
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 DEPARTMENT
PRE-APPLICATION CONFERENCE
COMMENT SHEET
March 4, 2020

SITE: 345 Clinton Street
APPLICANT: Rogue Planning & Development Services, LLC
OWNER: Mace & Kahle
REQUEST: Land Partition for future development

PLANNING STAFF COMMENTS:

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.

Summary: The proposal appears to set the stage for future subdivision of this land and would appear to be a good candidate to utilize the Performance Standards Options chapter (AMC 18.3.9).

The application will require the applicant to sign in favor of future street improvements along both Clinton and Ann Streets.

A completed application should address future development plans including appropriate sized utilities for future road ways and other public improvements.

There is an unnamed drainage that is identified as a water resource protection zone (WRPZ). The applicant will be required to investigate and delineate this drainage way and the suspected wetland in conjunction with future development. Special attention should be given to the following:

- **Natural Features** – Natural features to be carefully considered in the planning of the site include the unnamed WRPZ, the identified possible wetlands' WRPZ, trees and any other natural features (i.e. other wetlands or drainages, significant rock outcroppings/slopes, etc.).
- **Street System**– The application should carefully consider the necessary street width needed to accommodate required on-street parking in an R-1 PSO subdivision, as well as required sidewalk installation and alley connectivity. Staff believe an Exception to allow curbside sidewalks may be appropriate in the steepest area of Clinton west of the existing driveway. Remaining sections should include standard park rows. The application will need to consider the transition between the existing street (Phelps) to be extended and the existing driveway given existing grades.
- **Neighborhood Character** – The application should consider the impacts to the Clinton Street streetscape and neighbors, and might look at limiting street-facing elevations along Clinton Street to one or one-and-a-half stories to minimize impacts to views as has been done in similar PSO subdivisions elsewhere in town.
- **Significant Natural Features:** A key element of the Performance Standards Options subdivision chapter (AMC 18.3.9) is its intent to identify and preserve significant natural

features. Specifically, the chapter notes, “*The existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the open space, common areas, and unbuildable areas.*” The final application will need to clearly identify the significant natural features of the site and address their treatment in keeping with the requirements of the ordinance.

- **Wetland Water Resource Protection Zone (WRPZ):** There are “possible wetlands” identified on the subject property in adopted WRPZ maps, and in visiting the site it appears there may be additional wetlands or land drainages which aren’t identified. In addition to regulations set forth by the state and federal government with regard to wetlands, they are also regulated by Ashland Land Use Ordinance in chapter 18.3.11 – Water Resources Protection Zones and protected along with other natural features through the Performance Standards Options chapter. All wetlands will need to be delineated, and at least a 20-foot buffer area preserved and protected as part of the development. Any restoration and enhancement of the wetland, or other allowed alteration, will require a Limited Activities/Uses Permit as detailed in AMC 18.3.11.060. Wetlands would need to be protected with a conservation easement.

Approval Standards for Land Divisions on Properties with Water Resources: Planning actions and procedures containing Water Resource Protection Zones and involving the division of land or property line adjustments shall comply with the following provisions and shall include the plan requirements in subsection 18.3.11.100.A.3.

- **Building Envelope Established.** Each lot shall contain a building envelope entirely outside the Water Resource Protection Zone of sufficient size to permit the establishment of the use and associated accessory uses.
- **Conservation Area.** Performance Standards Option Subdivision applications shall include the Water Resource Protection Zone in a Conservation Easement or other recorded development restriction which stipulates that the use or activity within the Water Resource Protection Zone shall be consistent with the provisions of the Water Resource Protection Zones Ordinance. The Planning Commission *may* require that the Water Resource Protection Zone be included in a separate tract of land managed by a homeowners’ association or other common ownership entity responsible for preservation.
- **Management Plan.** Long term conservation, management, and maintenance of the Water Resource Protection Zone consistent with the requirements of this chapter shall be ensured through preparation and recordation of a management plan as described in **AMC 18.3.11.110.C**.
- **Mitigation Requirements.** The approval authority *may* require a mitigation plan in accordance with the requirements of **AMC 18.3.11.110 “Mitigation Requirements”** to mitigate impacts resulting from a land division.

Tree Protection and Preservation: For all planning actions, an inventory of all trees six-inches in diameter at breast height and greater on the property and within 15 feet of the property boundaries is required with the application under AMC 18.4.5. The inventory must include detailed information including but not limited to species, diameter at breast height, condition, and drip line/protection area of each tree. The plan must clearly identify trees to be preserved and those to be removed, and address the tree removal permit requirements in AMC 18.5.7 for significant trees to be removed.

Within the Performance Standards Options Chapter, trees receive significant additional consideration. Trees should be identified and carefully considered in the site planning and thoroughly addressed in the application materials.

Street/Sidewalk Improvements: Clinton Street, Ann Street and Briscoe Place are considered under Ashland's Transportation System Plan (TSP) to be residential Neighborhood Street. The applicant will be required to sign in favor of these future improvements.

