



**TREE COMMISSION AGENDA**  
**February 9, 2017**

**I. CALL TO ORDER**

6:00 p.m. in the Siskiyou Room of the Community Development and Engineering Services Building located at 51 Winburn Way.

**II. APPROVAL OF MINUTES**

Approval of December 8, 2016 meeting minutes.

**III. ANNOUNCEMENTS & LIAISON REPORTS**

- City Council Liaison
- Parks & Recreation Liaison
- Community Development Liaison

**IV. PUBLIC FORUM**

Ashland Plaza Restoration Proposal  
Open to guests.

**V. TYPE I REVIEWS**

**PLANNING ACTION:** PA-2017-00071

**SUBJECT PROPERTY:** 549 B Street

**APPLICANT:** Robert Lombardi

**DESCRIPTION:** A request to approve a dying and potentially hazardous Fir tree from the front of a multi-family property. **COMPREHENSIVE PLAN DESIGNATION:** Multi-family Residential; **ZONING:** R-2; **ASSESSOR'S MAP:** 39 1E 09 AB; **TAX LOT #:** 6301 / 6303.

**SUBJECT PROPERTY:** 556 B Street

**APPLICANT/OWNER:** Jamie & David Kaufman

**DESCRIPTION:** A request for a Site Design Review to allow for the construction of a 485.5 square foot detached accessory resident unit (ARU) on the subject property. The proposed structure will also include a two vehicle garage.

**COMPREHENSIVE PLAN DESIGNATION:** Low Density Multiple-Family Residential;

**ZONING:** R-2; **ASSESSOR'S MAP:** 39 1E 09 AB; **TAX LOT:** 7500.

**PLANNING ACTION:** PA-2016-02311

**SUBJECT PROPERTY:** 590 Glenview Drive

**APPLICANT:** Kerry Kencairn Landscape Architecture

**OWNER:** Marilyn Briggs

**DESCRIPTION:** A request for a Physical & Environmental Constraints Review Permit for the development of a single-family residence, and removal of one tree within the proposed building envelope, on Hillside Lands for the property located at 590 Glenview Drive. Also included is a request for a Variance to exceed the maximum lot coverage and an Exception to the Development Standards for Hillside Lands is requested to allow a horizontal wall in excess of 36 feet without the requisite six-foot offset. **COMPREHENSIVE PLAN DESIGNATION:** Woodland Residential; **ZONING:** WR; **ASSESSOR'S MAP:** 39 1E 16 BB; **TAX LOT:** 1100.

**VI. DISCUSSION**

1. Street Tree Revisions.
2. ISA Hazard Assessment Form

**VII. ADJOURNMENT**

**Next Meeting:** March 9, 2017

## **Tree Commission – Agenda Item Request**

### **February 9, 2017 Tree Commission Meeting**

---

Request for Replacement of Four (4) Large Caliber Trees to replace existing Trees on Plaza

---

**From:** Gregg Trunnell, speaking on behalf of The Ashland Plaza Restoration Project

**Summary:** Four years ago the Council approved a plan to refurbish the Ashland Plaza. The action required the felling of three gum trees that seriously diminished the canopy of the plaza. Trees selected to replace this canopy are small, slow growing and won't provide the shade needed to lessen the temperature on the plaza. Hundreds of citizens have expressed praise for the idea of replacing the existing trees with four large diameter trees at strategic places to ensure a canopy for decades. Moreover, these citizens are willing to pay for the trees and all expenses regarding their planting.

Tree planting must be completed by mid-March to ensure their survival.

**Commission Recommendation:** The Tree Commission unanimously recommends a smaller version of this project: Per Extract from the October, 2016 Meeting Minutes. (link and verbiage below)

<http://www.ashland.or.us/Agendas.asp?Display=Minutes&AMID=6453>

*EXTRACT FROM OCTOBER 2016 TREE COMMISSION MEETING MINUTES:*

*Plaza tree installation. Is the Tree Commission in favor of a private donor funding a new tree for the Plaza? Does the Tree Commission have a location or species recommendation?*

*The Commissioners discussed the removing and planting of a tree in the Plaza area.*

*Oxendine/Neff m/s that the Tree Commission supports the planting of a larger tree on the Plaza Area. Another large Oak tree (maybe even a Willow Oak) was suggested. Voice Vote; All Ayes; Motion passed unanimously.*

*The Tree Commission defers to discuss potential locations until they have an application to review.*

**Requested Action:** Approval of the request to replace (*note the SOU, and Plant Oregon have stated that they can re-purpose existing trees*) four trees at designated places on the Ashland Plaza per Exhibits attached and explained below:

Exhibit A – Plaza As Is

Exhibit B – Proposed 40' Willow Oak, 30' Zelcova and 25' Bald Cypress

Exhibit C – Proposed 40' Willow Oak

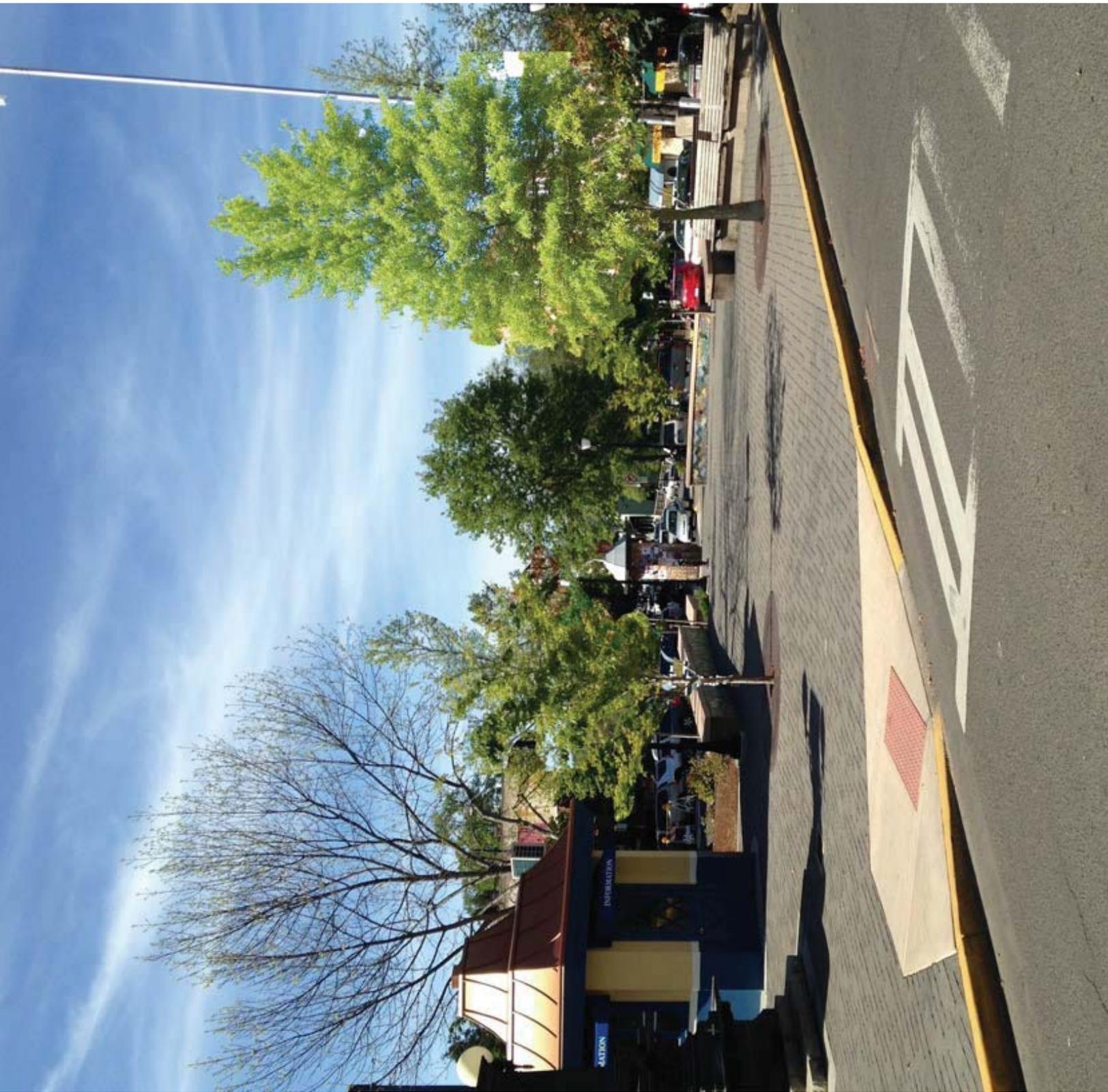
Exhibit D – Proposal to re-locate Current Zelcova (this was suggested by Mike Oxendine due to health and longevity concerns).

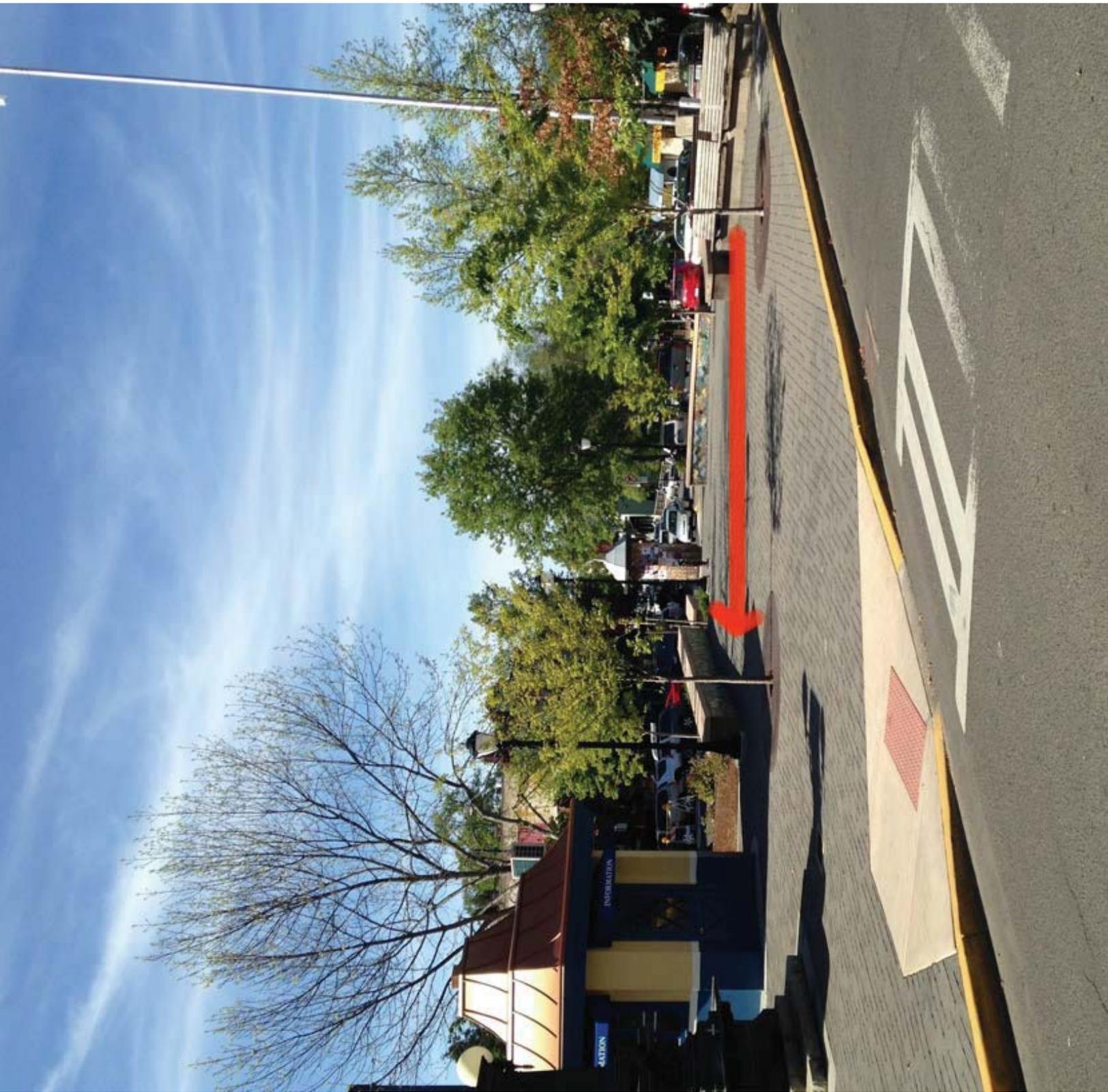
*Trees have been selected and reviewed by Casey Roland, Gregg Trunnell and Mike Oxendine.*

Further, per Arborist recommendation it is our goal to plant these trees in March, therefore it is imperative that given Tree Commission approval, that the meeting minutes reflecting this approval by prioritized, so we can get this on the Council Agenda immediately.











