
The comments of this pre-app are preliminary in nature and subject to change based upon the submittal of additional or different information. The Planning Commission or City Council are the final decision making authority of the City, and are not bound by the comments made by the Staff as part of this pre-application.

**ASHLAND PLANNING DIVISION
PRE-APPLICATION CONFERENCE
COMMENT SHEET** May 3, 2017

SITE: 128 Central Ave.
APPLICANT: Robert Baldwin
REQUEST: Site Design Review for an eight-unit multifamily residential project, Conditional Use Permits to exceed maximum permitted floor area and for a travelers' accommodation

PLANNING DIVISION COMMENTS

This pre-application conference is intended to highlight significant issues before the applicant prepares and submits a formal application.

Summary: The proposal requires Site Design Review for the addition of seven multi-family units, a Conditional Use Permit to exceed the allowed maximum permitted floor area for an eight-unit multi-family development and a Conditional Use Permit for a travelers' accommodation. The project seems well thought out and largely consistent with the applicable development standards. Staff believes there may be issues with the proposed garage/unit meeting the Historic District Design Standards. Additionally, staff believes the Planning Commission may have concerns about the scale of the travelers' accommodation and potential impacts to the neighborhood.

SITE DESIGN REVIEW

The application must address the following criteria and standards from Ashland Municipal Code (AMC) 18.5.2.050 for a Site Design Review approval for residential development.

- A. Underlying Zone.** The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.
- The zoning district requirements for the R-2 (High Density Multiple Family) zoning district are detailed in AMC 18.2.5.030.A.
 - **Setbacks**
 - The **front yard** between the proposed garage/unit and front property line is required to be 20 feet but appears to be 18 feet on the site plan. The **side yards** between the proposed new structures and side property lines is required to be a minimum of six feet but appears to be five feet on the site plan. It appears the building outlines on the site plan may be the eave line. Eaves may encroach three feet and other architectural projections may encroach 18 inches into required yards. Clarify building wall versus eave line on application submittals to demonstrate compliance with required building setbacks.
 - The application must demonstrate that new structures comply with the required **solar setback** and include applicable calculations and **building separation**.

B. Overlay Zones. The proposal complies with applicable overlay zone requirements (part [18.3](#)).

- The property is located in the Historic District overlay. As a result, the site and building design is required to address the standards in AMC 18.4.2.050 Historic District Development.
- In staff's review of the initial proposal, there may be issues in meeting some of the historic district design standards. The placement and design of the garage/unit facing Central Ave. will be an important in the design of the project in terms of maintaining the primary historic building's architectural elements and orientation to the street.
 - **Garage Placement:** The standards recommend avoiding placing a garage beside or in front to of the primary historic building and instead locating the garage behind the primary building accessed from an alley.
 - **Additions:** The new garage/unit appears to be attached to the historic home and staff believes this conflicts with the historic district design standards. The standards say to avoid additions to the primary façade that is visually prominent from a public right-of-way and additions that obscure or destroy character defining features. Accessory buildings such as garages in historic development patterns are detached from the primary residence.
 - **Height and Scale:** The standards require the height of new buildings to conform to historic buildings in the immediate vicinity. In this case, staff believes the height and massing of the garage/unit is a key to maintaining the prominence of the historic home. In most cases, the height of an accessory structure in close proximity to a primary historic building would need to appear secondary through variation in height as well as overall design.
 - **Roof Shape:** Roof shapes, pitches and materials are required to be consistent with historic buildings in the immediate vicinity, again including the historic home. Since the original building is residential in nature, typically an adjacent accessory building next to the original home would be subordinate in nature by being of less height and a complimentary roof shape.
 - **Entrance and Windows/Doors:** The primary entrance to the second story dwelling in the garage/unit is required to be well-defined. Typically, this would involve an entry alcove or porch at the ground level. The size and pattern of windows and doors on the garage/unit should complement the historic home.
 - **Base:** While not always the case on more secondary structures, the standards recommend a base or platform characteristic of historic buildings in the immediate vicinity.

