

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

**ASHLAND PLANNING COMMISSION
STUDY SESSION
August 28, 2018
AGENDA**

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

- II. **ANNOUNCEMENTS**

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

- IV. **PUBLIC FORUM**

- V. **DISCUSSION ITEMS**
 - A. Planning Commission Report on Infill Strategy Ordinance Amendments for the Transit Triangle (PA-L-2018-00001)
 - B. Regional Plan: Ashland Housing Strategies
 - C. Set a standard Planning Commission Retreat date

- 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).

Planning Commission Report

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

Summary

The Planning Commission recommends approval of the proposed ordinance and map amendments to implement the recommendations of the infill strategy report prepared by Fregonese Associates. The proposed amendments cover the area surrounding the bus route in the southeastern part of Ashland that circulates on Ashland St., Tolman Creek Rd., and Siskiyou Blvd., also referred to as the transit triangle. The proposal includes a new Chapter 18.3.14 Transit Triangle Overlay, a Transit Triangle (TT) overlay map and a series of amendments to the Ashland Municipal Code (AMC) Title 18 Land Use (PA-L-2018-00002).

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

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

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

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

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

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

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



Background

A. Infill Strategy for Transit Triangle

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

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

1. Building Step Back

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

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

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

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



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

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

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

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

2. Required Amount of Commercial and Employment Uses

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

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



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

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

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

3. Rental Housing Requirement

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

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



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

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

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

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



B. Miscellaneous Edits and Corrections

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

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

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

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

- **AMC 18.2.3.130 and 18.3.13.010**

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

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



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

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

- **AMC 18.4.3.030**

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

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

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

- **AMC 18.6.1.030**

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

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



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

Proposed Legislative Amendment

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

A. Changes in Circumstances

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

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

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

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

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



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

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

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

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

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

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

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



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

B. Transit Triangle Location

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

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

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

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

C. Applicable Goals and Policies

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

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

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



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

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

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

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

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

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

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

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

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



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 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.

