
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** February 19, 2020

SITE: Ashland Mine Road, Lot 206
APPLICANT: K5 Homes
REQUEST: Physical & Environmental
Constraints Review Permit

PLANNING DIVISION COMMENTS

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

Staff identified the following issues in reviewing the proposal to construct a single family residence on the subject property, they are as follows:

Physical & Environmental Constraints Review: Generally, the development of properties within Ashland's Hillside Overlay where slopes exceed 25 percent requires a Physical & Environmental Constraints Review Permit. This review looks at the appropriateness of the sloped areas for development, from a geotechnical perspective, and also at how the proposal incorporates specific hillside development standards to mitigate any potential adverse impacts of the proposed development.

In this instance, based on the site analysis provided and staff's review of site conditions and geographic information systems data, we believe that the limited steeply sloped areas on the property are based on disturbance associated with the original road construction and that the natural grade of the property is less than 25 percent, and that development of the property should not be subject to the Development Standards for Hillside Lands.

To proceed, an application for Physical & Environmental Constraints Review would need to be made, and notices sent to surrounding property owners potentially impacted by the proposal (i.e. within 200 feet) making clear that based on the determination that the natural grade is less than 25 percent and thus not subject to the Development Standards. Surrounding property owners would have the ability to provide any comments and/or appeal this determination. If no appeal of the Staff Advisor's decision were filed, the applicants could proceed in obtaining building permits.

Fire Fuel Reduction Plan: With the building permit submittal, the applicants would also need to provide a General Fuel Modification Area fuel reduction plan addressing the requirements in AMC 18.3.10.100.B to be implemented prior to bringing combustible materials onto the property. Any new landscaping proposed would need to comply with the code requirements, and could not include plants listed on the Prohibited Flammable Plant List per Resolution 2018-028.

Tree Removal: The removal of "significant" trees from vacant R-1-zoned property requires a Tree Removal Permit. Significant trees are defined as "A conifer tree having a trunk 18 caliper inches or larger in diameter at breast height (DBH), or a deciduous tree having a trunk 12 caliper inches in diameter at breast height."

Ashland Mine Road Street Improvements: As detailed in AMC 18.4.6.030.B, whenever a request is made for a building permit which involves new construction of a new residential unit, the applicant is required to legally agree to participate in the costs and to waive the rights of the owner of the subject property to remonstrate both with respect to the owners agreeing to participate in the costs of full street improvements and to not remonstrate to the formation of a local improvement district, to cover such improvements and costs thereof. Full street improvements shall include paving, curb, gutter, sidewalks, and the undergrounding of utilities. This requirement is a condition prior to the issuance of a building permit. This shall not require paving of alleys, and shall not be construed as waiving property owners rights to present their views during a public hearing held by the City Council.

Solar Setback: The building permit application would need to include calculations demonstrating that the proposed building complies with the city's solar access standards, which generally limit the shadow that can be cast over the northern property line to no more than would be cast by a six-foot fence constructed on the property line. (There are calculations detailed in the code in AMC 18.4.8 , and the plans would need to clearly illustrate the shadow producing point(s), their height from an identified natural grade, and the roof pitch along with calculations in the form of $[(\text{Height from Natural Grade} - 6)/(0.445 + \text{Slope}) = \text{Required Setback from North Property Line}]$ to demonstrate compliance with the solar access standards.

Neighborhood Outreach: Projects involving changes to established neighborhood patterns can be a concern for neighbors. Applicants should consider making affected neighbors aware of the proposal and trying to address any concerns as early in the process as possible. When an application is deemed complete, notices will be sent to neighbors within a 200-foot radius of the property and a sign will be posted along the frontage of the property.

Written Findings/Burden of Proof: This pre-application conference is intended to highlight significant issues of concern to staff and bring them to the applicant's attention prior to their preparing a formal application submittal. Written findings addressing the ordinance and applicable criteria are required, and are heavily depended on when granting approval for a planning action. In addition, the required plans are explained in writing below. Once again, the burden of proof is on the applicant(s) to ensure that all applicable criteria are addressed in writing and that all required plans, written findings, and other materials are submitted even if those items were not discussed in specific, itemized detail during this initial pre-application conference.

OTHER ORDINANCE REQUIREMENTS

The property is zoned **R-1-7.5**, a single family residential zoning with a 7,500 square foot minimum lot size. See AMC Table 18.2.5.030.A "Standards for Urban Residential Zones" for regulations applicable to this zoning district.

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 Ralph Sartain from the Fire Department for any Fire Department-related information at 541-552-2229.

