

**ASHLAND PLANNING COMMISSION  
STUDY SESSION  
November 23, 2021  
AGENDA**

- I. **CALL TO ORDER:** 7:00 PM
  
- II. **ANNOUNCEMENTS**
  
- III. **PUBLIC FORUM**
  
- IV. **DISCUSSION ITEMS**
  - A. **Code Amendments for Housing in Employment Zones**
  
- V. **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).

# Memo

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DATE: November 23, 2021  
TO: Ashland Planning Commission  
FROM: Maria Harris, Planning Manager  
RE: Housing in Employment Zones

## Summary

This is a discussion item about draft code amendments to allow more housing in the employment zones. Staff recommends increasing the allowance for residential uses in multi-story, mixed-use buildings and developments from 35 to 65 percent of the ground floor in the C-1 and E-1 zones located outside of the Downtown Design Standards overlay. Buildings located within the Downtown Designs Standards overlay, buildings that are one story in height, and properties that are 10 acres in size are larger would be subject to the current code requirement of 35 percent of the ground floor is permitted in residential uses. The attached draft code amendments reflect staff's recommendation.

*Note: Residential development in the E-1 zone is limited to E-1 properties in the Residential overlay (R-overlay). Approximately 42 percent of the E-1 zoned land in the city limits is in the Residential overlay and 58 percent is not in the Residential overlay. Areas such as Washington Street, Jefferson Avenue, Benson Way and Clover Lane are not located in the Residential overlay. Additionally, the Croman Mill District has its own unique zones based on the master plan and does not include any C-1 or E-1 zoned land. A large scale map of the C-1 and E-1 zones is included in the packet materials for the Planning Commission.*

## Draft Code Amendments

Staff revised the attached draft based on the discussion at the October 26, 2021 Planning Commission meeting, as well as further research by staff. The changes are outlined below. Notes are included in the attached draft.

- **Floor Area Ratio (FAR)** - After the October 26 Planning Commission meeting, staff analyzed FAR scenarios in the C-1 and E-1 zones. The analysis shows that a maximum of 1.5 FAR would prevent development of lots with underground parking from achieving the currently allowed maximum building height and lot coverage in the C-1 and E-1 zones. Staff will present information and graphic examples at the November 23 study session.

The following information is provided as general background about FAR requirements.

FAR is the gross floor area of all buildings on a lot divided by the total lot area (AMC 18.6.1 030 Definitions), or  $FAR = \text{floor area} / \text{lot area}$ . A FAR of 1.0 means that the building floor area equals the size of the lot (see Figure 1 below). The TT overlay requires a minimum FAR of .50



and allows up to 1.50 FAR in the commercial and employment zones (C-1 and E-1). The current code also includes a maximum FAR in the residential zones in the Historic Districts and a minimum FAR of .50 for areas along the main streets in Ashland, N. Main, downtown, A St. and Clear Creek Dr., Siskiyou Blvd. and Ashland St., as well as in the Croman Mill District.