18.3.14 – Transit Triangle Overlay

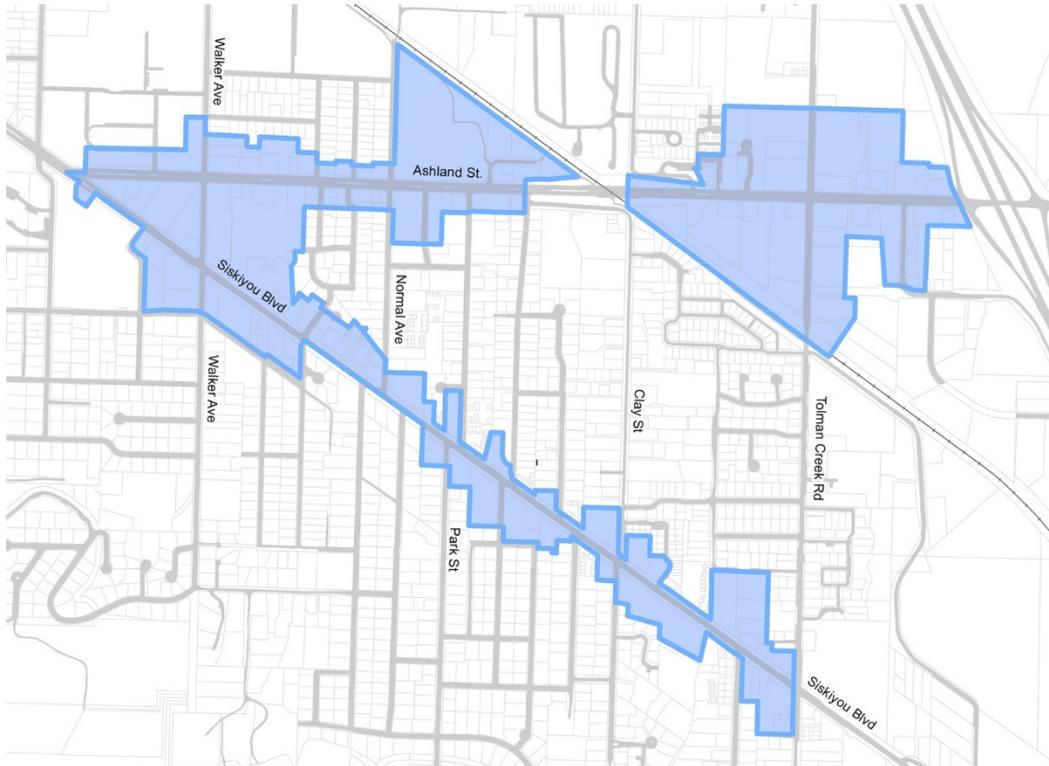


Figure 18.3.14.020
Transit Triangle (TT) Overlay

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

18.3.14 – Transit Triangle Overlay

18.3.14.050 Dimensional Standards

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

The dimensions shall conform to the standards in Table 18.3.14.050.

