
The comments of this pre-application 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
April 22, 2020

SITE: 295 Iowa Street
APPLICANT: Tyler Trivette
REQUEST: CUP for expansion of non-conforming structure. CUP for MPFA?

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 to add a new bedroom addition over the garage required a CUP for an expansion of a non-conforming structure (front yard setbacks) and compliance with the Historic Design Standards.

Historic Inventory: The subject property is located within the Siskiyou-Hargadine Historic District and is listed as the "Donald and Shirley Payne House". The home was constructed around 1957, and is described as having multiple gable volumes with both one and two story portions, and is considered to be "Non-Historic/Non-Contributing".

The boundary to the Siskiyou-Hargadine Historic District runs along the length of Terrace, as such the property is at the very boundary of the Historic District. The final applicant should address the component of 'transitional areas' in the Historic Design Standards. Compliance with the historic standards will be the largest challenge in approving the application. The Historic Review Board has not examined the proposed plans due to the Covid emergency, however staff have reviewed the plans and has concerns with the compatibility to Historic Design Standards, *specifically Scale and Massing*. Design modifications will be required to meet the Historic Standards.

Pursuant to AMC 18.4.2.050.A.2.b: "If a development requires a Type I, II, or III review procedure (e.g., Site Design Review, Conditional Use Permit) and involves new construction, or restoration and rehabilitation, or any use greater than a single-family use, the authority exists in the law for the Staff Advisor and the Planning Commission to require modifications in the design to match these standards. In this case the Historic Commission advises both the applicant and the Staff Advisor or other City decision maker."

The application submittal shall address the Historic District Design Standards including: Height, Scale, Massing, Setback, Roof, Rhythm of Openings, Base of Platforms, Form, Entrances, and Imitation of Historic Features.

These are found in AMC 18.4.2.050.B

<https://ashland.municipal.codes/LandUse/18.4.2.050.B>

Maximum Permitted Floor Area (MPFA): Within the historic district, an attached garage would be considered in the Maximum Permitted Floor Area (MPFA). A lot of this size would have an MPFA of about 2,340 square feet, and any application would need to include a demonstration that the existing house and attached garage space combined comply with this requirement. (MPFA Calculation: Lot size 7000 x 0.88 x 0.38 ~ 2340)

GHFA: Existing 1880, proposed 270; total = 2,150 (gross habitable floor area is measured from the exterior wall). [190 square feet remaining]

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UNDERLYING ZONE PROVISIONS (18.2.5.030.A.)

ZONING: R-1-7.5, Single Family Residential with a 7,500 square foot minimum lot size. Minimum lot width is 65 feet. Lot depth 80-150 feet. Lot width shall not exceed lot depth.

MAXIMUM BUILDING HEIGHT: 30 feet maximum height within the historic districts.

SETBACKS: Eight feet for unenclosed porches, 15 feet for front yards, and 20 feet for front-facing garages. Six feet for side yards but ten feet for side yards abutting a public street. Ten feet per story and five feet per half-story for rear yards. In addition, the setbacks must comply with the solar access requirements.

LOT COVERAGE: A maximum of 45 percent of the lot may be covered with impervious surface. Please identify on site plan and in text all areas of landscaping, impervious surface, patio space, outdoor recreational space, etc.

LANDSCAPING REQUIREMENTS: 55 percent of the site must be retained in landscaping, and a site-, size-, and species- specific landscaping plan is required at time of formal application. The landscape plan must address any required screening, and include street trees, one per 30 feet of street frontage where applicable. Avoid using lawn. Provide irrigation system for all landscaped areas. Landscaping shall be designed so that 50 percent coverage occurs after one year and 90 percent coverage occurs after five years.

PARKING, ACCESS, AND INTERNAL CIRCULATION: As detailed in 18.4.3.040, two parking spaces are required for the primary dwelling unit. Parking space dimensional requirements are a minimum of nine feet by 18 feet, with 22 feet of clear space as a back-up dimension required directly behind the space.

WRITTEN FINDINGS

Conditional Use Permit

AMC 18.5.4.050

A. Approval Criteria. A Conditional Use Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.

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.
 - b. R-1. Residential use complying with all ordinance requirements, developed at the density permitted by chapter [18.2.5](#) Standards for Residential Zones.

PLANS AND EXHIBITS

Conditional Use Permit: AMC 18.5.3.040

A. General Submission Requirements. Information required for Type I or Type II review, as applicable (see sections [18.5.1.050](#) and [18.5.1.060](#)), 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. Plan Submittal. The plan or drawing accompanying the application shall include the following information.

1. Vicinity map.
2. North arrow and scale.
3. Depiction and names of all streets abutting the subject property.
4. Depiction of the subject property, including the dimensions of all lot lines.
5. Location and use of all buildings existing and proposed on the subject property and schematic architectural elevations of all proposed structures.
6. Location of all parking areas, parking spaces, and ingress, egress, and traffic circulation for the subject property, including accessible parking by building code.
7. Schematic landscaping plan showing area and type of landscaping proposed.
8. A topographic map of the site showing contour intervals of five feet or less.

9. Approximate location of all existing natural features in areas which are planned to be disturbed, including, but not limited to, all existing trees of greater than six inches DBH, any natural drainage ways, ponds or wetlands, and any substantial outcroppings of rocks or boulders.

OTHER CITY OF ASHLAND DEPARTMENT COMMENTS

BUILDING: 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: No comments at this time. 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: General Fire Department comments are included at the end of this document. Please contact Fire Marshal Ralph Sartain of the Fire Department for any additional Fire Department-related information at 541-552-2229 or via e-mail to ralph.sartain@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: No comments at this time. If any upgrades to existing service are

necessary, please have applicant contact the Electric Department @ 552.2389.

PROCEDURE

A CUP 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 as provided in AMC 18.5.1.050.G. *The decision of the Planning Commission is the final decision of the City on an appeal of a Type I decision.*

APPLICATION MATERIALS:

The application is required to include drawings of the proposal (i.e. plan requirements) as well as 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 section includes 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.

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 in its entirety may be accessed on-line at:

http://www.ashland.or.us/SIB/files/AMC_Chpt_18_current.pdf

Written statements:

- o **Conditional Use Permit** **AMC 18.5.4.050**
- o **Historic Design Standards** **AMC 18.4.2.050.B**

Plan Requirements:

Two (2) readable copies of the plans below on paper no larger than 11-inches by 17-inches in addition to any full-sized plans. Note: The 11x17 copies are used for the Planning Commission packets and for the notices mailed to neighbors. Please submit clear, reproducible copies. The final application submittal need to include scalable drawings to facilitate review by staff, commissioners and the public.

- o **Conditional Use Permit:** **AMC 18.5.4.040**

FEES: **Conditional Use Permit** **\$1,092**

NOTE: 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.

For further information, please contact:

Aaron Anderson, *Assistant Planner*

City of Ashland, Department of Community Development

Phone: 541-552-2052 or e-mail: aaron.anderson@ashland.or.us

April 22, 2020 _____

Date

Pre-Application Comments

Date: 04-08-2020

Project Address: 295 Iowa St Permit Number:

PreApp-2020-00192

Project Description: Remodel

Ashland Fire & Rescue Contact: Ralph Sartain 541-552-2229 ralph.sartain@ashland.or.us

Fire department comments are based upon the 2019 Oregon Fire Code as adopted by the Ashland Municipal Code, and Ashland Land Use Laws:

- Fire has no additional comment for this project

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.