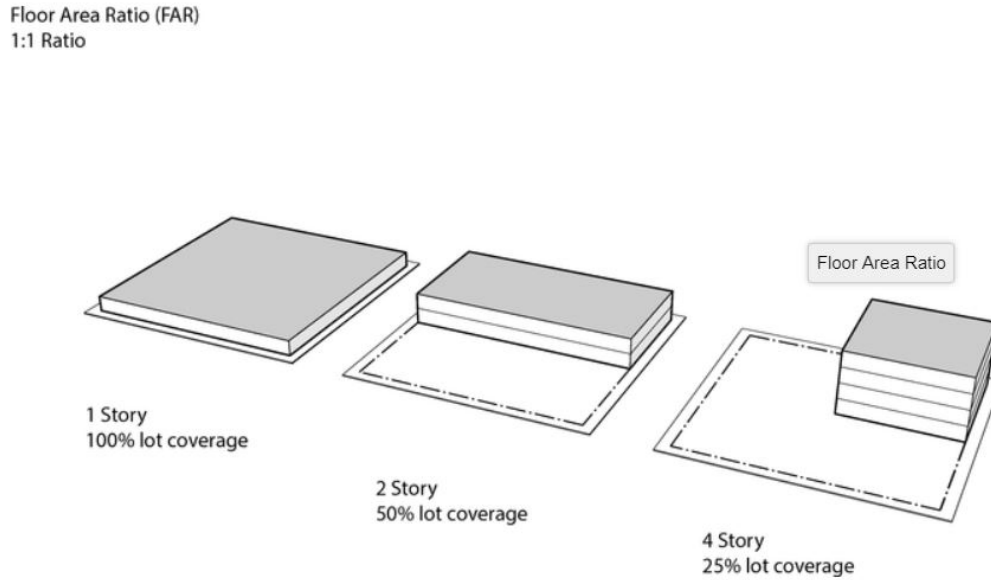


Figure 1: City of Portland Planning and Sustainability

The total or gross floor area represents the volume of a building. FAR regulations determine “how much” building is required or can be created. As a result, FAR can be set as a minimum to achieve a desired level of intensity and land use efficiency and can be also be set as a maximum to control the overall size of the building and impacts associated with the uses within the building.

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

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

Address	Business	Building Size (sq. ft.)	Lot Size (sq. ft.)	FAR
41 N. Main St.	Louie’s	1,445	1,743	.83
67 N. Main St.	Wells Fargo	5,171	29,621	.17
247 E. Main St. *	The Elk’s Lodge	29,356	11,761	2.50
498 Oak St.	Massif	8,986	16,837	.53
565 A St.	A St. Animal Clinic	3,780	5,663	.67



1661 Ashland St.	Rogue Federal Credit Union	4,508	22,651	.20
2301 Ashland St.	Albertson's	43,456	173,804	.25

\*parking lot is on separate parcel

- **Transit Triangle (TT) overlay** - The revisions to the TT overlay to allow 100% residential development with commercial-ready space are removed from the draft. See discussion of Statewide Planning Goal 9 Economic Development requirements below.
- **Parking** – The amendments to the parking requirement for multifamily dwellings are removed from the draft based on the Planning Commission’s comments at the October 26 meeting. As an informational item for the Planning Commission, maximum parking mandates at the state level appear to be a possibility in the next year or two. DLCDC is working on the Climate-Friendly and Equitable Communities rulemaking. As part of this effort, DLCDC is looking at decreasing required parking mandates in the states eight metropolitan areas. Medford/Ashland is one of the eight areas. See the attached handout.

**Goal 9 Economic Development**

The Planning Commission discussed revising the land use code to allow 100 percent of the ground floor of newly constructed buildings in the C-1 and E-1 zones to be used for residential uses. Staff contacted DLCDC to research the feasibility of the potential change in terms of the requirements for Statewide Planning Goal 9 Economic Development. DLCDC staff is reviewing the draft ordinance and indicated that an amendment allowing 100 percent of the ground floor to be used for residential units with a commercial-ready space requirement will likely be considered a significant change and therefore require an update of the City’s 2007 Economic Opportunity Analysis (EOA).

Oregon Administrative Rule (OAR) 660 Division 9 implements Goal 9 Economy. OAR 660-009-0010(3) allows local jurisdictions to rely on existing plans if findings can be made that there are no significant changes in economic development opportunities based on new information about national, state, regional, count and local trends. In contrast, OAR 660-009-0010(4) requires changes to the designation of land in excess of two acres from an employment use designation to any other use designation, a city or county must update the EOA. The issue with an amendment that allows 100 percent of the ground floor to be used for residential purposes is that it would involve an area greater than two acres in size and could be considered a change to a residential use designation from an employment designation.

Staff’s original approach was to research and assess the rate of employment land consumption and growth rate in the projected number of jobs in Ashland since the adoption of the 2007 EOA. This is the analysis completed by Fregonese Associates. Fregonese and Associates analyzed the buildable lands data and building permits issued in the last 10 years and found there is sufficient C-1 and E-1 land for future employment needs. Specific items in the data analysis include the following.