## NOTICE OF APPLICATION

**PLANNING ACTION:** PA-2017-00071

**SUBJECT PROPERTY:** 549 B Street

**OWNER/APPLICANT:** Robert Lombardi

**DESCRIPTION:** A request to approve a dying and potentially hazardous Fir tree from the front of a multi-family property.

**COMPREHENSIVE PLAN DESIGNATION:** Multi-family Residential; **ZONING:** R-2; **ASSESSOR'S MAP:** 39 1E 09 AB; **TAX LOT #:** 6301 / 6303

**NOTE:** The Ashland Tree Commission will also review this Planning Action on **Thursday, February 9, 2017 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**NOTICE OF COMPLETE APPLICATION:** January 27, 2017

**DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS:** February 10, 2017



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.5.1.050.G)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Department to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

## TREE REMOVAL PERMIT

### 18.5.7.040.B

1. Hazard Tree. A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.
  - b. The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.
2. Tree That is Not a Hazard. A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.
  - b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
  - c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
  - d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
  - e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

FAMILY  
OWNED  
AND  
OPERATED



# BEAVER TREE SERVICE



PROMPT  
PROFESSIONAL  
TREE CARE  
SINCE 1984

January 10, 2017

City of Ashland  
20 E. Main St.  
Ashland, OR. 97520

Re: Doug Fir at 549 B. Street Ashland  
Client: Robert Lomalaidi.

Regarding the Doug fir at the above address. 50% of the foliage is dead and the rest of the foliage is looking poorly. The owner would like permission to remove this tree.  
Sincerely,

A handwritten signature in cursive script that reads "CW Wangle".

Clarence V. Wangle  
Certified Arborist PN0518A  
President, Beaver Tree Service Inc.

**RECEIVED**

**JAN 17 2016**

**City of Ashland**

Beaver Tree Service Inc.  
CCB # 173614  
Tax ID # 20-5639553  
[info@beavertree.net](mailto:info@beavertree.net)

Portland Metro Office:  
7085 SW 175<sup>th</sup> Ave  
Beaverton, OR 97007  
[joel@beavertree.net](mailto:joel@beavertree.net)  
(503) 224-1338

Corporate Office:  
270 Wilson Rd.  
Central Point, OR 97502  
[suzie@beavertree.net](mailto:suzie@beavertree.net)  
(541) 779-7072

ROBERT LOMBARDI  
541 621 2244

IS  
HTH

ALLEY

PARKING

DUPLEX

4  
PLEX

DYING  
FIR TREE



WALK WAY

SIDE WALK

549 B ST

MAP 311E09AB63D1  
6303

B ST

RECEIVED

JAN 17 2013

City of Asnland



**NOTICE OF APPLICATION**

**PLANNING ACTION:** PA-2016-02114

**SUBJECT PROPERTY:** 556 B Street

**OWNER/APPLICANT:** Jamie & David Kaufman

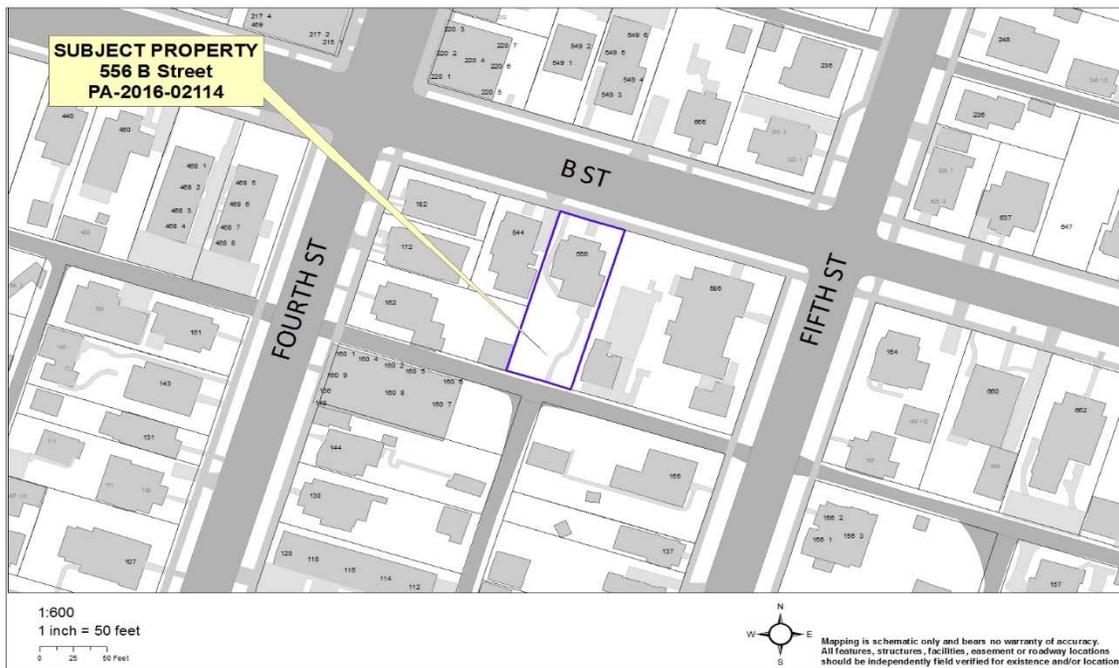
**DESCRIPTION:** A request for a Site Design Review to allow for the construction of a 485.5 square foot detached accessory resident unit (ARU) on the subject property. The proposed structure will also include a two vehicle garage. **COMPREHENSIVE PLAN DESIGNATION:** Low Density Multiple-Family Residential; **ZONING:** R-2; **ASSESSOR'S MAP:** 39 1E 09 AB; **TAX LOT:** 7500.

**NOTE:** The Ashland Historic Commission will also review this Planning Action on **Wednesday February 8, 2017 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**NOTE:** The Ashland Tree Commission will also review this Planning Action on **Thursday, February 9, 2017 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**NOTICE OF COMPLETE APPLICATION:** February 1, 2017

**DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS:** February 15, 2017



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.5.1.050.G)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Department to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

## SITE DESIGN AND USE STANDARDS

### 18.5.2.050

The following criteria shall be used to approve or deny an application:

- 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.
- 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.

### 18.2.5.060 Yard Exceptions

#### A. Front Yard Exceptions.

1. If there are dwellings or accessory buildings on both abutting lots (even if separated by an alley or private way) with front or side yards abutting a public street with less than the required setback for the district, the front yard for the lot need not exceed the average yard of the abutting structures.
2. If there is a dwelling or accessory building on one abutting lot with a front yard of less than the required depth for the district, the front yard need not exceed the average yard of the depth of the abutting lot and the required front yard depth.
3. The front yard may be reduced to ten feet on hillside lots where the terrain has an average steepness equal to or exceeding a one foot rise or fall in four feet of horizontal distance within the entire required yard; vertical rise or fall is measured from the natural ground level at the property.