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

18.3.14 – Transit Triangle Overlay

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

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

18.3.14.060 Site Development and Design Standards

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

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

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

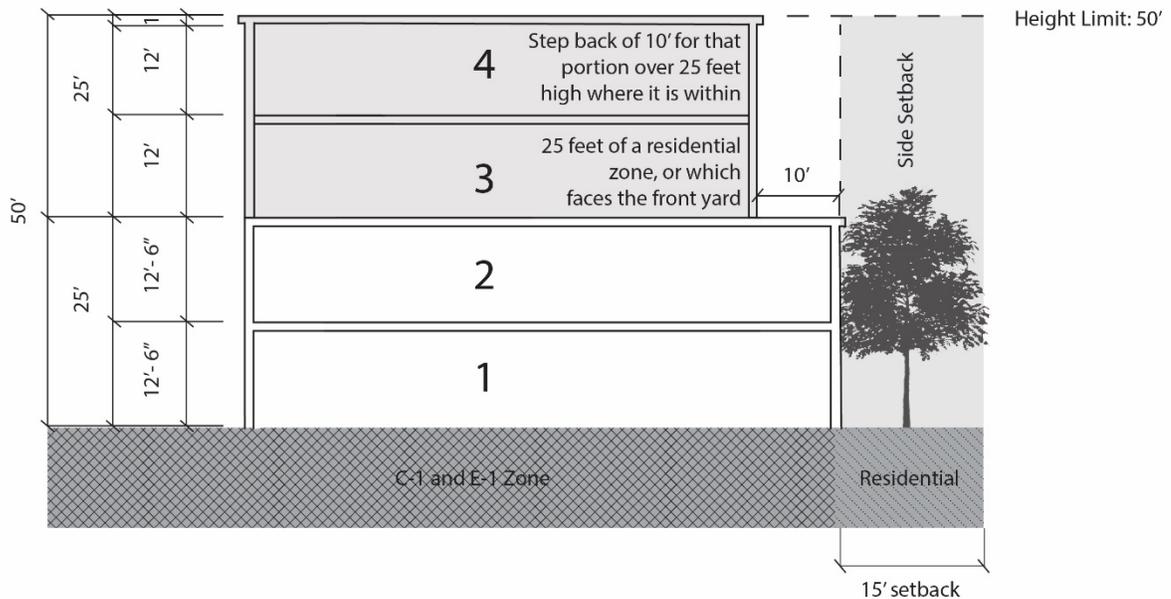


Figure 18.3.14.060.A.1.a

18.3.14 – Transit Triangle Overlay

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

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

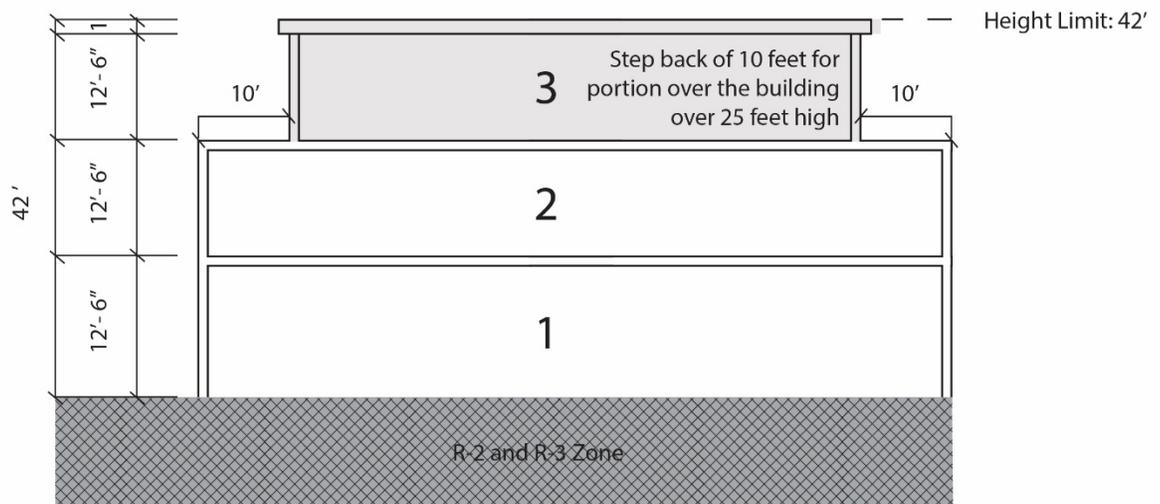


Figure 18.3.14.060.B.1.a

18.3.14 – Transit Triangle Overlay

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

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

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

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

Section 18.2.2.030 is amended to read as follows:

18.2.2.030 Allowed Uses

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

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

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
A. Agricultural Uses¹										
Agriculture, except Keeping of Bees, Livestock and Micro-Livestock, Homegrown Marijuana Cultivation, and Marijuana Production	P	P	P	P	P	P	N	N	N	Animal sales, feed yards, keeping of swine, commercial compost, or similar uses not allowed
Keeping of Bees	S	S	S	S	S	S	N	N	N	Sec. 18.2.3.160
Keeping of Livestock	S	N	N	N	S	S	N	N	N	
Keeping of Micro-Livestock	S	S	S	S	S	S	N	N	N	
Marijuana Cultivation, Homegrown	S	S	S	S	S	S	S	S	S	Sec. 18.2.3.190 See General Industrial, Marijuana Production
B. Residential Uses										
Single-Family Dwelling	P	P	P	P	P	P	S	S	N	See Single-Family standards in Sec. 18.2.5.090 Sec. 18.2.3.130 for C-1 zone and E-1 zone. Dwellings and additions in Historic District Overlay, see Sec. 18.2.3.120 and 18.2.5.070
Accessory Residential Unit	P or S	P or S	S	S	P or S	N	N	N	N	Sec. 18.2.3.040 and Sec. 18.5.2.020.C.2
Cottage Housing	S	N	N	N	N	N	N	N	N	Sec. 18.2.3.090 Cottage Housing
Duplex Dwelling	S	P	P	P	N	N	S	S	N	Sec. 18.2.3.110 Duplex Dwelling

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

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
B. Residential Uses²(continued)										
Manufactured Home on Individual Lot	S	S	S	S	N	N	N	N	N	Sec. 18.2.3.170 and not allowed in Historic District Overlay
Manufactured Housing Development	N	S	CU+S	N	N	N	N	N	N	Sec. 18.2.3.180
Multifamily Dwelling	N	P	P	P	N	N	S	S	N	Sec. 18.2.3.130 for C-1 zone and E-1 zone <u>Dwellings in Transit Triangle (TT) overlay, see chapter 18.3.14</u> Dwellings and additions in Historic District Overlay, see Sec. 18.2.3.120 and 18.2.5.070
Rental Dwelling Unit Conversion to For-Purchase Housing	N	N	S	S	N	N	N	N	N	Sec. 18.2.3.200
Home Occupation	S	S	S	S	S	S	S	S	N	Sec. 18.2.3.150
C. Group Living										
Nursing Homes, Convalescent Homes	CU	CU	CU	CU	CU	CU	N	N	N	See chapter 18.3.3 Health Care Services
Residential Care Home	P	P	P	P	P	P	N	N	N	Subject to State licensing requirements
Residential Care Facility	CU	P	P	P	CU	CU	N	N	N	Subject to State licensing requirements
Room and Boarding Facility	N	P	P	P	N	N	N	N	N	
D. Public and Institutional Uses										
Airport										See chapter 18.3.7 Airport Overlay