- The land consumption rate in the C-1 and E-1 zones is relatively low with an average of 2 acres per year used for the last 8 years.
- Of the 50 building permits that were issued for commercial development in the last 10 years, 26 permits were in located in the C-1 and E-1 zones and the other 24 permits were located in the C-



1-D zone (Downtown) or were public projects such as SOU and Ashland School District projects.

- The 2007 Economic Opportunity Analysis (EOA) forecasted more employment growth than has occurred over the last 14 years. The EOA projected 15, 220 project jobs by 2027, including 10,654 jobs in retail and services. State data shows a total of 10, 237 jobs in the Ashland Urban Growth Boundary in 2019.
- The EOA determined that 30% of the employment growth would not require consumption of vacant land.
- Currently, approximately 20% of the jobs are in residential zones.

Staff believes the analysis performed by Fregonese Associates could be used to address OAR 660-009-0010(3) to justify a less significant amendment that maintains ground floor space in mixed-use buildings and developments for commercial and employment uses.

In staff's opinion, the options are to do a less significant amendment at this time as suggested in the attached draft amendments or to delay the amendments and consider the 100 percent residential ground floor as one of the options in the housing production strategy. The 100 percent residential ground floor option will likely require an update of the EOA. An update of the EOA requires additional resources for the assistance of a consultant and typically involves a timeline of 12 to 18 months.

### **Background**

The City Council initiated the project at the [March 16, 2021](#) business meeting. Specifically, the Council directed staff to work with the Planning Commission to evaluate the draft code language prepared by representatives of KDA Homes and propose amendments to the land use ordinance which would provide the flexibility to temporarily use the ground floor of commercial buildings for housing.

Laz Ayala and Mark Knox from KDA Homes introduced the issue to the Planning Commission at the study session meeting on [December 22, 2019](#). The KDA representatives suggested that there is a surplus of commercial space that could be used to provide housing units. The concerns raised included the decreased demand for commercial space due to ecommerce and the pandemic while housing demand continues to increase, particularly after the Alameda fire. The KDA representatives suggested amending the land use code to allow the temporary use of ground floor commercial space to be used for housing units and requiring the buildings to be constructed to commercial building code standards so the space could be converted in the future should demand for commercial space return.

Currently, at least 65 percent of the ground floor of buildings in the commercial (C-1) and employment (E-1) zones is required to be commercial and light industrial uses. The remaining 35 percent of the ground floor can be used for residential dwellings as well 100 percent of the upper stories in multi-story buildings. The exceptions are: 1) in the Transit Triangle (TT) overlay, a minimum of 35 percent of the ground floor is required to be used for commercial and light industrial uses and 2) in the commercial area of the North Mountain Neighborhood District, the ground floor can be used entirely for housing but must be built to commercial building code standards so that the space can be converted to commercial uses in the future.

In 1992, the land use code was amended to eliminate entirely residential buildings as an allowed use in the C-1 and E-1 zones (Ord. 2688). The current standard of requiring 65 percent of the ground floor in commercial or



light industrial uses was put in place at that time, as well as residential densities for each of the zones. Prior to 1992, residential buildings comprised entirely of housing units could be built in the C-1 and E-1 zones with the approval of a conditional use permit. The 1992 code update was in part due to concern about construction of residential buildings near the downtown and loss of future commercial space.

### **Project Goal and Objectives**

Staff developed the following project goal and objectives to assist in evaluating code options. The project goals and objectives are based on City Council direction and adopted City policies. There are several adopted City of Ashland policies that support the project objectives including in the Housing, Economy and Transportation chapters of the Ashland Comprehensive Plan, the Housing Capacity Analysis (HCA), the Climate Energy and Action Plan (CEAP), and the Economic Development Strategy.

**Project Goal:** Provide more flexibility in the employment zones to respond to fluctuations and changes in the economy and demand for housing.