#### B. Side and Rear Yard Exceptions for Accessory Buildings and Accessory Residential Units.

1. Yards Abutting an Alley. For accessory buildings and accessory residential units that are not attached to any other building and not more and 15 feet in height, the side yard abutting an alley may be reduced to three feet and the rear yard abutting an alley may be reduced to four feet. The reduced side or rear yard provision does not apply to the primary structure.
2. Other Side and Rear Yards. For accessory buildings that are not attached to any other building, are not more than 15 feet in height, and are erected more than 50 feet from any street, the side or rear yard may be reduced to three feet, except when said yard is abutting an alley as provided in subsection 18.2.5.060.B.1, above.

**AMENDED  
FINDINGS**

**PROJECT DESCRIPTION FOR A  
SITE REVIEW FOR AN ACCESSORY RESIDENTIAL UNIT  
FOR THE PROPERTY LOCATED AT  
556 B STREET, ASHLAND, OREGON**

**OWNER:**

Dave and Jamie Kaufman  
556 B Street  
Ashland, OR 97520

**BUILDING DESIGN:**

Bill Emery  
2962 Grizzly Drive  
Ashland, OR 97520

**SITE ADDRESS & MAP/TAX LOT INFORMATION:**

556 B Street; 391E 09AB; 7500

**COMPREHENSIVE PLAN DESIGNATION:**

Low Density Family Residential

**ZONING DESIGNATION:**

R-2; Multi-Family Residential

**ADJACENT USES:**

WEST: Residential with detached accessory structures  
EAST: Residential with detached accessory structures  
SOUTH: 16-foot wide gravel surface alley - Residential with detached accessory structures and apartment building.  
NORTH: B Street – residential uses and employment zoned properties with residential uses, commercial buildings at intersection of B and 4<sup>th</sup> Streets.  
SUBJECT SITE: Single Family Residence

**PLANNING ACTION:** The applicant is seeking approval for Site Review approval to construct a detached Accessory Residential Unit (ARU) and garage with storage above, adjacent to the alley at the rear of the property.

**FINDINGS OF FACT – GENERAL DESCRIPTION:**

The information provided by the applicant is to help the Planning Staff and neighbors understand the proposed project. In addition, the required *findings of fact* have been provided to ensure the proposed project meets the criteria for an ARU and for Site Design Review, historic district development, required parking, lot coverage and allowed setbacks.

Proposal: The applicant is requesting a Site Review approval to construct a detached, 1,175 square foot accessory building. A two-vehicle garage is proposed to be attached to a 485.5 square foot ARU. The subject site can readily accommodate the proposed construction within allowed setbacks, coverage, parking, and historic district design standards.

Existing Site Conditions:

The property is 6,650 square feet and is occupied by the 2,086 square foot, Henry White Rental House. The residence is listed in the Historic Resources Inventory as a Historic Contributing Structure. When purchased in 2012, the structure was in a dilapidated state. Dave and Jamie Kaufman with the design assistance of Bill Emery and the construction expertise of Coleman Creek Construction, embarked on a major restoration of the existing residence in 2012. The award for Historically Contributing Remodel in 2013 was awarded to the Kaufman's and their talented team.

There is a 200 square foot, brick paver patio at the rear of the residence.

The property has 50-feet of frontage on B Street and extends to the south 133-feet. The rear property line is bound by an east / west alley. A north / south alley T's into the rear of the property. The alleys have 16-feet of dedicated right-of-way. A large City of Ashland power pole is adjacent to the rear property, nearly centered on the rear property line, an easement for the adjacent property's electric lines and city of Ashland power lines that exist on the east side of the property. The pole itself has a five-foot radius required as a no build area, a portion of this encroaches onto the property.

B Street has a 60-foot wide right-of-way and is improved with curb, gutter, park row with street trees and sidewalk. There are four tax lots that front on this side of the 500 block of B Street. The property directly adjacent to the west, at 554 B Street has a driveway curb cut that is directly adjacent to 556 B Streets west property line. There are no driveway curb cuts from B Street accessing the lot. The property to the east, the, Wolff Manor lot, is a corner parcel and does not have any curb cuts from B Street or from Fifth Street. There is a retaining wall with fence above along the alley at the rear of the subject property that prevents on-site parking.

There are three trees at the front of the property near B Street, the trees are partially on the subject property and adjacent property to the east. These trees are not going to be affected by the proposed site work as they are on the northwest side of the residence where no site work is proposed. There is a 13-dbh deciduous tree on the adjacent property to the east. There is an existing six-foot solid panel fence adjacent to this tree, protecting it from the impacts of construction on the subject properties side of the fence.

**FINDINGS OF FACT - RESPONSE TO CRITERIA:**

**Site Design Review - 18.5.2.050 Approval Criteria**

The proposed ARU complies with all the applicable provisions of the underlying zone, including building and yard setbacks, the lot area at 6,650 SF allows for the construction of a 500-square foot or less accessory residential unit when the lot area is less than 7,500 square feet.

The proposed lot coverage following construction is less than allowed in the zone, 3449 square feet (50%) of impervious area are on the site.

The ARU and garage has an average building height of 14.46 feet which allows for a reduced rear and side yard setback (18.2.5.060. B). The rear yard abutting an alley may be reduced to four feet when the average building height is less than 15-feet.

The west side yard setback has been proposed at four-feet, where three-feet is allowed. The east side yard setback is five-feet. There is a five-foot public utility easement proposed along this side of the property as requested by the Ashland Electric Department. The neighboring properties electric service already exists on the site and the allowance of the easement from the Kaufman's to benefit the City of Ashland saves the City substantial amounts of money and service downtime by not forcing the City to relocate the encroaching utilities.

With more than 20-feet of separation, there is substantially more than the required 12-feet between the ARU and the primary residence.

The proposed architecture of the unit is compatible with the historic district design standards and is compatible with the existing Historic Contributing Henry White Rental House.

The proposed structure's height is compatible with the historic structures and existing structures on the adjacent properties. The scale and mass of the structure is similar too, and is not significantly larger or smaller than adjacent structures. The pitch of the roof at 9:12 to provide a small area headroom in the storage space above. Consistent with the historic district design standards this pitch is similar to the pitch of the historic home but does not match.

