
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** August 7, 2019

SITE: 706 Jefferson St.
APPLICANT: West Coast Extractions LLC
REQUEST: Site Design Review for
change of use to a marijuana processing and
wholesale facility

STAFF COMMENTS

This pre-application conference is intended to highlight significant issue and bring them to the applicant's attention prior to their preparing a formal application submittal.

Summary

The proposal is to convert existing light industrial space into office space, cannabis wholesale operations, and cannabis processing (extraction) operations. The applicant's findings submitted with the application materials is very complete addressing all relevant approval criteria. In staff's opinion the largest issue to be considered are those items related to changing the building occupancy under the OSSC.

- **Building Occupancy** – The existing building was approved and constructed in 1985-1986 for light industrial uses. The proposed uses would be a change in building occupancy under the building code and potentially need significant building upgrades / modifications. As a result, staff recommends working with a design professional to determine the scope of building code changes that will be required to convert the building space(s) to an F-1 or H-1 / H-2 building occupancy depending on type and amount of solvents to be stored in association with the extraction and processing.
 - See attached BD-PP-0030 Change of Use or Occupancy policy handout
 - See attached 'Building Code Guidelines for Commercial Marijuana Extraction and Grow Facilities' from the Oregon Building Officials Association (OBOA)
 - See attached 'Building Code Guidelines for Commercial Marijuana Extraction and Grow Facilities' from Jackson County
- **Off-Street Parking** – Based on the building being approximately 13,000 sq. ft. if the entire building is occupied for manufacturing or similar use the development would require 13 parking spaces. The plans on file at the City show a total of 24 spaces located on site for the entire building, including the eastern half of the building that is not part of the proposal. A final application should demonstrate that the required off-street parking works for the entire property including new proposed uses and existing uses.

Other Requirements

- **Separation Requirements** – The application will need to demonstrate that the proposed wholesale storage and distribution use is at least 1,000 feet from the approved wholesale use located at 695 Mistletoe Road. (See AMC 18.2.3.190.B.1.f for methodology for measuring separation requirements.)

- **Light and Glare** – The light and glare for lighting systems associated with indoor cultivation have to be confined to the interior of the building. The application should address how this standard will be addressed.
- **Exterior Building Modifications** – The application should clarify whether any changes to the exterior of the building are proposed. Exterior changes must be consistent with the Site Design standards in AMC 18.4 – meeting the building orientation and design standards in 18.4.2 can be an issue when making exterior changes.
- **Signs** – Any signage requires a sign permit prior to installation. Signage is only permitted on the side of the building with a public entrance.
- **Bike Parking:** Bicycle parking in accordance with AMC 18.4.3.B.2. One bicycle parking space is required for every five automobile parking spaces. Please show where existing or proposed bike parking is located on-site.
- **Trash Enclosure:** The application needs to address the requirement that marijuana related businesses provide for secure disposal of marijuana remnants or by-products; such remnants or by-products shall not be placed within the business’ exterior refuse containers. The application needs to address how the disposal of marijuana infused material will be discarded securely. The site plan shall also show the location of the exterior trash enclosure placed in a non-prominent location and screened from view while trying to retain access for trash collection.

OTHER CITY DEPARTMENT AND AGENCY 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: 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 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 by phone at [541-552-2326](tel:541-552-2326) or e-mail 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: If any service modifications are proposed, please contact Dave Tygerson in the Electric Department for any service requirements or fee information at (541) 552-2389 or via e-mail to tygersod@ashland.or.us .

.....

ZONING DISTRICT REQUIREMENTS

Zoning: E-1 (Employment)

Landscaping Requirements: 15 percent of the site. 7 percent of the parking area.

Lot Coverage: A maximum of 85 percent of the lot may be covered with impervious surface, which includes buildings, pavement, and soil disturbances that will not allow normal water infiltration.

Setbacks: NA – no new building floor area is proposed. Otherwise setbacks shall be in accordance with the Site Design and Use Standards.

Parking, Access & Circulation: As detailed in 18.4.3.

Signage: As detailed in 18.4.7.080. A separate sign permit application is required should any modifications to existing signage be proposed.

APPLICATION REQUIREMENTS

PROCEDURE

Conditional Use and Site Design Review permits for a Travelers’ Accommodations are subject to a “Type I” procedure which provides for an administrative decision made following public notice and a public comment period. Type I decisions provide an opportunity for appeal to the Planning Commission. If there are larger issues involved – or a Variance is requested – a Type II application with a public hearing may be required.

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: <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:

- o **Site Design Review Criteria** **AMC 18.5.2.050**
- o **Standards for Marijuana Related Business** **AMC 18.2.3.190.B**

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.

- o **Site Design Review:** **AMC 18.5.2.040**

FEES: **Site Design Review/Conditional Use Permit** **\$1,092**

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.

For further information, please contact: July 17, 2019
 Aaron Anderson, Assistant Planner Date
 City of Ashland, Department of Community Development
 Phone: 541-552-2052 or e-mail: aaron.anderson@ashland.or.us

FIRE COMMENTS

Date: 07-25-2019
Project Address: 706 Jefferson Av
Permit Number: PreApp-2019-00126
Project Description: Commercial Property/Change of Use

Ashland Fire & Rescue Contact: 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:

OAR 845-025-3260

Cannabinoid Concentrate and Extract Processor Requirements

(1) Cannabinoid Concentrates or Extracts. A processor with a cannabinoid concentrate or extract endorsement:

(a) May not use Class I solvents as those are classified in the Federal Drug Administration Guidance, Table I, published in the Federal Register on December 24, 1997 (62 FR 67377).