### **Project Objectives**

- Maintain an inventory of employment parcels in a variety of sizes and locations to encourage new business development.
- Increase the supply of moderately-priced rental and for-purchase housing.
- Jumpstart redevelopment in areas that have trouble attracting projects and/or are in proximity to public transit and walking distance to daily service needs, such as groceries, shops, parks, etc.)

The recently adopted Housing Capacity Analysis (HCA) provides a number of recommended policy changes to address Ashland's unmet housing needs. The HCA's recommended policy changes or strategies are presented as guidance for the upcoming Housing Production Strategy.

#### **Strategy 1: Ensure an adequate supply of land is available and serviced**

- Strategy 1.3: Identify opportunities to increase allowances for residential uses on the ground floor of buildings within commercial and employment zones.
- Strategy 1.4: Evaluate decreasing multifamily parking requirements.

#### **Strategy 2: Provide opportunities for housing development to meet the City's identified housing needs**

- Strategy 2.2: Evaluate opportunities incentivize smaller units through amendments to allowable densities.
- Strategy 2.4: Evaluate increasing allowances for residential dwellings in commercial and employment zones, such as allowing an increased amount of residential uses in ground floor commercial spaces.

#### **Strategy 5: Align housing planning with the Climate and Energy Action Plan**

- Strategy 5.4: Evaluate opportunities to develop new housing closer to downtown and commercial centers to reduce dependence on automobiles for transportation.

### **Next Steps**

Staff recommends moving forward with the attached draft and the Planning Commission holding a public hearing on the code amendments at the December 14, 2021 meeting.



# Improved Parking Management and Electric Vehicle Charging

As part of the Climate-Friendly and Equitable Communities rulemaking, DLCD is considering updating parking rules in Oregon's eight metropolitan areas and supporting electric vehicle charging.

## Why Reform?

### Housing Costs, Pollution, Walkability, Equity, and More

Excess parking has a significant negative impact on housing costs, business costs, the feasibility of housing development and business redevelopment, walkability, air and water pollution, climate pollution, and general community character.

Parking mandates force people who don't own or use cars to pay indirectly for other people's parking. Carless households tend to be the poorest households. Parking demand varies significantly from development to development; about one-sixth of Oregon renter households own zero vehicles. Rules should reflect that.

### Proposed Rules: Decrease Costly Parking Mandates, Particularly for Certain *Types* of Development and in Certain *Areas*

The proposed rules encourage the diversity of parking needs to be met by the diversity of development. The rules would reduce costly parking mandates for desired **types** of development, such as smaller housing types, small businesses, and historic buildings. Rules would also reduce mandates in certain **areas**, where parking demand is lower per unit: areas with a higher concentration of jobs and housing, and walkable areas well-served by transit.

The rules give communities **options** to improve parking management. Those who adopt best practice parking policies would get more flexibility. The rules require **more populous cities do more** management of on-street parking, through studying parking usage and using permits or meters to manage location or time-specific demand. Good parking management reduces how much non-drivers subsidize those who drive.

The rules address **negative impacts of large parking lots** by requiring lots be designed to be pedestrian-friendly and include either solar power or trees. The rules also would require **50% of new residential parking spaces be capable of electric vehicle charging** (with conduit and electric capacity, but not yet wiring or chargers). Electric vehicles are a key part of meeting Oregon's climate pollution reduction goals.

### Common Concerns: Parking with Disabilities, Parking Supply, and Areas of High Demand

The rules would *not* limit required parking for people with mobility-related disabilities.

**Removing requirements to include parking in each development does not mean no parking will be built.** Two decades of experience with lower parking mandates have demonstrated lender requirements and market dynamics usually result in parking being built.

However, just like today's parking rules, cities must sometimes deal with "spillover" parking, and where more people are trying to park than spaces exist. This calls for improved management of on-street parking spaces, not one-size-fits-all mandates. DLCD has publications, staff and grants to help with this.

