use Standards. All uses are subject to the development standards of zone in which they are located, any applicable overlay zone(s), and the review procedures of part 18.5. See section 18.5.1.020.
- C. Conditional Uses.** Uses listed as “Conditional Use Permit Required (CU)” are allowed subject to the requirements of chapter 18.5.4.

- D. Prohibited Uses.** Uses not listed in Table 18.2.2.030 and not found to be similar to an allowed use following the procedures of section 18.1.5.040 are prohibited. Prohibited uses are subject to the violations, complaints, and penalties sections in 18-1.6.080, 18-1.6.090, and 18-1.6.100.
- E. Uses Regulated by Overlay Zones.** Notwithstanding the provisions of chapter 18.2.2, additional land use standards or use restrictions apply within overlay zones. An overlay zone may also provide for exceptions to some standards of the underlying zone. For regulations applying to the City's overlays zones, please refer to part 18.3.
- F. Accessory Uses.** Uses identified as "Permitted (P)" are permitted as primary uses and as accessory uses. For information on other uses that are customarily allowed as accessory, please refer to the description of the land use categories in part 18.6 Definitions.
- G. Mixed-Use.** Uses allowed in a zone individually are also allowed in combination with one another, in the same structure or on the same site, provided all applicable development standards and building code requirements are met.
- H. Temporary Uses.** Temporary uses require a Conditional Use Permit under chapter 18.5.4; except as follows:
1. **Short-Term Events.** The Staff Advisor may approve through Ministerial review short-term temporary uses occurring once in a calendar year and lasting not more than 72 hours including set up and take down. Activities such as races, parades, and festivals that occur on public property (e.g., street right-of-way, parks, sidewalks, or other public grounds) require a Special Event Permit pursuant to AMC 13.03.
 2. **Garage Sales.** Garage sales shall have a duration of not more than two days and shall not occur more than twice within any 365-day period. Such activity shall not be accompanied by any off-premises advertisement. For the purpose of this ordinance, garage sales meeting the requirements of this subsection shall not be considered a commercial activity.
 3. **Temporary Buildings.** Temporary occupancy of a manufactured housing unit or similar structure may be permitted for a period not to exceed 90 calendar days upon the granting of a permit by the Building Official. Such occupancy may only be allowed in conjunction with construction on the site. Said permit shall not be renewable within a six-month period beginning at the first date of issuance, except with approval of the Staff Advisor.
- I. Disclaimer.** Property owners are responsible for verifying whether a proposed use or development meets the applicable standards of this ordinance.

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
A. Agricultural Uses¹										
Agriculture, except Keeping of Bees, Livestock and Micro-Livestock, Homegrown Marijuana Cultivation, and Marijuana Production	P	P	P	P	P	P	N	N	N	Animal sales, feed yards, keeping of swine, commercial compost, or similar uses not allowed
Keeping of Bees	S	S	S	S	S	S	N	N	N	Sec. 18.2.3.160
Keeping of Livestock	S	N	N	N	S	S	N	N	N	
Keeping of Micro-Livestock	S	S	S	S	S	S	N	N	N	
Marijuana Cultivation, Homegrown	S	S	S	S	S	S	S	S	S	Sec. 18.2.3.190 See General Industrial, Marijuana Production
B. Residential Uses										
Single-Family Dwelling	P	P	P	P	P	P	S	S	N	See Single-Family standards in Sec. 18.2.5.090 Sec. 18.2.3.130 for C-1 zone and E-1 zone Dwellings and additions in Historic District Overlay, see Sec. 18.2.3.120 and 18.2.5.070

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

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Accessory Residential Unit	S	S	S	S	S	N	N	N	N	Sec. 18.2.3.040
Duplex Dwelling	S	P	P	P	N	N	S	S	N	Sec. 18.2.3.110 Duplex Dwelling
B. Residential Uses²										
<i>(continued)</i>										
Manufactured Home on Individual Lot	S	S	S	S	N	N	N	N	N	Sec. 18.2.3.170 and not allowed in Historic District Overlay
Manufactured Housing Development	N	S	CU+S	N	N	N	N	N	N	Sec. 18.2.3.180
Multifamily Dwelling	N	P	P	P	N	N	S	S	N	Sec. 18.2.3.130 for C-1 zone and E-1 zone; dwelling units in Transit Triangle (TT) Overlay, see chapter 18.3.14 Dwellings and additions in Historic District Overlay, see Sec. 18.2.3.120 and 18.2.5.070
Rental Dwelling Unit Conversion to For-Purchase Housing	N	N	S	S	N	N	N	N	N	Sec. 18.2.3.200
Home Occupation	S	S	S	S	S	S	S	S	N	Sec. 18.2.3.150
C. Group Living										
Nursing Homes, Convalescent Homes	CU	CU	CU	CU	CU	CU	N	N	N	See chapter 18.3.3 Health Care Services
Residential Care Home	P	P	P	P	P	P	N	N	N	Subject to State licensing requirements
Residential Care Facility	CU	P	P	P	CU	CU	N	N	N	Subject to State licensing requirements