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 only install a stub out to the location where the double check detector assembly or reduced pressure detector assembly complete with a Badger brand cubic foot bypass meter should be placed in a vault external to the building. The vault and the DCDA or RPDA 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. The Ashland Water Department is also requiring new projects to comply with all current cross connection rules and regulations, this may require backflow prevention devices to be placed at the potential hazard or just behind the meter or connection for premises isolation depending on the degree of hazard, type of intended use of the facility or even the geographical location of the building or facility. Please Contact Steve Walker at 541-552-2326 or walkers@ashland.or.us to discuss the intended use of the facility or property and any potential cross connection hazards associated with it or for any questions regarding water connections.”*

ELECTRIC SERVICE: Please have applicant contact Dave Tygerson in the Electric Department at 541-552-2389 regarding electric service requirements, options and fees.

PROCEDURE

Physical & Environmental Constraints Review is subject to a “Type I” procedure which includes an administrative decision made following public notice and a public comment period. Type I decisions provide an opportunity for appeal to the Planning Commission.

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/SIB/files/Comm%20Dev/16Zoning_Permit_Application.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 Title 18 of the Municipal Code, is available on-line in its entirety at <https://ashland.municipal.codes/LandUse>

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:

- | | | |
|---|---|------------------------|
| ○ | Tree Removal Permit (<i>if applicable</i>) | AMC 18.5.7.040 |
| ○ | <i>Physical Constraints Review Permit</i> | <i>AMC 18.3.10.050</i> |
| ○ | <i>Development Standards for Hillside Lands</i> | <i>AMC 18.3.10.090</i> |
| ○ | <i>Development Standards for Severe Constraints</i> | <i>AMC 18.3.10.110</i> |

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.

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|---|---|-------------------------|
| ○ | Tree Removal Permit (<i>if applicable</i>) | AMC 18.5.7.030 |
| ○ | Physical Constraints Review Permit | AMC 18.3.10.040 |
| ○ | Tree Protection Plan: | AMC 18.4.5.030.B |

PLANNING APPLICATION FEE:
Physical Constraints Review Permit
Tree Removal Permit (if applicable)

\$1,092
\$ (included in above)

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. 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.

For further information, please contact:

Derek Severson, *Senior Planner*

City of Ashland, Department of Community Development

Phone: 541-552-2040 or e-mail: derek.severson@ashland.or.us

February 19, 2020

Date

Public Works/Engineering Pre-Application Comments

1. **Engineered Plans** - Where public improvements are required or proposed, the applicant's engineer shall submit design plans for approval of all public improvements identified on the approved plan or as specified in conditions of approval. One set of these civil plans MUST be submitted DIRECTLY to the Public Works/Engineering Department. All design plans must meet the City of Ashland Public Works Standards. Engineered construction plans and specifications shall be reviewed and signed by the Public Works Director, prior to construction. All public facilities within the development will be designed to the City of Ashland Engineering Design Standards for Public Improvements. The engineered plans shall also conform to the following:
 - If drawings are submitted to the City of Ashland digitally, they shall be true scale PDF drawings. If AutoCAD drawings are also submitted, they shall be compatible with the AutoCAD release being used by the City at that time and shall be located and oriented within the Oregon State Plain Coordinate System (NAD83-89).
 - Drawings sizes shall comply with ANSI-defined standards for page width and height. Review drawings may be submitted in B size (11x17). Bidding and construction documents may also be printed at B size; however, all final as-constructed drawings must be submitted to scale on D-size (24x36) Mylar. Digital files of the as-constructed drawings shall also be submitted. Drawings shall be drawn such that reduction of plans from full size (D sized) to half size (B sized) can be done to maintain a true scale on the half-sized plans.
2. **Street Improvement** – No additional street improvements, beyond those necessary to comply with City Street Standards, will be required at this time. The applicant proposed improvements must be reviewed and permitted by the City of Ashland Engineering Department.
3. **Right of Way** – No additional right of way dedication, beyond that necessary to comply with City Street Standards, will be required at this time.
4. **Sanitary Sewer** - The property is currently served by a 6-in sanitary sewer main along the northerly property line. The applicant proposed improvements must be reviewed, approved and permitted by the City of Ashland Engineering Department.
5. **Water** - The property is currently served by a 6-in water main in Ashland Mine Road. City of Ashland Water Department shall tap existing water main and install any new water services and water meter boxes that are proposed by development. City of Ashland Water Department must be contacted for availability, placement and costs associated with the installation of the new water service. Service & Connection Fees will also be required for any new water services installed as part of this project.
6. **Storm Drainage** - The property is currently served by a 12-in storm sewer main in Ashland Mine Road. City of Ashland Engineering Department must review an engineered storm drainage plan.