- **Entrance Orientation and Access to Sidewalk:** The basic site review standards require building entrances to be oriented to the street rather than the parking area and accessed by a walkway connected to the public sidewalk.

C. Site Development and Design Standards. The proposal complies with the applicable Site Development and Design Standards of part [18.4](#), except as provided by subsection E, below.

- **Vehicular Access:** Given the past use of a vehicle access and parking/garage from Central Ave., staff believes it is reasonable to maintain two parking spaces in this location. However, the application will need to address the requirements in AMC 18.4.3.080.C4 and 5 that require access from the alley and not from the street frontage.
- **Open Space:** The application will need to clearly delineate on a site plan the areas included in the area required for recreational use by tenants of the development. While decks, patios and similar areas can be included in the required open space area, generally walkway corridors and entry landing areas (e.g. storage and unit access area in porches) are not included as areas that can be used for recreational use.
- **Landscaping:** The property is required to meet the landscape standards of AMC 18.4.4.030.
 - Landscape areas are required to have plant coverage of not less than 50% within one year and 90% coverage within five years of planting.
 - One tree is required to shade the new parking spaces.
 - An irrigation plan is required at the time of submittal of the building permit.
- **Significant Trees:** There appear to be several large stature trees on the property that have not been incorporated into the project design. The landscape standards require existing healthy trees to be retained.
- **Tree Preservation/Protection:** All planning actions are required to include a tree preservation/protection plan to ensure that trees are protected during site disturbance (including demolition, construction, driveway/parking installation, staging of materials, etc. This plan is supposed to address all trees on the property over six-inches in diameter at breast height (d.b.h.) and all trees that are located on adjacent properties within 15 feet of the property line as well, including any existing street trees.

D. City Facilities. The proposal complies with the applicable standards in section [18.4.6](#) Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.

There are a number of items required with the construction of the addition that the applicant should be aware of:

- **Alley:** The Ashland street standards require alleys to be paved to 12 feet in width with two-foot gravel strips on both sides within a 16 feet of ROW. Alley improvements will be required if necessary for parking circulation/access and may need to incorporate storm drainage facilities.
- **Drainage Plan:** A drainage plan to deal with roof / footing drains and surface drainage will need to be submitted for the review and approval of the Building and Public Works/Engineering Departments. The Ashland Building Division policy BD-PP-0029 requires that storm water from all new impervious surfaces and runoff associated with peak rainfalls must be collected on site and channeled to the City storm water collection system (i.e., curb gutter at public street, public storm pipe or public drainage way) or through an approved alternative.
- **Utility Connections:** A utility service plan is required with the Planning application, and needs to show locations of existing services and proposed utilities. Any transformers or cabinets shall be placed in locations that are the least visible from the public right-of-way.
- **System Development Charges (SDC's):** The payment of systems development charges (Water, Sewer, Storm Water, Parks, and Transportation) is required at the time of issuance of a building permit. Front counter staff can provide an estimate of the likely permit fees and SDC charges for the project.

E. Exception to the Site Development and Design Standards. The approval authority may approve exceptions to the Site Development and Design Standards of part [18.4](#) if the circumstances in either subsection 1 or 2, below, are found to exist.

- **Parking Setback from Residential:** The landscape standards require a landscape buffer at least eight feet in width between the rear parking area and the residential buildings. A request for an exception to the site design and use standards is required if this standards is not met.

1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.; or
2. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.

- **Exception for Landscape Buffer:** A five-foot landscape strip is required between the new parking area and the south property line. A request for an exception seems

128 Central Ave.
May 3, 2017/mh

reasonable given the fence and large vegetation buffer on the property to the south, as well as the shared driveway and nonconforming parking area to the east and southeast.

CONDITIONAL USE PERMIT TO EXCEED THE MAXIMUM PERMITTED RESIDENTIAL FLOOR AREA

The application must address the following criteria from Ashland Municipal Code (AMC) 18.5.4.050.A and the Historic District Design Standards in AMC 18.4.2.050 for a Conditional Use Permit to exceed the maximum permitted floor area (MPFA). In addition to the design issues raised above regarding the garage/dwelling unit at the front of the property, the design standards must be considered for the triplex structures and any proposed modifications of the historic home.