The openings (windows and doors) are compatible with the openings on the historic home and on the structures on the adjacent properties. Single hung windows with divided light uppers are proposed. The proposed 16-foot garage door is proposed as a carriage style door to maintain the character of historic neighborhood. The 16-foot wide door allows adequate access to the two vehicle parking spaces within the garage. But, due to the wider structural dimensions required for two separate bay doors, the proposed garage door opening to 20-feet which requires a larger portion of the new structure's facade to be devoted to garage. The overall structure is compatible with the historic residence on the site and it can be found that a historically compatible door is appropriate with the intent of the historic district design standards.

Consistent with the code, the proposed ARU / garage is to the rear of the primary residence. The new structure is proposed to not detract from the Henry White Rental House but to provide an amenity to the property and the neighborhood. The new residence provides a cozy, new dwelling within walking distance of the downtown, covered, on-site parking, needed storage area for the property owner and a detached home office space much desired by the property owner.

Horizontal, smooth, cement board siding with a six-inch exposure is proposed. The colors are proposed to be match the primary residence. The roofing is proposed as dark grey solar panels that are like composite shingles. The shingles themselves are the solar panels and the intention is to not have to then install a flush mounted system over composite shingles. See attachments for additional details.

**RECEIVED**

13 2016

**City of Ashland**

To achieve the required 22-feet of back up, the structure is proposed to be setback six-feet from the alley. The proposed setbacks are consistent with the setbacks allowed in the zone and with those on adjacent properties. A detached garage with a four-foot setback is located to the east of the proposed structure. This garage has a six-foot rear setback. The structures across the alley to the southeast are within three to four feet of the property lines and the property to the west has a detached garage that is within inches of the shared property line.

#### **Multi-Family Site Design Review - 18.4.2.030**

**Building Orientation to the Street:** The proposed ARU faces the alley where it is located. The unit does not face the street because it is more than 30-feet from the street and is behind the existing two story residence that has a clear orientation to the street; the new structures entrance and “front” façade is parallel to the alley.

**Building Materials:** The proposed structure is architecturally compatible with the design standards in the historic district.

**Streetscape:** Two street trees are planted in the public right-of-way.

**Landscaping and Open Space:** The required open space for the lot is 532 square feet. A 180-square foot patio area is proposed to the west and south of the ARU. The front porch of the primary residence is 156 square feet and a 200-square foot, at grade deck and large yard area (not landscaped presently as plans for this area are being developed) exists between the two structures. There is 536 square feet of developed site area devoted to openspace, this does not include the yard area between the two structures.

The subject property has landscaping (lawn and a mix of perennial and annual plant) between the primary residence and the sidewalk. The area around the ARU will be surfaced with patio pavers to provide for open space outside of the ARU. Within the fences proposed between the ARU and alley, pavers, step able plants and potted plants will be provided. The area though small will be nicely designed and will provide a relaxing, enjoyable outdoor space for the tenant. Attached are images of the type of patio landscaping that will be provided for the ARU outdoor open space.

The property is serviced by water and sanitary sewer from B Street. The existing utilities will be extended from the rear of the existing residence (addition constructed in 2012 on the west side of the residence provides access to these utilities). The storm drainage from the new structure will be piped to B Street along the west side of the residence. Electric is served from the power pole at the rear of the property, a two-pack meter base will be installed on the east side of the garage to service the existing residence and the ARU.

#### **Accessory Residential Unit Criteria – 18.2.3.040**

- One ARU is proposed, for a total of two dwellings on the lot, as allowed.
- The ARU is not subject to the density or minimum lot area requirements of the zone.
- The gross habitable floor area (GHFA) of the proposed ARU (500 square feet) the maximum allowed GHFA for properties that are less than the required area for two residential dwelling units.
- The proposed ARU conforms to the overall maximum lot coverage and setback requirements of the underlying zone (see Site Plan exhibit).

Maximum permitted floor area in the historic district does not apply to Accessory Structures and Accessory Residential Units that are separated by more than six-feet from the primary residence.

**Parking - 18.4.3.040**

The site development requires three parking spaces, two for the primary residence and one for the 500-square foot, one-bedroom ARU. The site currently has no on-site parking. To remedy this situation, a two-vehicle garage that contains a parking space for the ARU and one space for the residence is proposed to be accessed from the rear alley. One of the existing two, on-street parking spaces is requested to be retained. The street frontage is 50-feet in width and there are no curb-cuts from B to the property, nor is there vehicular access to the site from the alley presently. B Street is improved to City Standards.

There is substantial on-street parking credit between the two on-street spaces in front of the subject property, but also the property to the east is a 75-foot wide lot with no curbcuts and another 133-feet along Fifth Street with no curb-cuts. The proposal reduces the properties dependence on on-street parking.

**Bicycle Parking - 18.4.3.070.I & J**

The site accommodates for three bicycle parking spaces with room on the front porch for one bicycle and room for bikes in the two-vehicle garage.

Additional Elements: The exterior lighting at the front (south) entry to the ARU, the side door of the ARU and outside of the man-door for the garage a historically appropriate carriage lamp is proposed. These wall-mounted fixtures will not directly illuminate any of the adjacent residential properties. A motion sensor security light is proposed adjacent to the parking space with a timer. Trash and recycling will be provided adjacent the garage. A 6 ½ foot tall, solid panel cedar fence is proposed around the exterior of the property lines restricting the view of the proposed ARU. This is to provide a physical barrier from the dirt alleys and to prevent headlight glare into the ARU.