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

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Room and Boarding Facility	N	P	P	P	N	N	N	N	N	
D. Public and Institutional Uses										
Airport										See chapter 18.3.7 Airport Overlay
Cemetery, Mausoleum, Columbarium	N	N	N	N	CU	N	N	N	N	
D. Public and Institutional Uses (continued)³										
Child Care Facility	CU	CU	CU	CU	CU	CU	P	P	P	Family Child Care Home exempt from planning application procedure pursuant to ORS 329A.440, see part 18.6 for definition
Club Lodge, Fraternal Organization	CU	CU	CU	CU	CU	CU	P	CU	CU	
Community Service, includes Governmental Offices and Emergency Services (e.g., Police, Fire); excluding Outdoor Storage	CU	CU	N	N	CU	CU	P	P	P	
Electrical Substation	N	N	N	N	N	N	CU	CU	P	
Hospitals	CU	CU	CU	CU	CU	N	N	N	N	See chapter 18.3.3 Health Care Services
Governmental Offices and Emergency Services (e.g., Police, Fire); excluding Outdoor Storage	CU	CU	N	N	CU	CU	P	P	P	
Mortuary, Crematorium	N	N	N	N	CU	N	P	P	P	
Public Park, Open Space, and Recreational Facility, including playgrounds, trails, nature preserves, athletic fields, courts, swim pools, similar uses	P	P	P	P	P	P	N	N	N	

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

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
Public Parking Facility	N	N	N	N	N	N	P	N	N	
Public Works/Utilities Storage Yard; includes vehicle and equipment, maintenance, repair	N	N	N	N	N	N	N	P	P	
Recycling Depot	N	N	N	N	N	N	N	P	P	Not allowed within 200 ft of a residential zone
Religious Institution, Houses of Worship	CU	CU	CU	CU	CU	CU	CU	CU	CU	
School, Private (Kindergarten and up)	CU	CU	CU	CU	CU	CU	N	N	N	
School, Public (Kindergarten and up)	P	P	P	P	P	CU	N	N	N	
School, Private College/Trade/Technical School	N	N	N	N	N	N	N	CU	P	
Utility and Service Building, Yard and Structure, Public and Quasi-Public, excluding underground utilities and electrical substations	CU	CU	N	N	CU	CU	P	P	P	Yards not allowed in the C-1 zone
Wireless Communication Facility	CU	CU	CU	CU	CU	CU	P or CU	P or CU	P or CU	Sec.18.4.10
E. Commercial Uses										
Amusement/Entertainment, includes theater, concert hall, bowling alley, miniature golf, arcade; excluding drive-up uses	N	N	N	N	N	N	P	CU	P	
Automotive and Truck Repair, or Service; includes fueling station, car wash, tire sales and repair/replacement, painting, and other repair for automobiles, motorcycles, aircraft, boats, RVs, trucks, etc.	N	N	N	N	N	N	S or CU	S or CU	P	Sec. 18.2.3.050 In C-1 zone, fuel sales and service limited to Freeway Overlay, see chapter 18.3.8 In E-1 zone, fuel sales requires CU permit

Table 18.2.2.030 – Uses Allowed by Zone

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

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

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
										Commission may approve a permanent facility through the Type II procedure
Hotel/Motel	N	N	N	N	N	N	CU	CU	P	
Kennel (See also Veterinary Clinic)	N	N	N	N	N	N	S	S	CU	No animals kept outside within 200 feet of a residential zone
Limited Retail Uses in Railroad Historic District	N	CU	CU	CU	N	N	N	N	N	Sec. 18.2.2.210 for Retail Uses Allowed in Railroad Historic District
Lumber Yard and Similar Sales of Building or Contracting Supplies, or Heavy Equipment	N	N	N	N	N	N	N	CU	P	
Marijuana Retail Sales, includes sale of medical and recreational marijuana	N	N	N	N	N	N	S or CU	S or CU	N	Per Sec. 18.2.3.190, marijuana retail sales are limited to the C-1 and E-1 zones and located on a boulevard or 200 feet or more from any residential zone, see Sec 18.2.3.190.
Nightclub, Bar	N	N	N	N	N	N	S	CU	P	Not allowed within the Historic District Overlay unless located in C-1-D
Office (See also Commercial Services)	N	N	CU	CU	N	N	P	P	P	
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Plant Nursery, Wholesale, except Marijuana Production	N	N	CU	CU	N	N	N	N	N	
E. Commercial Uses <i>(continued)</i> ⁵										
Self-Service Storage, Commercial (Mini-Warehouse)	N	N	N	N	N	N	N	CU	P	

