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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 2, 2017**

**SITE:** 147 Van Ness Ave  
**APPLICANT:** Dryden/Hirschboeck  
**REQUEST:** Site Design Review for 3-Unit  
Multi-Family Development,  
CUP

### **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 Site Design Review approval for a Multi-Family Development. Key issues are likely to focus on parking, providing adequate open space, addressing the Historic District Development Standards, and any issues that might be posed with the conversion of the non-conforming cottage to a stand-alone unit. Staff see no obvious “red flags” with the proposal.

**Accessory Residential Units:** Within the R-2 and R-3 zones, only one Accessory Residential Unit would be allowed, and it could not exceed 500 square feet. The subject property has a lot area to accommodate three dwelling units, and the proposal would be considered a three-unit multi-family development. *(It should also be noted that the unit described as an “Existing 676 S.F. ARU” is subject to a 2003 “No Kitchen Agreement” and is not currently approved for use as a separate residential unit.)*

### **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 High Density Multiple Family (R-3) and the application must demonstrate that the site and proposed units meet the requirements of AMC 18.2.5.030. For example, the application must include lot coverage calculations which demonstrate that the proposal is consistent with the 75% coverage allowed in the R-3 zone, and that the proposal complies with the Maximum Permitted Floor Area within the Historic District.
  - **Nonconforming Structure:** The “Existing ARU to Remain” is considered a “non-conforming structure” because it doesn’t meet the side yard requirement between the building and the east property line.

- **Conditional Use Permit:** A Conditional Use Permit (CUP) is required to alter (restore, rehabilitate, repair or maintain) a non-conforming structure *unless* the structure is not changed in size or shape (footprint, roof shape, height), and no more than 40 percent of any exterior wall and more than 50 percent of the building floor is permanently removed (see AMC 18.1.4.030). If a case is made that it is exempt, the owner has to submit a construction management plan with the building permit that documents existing building conditions, propped methods of construction and proposed building plans.
- **Demolition Permit:** It doesn't appear that the proposal is to demolish the building identified as "Existing ARU to Remain." Please address this issue in the application. If the structure is demolished and reconstructed, it would typically have to be rebuilt meeting the yard requirements or request a variance to the yard requirements (i.e. setbacks). In addition, a Demolition/Relocation Review Permit in accordance with AMC 15.04.210 is required from the Building Division for the demolition or relocation of any structure 500 square feet in size and larger. Demolition is defined as "*to raze, destroy, dismantle, or any act or process that may cause partial or total destruction of a structure where less than 60% of the structure's external walls will be retained in place; or where less than a majority of the façade will remain.*"

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

- The property is located within the Historic District Overlay zone. Within the Historic Overlay Zone, Site Design Review is considered in light of the Historic District Development Standards found in AMC 18.4.2.050. These standards address issues such as the placement of additions and garages, compatible forms, roof treatment, etc. The Historic Commission's weekly Review Board considered the proposal and had the following comments: "1) Question why proposed new house not oriented in the same direction as existing homes in the area (Neighborhood Compatibility)?; 2) The proposed form of the house is inconsistent with the roof forms of the neighborhood." As the design is fully developed, the applicants may wish to meet with the Historic Commission's Review Board. Appointments are available on Thursday afternoons beginning at 3:15 p.m. and can be arranged with front counter staff or by calling 541-488-5305.

**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.

- **Off-Street Parking:** By staff's calculation, five parking spaces are required for the proposal: a 944 sq. ft. 2-BR residence requires 1.75 parking spaces; a 676 sq. ft. 1-BR residence requires 1.50 parking spaces; and a 499 sq. foot residence requires 1.00 parking spaces. This totals 4.25 spaces which is rounded up to the nearest whole number. The application will need to demonstrate how five spaces can be accommodated according to the standards in AMC 18.4.3, including required back-up area.