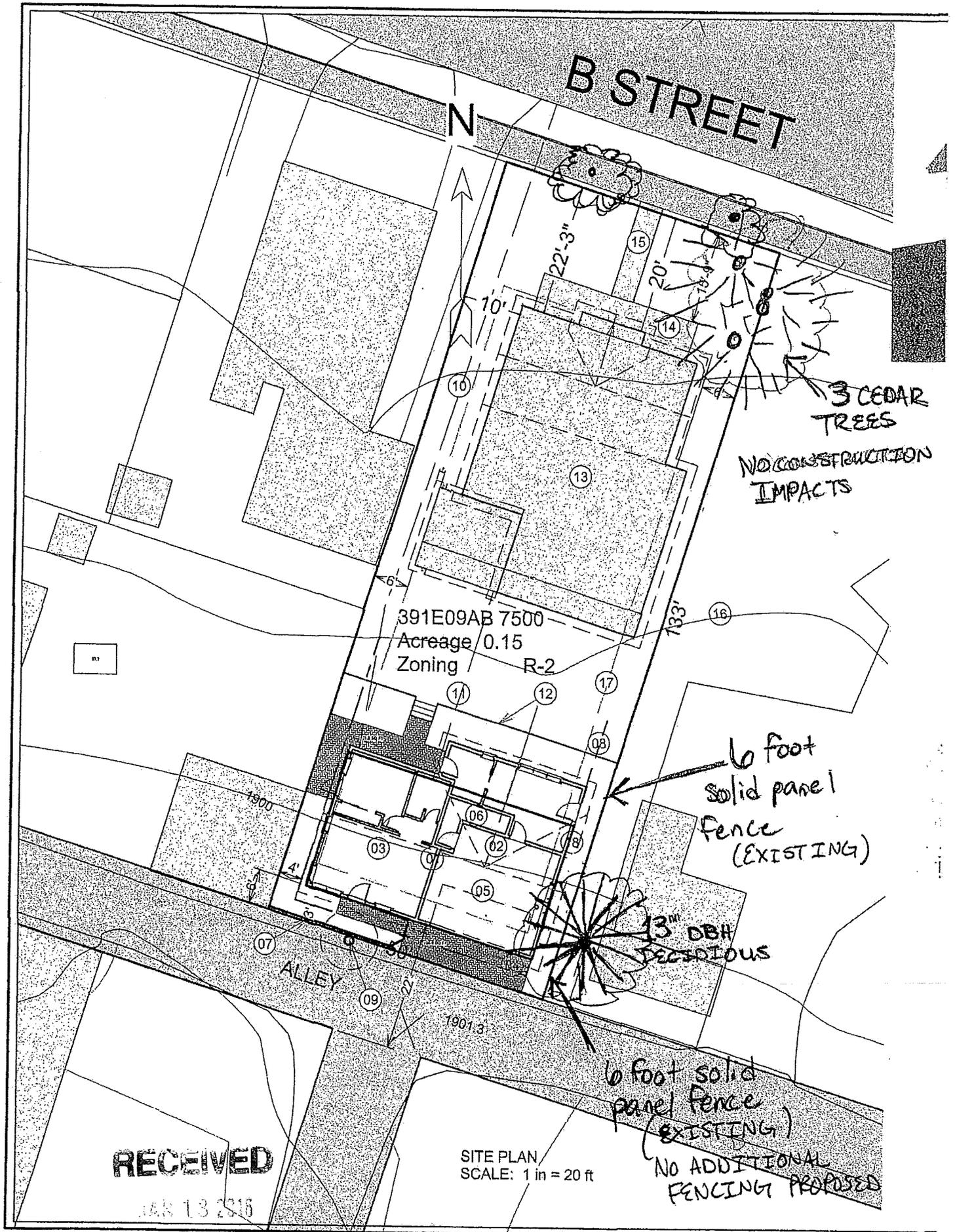
**Tree Protection and Preservation Plan – AMC 18.4.5.030**

There are three trees at the front of the property near B Street, the trees are partially on the subject property and adjacent property to the east. These trees are not going to be affected by the proposed site work as they are on the northwest side of the residence where no site work is proposed. There is a 13-inch DBH deciduous tree on the adjacent property to the east. There is an existing six-foot solid panel fence adjacent to this tree, protecting it from the impacts of construction on the subject properties side of the fence.

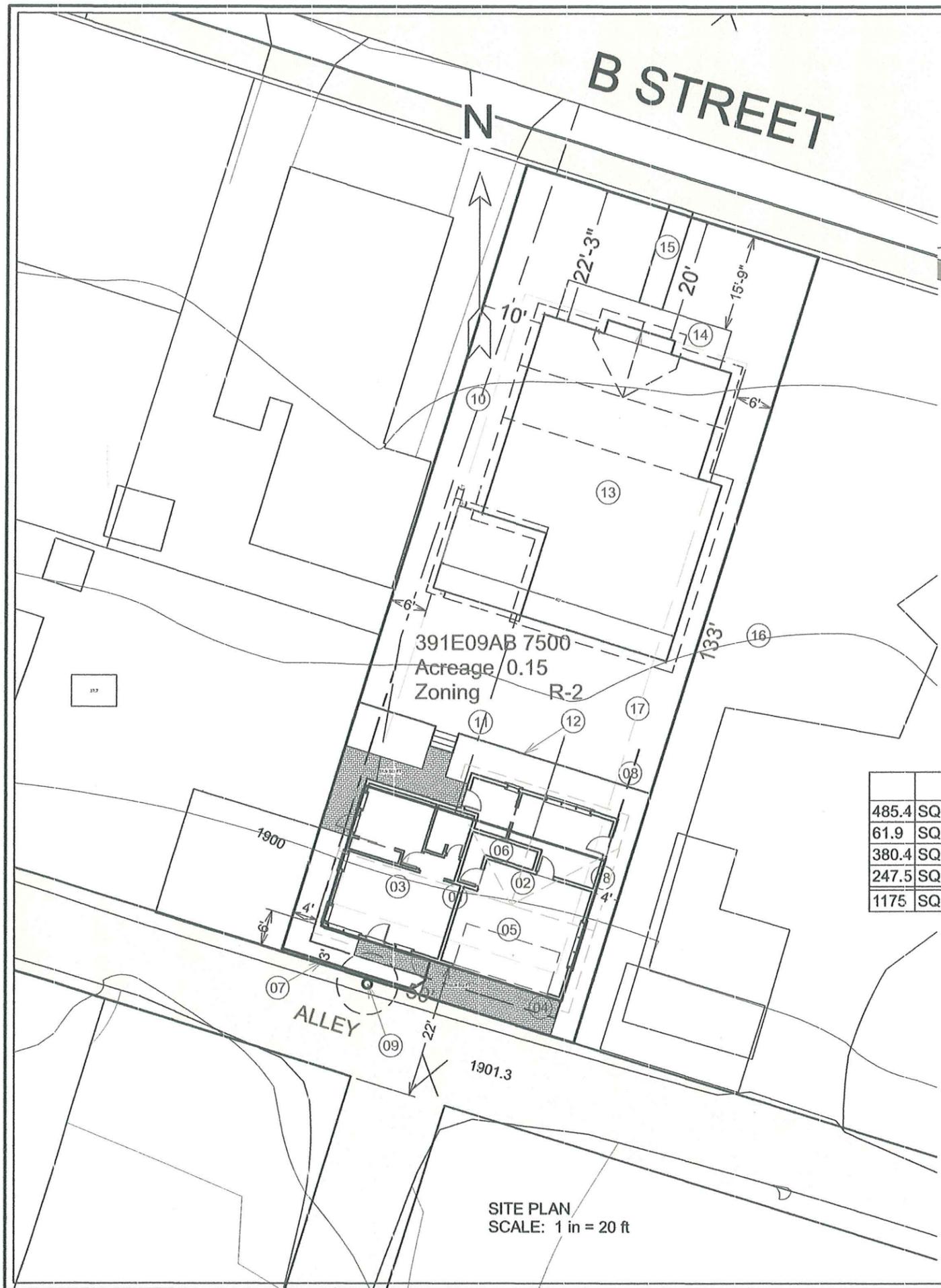
Due to the limited developable area on the site and the narrow lot width (50-feet) there is no additional tree protection fencing proposed for the tree on the adjacent property to the east beyond the existing 6 ½ foot tall solid panel wood fence. The branches of the tree encroach approximately eight-feet onto the subject property. The tree will be carefully pruned to the property line to allow for the construction of the ARU/garage and not damage the structural integrity of this tree.