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

Table 18.2.2.030 – Uses Allowed by Zone

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

Table 18.2.2.030 – Uses Allowed by Zone

	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
F. Industrial and Employment Uses <i>(continued)</i> ⁶										
Manufacture, Light; excluding saw, planing or lumber mills, or molding plants.	N	N	N	N	N	N	S	P	P	Requires assembly, fabricating, or packaging of products from previously prepared materials such as cloth, plastic, paper, cotton, or wood In the C-1 zone, manufacture or assembly of items sold in a permitted use, provided such manufacturing or assembly occupies 600 square feet or less, and is contiguous to the permitted retail outlet
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Television and Radio Broadcasting Studio	N	N	N	N	N	N	N	P	P	
Wholesale Storage and Distribution, includes Marijuana Wholesale	N	N	N	N	N	N	N	S	S	Deliveries and shipments limited to 7AM-9PM within 200 feet of a residential zone In E-1 and M-1 zones, marijuana wholesale is subject to the special use standards in Sec. 18.2.3.190
Wrecking, Demolition, and Junk Yards	N	N	N	N	N	N	N	N	CU	
G. Other Uses										

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

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

Section 18.2.3.120 is amended to read as follows:

18.2.3.120 Dwelling in Historic District Overlay

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

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

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

Section 18.2.3.130 is amended to read as follows:

18.2.3.130 Dwelling in Non-Residential Zone

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

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

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

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

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

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

Section 18.2.5.070 is amended to read as follows:

18.2.5.070 Maximum Permitted Residential Floor Area in Historic District

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

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

Section 18.3.12.020 is amended to read as follows:

Chapter 18.3.12 – Site Development and Design Overlays

Sections

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

18.3.12.010 Purpose

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

18.3.12.020 Applicability

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

Section 18.3.12.060 is amended to read as follows:

18.3.12.060 Pedestrian Place Overlay

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

B. Applicability

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

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

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

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

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

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

1. Special Permitted Uses. In addition to the permitted uses in the underlying residential zone, the following uses and their accessory uses are permitted subject to the requirements of this section.
 - a. Professional, financial, business and medical offices, and personal service establishments.
 - b. Stores, shops, and offices supplying commodities or performing services.
 - c. Restaurants.
 2. Development Standards and Limitations.
 - a. The maximum gross floor area occupied by a special permitted use shall be 2,500 square feet.
 - b. Special permitted uses shall be allowed in a building or in a group of buildings including a mixture of businesses and housing. At least 50 percent of the total gross floor area of a building, or of where there is more than one building on a site, 50 percent of the total lot area including accessory uses such as parking, landscaping and public space, shall be designated for residential uses.
 - c. The development shall meet the minimum housing density requirements of the underlying zone.
 - d. Mixed-use buildings shall be setback not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement.
 - e. Mixed-use developments shall have a minimum Floor Area Ratio (FAR) of .50. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Projects including existing buildings or vacant parcels of a half an acre or greater in size shall achieve the required minimum FAR or provide a shadow plan (see graphic) that demonstrates how development may be intensified over time to meet the required minimum FAR.
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Section 18.3.12.070 is added as follows:

18.3.12.070 Transit Triangle Overlay

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

Section 18.3.13.010 is amended as follows:

18.3.13.010 Residential Overlay Regulations

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

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

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

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

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

Section 18.4.3.030 is amended to read as follows:

18.4.3.030 General Automobile Parking Requirements and Exceptions

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

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

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

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

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

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

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

Section 18.4.3.040 is amended to read as follows:

18.4.3.040 Parking Ratios

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

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

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

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

Section 18.4.3.060 is amended to read as follows:

18.4.3.060 Parking Management Strategies

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

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

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

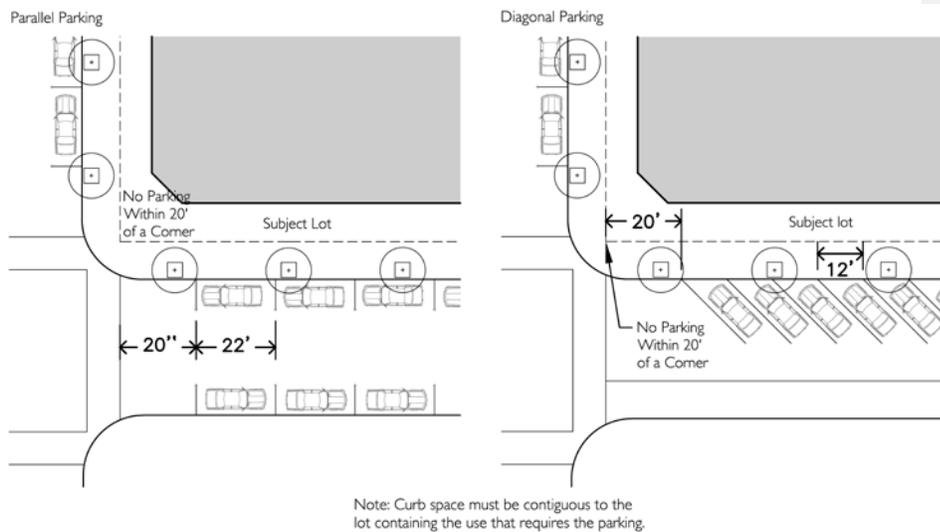


Figure 18.4.3.060.A.1
On-Street Parking Credit

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

Standards Option.