- **Building Exterior:** The application is required to have elevations of the buildings depicting all four sides. (Photos of existing structures will suffice.)
- **Solar Setback:** The final application would need to include calculations demonstrating that the proposal complies with solar access requirements (*i.e. properties are not allowed to cast more shadow over their north property lines than would be cast by a six-foot fence built on the property line.*)
- **Open Space/Recreational Area:** 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. Decks and patios can be considered in recreational area calculations, 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 as recreational space.
- **Landscaping:** The property is required to meet the landscape standards of AMC 18.4.4.030.
  - Landscape areas are required to have plant coverage of not less than 50 percent within one year and 90 percent coverage within five years of planting.
  - An Irrigation Plan is required at the time of submittal of the building permit.
- **Street Trees:** One street tree is required to be planted in the park row planting strip for each 30 feet of street frontage. 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.
- **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 (d.b.h.) and all trees that are located on adjacent properties within 15 feet of the property line as well, including any existing street trees.
- **Tree Removal Permit:** A Tree Removal Permit is required for the removal of any trees six-inches in diameter at breast height (d.b.h.) 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.
- **Mechanical Equipment:** Mechanical equipment is required to meet the noise attenuation requirement of AMC 9.08.170.

### 3. Heat Pumps or Mechanical Devices.

a. No person shall operate a commercial or residential heat pump, air-conditioning unit, or similar mechanical device if noise levels from its operation exceed forty-five (45) DBA from the closest property line of a residential property on an adjacent parcel of land characterized as a noise sensitive area.

**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. Any transformers or cabinets will need to be placed in locations that are the least visible from the public right-of-way.
  - **Storm Drainage:** A drainage plan addressing roof / footing drains and surface drainage from the accessory residential unit will need to be submitted for the review and approval of the Building and Public Works/Engineering Departments.
  - **Electric:** Electric service to new units is typically required to be undergrounded, and an electric service plan approved by the Electric Department will need to be provided with the application submittal.

**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. (*The applicants should speak to the Building Division with regard to any complications posed by the eastern building's proximity to the property line and to adjacent buildings in converting the structure from an accessory structure to a stand-alone unit.*)

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

**FIRE:** No comments at this time. Please contact Interim Chief 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 e-mail [walkers@ashland.or.us](mailto:walkers@ashland.or.us) with any questions regarding water utilities.”*

**ELECTRIC SERVICE:** The Electric Department requests that the applicant contact Dave Tygerson in the Electric Department at 541-552-2389 to discuss service options and connect fees. (See *Electric Department utility map provided at the end of this document.*)

## **PROCEDURE**

The development of two or more dwelling units on a lot in any zoning district requires Site Design Review as detailed in AMC 18.5.2.020.B.1. Residential Site Review for structures less than 10,000 square feet in gross floor area 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.codepublishing.com/OR/Ashland/#!/LandUse/index.html#NT> or by clicking the “Municipal Code” tab near the bottom of the page at <http://www.ashland.or.us>.

**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**
- **Conditional Use Permit, if applicable:** **AMC 18.5.4.050**

**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.

- **Site Design Review:** **AMC 18.5.2.040**
- **Conditional Use Permit:** **AMC 18.5.4.050**
- **Tree Protection Plan:** **AMC 18.4.5.030**
- **Tree Removal (if applicable):** **AMC 18.5.7.030**

<b>FEES:</b>	Site Design Review (Type I)	\$1,046 + \$69/unit
	Exceptions, <i>if applicable</i> :	\$ 0
	Conditional Use Permit, <i>if applicable</i> (Type I):	\$1,046
	Tree Removal Permit, <i>if applicable</i> :	\$ 0

**NOTES:**

- 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.
- The first fifteen COMPLETE applications submitted are processed at the next available Planning Commission meeting.

