
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** June 17, 2020

SITE: 771 S Mountain Street
APPLICANT:
REQUEST: Physical and Environmental
Constraints Review Permit and modification of
building envelope

PLANNING DIVISION COMMENTS

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

The project includes a request for Site Design Review for an ARU, modification to building envelope and a Physical and Environmental review for hillside development. Staff identified issues in reviewing the proposal to construct a single-family residence and ARU on the subject property, they are as follows:

- **Building Envelope:** The original subdivision approval had a building envelope designated that was 2508 sq. ft. with a front setback of 20' (30' for garage), 20' setback left and right, and a setback to the rear that varied from 30' on the western side to 40' on the eastern side. Application materials should clearly indicate the old building envelope and the new building envelope. Application materials should discuss how they differ.
- **Design Standards:** The application materials do not include typical elevations of each side of the structure to evaluate compliance with the hillside design standards, however it appears to meet most of the required standards.
 - Downhill building walls that exceed 20-feet in height are required to step back 6-feet. Staff has concerns with the gable roof over the main house deck not meeting this requirement.
 - The maximum hillside building height is 35 feet, measured from roof peak to the natural grade, application materials should include the dimension line from natural grade to demonstrate compliance with this standard.
- **Slope Analysis:** A slope analysis is required to be provided with the planning application submittal. The slope analysis should graphically illustrate all areas on the property by slope category (see AMC 18.3.10.040.K). If it is determined that development is occurring on lands with slopes of 35 percent or greater then, the application is subject to the requirements for Severe Constraints as well as the standard requirements for Hillside Lands.
- **Tree Protection:** The original subdivision approval indicated two large trees at the rear of the lot, as well as on in two within the designated building envelope. Staff conducted a site visit and noticed that the two trees that were in the building envelope are no longer present, however the two large trees at the rear of the property are, as well as a younger (but greater than 6" DBH) tree is present at the front of the lot. Application materials should address

tree protection measures proposed.

- **Tree Removal:** The Hillside Lands Development Standards require building envelopes to be designed to maximize tree conservation. The application will need to clearly address the need to remove the trees. Tree protection measures are required for trees impacted by site disturbance and construction, see 18.4.5 for more information. If the applicant moves forward with a Physical & Environmental Constraints Review Permit, the application will be reviewed by the Tree Commission.
- **Fire Prevention & Control Plan:** The subject property is within the Wildfire Zone. AMC 18.3.10.100.B lists required fuel breaks and acceptable roofing materials. These requirements will need to be addressed in the application.

Other Items:

Engineered Plans: Ashland Municipal Code 18.3.10.090.B requires the foundation and all grading, retaining wall design, storm drainage, and erosion control plans for development on Hillside Lands are required to be designed by a geotechnical expert/engineer, in addition to conforming to the Building Code and being consistent with the provisions of this the Physical and Environmental Constraints Chapter.

Grading Plan - Retaining/Cuts & Fills: A grading plan including the location of all areas of land disturbance, including cuts and fills is required. The total area of disturbance, total percentage of project site proposed for disturbance, and maximum depths and heights of cuts and fill must be included.

Erosion Control Plan: An erosion control plan must be submitted with the application. Temporary and permanent erosion control must be addressed. The erosion control measures are required to minimize the solids in run-off from disturbed area as required in the standards in AMC 18.62.080.B.

Stormwater Plan: All storm water drainage plans would need to be designed in accordance with AMC 18.3.10.090.C.

Landscape Plan/Re-Vegetation: A landscaping and irrigation plan for re-vegetation of cut and fill slopes in accordance with AMC 18.3.10.090.B.7 will need to be included with the submittal (The vegetation used for these areas must be native or species similar in resource value, which will survive, help reduce the visual impact of the cut/fill slopes and assist in providing long-term slope stabilization. For more details, see requirements in AMC 18.3.10.090.B.7).

Neighborhood Outreach: Projects involving changes to established neighborhood patterns can be a concern for neighbors. Staff recommends that applicants approach any affected neighbors, make them aware of the 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.