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

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

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

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

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

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

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

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

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

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

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

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

Section 18.6.1.030 is amended to read as follows:

18.6.1.030 Definitions

The following definitions are organized alphabetically.

Basement. That portion of a building with a floor-to-ceiling height of not less than six-and-a-half feet, where the perimeter walls do not exceed 12 feet above finished grade at any point, and where 50 percent or more of its perimeter walls are less than six feet above natural grade.

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

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

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

Floor Area. The area of an enclosed floor measured from the exterior faces of exterior walls or from the center line of walls separating two buildings.

- **Gross Floor Area.** The sum of the gross horizontal areas of all enclosed floors measured from the exterior faces of exterior walls or from the center line of walls separating two buildings, but excluding basements, attic space providing structural head room of less than six-and-a-half feet, and unenclosed steps, porches, terraces and balconies. Individual sections of this ordinance may exempt

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

additional spaces from gross floor area.

- **Gross Habitable Floor Area.** The sum of the gross horizontal areas of all enclosed floors with at least seven feet of headroom in a dwelling unit measured from the exterior faces of exterior walls or from the center line of walls separating two buildings, excluding uninhabitable spaces accessed solely by an exterior door.
- **Maximum Permitted Floor Area (MPFA).** The gross floor area of the primary dwelling, including but not limited to potential living spaces within the structure with at least seven feet of head room and attached garages. Basements, detached garages, detached accessory structures, and detached accessory residential units are not counted in the gross floor area for the MPFA calculation if separated from the primary dwelling by six feet or more. Similarly, unenclosed breezeways, and similar open structures connecting an exempt detached structure to the primary dwelling are not counted in the MPFA calculation.

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

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

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

Microcar. An automobile that is less than nine feet in length and typically is limited to two seats for passengers. Microcars can be parked in a head-in fashion in a parallel parking space so that one standard parallel parking space accommodate two microcars.

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

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

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

RECEIVED

JUN 14 2018

June 13th, 2018

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

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

Dear Ashland City Council and Planning Commission members,

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely,

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

RECEIVED

JUN 14 2018

Memo

DATE: July 24, 2017

TO: Ashland Planning Commission

FROM: Brandon Goldman, Senior Planner

RE: Housing Strategies – Regional Problem Solving Plan

The Regional Plan developed and adopted through the Regional Problem Solving (RPS) requires the development of a regional housing strategy within five years of acknowledgement of the Regional Plan. The Regional Plan was acknowledged on March 7, 2013, meaning that the regional housing strategy needed to be developed by March 7, 2018. The regional housing strategy is still under development.

The requirement in the Regional Plan is broad and does not specify what a housing strategy would include. The requirement is as follows:

Housing Strategies. Participating jurisdictions shall create regional housing strategies that strongly encourage a range of housing types throughout the region within 5 years of acknowledgement of the RPS Plan.

Housing strategies in Oregon generally focus on two broad issues: (1) increasing efficiency of land use in residential development and (2) strategies that encourage development of affordable housing of low-income housing (i.e., housing for households earning less than 60% of median family income) and affordable workforce housing (i.e., housing for households earning 60% to 120% of median family income). Additionally strategies relating to identifying financial incentives in support of needed housing are also being evaluated as part of this endeavor.

The second dimension of the RPS Plan requirement relates to coordinating a regional approach for the RPS communities and Jackson County. It is both appropriate and desirable that local governments establish their own strategies and that they think regionally about those strategies. The challenge then is ensuring alignment among regional strategies that are adopted by several local governments. To this end ECONorthwest is working with the Regional Problem Solving Committee and the Department of Land Conservation and Development to develop a regional housing strategy, as required by the Regional Plan. This effort includes assisting the communities of Jackson County in evaluating local housing programs and land use codes to identify housing strategies to be considered to address the goal of encouraging a range of housing types.



EcoNorthwest has prepared the attached “Ashland Housing Strategy” document after a review of our land use code and existing housing programs. As the region moves forward on adopting a regional housing plan, each City will be tasked with determining which identified strategies can be implemented, and would be most effective at a local level. In advance of this effort Staff wanted to present these draft housing strategies prepared for Ashland to the Planning Commission and the Housing and Human Services Commission for general discussion.



DATE: 7/10/2018
TO: Brandon Goldman
FROM: Beth Goodman
SUBJECT: ASHLAND HOUSING STRATEGY: DRAFT STRATEGY

The City of Ashland has conducted a substantial amount of research about Ashland's housing market and housing needs within the City. In 2012, Ashland updated its Comprehensive Plan Housing Element, which includes a Housing Needs Analysis. Ashland has adopted numerous policies to address the City's housing needs, including encouraging more affordable single family housing types through adoption of the cottage housing ordinance to promote small units on small lots, removing barriers for manufactured housing through elimination of design standards, allowing accessory residential units as a permitted use in single Family and multifamily residential zones. Ashland is in the process of developing a zoning overlay for the Ashland Transit Triangle area to promote the development of residential units in commercial and employment zones.