**For further information, please contact:**

August 2, 2017

Derek Severson, *Senior Planner*      Date  
 City of Ashland, Department of Community Development  
 Phone: 541-552-2040 or e-mail: [derek.severson@ashland.or.us](mailto:derek.severson@ashland.or.us)

## Public Works Pre-Application Comments

1. **Engineered Plans** - Where public improvements are required or proposed, the applicant's engineer shall submit design plans for approval of all public improvements identified on the approved plan or as specified in conditions of approval. One set of these plans **shall** be submitted directly to the Public Works/Engineering Department. All design plans must meet the City of Ashland Public Works Standards. Engineered construction plans and specifications shall be reviewed and signed by the Public Works Director, prior to construction. All public facilities within the development will be designed to the City of Ashland Engineering Design Standards for Public Improvements. The engineered plans shall also conform to the following:
  - a. If drawings are submitted to the City of Ashland digitally, they shall be true scale PDF drawings. If AutoCAD drawings are also submitted, they shall be compatible with the AutoCAD release being used by the City at that time and shall be located and oriented within the Oregon State Plain Coordinate System (NAD83-89).
  - b. Drawings sizes shall comply with ANSI-defined standards for page width and height. Review drawings may be submitted in B size (11x17). Bidding and construction documents may also be printed at B size, however all final as-constructed drawings must be submitted to scale on D-size (24x36) Mylar. Digital files of the as-constructed drawings shall also be submitted. Drawings shall be drawn such that reduction of plans from full size (D sized) to half size (B sized) can be done to maintain a true scale on the half-sized plans.
2. **TIA (Transportation Impact Analysis)** – No TIA will be required for this project.
3. **Street Improvement** – No additional street improvements beyond any necessary to comply with City Street Standards will be required at this time. The applicant proposed improvements must be reviewed and permitted by the City of Ashland Engineering Department.
4. **Right of Way** – No additional right of way dedication will be required at this time.
5. **Sanitary Sewer** - The property is currently served by a 6-inch sanitary sewer main in Van Ness Avenue and a 6-inch sanitary sewer main in the alley adjacent to the property. The applicant proposed improvements must be reviewed, approved and permitted by the City of Ashland Engineering Department.
6. **Water** - The property is currently served by a 6-inch water main in Van Ness Avenue. City of Ashland Water Department shall tap existing water main and install any new water services and water meter boxes that are proposed by development. City of Ashland Water Department must be contacted for availability, placement and costs associated with the installation of the new water service. Service & Connection Fees will also be required for any new water services installed as part of this project.
7. **Storm Drainage** - The property is currently served by a 12-inch storm sewer main in Van Ness Avenue. City of Ashland Engineering Department must review an engineered storm drainage plan.

### **2015 City Of Ashland Engineering Standards** **Appendix 2.05: Stormwater Facility Design Requirements**

Stormwater Facilities are considered to be all of the components required to collect, convey, and treat storm water from and through a development to an approved destination point, including but not limited to surfacing, piping, ditches, swales, inlets, basins, vaults, ponds, access roads, landscaping, gates, and fencing that support the storm water system.

All development or redevelopment\* that increases impervious area by more than 2,500 SF at full build-out of the project (exceptions: Single family dwellings and duplexes not part of a common plan of development and constructed on a single taxlot)\*shall conform to the following requirements:

1. Submit drainage design calculations per current Engineering Design Standards for Public Improvements.
2. Conveyance for drainages less than 300 acres shall be sized to carry the ODOT Zone 5, 25 year event.
3. Culverts with flows greater than 50 CFS shall be sized to carry the ODOT Zone 5, 50 year event.
4. Stormwater Quality & Erosion Control conforms to Rogue Valley Stormwater Quality Design Manual (RVSQDM). **\*Proprietary Stormwater facilities shall conform with RVS TM dated 12/31/2014.**
5. Low Impact Development (LID) Best Management Practices (BMPs) are required when NRCS soil type A or B is present and is sloped at 5% or less, (exceptions: roadway developments in public right-of-way (or to be annexed to the public), which may use any type of stormwater facility that meets the performance standards outlined in Chapter 2 of the RVSQDM).\*
6. Future Peak Stormwater flows and volumes shall not exceed the pre-development peak flow. The default value for pre-development peak flow shall be 0.25 CFS per acre.
7. Detention volume shall be sized for the 25 year, 24 hour peak flow and volume.
8. An overflow spillway shall be provided to convey the 25 year peak flow for systems receiving up to 50 CFS, and 100 year peak flow for systems receiving more than 50 CFS.
9. Structural Water Quality Best Management Practices (BMPs) shall be sized for the 2 year, 24 hr. flow and volume.
10. Water Quality BMPs shall provide at least 80% removal of bacteria and TSS (75 microns and larger).
11. All ground disturbances exceeding 1000 SF shall implement an Erosion and Sediment Control Plan (ESCP).
12. All ESCP BMPs shall prevent sediment from leaving the site for storms up to the 10 year 24 hr. storm.
13. An Operation and Maintenance Plan for all storm water facilities shall be submitted for approval together with plans prepared by a professional engineer licensed in the State of Oregon. The plans shall specify that storm water facilities must be inspected under the direction of a licensed engineer and maintained in accordance with the annual inspection report findings that are submitted to the regulating agency annually by the owner of the stormwater facility.
14. A signed and recorded Declaration of Covenants for Operation and Maintenance of Stormwater Facilities (for multi-owner developments) or an Operation and Maintenance Agreement (for single-owner developments) shall be submitted with the plans. The above documents shall allow city staff to enter private property to inspect stormwater facilities and ensure proper maintenance. Subdivisions may include the O&M Plan and Covenants in the "CCR"s in lieu of recording them separately.

15. Avoid the use of rip rap, concrete or hardscaping in open channel drainages and riparian areas to the maximum extent practicable through the use of USACE "SLOPES" or other approved "natural" approaches.
  16. Existing wetlands, natural drainage ways, and open spaces shall be preserved from development to provide their natural flow attenuation, retention, or detention of runoff by providing a buffer.
  17. The grading plan shall indicate the direction of flow of all surface flows, including those on to and off of adjoining properties. Site grading shall be designed to provide positive drainage away from all buildings and structures except those designed to withstand flooding in accordance with the building code standards for flood-proofing. Freeboard shall be specified on the grading plan per AMC 15.10.
  18. Bridges, Culverts & other flow limiting structures in or near riparian areas shall be permitted in accordance with the agency's requirements in AMC 18.3.10.080. Removal/fill permits shall be submitted with the plans.
  19. Pollution, track out, and sediment dumping into stormwater are strictly prohibited per AMC 9.08.060.
  20. Drainage from automotive use areas shall be limited to oil concentrations of 10 mg/l by a pre-approved means.
  21. Trash storage areas shall be covered or provide additional stormwater treatment by an approved means.
  22. Off-street parking areas shall conform to Ashland Municipal Code 18.4.3.080.B.5, including provisions to minimize adverse environmental and microclimatic impacts.
8. **Erosion & Sediment Control** – *Erosion and Sediment control measures that meet the minimum standards set forth by the City of Ashland Public Works/Engineering Standard Drawing CD282 must be in place before any construction related to the project begins.*
  9. **Driveway Access** – *No additional improvements/requirements will be requested at this time but the applicant proposed improvements must be reviewed and permitted by the City of Ashland Engineering Department.*
  10. **Permits** – *Any construction or closure within the public right of way will require a Public Works permit and before any work in the right of way commences all necessary permits **MUST** be obtained*
  11. **As-Builts** - *Where public improvements are required or completed, the developer shall submit to the City of Ashland, reproducible as-built drawings and an electronic file of all public improvements constructed during and in conjunction with this project. Field changes made during construction shall be drafted to the drawings in the same manner as the original plans with clear indication of all modifications (strike out old with new added beside). As-built drawings shall be submitted prior to final acceptance of the construction, initiating the one-year maintenance period.*
  12. **Addresses** – *Any new addresses must be assigned by City of Ashland Engineering Department.*

**Karl Johnson, E.I.T., Associate Engineer**  
City of Ashland, Public Works/Engineering  
20 East Main St, Ashland, Oregon 97520  
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