18.3.10.050 Approval Criteria

An application for a Physical Constraints Review Permit is subject to the Type I procedure in section [18.5.1.050](#) and shall be approved if the proposal meets all of the following criteria.

- A.** Through the application of the development standards of this chapter, the potential impacts to the property and nearby areas have been considered, and adverse impacts have been minimized.
- B.** That the applicant has considered the potential hazards that the development may create and implemented measures to mitigate the potential hazards caused by the development.
- C.** That the applicant has taken all reasonable steps to reduce the adverse impact on the environment. Irreversible actions shall be considered more seriously than reversible actions. The Staff Advisor or Planning Commission shall consider the existing development of the surrounding area, and the maximum development permitted by this ordinance.

18.2.3.040 Accessory Residential Unit

Accessory residential units are subject to site design review under chapter [18.5.2](#), except as exempted in subsection [18.2.3.040.A](#), below.

B. R-1 Zone. Accessory residential units in the R-1 zone shall meet the following requirements:

1. One accessory residential unit is allowed per lot, and the maximum number of dwelling units shall not exceed two per lot.
2. Accessory residential units are not subject to the density or minimum lot area requirements of the zone.
3. The maximum gross habitable floor area (GHFA) of the accessory residential unit shall not exceed 50 percent of the GHFA of the primary residence on the lot, and shall not exceed 1,000 square feet GHFA.

4. The proposal shall conform to the overall maximum lot coverage and setback requirements of the underlying zone.
5. Additional parking shall be provided in conformance with the off-street parking provisions for single-family dwellings in section [18.4.3.040](#), except that parking spaces, turn-arounds, and driveways are exempt from the requirements in subsections [18.4.3.080.D.1](#) and [18.4.3.080.D.2](#) and paving requirements in subsection [18.4.3.080.E.1](#).

18.5.2.050 Approval Criteria

An application for Site Design Review shall be approved if the proposal meets the criteria in subsections A, B, C, and D below. The approval authority may, in approving the application, impose conditions of approval, consistent with the applicable criteria.

A. Underlying Zone. The proposal complies with all of the applicable provisions of the underlying zone (part [18.2](#)), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.

B. Overlay Zones. The proposal complies with applicable overlay zone requirements (part [18.3](#)).

C. Site Development and Design Standards. The proposal complies with the applicable Site Development and Design Standards of part [18.4](#), except as provided by subsection E, below.

D. City Facilities. The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.

OTHER ORDINANCE REQUIREMENTS

No comments.

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 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 552.2326 or e-mail walkers@ashland.or.us with any questions regarding water utilities.”

ELECTRIC SERVICE: Please have applicate contact the Electric Department at 552.2389 regarding electric service options and requirements. This flag lot may have some challenging issues in regards to access for electric service.

PROCEDURE

Physical Constraints Review Permits are 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/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 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:

- **Physical Constraints Review Permit AMC 18.3.10.050**
- **Development Standards for Hillside Lands AMC 18.3.10.090**
- **Development Standards for Severe Constraints (if necessary) AMC 18.3.10.110**
- **Tree Protection Plan AMC 18.4.5.030**
- **Variance (if necessary) 18.5.5.050**

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.

- **Physical Constraints Review Permit AMC 18.3.10.040**
- **Site Design Review AMC 18.5.2.040**
- **Tree Protection Plan: AMC 18.4.5.030.B**

PLANNING APPLICATION FEE:

Physical Constraints Review Permit	\$1,092
Site Design Review (ARU)	\$710

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:

Aaron Anderson, *Assistant Planner*

City of Ashland, Department of Community Development

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

June 17, 2020

Date

Fire Comments

Pre-Application Comments

Date: 06-09-2020

Project Address: 771 S Mountain Ave Permit Number: PreApp-2020-00202

Project Description: SFR

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:

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.