Ashland is one of the communities that adopted the Regional Plan, which was developed through Regional Problem Solving (RPS). The Regional Plan requires the development of a regional housing strategy within five years of acknowledgement of the Regional Plan, by March 2018. The requirement in the Regional Plan is broad and does not specify what a housing strategy would include. The requirement is as follows:

Housing Strategies. Participating jurisdictions shall create regional housing strategies that strongly encourage a range of housing types throughout the region within 5 years of acknowledgement of the RPS Plan.

Housing strategies in Oregon generally focus on two broad issues: (1) increasing efficiency of land use in residential development; and (2) strategies that encourage development of housing affordable to low- and middle-income households. These strategies may be mutually supportive, as housing developed more densely or on smaller lots (i.e., more efficient use of residential land) may result in development of lower-cost housing. Increased densities, however, do not necessarily equate to affordability. Moreover, encouraging development of affordable housing requires a broader focus than issues related to land use efficiency.

Ashland's housing sales prices are higher than in other cities in the Rogue Valley. At the beginning of 2018, the median home sales prices for existing housing in Ashland were \$410,000, an increase of \$85,500 or 25% from 2013. Ashland's housing prices for existing housing were \$142,000 or 50% higher than the median home costs for housing in urban areas.¹

Housing costs have increased faster than incomes in Ashland over the last decades. The median home value in Ashland increased from 5.8 times the median household income in 2000 to 7.7

¹ Data source: Rogue Valley Realtors

times median household income in the 2011-2015 period. One measure of housing affordability is whether a household is cost burdened. HUD defines a household as cost burdened if the household pays more than 30% of its gross income on housing costs, such as rent or mortgage, utilities, and housing insurance and property taxes. Forty-six percent of households in Ashland are cost burdened, with 32% of homeowners cost burdened and 62% of renters cost burdened.²

This memorandum presents a housing strategy for the City of Ashland that is intended to meet the RPS requirement of developing a housing strategy. It presents housing strategies to address regulatory issues and strategies to increase development of affordable housing.

Definitions

Within this memorandum, affordable housing is divided into the three-categories based on income: (1) housing for low-income households (e.g., households earning less than 60% of Median Family Income); (2) housing for moderate-income households (e.g., households earning between 60% and 80% of Median Family Income); and (3) housing for middle-income households (e.g., households earning between 80% and 120% of Median Family Income).

According to HUD, the Median Family Income in Jackson County in 2017 is \$53,600, which is an average income of \$4,467 per month. HUD guidelines specify the affordable monthly housing costs should not exceed 30% of gross household income. Table 1 shows how affordability is defined for the purpose of this strategy.

Table 1. Definition of affordable housing based on 2017 Median Family Income for Jackson County

	Percent of Median Family Income	Monthly Income in 2017	Affordable Monthly Housing Costs in 2017
Low-income affordable housing	Low Income: 0% - 60%	Up to \$2,680	Up to \$804
Moderate-income affordable housing	Lower Middle: 60% to 80%	\$2,680 to \$3,575	\$804 to \$1,072
Middle-income affordable housing	Upper Middle: 80% to 120%	\$3,575 to \$5,360	\$1,072 to \$1,608

Ashland’s 2012 Housing Needs Analysis identified the need for approximately 769 rental units targeted to households earning less than 50% of the AMI and approximately 251 ownership units for households with incomes below 50% AMI. Ashland’s Housing Needs analysis concluded “...that the City should plan for a larger share of multiple family housing, and for a greater number of single family housing types on smaller lots.”

² Data sources: 2000 Decennial Census, 2011-2015 American Community Survey.

This memorandum also discusses housing development densities. As part of the RPS, the City of Ashland was the only participating city to not identify urban reserves as it was determined that existing lands within the city limits and urban growth boundary were sufficient to accommodate anticipated growth over the planning period.

Over the 2007 to 2016 period, the average density of new single-family development was 5.5 dwelling units per gross acre. The average density of new multifamily housing over the same period was 10.4 dwelling units per gross acre.

Regulatory Reforms

The policies and actions discussed in this section relate to changes in Ashland's land use regulations that can: (1) improve the efficiency of residential land use by increasing the concentration of housing under certain circumstances, (2) increase opportunity for development of housing types that are comparatively affordable, such as missing middle housing types (such as duplexes, townhouses, cottage housing, or garden apartments), or (3) both increase land use efficiency and provide opportunities for development of comparatively affordable housing.

Policy 1: Provide a variety of housing types in Ashland that is more affordable to middle-income households, as well as provide opportunities for development of housing affordable to moderate- and low-income households.

Action 1.a: Ensure that land within the Ashland UGB is zoned to allow for development of moderate and higher density housing when possible, such as the R-1-5 or R-1-3.5 zones. Identify land in the R-1-7.5 and R-1-10 to upzone where appropriate, focusing on tax lots one acre and larger.

