
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**

June 24, 2020

SITE: 535 Placer Run
APPLICANT: Terrain Landscape Architecture
Rogue Planning and Development
OWNER: Jefferess Hailand & Catherine Colson
REQUEST: Request for Driveway Access from
terminus of a Private Drive (Tessa Lane)

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.

The property located at 535 Placer Run is zoned RR-.5 and requires a review because the proposed private drive extension from Tessa Ln to serve the existing residence will increase the number of units served by the existing private drive. Tessa Ln was developed as part of a 4-Lot Subdivision-which received a Variance to the maximum number of units served off a Private Drive in 2005.

Summary: Staff has identified the primary issues and requirements for the applicant's proposal during the pre-application review. These are summarized in the following section.

Modification to previously approved subdivision approval criteria ([18.5.6.040.C.2](#)):

Private Drive Variance – number of units served off a private drive

Staff understands that the current proposal is to provide a secondary access to the existing home at 535 Placer Run, and not intended to serve a new homesite on the County zoned portion of the property. In 2005 the Planning Commission approval of the Westfield PUD Subdivision included approval of a Variance to exceed the maximum number of home-sites served by a private road. The approval included a variance to serve 3 units within the City, and one within the County. The current proposal will increase number of units served by this private drive, Tessa Lane, and will constitute one additional unit served above the 4 previously identified in PA# 2005-00870 for the Westfield Planned Unit Development.

Provided the applicant can obtain access easements from the Home Owners Association for the area of "Private Street" on the adjoining property (391E08BA 501), and obtain access easements from the private properties at 605 Orchard St. (391E08BA 301) and 625 Orchard St. (391E08BA 300), through which the lane crosses, the applicant could propose a modification of the previously approved subdivision's variance to now serve 5 units off of this private drive, and provide an easement across the City Street plug explicitly to provide access to the existing home at 535 Placer Run.

Modification of a prior condition of approval, to newly allow 5-units to be served by Tessa Lane, is a modification to the variance previously approved and as such the application's scope of review can be

proposal and try to address any concerns as early in the process as possible. When an application is deemed complete, notices are typically sent to neighbors within a 200-foot radius 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.

UNDERLYING ZONE PROVISIONS (18.2.5.030)

Zoning: RR-.5 (Rural Residential)

Maximum Building Height: 35 feet or 2 ½ stories, whichever is less; except the height of agricultural structures is not limited, when the structure is placed 50 feet or more from all property lines.

Standard Yard Requirements: Front yard – 20 feet; Side Yard – 6 feet, except 10 feet when abutting a corner –street/Alley Side; Rear Yard – 10 feet for Single-Story, for Multi-Story is 10 feet per building story.

Solar Access: Properties may shade the property to their north no more than would a six-foot fence constructed on the north property line.

Lot Coverage: 20 percent maximum. All areas other than natural landscaping, which allow the normal infiltration of water into the soil, are considered coverage. Please identify all existing and proposed lot coverage on a site plan and in the text of your application.

Landscape Requirements: N/A.

Trees: Submittal requirements shall include items noted in chapter 18.4.5.030 for Tree Protection. If trees are to be removed, the applicant is required to request their removal as required in chapter 18.5.7 with the application submittals. Note, this relates only to Trees within the City Limits, not within the County .

Parking, Access & Circulation: As detailed in 18.4.3.

OTHER DEPARTMENTS’ COMMENTS

BUILDING DEPARTMENT: *No comments at this time.* Please contact the Building Division for any code-related information at 541-488-5305.

PUBLIC WORKS/ENGINEERING: *No comments at this time.* Please contact Karl Johnson of the Engineering Division for any information at 541-552-2415 or via e-mail to (karl.johnson@ashland.or.us).

WATER AND SEWER SERVICE: *No comments at this time.* Please Contact Steve Walker at 541-552-2326 or (walkers@ashland.or.us) with any questions regarding water utilities.

ELECTRIC SERVICE: *No comments at this time.* Please contact Dave Tygerson in the Electric Department for any electrical service requirements or fee information at (541) 552-2389 or via e-mail to (dave.tygerson@ashland.or.us).