(b) Must:

(A) Only use a hydrocarbon-based solvent that is at least 99 percent purity.

(B) Only use a non-hydrocarbon-based solvent that is food-grade.

(C) Work in an environment with proper ventilation, controlling all sources of ignition where a flammable atmosphere is or may be present.

(D) Use only potable water and ice made from potable water in processing.

(E) If making a concentrate or extract that will be used in a cannabinoid edible, be endorsed as a cannabinoid edible processor and comply with OAR 845-025-3250.

(2) Cannabinoid Extracts. A processor with an endorsement to make cannabinoid extracts:

(a) May not use pressurized canned flammable fuel, including but not limited to butane and other fuels intended for use in camp stoves, handheld torch devices, refillable cigarette lighters and similar consumer products.

(b) Must:

(A) Process in a:

(i) Fully enclosed room clearly designated on the current diagram of the licensed premises.

(ii) Room and with equipment, including all electrical installations that meet the requirements of the Oregon Structural Specialty Code, related Oregon Specialty Codes and the Oregon Fire Code.

(B) Use a professional grade closed loop extraction system designed to recover the solvents and built to codes of recognized and generally accepted good engineering standards, such as those of:

(i) American National Standards Institute (ANSI);

(ii) Underwriters Laboratories (UL); or

(iii) The American Society for Testing and Materials (ASTM).

(C) If using carbon dioxide in processing, use a professional grade closed loop carbon dioxide gas extraction system where every vessel is rated to a minimum of six hundred pounds per square inch.

(D) Have equipment and facilities used in processing approved for use by the local fire code official.

(E) For extraction system engineering services, including but not limited to consultation on and design of extraction systems or components of extraction systems, use the services of a professional engineer registered with the Oregon State Board of Examiners for Engineering and Land Surveying, unless an exemption under ORS 672.060 applies.

(F) Have an emergency eye-wash station in any room in which cannabinoid extract is being processed.

(G) Have all applicable material safety data sheets readily available to personnel working for the processor.

(3) Cannabinoid Concentrates. A processor with an endorsement to make cannabinoid concentrates:

(a) May not:

(A) Use denatured alcohol.

(B) If using carbon dioxide, apply high heat or pressure.

(b) Must only use or store dry ice in a well-ventilated room to prevent against the accumulation of dangerous levels of carbon dioxide.

(c) May use:

(A) A mechanical extraction process;

(B) A chemical extraction process using a nonhydrocarbon-based or other solvent, such as water, vegetable glycerin, vegetable oils, animal fats, isopropyl alcohol or ethanol; or

(C) A chemical extraction process using the hydrocarbon-based solvent carbon dioxide, provided that the process does not involve the use heat over 180 degrees or pressure.

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 -Shared Access Easement-If a fire apparatus access road crosses onto or over another property owners parcel, an easement must be obtained to provide access for fire apparatus. Easement language needs to include wording that indicates that the shared access easement may not be modified, removed, or obstructed in any way without prior written approval from Ashland Fire and Rescue.

Fire Apparatus Access -Commercial -If the furthest point on the structures 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 have a 20-foot-wide driving surface, must support 60,000 pounds, have a maximum slope of 15 percent, and have vertical clearance of 13' 6". 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.

Aerial Ladder Access – Structures exceeding 24 feet in height above the lowest level of fire apparatus access are required to provide access roads capable of accommodating fire department aerial apparatus. These access roads are required to be 26 feet in width in the immediate vicinity of the building. OFC Appendix D 105 as amended by AMC 15.28.070 K & L.

Fire Flow – Fire flow is determined by table B105.1 in Appendix B of the Oregon Fire Code. An increase or reduction as referenced by this code section may be required or allowed. Square footage of a structure for the purpose of determining fire flow includes all areas under the roof including garages, covered decks, basements and storage areas. A fire flow reduction of up to 75% can be allowed with the installation of a fire sprinkler system.

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 – 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

Fire Department Connection (FDC) - The FDC is required to be a 2 ½" Siamese female connection installed 18" to 48" above finished grade. A single 2 ½" NST female swivel connection with rocker lugs and cap is acceptable if hydraulic calculations are provided that indicate a single 2 ½" line will adequately serve the system. Fire flow alarm shall be placed on the FDC. FDC shall be placed in a location approved by the fire department. Locking Knox FDC Caps shall be installed.

Key Box – (Knox Box) is required for commercial buildings with fire sprinkler or fire alarms systems. The Knox Box must be a 3200 series or larger with a hinged door and may be either surface mounted or recessed into a wall. The installation location of the Knox Box will be determined by Ashland Fire & Rescue. The Knox Box is required to be installed in accordance with the manufacturer's instructions. The Knox Box can be ordered at www.knoxbox.com. inspection shall be requested from Ashland Fire & Rescue

Fire Extinguishers - Provide 2A1 0BC fire extinguishers within 75 feet of travel distance. The fire extinguisher shall be mounted on the wall at approximately 48 inches above the floor.

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.

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.