Implementation Steps: Work with property owners to potentially establish appropriate zoning designations where up-zoning opportunities are identified and implement these policies through a public process.

Priority: Medium; on-going

Action 1.b: When rezoning residential land or annexing land into the city, to the extent possible, avoid zoning land RR or WR, except where land has steep slopes that make denser development difficult.

Implementation Steps: Work with property owners to establish appropriate zoning designations where up-zoning opportunities are identified or when is land is annexed into the city and implement these policies through a public process.

Priority: On-going

Action 1.c: Allow Manufactured Home Parks as a permitted use in the R-1-3.5 and R-3 zones. Manufactured Home Parks are a not allowed use in these zones. ORS 197.480 (1) (b) requires that cities allow manufactured dwelling parks

as a permitted use in areas zoned for a residential density of six to 12 units per acre. Each of these four zones allow at least six to 12 units per acre.

Implementation Steps: Revise the permitted uses in the R-1-3.5 and R-3 zones.

Priority: High

Policy 2: Encourage development of new multifamily in areas zoned for multifamily housing and commercial areas by increasing the amount and density of multifamily development.

Action 2.a: Continue working to implement the zoning overlay from the Ashland Transit Triangle project. This project offers recommendations for changes to development standards, such as decreasing parking requirements for dwellings smaller than 800 square feet, allowing four-story buildings in E-1 and C-1 zones, and three-story buildings in R-2 and R-3 zones, eliminating maximum densities, requiring smaller units, and other changes in development standards to promote small units at a higher density.

Implementation Steps: Continue working to develop the Ashland Transit Triangle project

Priority: High

Action 2.b: Evaluate opportunities to upzone land to the R-2 and R-3 zones to allow higher density development. Focus upzoning efforts on vacant parcels at one acre in areas where moderate- and higher-density housing would be appropriate.

Implementation Steps: Work with property owners to establish appropriate zoning designations where up-zoning opportunities are identified and implement these policies through a public process.

Priority: High

Action 2.c: Develop policies to encourage development of multifamily rental housing in the R-2 and R-3 zones. Potential policies include:

Requiring that multiple units be retained on a single tax lot under one ownership to promote development of rental housing.

For developments of multifamily structures with four or more dwelling units, require a minimum percentage of total units are designated as rental units.

Implementation Steps: Identify the policies to encourage development of multifamily rental housing and the areas to apply the policies. Implement these policies through a public process.

Priority: High

Action 2.d: Evaluate opportunities to increase density in the R-1-3.5 zone to allow development of multifamily housing above 7.2 dwelling units per gross acre outright (without relying on a density bonus).

Implementation Steps: Revise the zoning code to allow higher densities.

Priority: High

Action 2.e: Evaluate opportunities to increase density in the R-2 zone to allow development of multifamily housing above 13.5 dwelling units per gross acre outright (without relying on a density bonus). Consider allowing development up to 18 dwelling units per acre of multifamily housing.

Implementation Steps: Revise the zoning code to allow higher densities.

Priority: High

Action 2.f: Evaluate opportunities to increase density in the R-3 zone to allow development of multifamily housing above 20 dwelling units per acre outright (without relying on a density bonus). The city could establish a higher density, such as 30 dwelling units per acre, or establish no maximum density and allow other development standards (e.g., building height, setback, parking requirements, and lot coverage) to limit density.

Implementation Steps: Revise the zoning code to allow higher densities.

Priority: High

Action 2.g: Increase the multifamily building height from 35 feet tall, which would allow a 2.5 story building to allow a three-story building, in the R-2 zone.

Implementation Steps: Revise the zoning code to change height limitations.

Priority: High

Action 2.h: Increase the multifamily building height from 35 feet tall, which would allow a 2.5 story building to allow a four-story building, in the R-3 zone.

Implementation Steps: Revise the zoning code to change height limitations.

Priority: High

Action 2.i: Increase the maximum lot coverage ratio from 75% in R-3 to 80%.

Implementation Steps: Revise the zoning code to change lot coverage ratio in R-3.

Priority: Low

Action 2.j: Evaluate opportunities to reduce parking requirements for multifamily housing in the R-2, R-3 zone and commercial zones, such as the proposed parking standards from the Ashland Transit Triangle project. The city could develop policies to lower parking requirements by 0.25 to 0.5 spaces

per unit for multifamily rental housing or for qualified low-income housing.

Implementation Steps: Evaluate the impact of policies of reducing parking requirements for multifamily development and implement.

Priority: Medium

Action 2.k: Evaluate the impact of changes in the proposed Ashland Transit Triangle project for housing production in commercial and employment zoning districts, including Croman Mill District (CM). Consider opportunities to implement the change in policy and development standards in other areas of Ashland to increase development of multifamily housing in commercial and employment zones.

Implementation Steps: Evaluate the impact of the policies from the Transit Triangle project and implement appropriate and effective changes in the City's density standards.