Adequate Capacity of Public Utilities: The applicant is responsible for determining if water, sanitary sewers, storm sewer, electricity and transportation are available or can be extended to serve the proposed development. The Site Plan must show the location and size of the public facilities that will serve the proposed parcels and detail service locations for each proposed lot.

Storm Drainage: The applicants will want to carefully address storm drainage in the application submittal including providing preliminary engineering design for storm drainage which addresses on-site detention and a system design that insures that post development peak flows will not exceed pre-development levels, which plans for a 25-year storm event, and which addresses the potential for flooding.

Solar Setback and Envelopes: The final application will need to identify building envelopes and provide elevation drawings for proposed buildings, taking into consideration height limitations and solar access requirements. The application will have to demonstrate that a twenty-one (21) foot high structure is able to meet to meet Solar Setback Standard A that has a setback which does not exceed fifty (50%) percent of the lot's north-south lot dimension in accordance with AMC 18.4.8 or propose solar envelopes complying with Standard A.

Neighborhood Outreach: Staff always recommends applicants approach the affected neighbors to discuss proposals and try to address any concerns as early in the process as possible. Notices will be sent to owners of neighboring properties within a 200-foot radius, signs posted on the site and advertised in the local newspaper once an application is deemed complete. In many cases, it is better if neighbors hear of the proposal from the applicants rather than by a formal notice from the city.

Written Findings/Burden of Proof: Applicants should be aware that written findings addressing the ordinance and all applicable criteria are required, and are heavily depended on in the decision making process for a planning action. In addition, the required plans are explained in writing below. 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 DEPARTMENTS' COMMENTS

BUILDING DEPARTMENT: No comments at this time. Please contact the Building Division for any additional information at (541) 488-5309.

CONSERVATION DEPARTMENT: There may be current City of Ashland rebates for the installation of high efficiency toilets (HET) as well as some appliances such as refrigerators, dishwashers and washing machines. Appliances may also be eligible for state tax credits through the Oregon Department of Energy. There may also be opportunities for homes to be built more sustainably or more energy efficient with financial and/or technical assistance from the City. For more information on currently available Conservation programs, please contact the City of Ashland Conservation Division at (541) 552-2062 or e-mail Dan.Cunningham@ashland.or.us.

ELECTRIC DEPARTMENT: “Please have applicant contact the Electric Department at 541-552-2389 to coordinate meeting to discuss service requirements and connect fees related to their project.” An approved electric service plan is required to be included in the final application submittal for the application to be deemed complete. Please allow additional time for scheduling an on-site meeting with Dave Tygerson, subsequent preparation of a schematic plan, and incorporation of this plan into your submittals.

FIRE DEPARTMENT: See attached comments. Please contact Division Chief Margueritte Hickman of the Fire Department for any additional information at (541) 552-2229.

PUBLIC WORKS DEPARTMENT: Please see attached comments from Karl Johnson in the Engineering Division. For any further information, please contact Karl at (541) 552-2415 or via e-mail to: karl.johnson@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 detector check 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 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 (walkers@ashland.or.us) with any questions regarding water utilities.”*

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ZONING DISTRICT REQUIREMENTS

Zoning: R-1-5 Single Family Residential

Landscaping Requirements: 50 percent of the lot area. Size- and species-specific landscaping & irrigation plan required for parkrows and open space at time of formal application. Avoid using lawn. Provide irrigation system. Include street trees, one per 30 feet of street frontage.

Parking, Access and Internal Circulation: Residential dwellings require one off-street parking space per studio or one-bedroom unit less than 500 square feet; 1½ spaces per one-bedroom unit greater than 500 square feet; 1¾ spaces for two-bedroom units; and two spaces for units with three or more bedrooms as further detailed in AMC 18.4.3. Drives in excess of 50 feet in length are considered to be “flag drives” and subject to all the development standards thereof – see AMC

Lot Coverage: A maximum of 50 percent of the lot may be covered with building footprints, driveways, parking spaces and other lot coverage. Compliance with lot coverage standards should be demonstrated in the application.

Setbacks: Front yards shall be a minimum of 15 feet, excluding garages which require a 20-foot front setback. Unenclosed porches shall be permitted with a minimum setback of eight feet. Side yards require six feet; the side yard of a corner lot abutting a public street shall have a ten-foot setback; rear yard, ten feet plus ten feet for each story in excess of one story. In addition, the setbacks must comply with Chapter 18.4.8 which provides for Solar Access.

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PROCEDURE:

Application Requirements. The application is required to include: 1) clear, legible, scalable drawings of the proposal (i.e. plan requirements), and 2) written findings addressing the applicable approval criteria in accordance with the Ashland Land Use Ordinance (ALUO), Chapter 18 of the Ashland Municipal Code.