- **Roof:** The standards require roof shapes and pitches consistent with historic buildings in the immediate vicinity. The relatively long gable in each of the triplexes doesn't seem characteristic of historic buildings in the neighborhood and may need some variation.
1. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.
 2. That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the development, and adequate transportation can and will be provided to the subject property.
 3. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection [18.5.4.050.A.5](#), below. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.
 - a. Similarity in scale, bulk, and coverage.
 - b. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
 - c. Architectural compatibility with the impact area.
 - d. Air quality, including the generation of dust, odors, or other environmental pollutants.
 - e. Generation of noise, light, and glare.
 - f. The development of adjacent properties as envisioned in the Comprehensive Plan.
 - g. Other factors found to be relevant by the approval authority for review of the proposed use.
 4. A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.

5. For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of this subsection, the target uses of each zone are as follows.
 - c. *R-2 and R-3*. Residential use complying with all ordinance requirements, developed at the density permitted by chapter [18.2.5](#) Standards for Residential Zones.

CONDITIONAL USE PERMIT FOR A TRAVELERS' ACCOMMODATION

The application must address the following the special use standards for Travelers' Accommodations in AMC 18.2.3.220 and approval criteria from AMC 18.5.4.050.A for a Conditional Use Permit.

18.2.3.220 Travelers' Accommodations

Where travelers' accommodations and accessory travelers' accommodations are allowed, they require a Conditional Permit under chapter 18.5.4, are subject to Site Design Review under chapter 18.5.2, and shall meet the following requirements. See definitions of travelers' accommodation and accessory travelers' accommodation in part 18-6.

- A. Travelers' Accommodations and Accessory Travelers' Accommodations.** Travelers' accommodations and accessory travelers' accommodations shall meet all of the following requirements.
 1. An accommodation must meet all applicable building, fire, and related safety codes at all times and must be inspected by the Fire Department before occupancy following approval of a Conditional Use Permit and periodically thereafter pursuant to AMC 15.28.
 2. The business-owner of a travelers' accommodation or the property owner of an accessory travelers' accommodation must maintain a City business license and pay all transient occupancy tax in accordance with AMC 4.24 and AMC 6.04 as required.
 3. Advertising for an accommodation must include the City planning action number assigned to the land use approval.
 4. Offering the availability of residential property for use as an accommodation without a valid Conditional Use Permit approval, current business license and transient occupancy tax registration is prohibited and shall be subject to enforcement procedures.
- B. Travelers' Accommodations.** In addition to the standards described above in section 18.23.220.A, travelers' accommodations shall meet all of the following requirements.
 1. The property is located within 200 feet of a boulevard, avenue, or neighborhood collector as identified on the Street Dedication Map in the Comprehensive Plan. Distances to the property from a boulevard, avenue, or neighborhood collector shall be measured via a public street or public alley to a lot line.
 2. During operation of a travelers' accommodation, the property on which the travelers' accommodation is sited must be the primary residence of the business-owner. "Business-owner" shall be defined as a person or persons who own the property and accommodation outright; or who have entered into a lease agreement with the property owner(s) allowing for the operation of the accommodation. Such lease agreement must specifically state that

the property owner is not involved in the day-to-day operation or financial management of the accommodation and that the business-owner has actual ownership of the business and is wholly responsible for all operations associated with the accommodation, and has actual ownership of the business.