Priority: Low

Action 2.l: In commercial zones that allow mixed-use buildings, increase height limitations to allow for ground floor commercial or retail use and five stories of residential units.

Implementation Steps: Revise the zoning code to change height limitations.

Priority: High

Policy 3: Monitor residential land development to ensure there is enough residential land to accommodate the long-term forecast for population growth.

Action 3.a: Develop and implement a system to monitor the supply of residential land. This includes monitoring residential development (through permits) as well as land consumption (e.g. development on vacant, or redevelopable lands).

Implementation Steps: (1) Develop a monitoring system for land development based on development applications, starting with the existing inventory of buildable lands. (2) Update the inventory of buildable lands every two to three years.

Priority: High

Affordable Housing Strategies

This section presents policies and actions to encourage development of both low-income affordable housing and middle-income affordable housing. Table 1 shows that low-income households have income below \$2,680 per month and can afford up to \$804 in housing costs without being cost burdened. These housing costs are below market rents in Jackson County. New housing affordable to low-income households will generally be government-subsidized housing.

Middle income households on the lower end of the spectrum in Table 1 may be able to afford to rent units which are mandated to rent at a rate which is below market. At the other end of the middle income spectrum, households may be able to afford to purchase units that are mandated to sell at a below market cost through the City of Ashland's Housing Program, or perhaps a lower cost housing type such as a manufactured home, a condominium unit, or a town home. With a median sales price of \$410,000 and a median rental amount of over \$1000, (according to the 2015 American Community Survey) there are very few market rate rental or purchase housing units available in Ashland that would be affordable to middle income households.

Policy 4 and 5 present options and ideas for strategies to approach affordable housing issues. **The City should focus on expanding the existing comprehensive affordable housing program by implementing interrelated programs described below.** The affordable housing tools in Policy 4 are frequently implemented together. For example, a city may contribute the development of a government-subsidized affordable housing project by offering tax incentives and low- or no-cost land (from a land bank) for the development. In addition, identifying sources of funding (under Policy 5) will be essential to implementing the affordable housing program using the tools described in Policy 4.

Policy 4: Develop policies to support affordable housing by lowering the costs of housing development for low-income affordable housing and/or middle-income affordable housing.

Action 4.a: Evaluate opportunities to implement a tax abatement program, such as the multiple-unit limited tax exemption program and the vertical housing tax credit program, to promote development of affordable multifamily housing.

Through the Multiple-Unit Limited Tax Exemption Program,³ a jurisdiction can incent diverse housing options in urban centers that lack housing choices or workforce housing units. Through a competitive process, the City can select multi-unit projects to receive a property tax exemption for up to ten years on structural improvements to the property in exchange for setting aside a percentage of the units in the project as affordable. The City

³ ORS 307.600 through 307.637 provides the regulations for the Multiple-Unit Limited Tax Exemption Program.

has the opportunity to control the geography of where the exemption is available, the application process and fees, the program requirements, the criteria (return on investment, sustainability, inclusion of community space, the percentage of affordable or workforce housing, etc.), and the program cap to shape the program to achieve its goals.

The vertical housing tax credit subsidizes "mixed-use" projects to encourage multi-story development or redevelopment by providing a partial property tax exemption on increased property value for qualified developments. The exemption varies in accordance with the number of residential floors on a mixed-use project with a maximum property tax exemption of 80 percent over 10 years.

Implementation Steps: (1) Select the tax abatement programs the City prefers to implement. (2) Set the program criteria, such as the type of housing it will apply to (low-income affordable housing and/or middle-income affordable housing), the length of tax abatement, or the location for where the program is applied.

Priority: High

Partners: Developers and nonprofit organizations that use the tax credit

Action 4.b: Develop a program to finance or defer payment of systems development charges (SDCs) and other fees for to support development of selected housing types for which the City wants to encourage development, such as accessory dwelling units.

The purpose of the policy is to defer payment of SDCs, making it easier for the development community to pay for projects by reducing upfront costs. The City could defer payment of the SDCs from issuance of a building permit to certificate of occupancy. Alternatively, the City may finance SDCs for up to five to ten years. While SDC financing is most frequently used for multifamily housing, some cities use it for development of single-family housing.

Implementation Steps: (1) Evaluate whether the City will defer SDCs. (2) Select the type of deferral, until occupancy certificate is issued or longer-term deferral through SDC financing. (3) Set the criteria and process for granting deferrals of SDCs, including type of housing. (4) Set the criteria for the location for where SDC deferrals might be granted, such as for high-density multifamily development in commercial mixed-use areas.

Priority: High

Partners: Developers and nonprofit organizations that use the program

Action 4.c: Evaluate use of Oregon’s Inclusionary zoning program, which allows for a jurisdiction to implement an inclusionary zoning policy if it meets certain requirements. These requirements relate to the income at which the units are affordable (80% MFI or 60% MFI), the percent of the project set aside as affordable (no greater than 20% of the project), the size of the structure (only multifamily structures with at least 20 units) and the requirement for both an in-lieu fee option and incentive package.