**Conclusions:**

We believe it can be found that the proposed ARU with attached garage, adequate bicycle parking, outdoor living space, adequate setbacks, lot coverage, building orientation and a historically compatible design utilizing historically compatible materials that are also environmentally beneficial can be found to comply with all of the standards from the Ashland Municipal Code for Site Design Review.



City of Ashland



391E09AB 7500  
Acreage 0.15  
Zoning R-2

SITE PLAN  
SCALE: 1 in = 20 ft



PICTORIAL VIEW  
NO SCALE

**OWNER INFORMATION:**  
 MAP & TAXLOT 391E09AB 7500  
 ACREAGE 0.15  
 ZONING R2  
 OWNER KAUFMAN JAMIE DESMOND  
 KAUFMAN DAVID  
 556 B STREET ASHLAND  
 KAUFMAN JAMIE DESMOND/DAVID  
 556 B ST  
 ASHLAND OR, 97520-2024  
 BUILDING # 1 1900 2086 SQFT TWO STORY

Key Note Schedule

#	ITEM
01	NEW 1175 SQ FT BUILDING FOOTPRINT
02	NEW 380.4 SQ FT GARAGE
03	NEW 500 SQ FT STUDIO
04	NEW 166.9 SQ FT DRIVEWAY AND WALKWAY
05	PARKING FOR TWO CARS
06	PARKING FOR 3 BIKES UNDER STAIRS
07	LINE OF NEW FENCE
08	LINE OF SPECIAL SETBACK
09	UTILITY POLE WITH 5' RADIUS
10	LINE OF TRENCH FOR ROOF AND GUTTER DRAINS
11	LINE OF TRENCH FOR WATER AND SEWER
12	NEW 2'-6" HIGH DRY STACK RETAINING
13	EXISTING HOUSE 1732 SQ FT
14	EXISTING PORCH 156 SQ FT
15	EXISTING WALKWAY 67 SQ FT
16	2' CONTOURS
17	LINE OF NORMAL SETBACK
18	ELECTRIC METER AND PANEL

	STUDIO/GARAGE AREA
485.4 SQ FT	STUDIO
61.9 SQ FT	STAIR WELL
380.4 SQ FT	GARAGE
247.5 SQ FT	LAUNDRY/STORAGE
1175 SQ FT	ATTIC STORAGE TOTAL

	IMPERVIOUS CALCULATION
67 SQ FT	FRONT WALKWAY
156 SQ FT	FRON PORCH (MAIN HOUSE)
1732 SQ FT	MAIN HOUSE
152 SQ FT	WALKWAY AT REAR OF STUDIO
167 SQ FT	DRIVEWAY/FRONT WALKWAY
1175 SQ FT	STUDIO/GARAGE
3449 SQ FT	TOTAL COVERAGE
6650 SQ FT	TOTAL LOT AREA
50	PERCENT COVERAGE
65	PERCENT PERMITTED MAXIMUM

SITE PLAN

NEW GARAGE/STUDIO  
FOR DAVE AND JAMIE  
KAUFMAN  
556 B ST, ASHLAND, OR

**RECEIVED**  
JAN 13 2016

City of Ashland

1/13/2017

SHEET:

1/6





**NOTICE OF APPLICATION**

**PLANNING ACTION:** PA-2016-02311

**SUBJECT PROPERTY:** 590 Glenview Drive

**APPLICANT:** Kerry Kencairn Landscape Architecture

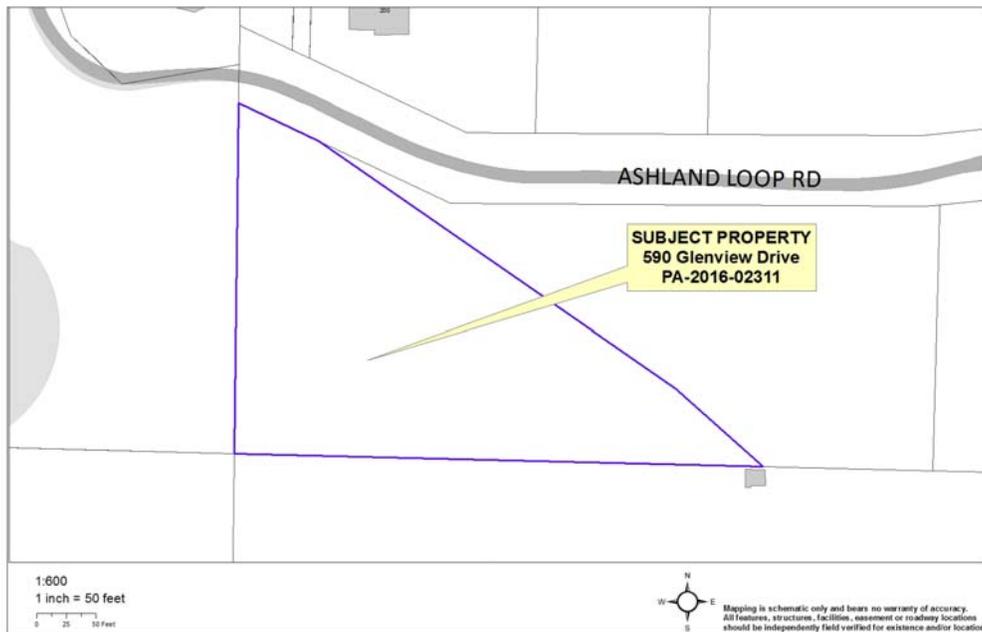
**OWNER:** Marilyn Briggs

**DESCRIPTION:** A request for a Physical & Environmental Constraints Review Permit for the development of a single-family residence, and removal of one tree within the proposed building envelope, on Hillside Lands for the property located at 590 Glenview Drive. Also included is a request for a Variance to exceed the maximum lot coverage and an Exception to the Development Standards for Hillside Lands is requested to allow a horizontal wall in excess of 36 feet without the requisite six-foot offset. **COMPREHENSIVE PLAN DESIGNATION:** Woodland Residential; **ZONING:** WR; **ASSESSOR'S MAP:** 39 1E 16 BB; **TAX LOT:** 1100.