3. The primary residence on the site must be at least 20 years old. The primary residence may be altered and adapted for travelers' accommodation use, including expansion of floor area. Additional structures may be allowed to accommodate additional units, but must be in conformance with all setback and lot coverage standards of the underlying zone.
4. The number of travelers' accommodation units allowed shall be determined by the following criteria.
 - a. The total number of units, including the business-owner's unit, shall be determined by dividing the total square footage of the lot by 1,800 square feet. Contiguous lots under the same ownership may be combined to increase lot area and the number of units, but not in excess of the maximum established by this ordinance. The maximum number of accommodation units shall not exceed nine per approved traveler's accommodation with primary lot frontage on boulevard streets. For travelers' accommodation without primary lot frontage on a designated boulevard, but within 200 feet of a boulevard, avenue, or neighborhood collector street, the maximum number of units shall be seven. Street designations shall be as determined by the Street Dedication Map in the Comprehensive Plan. Distances to the property from a boulevard, avenue, or neighborhood collector shall be measured via a public street or public alley to a lot line.
 - o The site is limited to a maximum of seven travelers' accommodation units including the owners unit because the street is within 200 feet of an avenue being Helman St.
 - b. Excluding the business-owner's unit and the area of the structure it will occupy, there must be at least 400 square feet of gross interior floor space remaining per unit.
5. Each accommodation must have one off-street parking space and the business-owner's unit must have two parking spaces. All parking spaces shall be in conformance with chapter 18.4.3.
6. Only one ground or wall sign, constructed of a non-plastic material, non-interior illuminated, and a maximum of six square feet total surface area is allowed. Any exterior illumination of signage shall be installed such that it does not directly illuminate any residential structures adjacent or nearby the travelers' accommodation in accordance with subsection 18.4.4.050.C.1.
7. An annual inspection by the Jackson County Health Department shall be conducted as required by the laws of Jackson County or the State of Oregon.
8. Transfer of business-ownership of a travelers' accommodation shall be subject to all

requirements of this section and conform with the criteria of this section. Any further modifications beyond the existing approval shall be in conformance with all requirements of this section.

18.5.4.050 Approval Criteria

1. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.
2. That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the development, and adequate transportation can and will be provided to the subject property.
3. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection [18.5.4.050.A.5](#), below. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.
 - o Staff believes the proposed travelers' accommodation could potentially be found to have a greater adverse material effect on the neighborhood compared to the target use of seven multi-family units. For example, as mentioned in the pre-application materials the built form similar to a motor court or motel could be questioned in terms of architectural compatibility with the impact area. Also, motel units typically generate one to 1.5 trips per unit per day more than an apartment or low rise apartment.
 - a. Similarity in scale, bulk, and coverage.
 - b. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
 - c. Architectural compatibility with the impact area.
 - d. Air quality, including the generation of dust, odors, or other environmental pollutants.
 - e. Generation of noise, light, and glare.
 - f. The development of adjacent properties as envisioned in the Comprehensive Plan.
 - g. Other factors found to be relevant by the approval authority for review of the proposed use.
4. A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.
5. For the purposes of reviewing conditional use permit applications for conformity with the

approval criteria of this subsection, the target uses of each zone are as follows.

- c. *R-2 and R-3.* Residential use complying with all ordinance requirements, developed at the density permitted by chapter [18.2.5](#) Standards for Residential Zones.

OTHER ORDINANCE REQUIREMENTS

- o **Signs:** A sign permit is required prior to the installation of any signage. It is helpful to have the sign location on the site plan submitted with the planning application.

OTHER CITY OF ASHLAND DEPARTMENT COMMENTS

BUILDING: No comments at this time. Please contact the Building Division for any building codes-related questions at 541-488-5305.

CONSERVATION: For more information on available water conservation programs, including any available appliance rebates or assistance with landscaping and irrigation system requirements, please contact Water Conservation Specialist Julie Smitherman of Conservation Division at 541-552-2062 or via e-mail to julie.smitherman@ashland.or.us . For information on any financial or technical assistance available for the construction of Earth Advantage/Energy Star buildings, please contact Conservation Analyst/Inspector Dan Cunningham at 541-552-2063 or via e-mail to dan.cunningham@ashland.or.us

ENGINEERING: See comments at the end of this document. Please contact Karl Johnson of the Engineering Division for any Public Works/Engineering information at 541-552-2415 or via e-mail to karl.johnson@ashland.or.us .

FIRE: See comments at the end of this document. Please contact Margueritte Hickman from the Fire Department for any Fire Department-related information at 541-552-2229 or via e-mail to margueritte.hickman@ashland.or.us .