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

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
D. Public and Institutional Uses <i>(continued)</i> ³										
Cemetery, Mausoleum, Columbarium	N	N	N	N	CU	N	N	N	N	
Child Care Facility	CU	CU	CU	CU	CU	CU	P	P	P	Family Child Care Home exempt from planning application procedure pursuant to ORS 329A.440, see part 18.6 for definition
Club Lodge, Fraternal Organization	CU	CU	CU	CU	CU	CU	P	CU	CU	
Electrical Substation	N	N	N	N	N	N	CU	CU	P	
Hospitals	CU	CU	CU	CU	CU	N	N	N	N	See chapter 18.3.3 Health Care Services
Governmental Offices and Emergency Services (e.g., Police, Fire); excluding Outdoor Storage	CU	CU	N	N	CU	CU	P	P	P	
Mortuary, Crematorium	N	N	N	N	CU	N	P	P	P	
Public Park, Open Space, and Recreational Facility, including playgrounds, trails, nature preserves, athletic fields, courts, swim pools, similar uses	P	P	P	P	P	P	N	N	N	
Public Parking Facility	N	N	N	N	N	N	P	P	P	
Recycling Depot	N	N	N	N	N	N	N	P	P	Not allowed within 200 ft of a residential zone
Religious Institution, Houses of Worship	CU	CU	CU	CU	CU	CU	CU	CU	CU	
School, Private (Kindergarten and up)	CU	CU	CU	CU	CU	CU	N	N	N	
School, Public (Kindergarten and up)	P	P	P	P	P	CU	N	N	N	

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

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
D. Public and Institutional Uses <i>(continued)</i> ⁴										
School, Private College/Trade/Technical School	N	N	N	N	N	N	N	CU	P	
Utility and Service Building, Yard and Structure, Public and Quasi-Public, excluding electrical substations	CU	CU	N	N	CU	CU	P	P	P	Includes public service building, yard, and structures such as public works yards Yards not allowed in the RR, WR, and C-1 zone
Wireless Communication Facility	CU	CU	CU	CU	CU	CU	P or CU	P or CU	P or CU	Sec.18.4.10
E. Commercial Uses										
Amusement/Entertainment, includes theater, concert hall, bowling alley, miniature golf, arcade; excluding drive-up uses	N	N	N	N	N	N	P	CU	P	
Automotive and Truck Repair, or Service; includes fueling station, car wash, tire sales and repair/replacement, painting, and other repair for automobiles, motorcycles, aircraft, boats, RVs, trucks, etc.	N	N	N	N	N	N	S or CU	S or CU	P	Sec. 18.2.3.050 In C-1 zone, fuel sales and service is a permitted use provided within the Freeway Overlay, see chapter 18.3.8; conditional use in locations outside of Freeway Overlay In E-1 zone, auto and truck repair is a permitted use if 200 feet or more from residential zones; fuel sales and service requires CU permit
Automotive Sales and Rental, except within the Historic Interest Area; includes motorcycles, boats, RVs, and trucks	N	N	N	N	N	N	CU	CU	P	Not allowed within Historic District Overlay

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

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
E. Commercial Uses (continued) ⁵										
Accessory Travelers' Accommodation (See also Travelers' Accommodation)	N	N	CU+S	CU+S	N	N	N	N	N	Sec. 18.2.3.220
Bakery, except as classified as Food Processing	N	N	N	N	N	N	P	P	P	
Commercial Laundry, Cleaning, and Dyeing Establishment	N	N	N	N	N	N	S	S	P	Sec. 18.2.3.080
Commercial Recreation, includes country club, golf course, swimming club, and tennis club; excluding intensive uses such as driving range, race track, or amusement park	CU	CU	N	N	CU	CU	N	N	N	
Drive-Up Use	N	N	N	N	N	N	S	N		Per Sec. 18.2.3.100, Drive-Up uses are limited to area east of Ashland St at intersection of Ashland St/Siskiyou Blvd
Hostel	N	N	CU	CU	N	N	CU*	N	N	*In C-1 zone, requires annual Type I review for at least the first three years, after which time the Planning Commission may approve a permanent facility through the Type II procedure
Hotel/Motel	N	N	N	N	N	N	CU	CU	P	
Kennel (See also Veterinary Clinic)	N	N	N	N	N	N	S	S	CU	No animals kept outside within 200 feet of a residential zone
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