The following sections include the requirements for plans and approval criteria which are applicable to the proposal as described in the pre-application submittals. When more than one planning approval is required for the proposal, multiple sections of the ALUO may apply. 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. All submittals must also include:

1. **Application Form and Fee.** Applications for Type II review shall be made on forms provided by the Staff Advisor. One or more property owners of the property for which the planning action is requested, and their authorized agent, as applicable, must sign the application. The required application fee must accompany the application for it to be considered complete.
2. **Submittal Information.** The application shall include all of the following information.
 - a. The information requested on the application form.
 - b. Plans and exhibits required for the specific approvals sought.

- c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail.
- d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.
- e. The required fee.

1. PLAN & EXHIBIT REQUIREMENTS: *Two (2) copies of the plans below on paper no larger than 11"x 17". Note: These copies may be used for the Planning Commission packets and for the notices mailed to neighbors - please submit clear, readable, reproducible copies.*

Two (2) Copies of the preliminary plat as required in section 18.5.3.040. The following information is required for a partition application submittal.

A. General Submission Requirements.

- 1. Partitions. Information required for a Type I review (see section 18.5.1.050), including but not limited to a written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards.

B. Preliminary Plat Information. In addition to the general information described in subsection A, above, and any information required pursuant to chapter 18.3.9 Performance Standards Option, the preliminary plat application shall consist of drawings and supplementary written material (i.e., on forms and/or in a written narrative) adequate to provide the following information, in quantities determined by Staff Advisor.

1. General information

- a. Name of subdivision (partitions are named by year and file number). This name shall not duplicate the name of another land division in the City or vicinity.
- b. Date, north arrow, and scale of drawing.
- c. Location of the development sufficient to define its location in the City, boundaries.
- d. Zoning of parcel to be divided, including any overlay zones.
- e. A title block specifying "minor or major partition" and including the partition number, City of Ashland, the names, addresses, and telephone numbers of the owners of the subject property and, as applicable, the name of the engineer and surveyor, and the date of the survey.
- f. Identification of the drawing as a "preliminary plat".

2. **Existing Conditions.** Except where the Staff Advisor deems certain information is not relevant, applications for Preliminary Plat approval shall contain all of the following information on existing conditions of the site.

- a. *Streets.* Location, name, and present width of all streets, alleys, and rights-of-way on and abutting the site.
- b. *Easements.* Width, location, and purpose of all existing easements of record on and abutting the site;
- c. *Utilities.* Location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest one and show how utilities will be brought to standards;
- d. *Topography and Natural Features.* A topographic map showing contour intervals of five

feet or less and the location of any physical constrained lands, pursuant to chapter 18.3.10, and any natural features, such as rock outcroppings, wetlands, streams, wooded areas, and isolated preservable trees.

- e. The Base Flood Elevation, Floodplain Corridor Elevation, and Floodplain Boundary, per the Ashland Floodplain Corridor Maps, as applicable.
- f. North arrow and scale.

3. Proposed Development. Except where the Staff Advisor deems certain information is not relevant, applications for Preliminary Plat approval shall contain all of the following information on the proposed development.

- a. Proposed lots, streets, tracts, open space, and park land (if any); location, names, right-of-way dimensions.
- b. Location, width, and purpose of all proposed easements;
- c. Approximate dimensions, area calculation (e.g., in square feet), and identification numbers for all proposed lots and private tracts (e.g., private open space, common area, or street).
- d. Proposed uses of the property, including all areas proposed to be dedicated as public right-of-way or reserved as open space for the purpose of surface water management, recreation, or other use.
- e. Proposed public street improvements, pursuant to chapter 18.4.6.
- f. Preliminary design for extending City water and sewer service to each lot, pursuant to chapter 18.4.6.
- g. Proposed method of storm water drainage and treatment, if required, pursuant to chapter 18.4.6.
- h. The approximate location and identity of other facilities, including the locations of electric, fire hydrants, streetlights, and utilities, as applicable.
- i. Evidence of compliance with applicable overlay zones.

Two (2) Copies of a Tree Protection Plan as required chapter 18.4.5.030. A tree protection plan shall be approved by the Staff Advisor concurrent with applications for Type I, Type II, and Type III planning actions. If tree removal is proposed, a Tree Removal Permit addressing the tree conservation, protection, and removal standards for Hillside Lands in section 18.3.1.090.D and the requirements of chapter 18.5.7 may be required.

B. Tree Protection Plan Submission Requirements. In order to obtain approval of a tree protection plan; an applicant shall submit a plan to the City, which clearly depicts all trees to be preserved and/or removed on the site. The plan must be drawn to scale and include the following.

- 1. Location, species, and diameter of each tree on site and within 15 feet of the site.
- 2. Location of the drip line of each tree.
- 3. An inventory of the health and hazard of each tree on site, and recommendations for treatment for each tree.
- 4. Location of existing and proposed roads, water, sanitary and storm sewer, irrigation, and other utility lines/facilities and easements.
- 5. Location of dry wells, drain lines and soakage trenches.
- 6. Location of proposed and existing structures.
- 7. Grade change or cut and fill during or after construction.
- 8. Existing and proposed impervious surfaces.