In theory, private market-rate development supports some portion of the cost of the affordable units in an inclusionary project. However, in almost all cases, public incentives are also required. These incentives can be regulatory (reduced parking requirements or density bonuses, for example) or financial (property tax abatements or other forms of public investment). Funds can come from general fund, urban renewal, or other municipal sources described in Policy 5.

Implementation Steps: Identify one or more funding sources, such as those in Actions 5a, 5b, and 5c to provide the necessary incentives to support inclusionary zoning. Develop an inclusionary zoning policy.

Priority: Medium

Action 4.d: Continue to identify publicly-owned properties that could be used for affordable housing and partner with the Housing Authority of Jackson County, Access, Habitat for Humanity, Neighborworks, OHRA and other affordable housing providers to continue to develop affordable housing.

The City of Ashland may have publicly-owned properties that they have identified as surplus that may be suitable for affordable housing development. These surplus properties could contribute to the land bank for future low-income affordable housing development.

Another potential source of properties is receivership of properties that are foreclosed on by Jackson County. The City could partner with Jackson County to identify foreclosed properties to use for affordable housing development and to transfer the ownership to the City or the appropriate partner.

Implementation Steps: (1) Establish partnerships with the Housing Authority of Jackson County, non-profit affordable housing providers, and Jackson County for the program. (2) Develop a formal agreement with Jackson County to give the City priority choice of foreclosed properties. (3) Develop criteria for selecting foreclosed properties to add to land bank.

Priority: On-going, Medium priority

Partners: Housing Authority of Jackson County and Jackson County

Policy 5: Develop funding sources to pay for the costs of implementing the affordable housing programs described in Policy 4 and fund the City’s Affordable Housing Trust Fund.

Action 5.a: Develop a Construction Excise Tax (CET) on new development to pay for developer incentives, such as fee and SDC waivers, tax abatements, or finance-based incentives.

Ashland dedicates a portion of marijuana taxes (\$100,000 annually), is a recipient of CDBG funding from the federal government, and uses city general funds to support the Housing Program staff and the development of affordable housing. In addition, City programs waive SDCs and, in some cases, waive community development and engineering fees to support affordable housing.

However, this funding is not sufficient to meet the need for affordable housing in Ashland. Further support of affordable housing development can make an important difference in the financial feasibility in the housing development, increasing the opportunities for affordable housing development.

Cities can adopt a CET of 1% of the permit value on residential construction and at an uncapped rate on commercial and industrial construction, for use on affordable housing projects. A CET is a tax assessed on construction permits issued by local cities and counties. The tax is assessed as a percent of the value of the improvements for which a permit is sought, unless the project is exempted from the tax.

Implementation Steps: Evaluate potential adoption of a CET. If the City chooses to adopt a CET, develop the rules and program to implement the CET. Identify the affordable housing program(s) that the CET will support.

Priority: High

Partners: Housing and Human Services Commission, Jackson County Homebuilders Association, Association of Realtors

Estimate of impact: The impact varies depending on the resulting programs that use the CET revenues, how much revenue is generated, and if new housing also has to pay a CET.

One of the largest limitations that cities generally face in supporting affordable housing development is a lack of funding. CET could be a crucial funding source to pay for other affordable housing policies, such as paying SDCs for low-income affordable housing.

Action 5.b: Evaluate establishment of an urban renewal district. Part of the purpose of the urban renewal district would be to use revenues from tax increment

finance (TIF) to pay for a portion of the costs of the affordable housing programs in Policy 4. The urban renewal district would need to include areas of blight, where the City wants to support redevelopment, beyond development of affordable housing.

Urban renewal funds can be invested in the form of low interest loans and/or grants for a variety of capital investments, including infrastructure to service affordable housing and development of affordable housing units.

Implementation Steps: Work with the City Council to decide whether to establish an urban renewal district. Affordable housing projects developed within the Urban Renewal funding may be combined with other programs, such as land banking, payment of SDCs for government-subsidized affordable housing, or use of other affordable housing funding (e.g., CET funds).

Priority: Medium

Partners: Housing Authority of Jackson County, Access Inc., or a community development corporation

Estimate of impact: The impact on development feasibility will vary from moderate to high depending on whether TIF dollars are used for grants or loans. Typically, general fund dollars are successful at bridging gaps in development feasibility. Additionally, compared to other actions, they have lower administration costs for both the private and public sectors because the application requirements and administrative requirements may be less costly and easier to implement for a city.

Action 5.c: Identify other sources of funding to pay, such as transient lodging taxes, for programs that support affordable housing development. As discussed in Action 5a, Ashland does not currently have sufficient funding to adequately support affordable housing development.

Implementation Steps: Identify one or more appropriate funding sources. Dedicate this funding to the Affordable Housing Trust Fund or another program to support development of affordable housing.

Priority: High

Partners: Housing Advisory Committee, Jackson County Homebuilders Association, Association of Realtors

Estimate of impact: The impact varies depending on the resulting programs that use the revenues and how much revenue is generated.