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

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
E. Commercial Uses (continued)⁶										
Lumber Yard and Similar Sales and Rental of Building or Contracting Supplies, or Heavy Equipment	N	N	N	N	N	N	CU	CU	P	
Marijuana Retail Sales, includes sale of medical and recreational marijuana	N	N	N	N	N	N	S or CU	S or CU	N	Per Sec. 18.2.3.190, marijuana retail sales are limited to the C-1 and E-1 zones and located on a boulevard or 200 feet or more from any residential zone, see Sec 18.2.3.190.
Nightclub, Bar	N	N	N	N	N	N	S	CU	P	Not allowed within the Historic District Overlay unless located in C-1-D
Office	N	N	CU	CU	N	N	P	P	P	
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Plant Nursery, Wholesale, except Marijuana Production	N	N	CU	CU	N	N	N	N	N	
Restaurants	N	N	N	N	N	N	P	P	P	

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

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
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)⁷										
Self-Service Storage, Commercial (Mini-Warehouse)	N	N	N	N	N	N	N	CU	P	
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	

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

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

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

Table 18.2.2.030 – Uses Allowed by Zone										
	R-1	R-1-3.5	R-2	R-3	RR	WR	C-1 & C-1-D	E-1	M-1	Special Use Standards
F. Industrial and Employment Uses <i>(continued)</i> ⁹										
Outdoor Storage of Commodities or Equipment associated with an allowed use	N	N	N	N	N	N	CU	CU	P	
Television and Radio Broadcasting Studio	N	N	N	N	N	N	N	P	P	
Wholesale Storage and Distribution, includes Marijuana Wholesale	N	N	N	N	N	N	N	S	S	Deliveries and shipments limited to 7AM-9PM_within 200 feet of a residential zone In E-1 and M-1 zones, marijuana wholesale is subject to the special use standards in Sec. 18.2.3.190
Wrecking, Demolition, and Junk Yards	N	N	N	N	N	N	N	N	CU	
G. Other Uses										
Temporary Tree Sales	N	N	N	N	N	N	P	N	N	Allowed from November 1 to January 1
Temporary Use	CU, except uses lasting less than 72 hours are subject to Ministerial review, per Sec. 18.2.2.030.H									

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

Section 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.

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 uses and uses permitted with special use standards, not including residential uses.**
 - b. **More Than One Building. When a planning application includes more than one building, the equivalent of at least 65 percent of the gross floor area of the ground floor for all buildings shall be designated for permitted uses and uses permitted with special use standards, not including residential uses.**

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

Section 18.2.5.070 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.

Section 18.3.12.020 is amended to read as follows:

Chapter 18.3.12 – Site Development and Design Overlays

Sections

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

18.3.12.010 Purpose

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

18.3.12.020 Applicability

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

Section 18.3.12.060 is amended to read as follows:

18.3.12.060 Pedestrian Place Overlay

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

B. Applicability

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

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

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

- D. Development Standards.** The following standards shall apply to development in the Pedestrian Places overlay in addition to all applicable provisions of this ordinance.
1. Building Setbacks. The solar access setback in chapter 18.4.8 Solar Access applies only to those lots abutting a residential zone to the north.
 2. Plazas and Landscaping Ratio. Outdoor seating areas, plazas, and other useable paved surfaces may be applied toward meeting the landscaping area requirements in chapter 18.4.4 Landscaping, Lighting, and Screening, but shall not constitute more than 50 percent of the required area.
- E. Development in Residential Zone.** The following standards apply to development located in the Pedestrian Places overlay and a residential zone, in addition to all applicable provisions of this ordinance.
1. Special Permitted Uses. In addition to the permitted uses in the underlying residential zone, the following uses and their accessory uses are permitted subject to the requirements of this section.
 - a. Professional, financial, business and medical offices, and personal service establishments.
 - b. Stores, shops, and offices supplying commodities or performing services.
 - c. Restaurants.
 2. Development Standards and Limitations.
 - a. The maximum gross floor area occupied by a special permitted use shall be 2,500 square feet.
 - b. Special permitted uses shall be allowed in a building or in a group of buildings including a mixture of businesses and housing. At least 50 percent of the total gross floor area of a building, or of where there is more than one building on a site, 50 percent of the total lot area including accessory uses such as parking, landscaping and public space, shall be designated for residential uses.
 - c. The development shall meet the minimum housing density requirements of the underlying zone.
 - d. Mixed-use buildings shall be setback not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement.
 - e. Mixed-use developments shall have a minimum Floor Area Ratio (FAR) of .50. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR. Projects including existing buildings or vacant parcels of a half an acre or greater in size shall achieve the required minimum FAR or provide a shadow plan (see graphic) that demonstrates how development may be intensified over time to meet the required minimum FAR.
-

Section 18.3.12.070 is added as follows:

18.3.12.070 Transit Triangle Overlay

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

Section 18.3.13.010 is amended as follows:

18.3.13.010 Residential Overlay Regulations

- A. Purpose. The Residential overlay is intended to encourage a concentration and mix of businesses and housing that provides a variety of housing types, supports resource and energy conservation, and promotes walking, bicycling, and transit use.
- B. Applicability. The Residential overlay applies to all property where 'Residential Overlay' (R) is indicated on the Zoning map.
- C. Requirements. The Residential overlay requirements are as follows, ~~and~~ **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 uses and uses permitted with special use standards, not including residential uses.**
 - b. More Than One Building. When a planning application includes more than one building, the equivalent of at least 65 percent of the gross floor area of the ground floor for all buildings shall be designated for permitted uses and uses permitted with special use standards, not including residential uses.**
 - 2. Residential densities shall not exceed 15 dwelling units per acre. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.
 - 3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the E-1 District.

- ~~4. If the number of residential units exceeds ten, then at least 10 percent of the residential units shall be affordable for moderate-income persons in accord with the standards established by resolution of the City Council through procedures contained in the resolution. The number of units required to be affordable shall be rounded down to the nearest whole unit.~~

Section 18.4.3.030 is amended to read as follows:

18.4.3.030 General Automobile Parking Requirements and Exceptions

- A. Minimum Number of Off-Street Automobile Parking Spaces.** Off-street parking shall be provided pursuant to one of the following three methods and shall include required Disabled Person Parking.
1. Standard Ratios for Automobile Parking. The standards in Table 18.4.3.040.
 2. Unspecified Use. Where automobile parking requirements for any use are not specifically listed in Table 18.4.3.040, such requirements shall be determined by the Staff Advisor based upon the most comparable use specified in this section, and other available data.
 3. Parking Demand Analysis. The approval authority through a discretionary review may approve a parking standard that is different than the standards under subsection 1 and 2, above, as follows.
 - a. The applicant submits a parking demand analysis with supporting data prepared by a professional engineer, planner, architect, landscape architect, or other qualified professional;
 - b. The parking analysis, at a minimum, shall assess the average parking demand and available supply for existing and proposed uses on the subject site; opportunities for shared parking with other uses in the vicinity; existing public parking in the vicinity; transportation options existing or planned near the site, such as frequent bus service, carpools, or private shuttles; and other relevant factors. The parking demand analysis option may be used in conjunction with, or independent of, the options provided under section 18.4.3.060 Parking Management Strategies.
 - c. The review procedure shall be the same as for the main project application.
- B. Maximum Number of Off-Street Automobile Parking Spaces.** The number of spaces provided by any particular use in ground surface lots shall not exceed the number of spaces required by this chapter by more than ten percent. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface lots, shall not apply towards the maximum number of allowable spaces.
- C. Commercial Downtown Zone.** All uses within the C-1-D zone, except for hotel, motel, and hostel uses, are exempt from the off-street parking requirements of this section.
- D. North Mountain Plan District.** Within the Neighborhood Central zone of the North Mountain