**Draft Rule Language** is available at [www.oregon.gov/lcd/LAR/Pages/CFEC.aspx](http://www.oregon.gov/lcd/LAR/Pages/CFEC.aspx)

## Questions?

Evan Manvel, Land Use and Transportation Planner, [evan.manvel@dlcd.oregon.gov](mailto:evan.manvel@dlcd.oregon.gov), 971-375-5979



## Chapter 18.2.3 – Special Use Standards

### 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 Outside of the Downtown Design Standards Overlay.** If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses. At least 65 percent of the gross floor area of the ground floor shall be designated for permitted uses and uses permitted with special use standards, not including residential uses.~~

a. **Applicability.** This subsection, 18.2.3.130.B.1, applies to mixed-use buildings or developments that meet all of the following requirements.

i. **Location.** The mixed-use building or development shall be located outside of the Downtown Design Standards overlay.

ii. **Lot Size.** The mixed-use building or development shall be located on a lot that is less than 10 acres in size. Mixed-use developments located on lots 10 acres in size and greater shall be subject to the requirements of subsection 18.2.3.130.B.2, below.

ii. **Building Height.** The mixed-use building shall be two or more stories in height. Mixed-use buildings that are one story in height are subject to the requirements of subsection 18.2.3.130.B.2, below.

b. **Gross Floor Area.**

i. **One Building.** 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.

ii. **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.

c. **Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the underlying zone.**

**Commented [mh1]:** This subsection is new and applies to multi-story, mixed-use buildings and developments in the C-1 and E-1 zones that are located outside of the Downtown Design Standards overlay. Increases the ground floor allowance for residential uses from 35% to 65%.

#### **Housing Capacity Analysis (HCA)**

Strategy 1.3: Identify opportunities to increase allowances for residential uses on the ground floor of buildings within commercial and employment zones.



d. 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.

2. Mixed Use Developments Inside the Downtown Design Standards Overlay, Large Lots and One-Story Mixed-Use Buildings. 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.

**Commented [mh2]:** Retains existing code allowance of 35% of the ground floor can be in residential uses for properties located in the Downtown Design Standards overlay, as well as one-story buildings and development on lots 10 acres or more in size anywhere in the C-1 and E-1 zones.

a. Applicability. This subsection, 18.2.3.130.B.2, applies to mixed-use buildings and developments located in the Downtown Design Standards Overlay. In addition, this subsection applies to mixed-use buildings and developments located on lots that are 10 acres and greater in size and to one-story mixed-use buildings, whether the lot or building is located inside or outside the Downtown Design Standards overlay.

i. Location. Mixed-use buildings and developments located in the Downtown Design Standard overlay shall be subject to the requirements of this subsection.

ii. Lot Size. Mixed-use buildings and developments located on lots 10 acres and greater in size shall be subject to the requirements of this subsection.

iii. Building Height. Mixed-use buildings that are one story in height shall be subject to this subsection.

b. Gross Floor Area.

i. 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.

ii. 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.

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. 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.