Storm Water Facility Design Requirements

Projects that will create or replace 5,000 square feet or more of new impervious surface (buildings, roads, parking lots, etc.) area that discharges to an MS4, must comply with the requirements of

the DEQ MS4 General Permit phase 2. Below are additional requirements of the City of Ashland which either differ from or are additional to the MS4 General Permit phase 2.

- *All storm water detention facilities must have an overflow structure capable of safely passing the 25-year storm to an approved storm water facility. Peak flow for destination requirements may be calculated using the Rational Method with an ODOT Zone 5 IDF curve for a 10-year storm event (25-year storm event for bypass calculations), or any other comparable method. The flow calculations are the same as described in the RVSWDM for flow control measures.*
- *The default value for pre-development peak flow shall be 0.25 CFS per acre.*
- *Detention volume shall be sized for the 25-year, 24-hour peak flow and volume.*
- *An overflow spillway shall be provided to convey the 25-year peak flow for systems receiving up to 50 CFS, and 100-year peak flow for systems receiving more than 50 CFS.*
- *Water Quality BMPs shall provide at least 80% removal of bacteria and TSS (75 microns and larger).*
- *Conveyance for drainages less than 300 acres shall be sized to carry the ODOT Zone 5, 25-year event.*
- *Culverts with flows greater than 50 CFS shall be sized to carry the ODOT Zone 5, 50-year event.*
- *Existing wetlands, natural drainage ways, and open spaces shall be preserved from development to provide their natural flow attenuation, retention, or detention of runoff by providing a buffer.*
- *The grading plan shall indicate the direction of flow of all surface flows, including those on to and from adjoining properties. Site grading shall be designed to provide positive drainage away from all buildings and structures except those designed to withstand flooding in accordance with the building code standards for flood-proofing. Freeboard shall be specified on the grading plan per AMC 15.10.*
- *Bridges, Culverts & other flow limiting structures in or near riparian areas shall be permitted in accordance with the agency's requirements in AMC 18.3.10.080. Removal/fill permits shall be submitted with the plans.*

7. Erosion & Sediment Control - The following requirements shall be met:

- *All ground disturbances exceeding 1,000 square feet shall implement an Erosion and Sediment Control Plan (ESCP).*
- *A 1200-C permit will be secured by the developer where required under the rules of the Oregon State DEQ. City of Ashland Engineering Department must receive a copy of this permit before any construction shall begin.*
- *Erosion Prevention and Sediment control measures that meet the minimum standards set forth by the City of Ashland Public Works/Engineering Standard Drawing CD282 must be in place before any construction related to the project begins.*
- *Pollution, track out, and sediment dumping into storm water are strictly prohibited per AMC 9.08.060.*
- *Drainage from automotive use areas shall be limited to oil concentrations of 10 mg/l by a pre-approved means.*
- *Trash storage areas shall be covered or provide additional storm water treatment by an approved means.*
- *Off street parking areas shall conform to Ashland Municipal Code 18.4.3.080.B.5, including provisions to minimize adverse environmental and microclimatic impacts.*

8. **Driveway Access** – No additional improvements/requirements will be requested at this time, but the applicant proposed improvements must be reviewed and permitted by the City of Ashland Engineering Department.
9. **Permits** – Any construction or closure within the public right of way will require a Public Works permit and before any work in the right of way commences all necessary permits MUST be obtained
10. **As-Built's** - Where public improvements are required or completed, the developer shall submit to the City of Ashland, reproducible as-built drawings and an electronic file of all public improvements constructed during and in conjunction with this project. Field changes made during construction shall be drafted to the drawings in the same manner as the original plans with clear indication of all modifications (strike out old with new added beside). As-built drawings shall be submitted prior to final acceptance of the construction, initiating the one-year maintenance period.
11. **Addresses** – Any new addresses must be assigned by City of Ashland Engineering Department.