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

Section 18.4.3.040 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	<p>2 spaces for detached dwelling units and the following for attached dwelling units.</p> <ul style="list-style-type: none"> a. Studio units or 1-bedroom units less than 500 sq. ft. – 1 space/unit. b. 1-bedroom units 500 sq. ft. or larger – 1.50 spaces/unit. c. 2-bedroom units – 1.75 spaces/unit. d. 3-bedroom or greater units -- 2.00 spaces/unit.
Accessory Residential Units	<ul style="list-style-type: none"> a. Units less than 800 sq. ft.– 1 space/unit, except. as exempted in subsection 18.2.3.040.A. b. Units greater than 800 sq. ft. and up to 1,000 sq. ft. – 2.00 spaces/unit.
Multi-family Dwellings	<ul style="list-style-type: none"> a. Studio units or 1-bedroom units less than 500 sq. ft. -- 1 space/unit. b. 1-bedroom units 500 sq. ft. or larger -- 1.50 spaces/unit. c. 2-bedroom units -- 1.75 spaces/unit. d. 3-bedroom or greater units -- 2.00 spaces/unit. e. Retirement complexes for seniors 55-years or greater -- One space per unit. <u>f. Transit Triangle (TT) overlay option developments, see chapter 18.3.14.</u>
Cottage Housing	<ul style="list-style-type: none"> a. Units less than 800 sq. ft. -- 1 space/unit. b. Units greater than 800 sq. ft. and less than 1000 sq. ft. -- 1.5 spaces/unit. c. Units greater than 1000 sq. ft. -- 2.00 spaces/unit. d. Retirement complexes for seniors 55-years or greater -- One space per unit.

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 shall have the discretion to adjust the proposed off-street parking reduction based upon site specific evidence and testimony, and may require a parking analysis prepared by a qualified professional. See 18.4.3.030.A.3 for parking analysis requirements.

- A. On-Street Parking Credit.** Credit for on-street parking spaces may reduce the required off-street parking spaces up to 50 percent, as follows.
 1. Credit. One off-street parking space credit for one on-street parking space meeting the standards of subsections 2-4, below. See Figure 18.4.3.060.A.1.