Chapter 18.2.6 – Standards for Non-Residential Zones

18.2.6.030 Unified Standards for Non-Residential Zones

Table 18.2.6.030 – Standards for Non-Residential Zones (Except as modified under chapter 18.5.5 Variances.)				
Standard	C-1	C-1-D	E-1	M-1
Residential Density <sup>4</sup> (dwelling units/acre)	30 du/ac	60 du/ac	15 du/ac	NA
<sup>4</sup> where allowed per section 18.2.3.130; within E-1 zone, per R-Overlay (see chapter 18.3.13 Residential Overlay).				
<b>Floor Area Ratio (FAR)<sup>1</sup></b>				
Minimum	.5	.5	.5	.5
Maximum	1.5	NA	1.5	NA
<sup>1</sup> Plazas and pedestrian areas shall count as floor are for the purposes of meeting the minimum FAR.				
Lot Area, Width, Depth Lot Coverage	There is no minimum lot area, width or depth, or maximum lot coverage; or minimum front, side or rear yard, except as required to comply with the special district and overlay zone provisions of part 18.3 or the site development and design standards of part 18.4.			
Setback Yards (feet)	<p>There is no minimum front, side, or rear yard required, except where buildings on the subject site abut a residential zone, in which case a side of not less than 10 ft and a rear yard of not less than 10 ft per story is required.</p> <p>The solar setback standards of chapter 18.4.8 do not apply to structures in the C-1-D zone.</p> <p>Except for buildings within 100 feet of a residential zone, the solar setback standards of chapter 18.4.8 do not apply to structures in the C-1 zone.</p> <p>See also section 18.2.4.030 Arterial Street Setback.</p>		<p>There is no minimum front, side or rear yard, except 20 ft where adjoining a residential zone.</p>	
Building Height <sup>2&amp;3</sup> – Maximum (feet)	<p>40 ft, except:</p> <ul style="list-style-type: none"> <li>- Buildings greater than 40 ft and less than 55 ft are permitted in C-1-D zone with approval of a Conditional Use Permit.</li> <li>-Where located more than 100 feet from a residential zone, buildings greater than 40 ft and less than 55 ft are permitted in C-1 zone with approval of a Conditional Use Permit.</li> </ul>		40 ft	
<sup>2</sup> See definition of “height of building” in section 18.6.1.030.				
<sup>3</sup> Parapets may be erected up to five feet above the maximum building height; see also, 18.4.4.030.G.4 for mechanical equipment screening requirements, and 18.5.2.020 for Site Design Review for mechanical equipment review process.				

**Commented [mh3]: Housing Capacity Analysis**

- Strategy 2.2: Evaluate opportunities incentivize smaller units through amendments to allowable densities.
- Strategy 2.4: Evaluate increasing allowances for residential dwellings in commercial and employment zones, such as allowing an increased amount of residential uses in ground floor commercial spaces.

**Commented [mh4]:** Replaces maximum densities in the non-residential zones with a floor area ratio. Buildings in the downtown, C-1-D, currently are 2.0 FAR and greater because the buildings occupy most or all of the lot.

**Commented [mh5]:** After the 10/23/2021 Planning Commission study session, staff analyzed FAR scenarios in the C-1 and E-1 zones. The analysis shows that 1.5 FAR would prevent development of lots with underground parking from going up to allowed maximum building height and lot coverage in the C-1 and E-1 zones.

<b>Table 18.2.6.030 – Standards for Non-Residential Zones</b> (Except as modified under chapter 18.5.5 Variances.)				
<b>Standard</b>	<b>C-1</b>	<b>C-1-D</b>	<b>E-1</b>	<b>M-1</b>
Landscape Area – Minimum <sup>4</sup> (% of developed lot area)	15%	None, except parking areas and service stations shall meet the standards of chapters 18.4.3 Parking, Access, and Circulation, and 18.4.4 Landscaping, Lighting, and Screening.	15%	10%
<sup>4</sup> Plazas and pedestrian areas may also be applied toward meeting the landscaping area requirement but shall not constitute more than 50% of the required area.				

## Chapter 18.3.13 – Residential Overlay

### 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 Dwellings in the Residential overlay requirements are as follows shall meet the applicable standards in section 18.2.3.130, 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 or 18.3.14.040 for the TT overlay.~~
- ~~1. Mixed-Use Developments. If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses. At least 65 percent of the gross floor area of the ground floor shall be designated for permitted uses and uses permitted with special use standards, not including residential uses.~~
  - ~~2. Residential densities shall not exceed 15 dwelling units per acre. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.~~
  - ~~3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the E-1 District.~~

**18.3.14.040 Allowed Uses**

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

Table 18.3.14.040 – Transit Triangle (TT) Overlay Uses Allowed by Base Zone <sup>2</sup>					
	Zones				
	C-1	E-1	R-2	R-3	Special Use Standards
<b>A. Residential</b>					
Multifamily dwelling, rental	<u>PS</u>	<u>PS</u>	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>B. Commercial</b>					
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

<sup>2</sup>Key: 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 in the C-1 and E-1 zones. Residential uses in the C-1 and E-1 zones 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.