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*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.*

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**ASHLAND PLANNING DIVISION**  
**PRE-APPLICATION CONFERENCE**  
**COMMENT SHEET** August 23, 2017

**SITE:** 84 Dewey St  
**APPLICANT:** Taylored Elements Const  
**REQUEST:** Site Design Review for an accessory residential unit

### **PLANNING DIVISION COMMENTS**

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

**Summary:** The proposal requires a Site Design Review for the conversion of a guest house to an Accessory Residential Unit (ARU). The project seems well thought out and largely consistent with the applicable development standards.

The primary issues are the use of an on-street parking credit, meeting the building separation requirements between the existing home and the proposed ARU/addition, storm drainage, and fire sprinklers in the ARU. The applicant should also be aware that the driveway and parking accessed from Dewey St. and the existing guest house are “nonconforming” in that neither condition meets current code requirements.

### **ACCESSORY RESIDENTIAL UNIT**

The application must address the following criteria and standards from Ashland Municipal Code (AMC) 18.5.2.050 for a Site Design Review approval for residential development.

**A. R-2 Zone.** Accessory residential units in the R-2 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, except that accessory residential units shall be counted in the density of developments created under the Performance Standards Option in chapter 18.3.9.
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 500 square feet GHFA.
  - o Please clarify the square footage of the proposed ARU in the planning application. The primary residence is 1,421 square feet in size. The proposed ARU appears to be less than 500 square feet (not including garage and shared laundry space), and therefore meets the size limitations for GHFA.
4. The proposal shall conform to the overall maximum lot coverage and setback

requirements of the underlying zone.

- Include lot coverage calculations in planning application. Lot coverage includes anything that is not landscaping – buildings, parking areas, driveways and other surfaces that will not allow natural water infiltration into the soil. The City’s zoning regulations allow 65 percent of the lot, or roughly 3,400 square feet of lot coverage.
  - The existing non-conforming side yard setback for guest house is exempt (see comment below).
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 paving requirements in subsection 18.4.3.080.E.1.
- **Vehicle Parking:** The ARU (under 500 sq. ft.) will require an additional parking space and the existing home requires two parking spaces, so the total parking spaces required on the site will be three.
    - An on-street parking credit will likely not be approved at an administrative level given the current demand for parking on Dewey St. unless the application can demonstrate that there is adequate availability along the property street frontage throughout the day and evening. A parking credit requires 24 feet of uninterrupted curb line adjacent to the property frontage
  - **Bicycle Parking:** If the ARU will not have a garage space of its own, two sheltered bicycle parking spaces will need to be provided. This equates to one inverted “U” rack installed and covered according to the standards of the code.

## **SITE DESIGN REVIEW**

The application must address the following criteria and standards from Ashland Municipal Code (AMC) 18.5.2.050 for a Site Design Review approval for residential development.

- 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.
- The property is zoned Low Density Multiple Family (R-2) and the application must demonstrate that the site and proposed accessory residential unit meet the requirements of AMC 18.2.5.030.
  - **Building Separation:** A building separation of ½ the height of the tallest exterior wall (house and proposed construction) is required between the home and the proposed ARU/addition, with a maximum required separation of 12 feet. See figure in AMC 18.3.9.070.B.

- **Nonconforming Structure:** The guest house is a nonconforming structure because it does not meet the current side yard setback requirement of three feet for an accessory building (AMC 18.2.5.060.B.2). If the proposed new construction appears to meet the applicable setbacks and therefore this is not an issue. If a nonconforming setback is extended, a conditional use permit is also required.

**B. Overlay Zones.** The proposal complies with applicable overlay zone requirements (part 18.3). See historic

- The property is located within the Siskiyou-Hargadine National Register Historic District and the home is identified as a historic contributing resource (see attached description from the City’s historic resource inventory).

Since the property is located in the historic district, any development of the property, including alterations to the primary home must meet the Historic District Design Standards in AMC 18.4.2.050.B and C. The application is reviewed by the Historic Commission at a public hearing as part of the planning application process. See attached comments from the Historic Review Board (three members of the Historic Commission).

- **Base:** The Historic District Design Standards require a clearly defined base or platform characteristic of historic buildings in the vicinity. The Historic Commission may require an architectural band so that the proposed ARU and addition do not appear to rise straight out of the ground.
- **Windows and Doors:** Windows are required to be compatible in proportion, shape and size with the historic building (the main home).

**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.

- **Nonconforming Driveway and Parking in Front Yard:** AMC 18.4.3.080.C.5 requires that the alley is used for vehicle access. There appears to be adequate area to provide a third parking space adjacent to the garage for the ARU. As a result, the existing driveway opening and parking accessed by Dewey St. could potentially be raised as an issue during the application process and required to be removed and replaced with an upright curb in accordance with 18.4.3.080.C.4.b. In addition, the proposal is subject to the residential development standards in AMC 18.4.2.030 which automobile circulation and off-street parking between the building and the street.
- **Open Space:** Multi-family development requires an area equal to at least eight percent of the lot area dedicated to open space for recreation use by tenants. The application will need to clearly identify this area on the site plan for the accessory residential unit. Decks and patios can be included but in the past the Planning Commission required a sufficient size to qualify as being for “recreational use.” Generally, circulation areas and decks, patios or porches that are particularly narrow and do not reasonably allow the placement of a table and chairs are not considered a recreational space.