FIRE: *See attached comments.* Please contact Fire Marshall Margueritte Hickman at (541) 552-2229 or via e-mail to (margueritte.hickman@ashland.or.us) for information of Fire Department requirements.

CONSERVATION: For 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).

**IMPORTANT INFORMATION REGARDING
APPLICATION SUBMITTAL REQUIREMENTS**

Application Requirements: **Type I, Administrative Decision subject to appeal for a hearing before the Planning Commission.**

18.5.1.050 Type I Procedure (Administrative Decision and Notice)

Type I decisions are made by the Staff Advisor, following public notice and a public comment period. Type I decisions provide an opportunity for appeal to the Planning Commission.

A. Application Requirements.

1. Application Form and Fee. Applications for Type I 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 application shall not be considered complete unless the appropriate application fee accompanies it.
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.

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.*

2 copies of scalable plans that illustrate the full length of Tessa Lane, including the existing subdivision and private Drive improvements, the location of the proposed drive extension, the width and grade of the proposed drive, any Fire apparatus staging area or turnaround, and the property boundaries of all effected properties. Delineation of all proposed easements should be included in the application materials provided.

RELEVANT CRITERIA AND STANDARDS: Applicants are advised that in addition to required plans, written findings addressing how the ordinance criteria are satisfied in narrative format are required. The applicable criteria are included 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.

18.5.5.050

Variance Approval Criteria

A. *The approval authority through a Type I or Type II procedure, as applicable, may approve a variance upon finding that it meets all of the following criteria.*

1. *The variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance.*
2. *The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.*
3. *The proposal’s benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.*
4. *The need for the variance is not self-imposed by the applicant or property owner. For example, the variance request does not arise as result of a property line adjustment or land division approval previously granted to the applicant.*

B. *In granting a variance, the approval authority may impose conditions similar to those provided for conditional uses to protect the best interests of the surrounding property and property owners, the neighborhood, or the City as a whole.*



UPCOMING APPLICATION DEADLINES:

Not Applicable

FEES:

Variance Type I: \$1,092

***NOTES:**

- *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.*
- *All applications received are reviewed by staff, and must be found to be complete before being processed.*

For further information, please contact:

Brandon Goldman, Senior Planner

City of Ashland, Department of Community Development

Phone: 541-552-2076 or e-mail: brandon.goldman@ashland.or.us

June 24, 2020

Date

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:

OFC 505.1 Addressing - New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained.

OFC 503.2.8 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 503.2.1 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". The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. 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.

OFC 503.2.1 Fire Apparatus Access – Two or Three Residential Lots - 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 20 feet clear width, with the center 15 feet being constructed of an all-weather driving surface. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Fire apparatus access must support 60,000 pounds, 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.

- AMC 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.
- AMC 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
- D105.1 Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.
- D105.2 Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
- D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.
- D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.
- AMC Fire Apparatus Turn Around -An approved fire apparatus turnaround may be required for this project. Fire apparatus access roads greater than 150 feet in length 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.
- AMC Fire Hydrant Spacing - The allowable distance between hydrants on new streets serving residential or commercial properties shall not exceed 350 feet.
- AMC 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.
- 507.5 Hydrants Before Construction- The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

- AMC Fire Department Work Area -Flag drives serving structures greater than 24 feet in average roof height shall provide a Fire Work Area of 20 feet by 40 feet. At least one perimeter leg of the Fire Work Area shall be within 50 feet of the structure. The Fire Work Area requirement shall be waived if the structure served by the drive has an approved automatic fire sprinkler system installed.
- OFC 503.1.1 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.
- AMC 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.
- AMC 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
- AMC 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.
- AMC Fire Season – If work will be completed during fire season, check fire season fire prevention requirements found at www.ashland.or.us/fireseason.
- AMC Accessory Residential Units in Wildfire Hazard Areas - Accessory Residential Units on land zoned RR in the Wildfire Hazard Areas are required to install a residential fire sprinkler system.

Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanical Codes and applicable NFPA Standards.

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.