WATER AND SEWER SERVICE: “If the project requires additional water services or upgrades to existing services the Ashland Water Department will excavate and install in the city right-of- way all water services up to and including the meter on domestic and commercial water lines. If a fire line is required the water department will also only install a stub out to the location where the double check detector assembly (DCDA) complete with a Badger® brand cubic foot bypass meter should be placed in a vault external to the building. The vault and the DCDA device housed in it are the responsibility of the property owner and should be placed at the property line. Fees for these installations are paid to the Water Department and are based on a time and materials quote to the developer or contractor. Meter sizes and fire line diameters will need to be provided to the Water Department at the time of a quote being requested. Please Contact Steve Walker at [541-552-2326](tel:541-552-2326) or e-mail walkers@ashland.or.us with any questions regarding water utilities.”

ELECTRIC SERVICE: Please contact Dave Tygerson in the Electric Department for service and meter location requirements and fee information at (541) 552-2389 or via e-mail to tygersod@ashland.or.us . Dave will arrange an on-site meeting, and develop a preliminary electrical

service plan for the site. Please allow additional time to accommodate scheduling of this on-site meeting and preparing the preliminary plan. Submittals will not be deemed complete without a preliminary approved plan from the Electric Department.

PROCEDURE

Conditional use permits involving new structures or more than three residential units are subject to a “Type II” procedure which includes a public hearing at the Planning Commission following public notice. Type II decisions provide an opportunity for appeal to the City Council.

APPLICATION REQUIREMENTS

Submittal Information.

The application is required to include all of the following information.

- a. The information requested on the application form at <http://www.ashland.or.us/Files/Zoning%20Permit%20Application.pdf> .
- b. Plans and exhibits required for the specific approvals sought (see below).
- c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail (see below).
- d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, *as applicable*.
- e. The required fee (see below).

The Ashland Land Use Ordinance, which is Chapter 18 of the Municipal Code, is available on-line in its entirety at: http://www.ashland.or.us/SIB/files/AMC_Chpt_18_current.pdf

Written Statements

Please provide two copies of a written statements explaining how the application meets the approval criteria from the sections of the Ashland Municipal Code listed below. These written statements provide the Staff Advisor or Planning Commission with the basis for approval of the application:

- **Site Design Review AMC 18.5.2.050**
- **Exception to the Site Development and Design Standards AMC 18.5.2.050**
- **Conditional Use Permit AMC 18.5.4.050**
- **Travelers’ Accommodations AMC 18.2.3.220.A and B**
- **Tree Removal Permit AMC 18.5.7.040**

Plans & Exhibits Required

Please provide two sets of exhibits (plans or drawings) addressing the submittal requirements from the sections of the Ashland Municipal Code listed below. These exhibits are used to copy the Planning Commission packets and for notices that are mailed to neighbors. Please provide two copies on paper no larger than 11-inches by 17-inches and reproducible copies that are drawn to a standard architect’s or engineer’s scale.

- **Site Design Review: AMC 18.5.2.040**
- **Tree Protection Plan: AMC 18.4.5.030**
- **Tree Removal (if applicable): AMC 18.5.7.030**

UPCOMING APPLICATION DEADLINES:	First Friday of each month
UPCOMING PC MEETINGS:	Second Tuesday of each month

FEES: Residential Site Design Review	\$1,022 + \$68 per unit
Conditional Use Permits	\$2,050
TOTAL	\$3,616

NOTE: Applications are accepted on a first come-first served basis. All applications received are reviewed and must be found to be complete before being processed or scheduled at a Planning Commission meeting. Applications will not be accepted without a complete application form signed by the applicant(s) and property owner(s), all required materials and full payment. Applications are reviewed for completeness in accordance with ORS 227.178. The first fifteen COMPLETE applications submitted are processed at the next available Planning Commission meeting.

<u>For further information, please contact:</u>	<u>May 3, 2017</u>
Maria Harris, <i>Planning Manager</i>	Date
City of Ashland, Department of Community Development	
Phone: 541-552-2045 or e-mail: maria.harris@ashland.or.us	