- **Landscaping:** The property is required to meet the landscape standards of AMC 18.4.4.030. It appears the yard area have mature landscaping but have experienced some deferred maintenance. Landscape upgrades meeting the standards could focus on the area surrounding the accessory residential unit.
    - Landscape areas are required to have plant coverage of not less than 50% within one year and 90% coverage within five years of planting.
    - An irrigation plan is required at the time of submittal of the building permit.
  - **Solar Setback:** The property is subject to “setback standards B” formula in AMC 18.4.3.030.B which is based on a 16’ high fence at the north property line.
  - **Street Trees:** One street tree is required for each 30 feet of frontage on Dewey St. Street trees must be irrigated and chosen from the City of Ashland Recommended Street Tree Guide. See street tree standards in 18.4.4.030.E. There is approximately 8 to 11 feet behind the curb line that is public right-of-way for Dewey Street. The trees should be placed appropriately so that if the City were to install a sidewalk in the future in this unused portion of the street right-of-way the trees could remain in place.
  - **Tree Preservation/Protection:** All planning actions are required to include a tree preservation/protection plan to ensure that trees are protected during site disturbance (including demolition, construction, driveway/parking installation, staging of materials, etc. This plan is supposed to address all trees on the property over six-inches in diameter at breast height (dbh) and all trees that are located on adjacent properties within 15 feet of the property line as well, including any existing street trees. If construction staging is not anticipated in the front yard, the tree protection plan can address the yard area between the primary residence and the accessory residential unit.
  - **Tree Removal Permit:** A tree removal permit is required for the removal of any trees six-inches diameter at breast height (dbh) or greater.
  - **Outdoor Lighting:** The application is required to meet the Outdoor Lighting standards in AMC 18.4.4.040, including but not limited to not directly illuminating adjacent residential properties.
- 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.
- **Utility Connections:** A utility service plan is required with the Planning application, and needs to show locations of existing services and proposed utilities for the ARU (i.e., water, sewer, storm drainage and electric). Any transformers or cabinets shall be placed in locations that are the least visible from the public right-of-way.

- **Storm Drainage:** A drainage plan addressing roof and footing drains and surface drainage from the ARU will need to be submitted for the review and approval of the Building and Public Works/Engineering Departments. In past projects located on alleys, the Building Division required the storm drainage to be collected on site and channeled to the City storm water collection system (i.e., curb gutter at public street, public storm pipe or public drainage way) and not permitted to drain into the alley (Ashland Building Division policy BD-PP-0029).
  - **Electric:** The ARU is required to have a separate electric meter and electric service to new units is typically required to be underground.
- **Systems Development Charges:** A building permit to add the ARU and any applicable fees and charges - including System Development Charges for a new unit - paid, prior to occupancy of the new unit.
  - **Frontage Improvements:** If the applicants have not already done so, they would need to sign-in favor of a future local improvement district (LID) and agree to participate proportionally in the cost of providing required street frontage improvements across the street frontage(s) of the subject property.
- E. Exception to the Site Development and Design Standards.** The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.
1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.; or
  2. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.

#### **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](mailto: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](mailto: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](mailto:karl.johnson@ashland.or.us).

**FIRE:** The Fire Department has indicated fire sprinklers may be required in the ARU. Please contact David Shepherd from the Fire Department for any Fire Department-related information at 541-552-2219 or via e-mail to [shepherd@ashland.or.us](mailto:shepherd@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 via e-mail to [walkers@ashland.or.us](mailto: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 service requirements and fee information. An accessory residential unit will require its own separate electrical service. Dave can be reached at 541-552-2389 or via e-mail to [tygersod@ashland.or.us](mailto:tygersod@ashland.or.us) .

## **PROCEDURE**

Site Design Review for Accessory Residential Units 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 Chapter 18 of the Municipal Code, is available on-line in its entirety at <http://www.ashland.or.us>. *(There's a green Municipal Code quick link button near the bottom of the page on the right.)*

### 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:

- **Site Design Review** **AMC 18.5.2.050**
- **Accessory Residential Units** **AMC 18.2.3.040**

### 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.

- **Site Design Review:** **AMC 18.5.2.040**
- **Tree Protection Plan (if applicable):** **AMC 18.4.5.030**
- **Tree Removal (if applicable):** **AMC 18.5.7.030**

### FEES

|                                  |               |
|----------------------------------|---------------|
| ARU Site Design Review (Type I): | \$ 680        |
| <b>Total Application Fee</b>     | <b>\$ 680</b> |

**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:**

Maria Harris, *Planning Manager*

Date: August 23, 2017

City of Ashland, Department of Community Development

Phone: 541-552-2040 or e-mail: [maria.harris@ashland.or.us](mailto:maria.harris@ashland.or.us)