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 access to site exceeds 10 % the installation of a residential 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

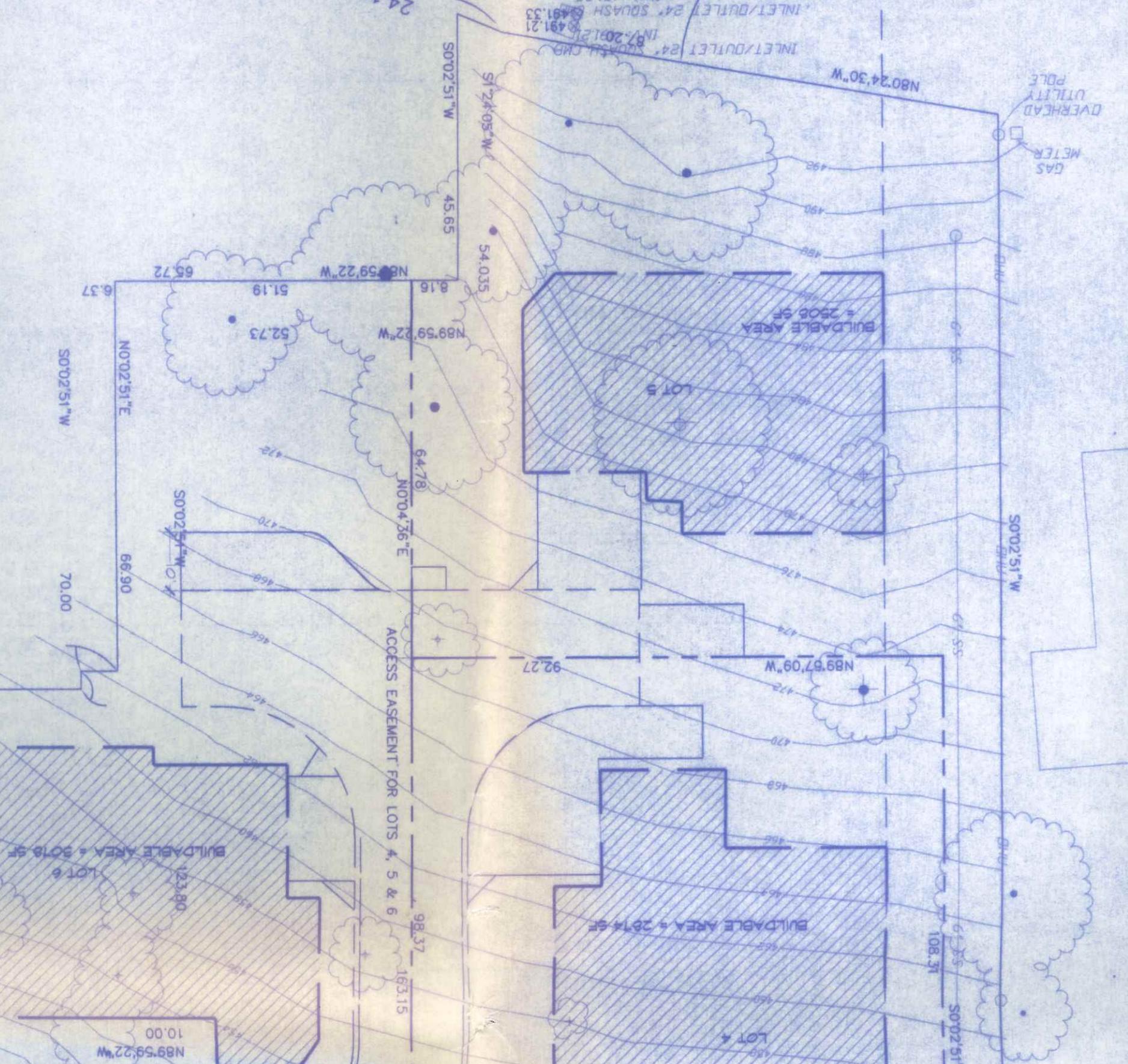
Vegetation – existing and intentionally planted vegetation is required to meet AMC 18.3.10.100B(2) General Fuel Modification Area Standards. The Fire Wise landscaping brochure provides diagrams and examples of how to meet these requirements. www.ashlandfirewise.org. Contact Ashland Fire & Rescue Forestry 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.

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CITY OF ASHLAND
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