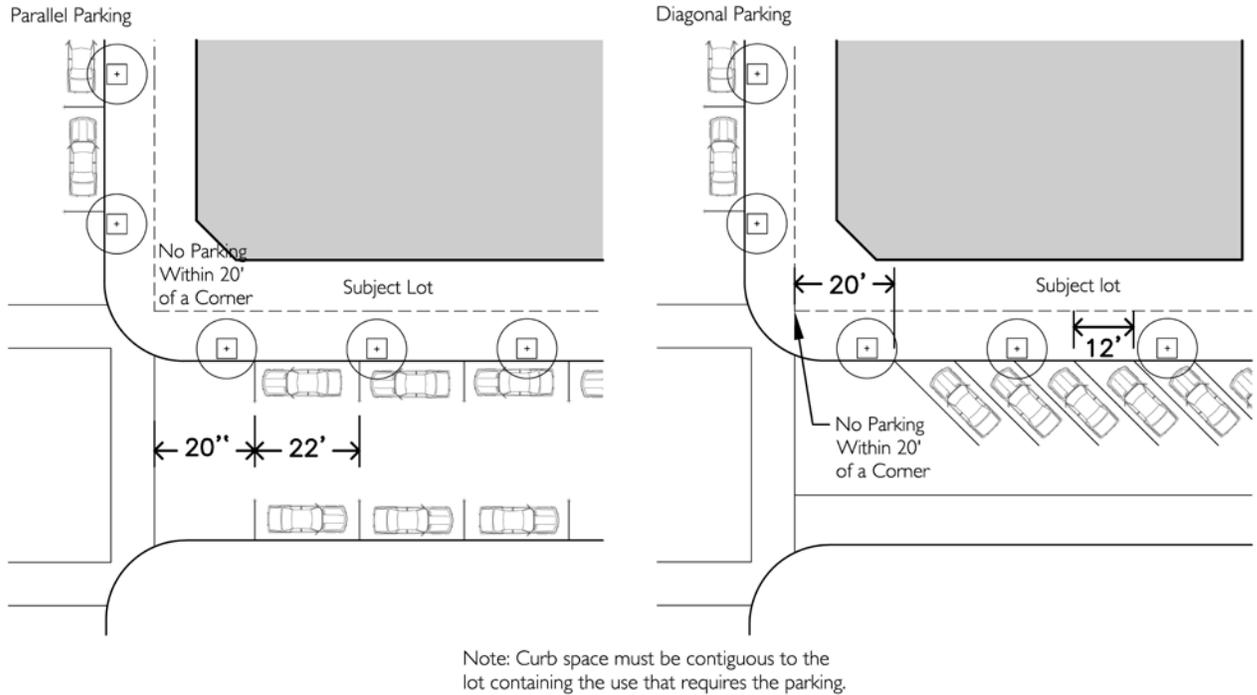


Figure 18.4.3.060.A.1
On-Street Parking Credit

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

Standards Option.

4. Availability. On-street parking spaces credited for a specific use shall not be used exclusively by that use, but shall be available for general public use at all times. No signage or actions limiting general public use of on-street spaces shall be permitted.
- B. Alternative Vehicle Parking.** Alternative vehicle parking facilities may reduce the required off-street parking spaces up to 25 percent, as follows.
1. Motorcycle or scooter parking. One off-street parking space credit for four motorcycle or scooter parking spaces.
 2. Bicycle parking. One off-street parking space credit for five additional, non-required bicycle parking spaces.
 3. **Microcar parking. One off-street parking space credit for two microcar parking spaces. Microcar spaces shall be designed so that one full size automobile can use two microcar spaces, and the microcar spaces shall not be limited in use by hours or type of vehicle through signage or other legal instrument.**
- C. Mixed Uses.** In the event that several users occupy a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for the several uses computed separately unless it can be shown that the peak parking demands are offset, in which case the mixed-use credit may reduce the off-street parking requirement by a percentage equal to the reduced parking demand. A mixed-use parking credit may reduce the required off-street parking spaces up to 50 percent.
- D. Joint Use of Facilities.** Required parking facilities of two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that it can be shown by the owners or operators that the need for the facilities does not materially overlap (e.g., uses primarily of a daytime vs. nighttime nature) and provided that such right of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing such joint use. Jointly-used parking facilities may reduce the required off-street parking spaces up to 50 percent.
- E. Off-Site Shared Parking.** One off-street parking space credit for every one parking space constructed in designated off-site shared parking areas, or through payment of in-lieu-of-parking fees for a common parking. Off-site shared parking facilities may reduce the required off-street parking spaces up to 100 percent.
- F. TDM Plan Credit.** Through implementation of an individual Transportation Demand Management (TDM) plan that demonstrates a reduction of long-term parking demand by a percentage equal to the credit requested. A TDM plan may reduce the required off-street parking spaces up to 50 percent.
- G. Transit Facilities Credit.** Sites where at least 20 spaces are required and where at least one lot line abuts a street with transit service may substitute transit-supportive plazas as follows. A Transit Facilities Credit may reduce the required off-street parking spaces up to 50 percent.
1. Pedestrian and transit supportive plazas may be substituted for up to ten percent of the required parking spaces on-site.

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

Section 18.6.1.030 is amended to read as follows:

18.6.1.030 Definitions

The following definitions are organized alphabetically.

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

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

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

- **Gross Floor Area.** The sum of the gross horizontal areas of all enclosed floors measured from the exterior faces of exterior walls or from the center line of walls separating two buildings, but excluding basements, attic space providing structural head room of less than six-and-a-half feet, and unenclosed steps, porches, terraces and balconies. Individual sections of this ordinance may exempt additional spaces from gross floor area.
- **Gross Habitable Floor Area.** The sum of the gross horizontal areas of all enclosed floors with at least seven feet of headroom in a dwelling unit measured from the exterior faces of exterior walls or from the center line of walls separating two buildings, excluding uninhabitable spaces accessed solely by an exterior door.

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

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

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

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.