Ashland Fire & Rescue (AF&R) Pre-Application Comments

Date: 02-10-2020
Project Address: Ashland Mine Rd
Permit Number: PreApp-2020-00177
Project Description: New SFR
AF&R Contact: Fire Marshal Ralph Sartain
541-552-2229
ralph.sartain@ashland.or.us

Fire department comments are based upon the 2014 Oregon Fire Code as adopted by the Ashland Municipal Code, and Ashland Land Use Laws:

- **Addressing** - Building numbers or addresses must be at least 4 inches tall, be of a color that is in contrast to its background and shall be plainly visible and legible from the street fronting the property. Additional directional signage may be necessary to guide emergency responders down a driveway, path or through a gate. All premises identification, street signs and building numbers, must be in place with temporary signs when construction begins and permanent signage prior to issuance of any occupancy. **OFC 505**
- **Fire Apparatus Access Approach** -The angle of approach at the point where the public road transitions to the private fire apparatus access road must meet the City of Ashland Engineering Department specifications. **OFC 503.2.8**
- **Fire Apparatus Access - Single Residential Lot** - If the furthest point on the structure is greater than 150' from the street, the entire length of the private drive or street must meet fire apparatus access. Fire apparatus access shall be 15 feet clear width, with the center 12 feet being constructed of an all-weather driving surface. Fire apparatus access must support 60,000 pounds, no parking, have a maximum slope of 10 percent, and have vertical clearance of 13' 6". With the installation of fire sprinklers, 200' of the driveway is allowed to have an 18 percent slope. Inside turning radius is at least 20 feet and outside turning radius is at least 40 feet and must be indicated on site plans submitted for building permits. Fire apparatus access is required to be signed as "No Parking-Fire Lane". Final plat needs to indicate that the private drive is fire apparatus access and must state that it cannot be modified without approval of Ashland Fire & Rescue.
- **Fire Apparatus Turn Around** - An approved fire apparatus turnaround could be required for projects where fire apparatus access roads are greater than 150 feet in length. They are required to provide a fire apparatus turn around. The turnaround must be identified in an approved manner with "No Parking-Fire Lane" signs and must remain clear at all times. Please refer to the City of Ashland Minimum Turn-Around Standards diagram to determine which layout works best for your project.
- **Firefighter Access Pathway** – An approved footpath around the structure is required so that all exterior portions of the structure can be reached with the fire hose. Any changes in elevation greater than two feet in height (such as retaining walls) require stairs. The stairs shall be an all-weather surface, and meet the requirements as specified in the Oregon Structural Specialty Code. **OFC 503.1.1**
- **Fire Hydrant Distance to Structures** - Hydrant distance is measured from the hydrant, along a driving surface, to the approved fire apparatus operating location. Hydrant

distance shall not exceed 300 feet. Hydrant distance can be increased to 600 feet if approved fire sprinkler systems are installed.

- **Fire Hydrants Clearance** - Hydrants must have 3 feet of clearance extending from the center nut of the hydrant all the way around. Fences, landscaping and other items may not obstruct the hydrant from clear view. Hydrants must be shown on site plan when submitting for building permits.
- **Fire Sprinkler System** – If the access exceeds 10% grade a residential sprinkler system will be required. The installation of a fire sprinkler system may be an acceptable means to mitigate deficiencies related to other fire requirements such as fire flow, hose reach, fire lane width, fire apparatus turn-around, distance to fire hydrants, and fire department work areas. **OFC 503.1.1**
- **Gates and Fences** – Obstructions such as gates, fences, or any other item which would block or reduce the required fire apparatus access width must be shown on the plans and approved by Ashland Fire and Rescue.
- **Wildfire Hazard Areas** – On lands designated in the Wildfire Lands Overlay, a “Fuel Break” as defined in **Ashland Municipal Code, section 18.3.10.100** is required.
- **Wildfire Hazard Areas** - All structures shall be constructed or re-roofed with Class B or better non-wood roof coverings, as determined by the Oregon Structural Specialty Code. No structure shall be constructed or re-roofed with wooden shingles, shakes, wood-product material or other combustible roofing material, as defined in the City's building code. **AMC 18.3.10.100**
- **Vegetation** – existing and intentionally planted vegetation is required to meet **AMC 18.3.10.100B(2)** General Fuel Modification Area Standards. The Fire Wise landscaping brochure provides diagrams and examples of how to meet these requirements. www.ashlandfirewise.org. Contact Ashland Fire & Rescue Forestry Division for a fuel break inspection.
- **Fire Season** – If work will be completed during fire season, check fire season fire prevention requirements found at www.ashland.or.us/fireseason .

Final determination of fire hydrant distance, fire flow, and fire apparatus access requirements will be based upon plans submitted for Building Permit review. Changes from plans submitted with this application can result in further requirements. Any future construction must meet fire code requirements in effect at that time. The fire department contact for this project is Fire Marshal Ralph Sartain. He may be contacted at (541) 552-2229 or ralph.sartain@ashland.or.us .