**NOTE:** The Ashland Tree Commission will also review this Planning Action on **Thursday, February 9, 2017 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**NOTICE OF COMPLETE APPLICATION:** February 1, 2017

**DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS:** February 15, 2017



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.5.1.050.G)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Department to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

## PHYSICAL & ENVIRONMENTAL CONSTRAINTS

### 18.3.10.050

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.

## VARIANCE

### 18.5.5.050

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.

## EXCEPTION TO THE DEVELOPMENT STANDARDS FOR HILLSIDE LANDS

### 18.3.10.090.H

An exception under this section is not subject to the variance requirements of chapter 18.5.5 Variances. An application for an exception is subject to the Type I procedure in section 18.5.1.050 and may be granted with respect to the development standards for Hillside Lands if the proposal meets all of the following criteria.

1. There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site.
2. The exception will result in equal or greater protection of the resources protected under this chapter.
3. The exception is the minimum necessary to alleviate the difficulty.
4. The exception is consistent with the stated Purpose and Intent of chapter [18.3.10](#) Physical and Environmental Constraints Overlay chapter and section 18.3.10.090 Development Standards for Hillside Lands.

## TREE REMOVAL PERMIT

### 18.5.7.040.B

1. Hazard Tree. A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.
  - b. The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.
2. Tree That is Not a Hazard. A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.
  - b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
  - c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
  - d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
  - e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

**Application Submittal – New Home In Hillside Lands**

**Owner**

Marilyn Briggs  
590 Glenview Dr  
Ashland, OR 97520  
541 482-0903

**Geotechnical Engineer**

Robin Warren  
Applied Geotechnical Engineering  
1314-B Center Drive #452  
Medford, Oregon 97501  
541 226-6658

**Landscape Architect and Planning**

Kerry KenCairn  
KenCairn Landscape Architecture  
545 A Street Suite 3  
Ashland, OR 97520  
541 488-3194

**Surveyor**

Fred Franz  
Terrasurvey  
274 4th Street  
Ashland, Oregon 97520  
541 482-6474

**Building Design**

Richard Vezie & Associates  
208 Oak Street #204  
Ashland, Oregon 97520  
(541) 941-5165

**Building Contractor**

Eric Laursen Design Building  
46 Union Street  
Ashland, Oregon, 97520  
541 488-1244

**Zoning Woodland Residential**

**T 391E16BB 1100**

**Required Code Sections**

- 18.2.4 General Regulations
- 18.2.5 Standards for Residential Zones
- 18.3.10 Physical and Environmental Constraints-Hillside
- 18.4.3 Parking, Access and Circulation
- 18.4.5 Tree Preservation and Protection
- 18.4.8 Solar Access
- 18.5.5 Variances
- 18.5.7 Tree Removal Permits

**Project Description**

This proposal involves the building of a new home on slopes over 25%. The home is located in one of the most gently sloped areas. There is a long driveway approach that protects a few large existing trees on site and keeps the slope of the drive at 15% or less. The proposed home is modest in size at 2,772 square feet including the garage. The proposed driveway, and the existing driveway that crosses the north portion of the site, exceeds the maximum lot coverage for this zone. Both the drive and the home are proposed in slopes equal to or greater than 25%. Locating the home in the area that is predominantly 25% or less (no less than 23%) would require a very steep driveway, as much of the steepest grades are at the top of the site. The proposed home site is preferable as it allows for a gentle slope to the drive, preserves the native tree species, puts the



house out of the shadow of the existing trees (better solar exposure) and removes it from the views from above on Ashland Loop Road.

There are four significant trees on the site that are being saved, and one fruit tree that is proposed for removal. This project will require a variance as total the proposed lot coverage equals 15% of the site. Our discussion to support this coverage is that the lot was created before the WR zone was created, and before the hillside standards were put in place. Under current code, the lot would have been required to be 2 acres (it is 1.65 acres) and the existing drive would have been left out of the final lot definition, allowing adequate area for lot development and house building within the code specific 7% lot coverage allocation.

**RECEIVED**  
JAN 10 2016  
City of Ashland

18.2.4 – General Regulations for Base Zones

18.2.4.010 Access and Minimum Street Frontage

Each lot shall abut a public street other than an alley for a width of not less than 40 feet; except, where a lot is part of an approved flag partition or abuts a cul-de-sac vehicle turn-around area, the minimum width is 25 feet.

**This property has a street frontage of 75 feet along Ashland Loop Road.**

Chapter 18.2.5 – Standards for Residential Zones

18.2.5.030 Unified Standards for Residential Zones

**Standards for the Woodland Residential (WR) zone follow:**

Table 18.2.5.030.B – Standards for Woodland Residential (WR) Zone (Except as modified under chapter 18.5.5 Variances or chapter 18.3.9 Performance Standards Option.)			
Minimum Lot Area and Maximum Density  <i>Limits on density transfer.</i> All developments, with the exception of partitioning, must be developed under the Performance Standards Option, chapter 18.3.9. Not more than 25% of the density allowed in a WR zone may be transferred to a higher density zone in a Performance Standard Options development.  <b>The lot is pre-existing and does not meet the minimum lot size for the zone</b>	Slope	Min. Lot Size	DU/Acre
	Less than 40%	2.0	.5
	40 to 50%	2.5	.4
	50 to 60%	5.0	.2
	Over 60%	10.0	.1
	Outside UGB	20.0	.05
Lot Coverage – Maximum <sup>1</sup> (% of lot area)	<b>7% - 15% is what is proposed – variance required</b>		
<sup>1</sup> A total area up to 200 s.f. or 5% of the permitted lot coverage, whichever is less, may be developed in an approved, porous solid surface that allows storm water infiltration, and is exempt from the lot coverage maximum; the porous solid surface exemption does <u>not apply to driveways and parking areas.</u>			
Lot Width - Minimum (feet)	<b>The lot is non-conforming and pre-existing</b>		
Lot Depth - Minimum and Maximum (feet)	<b>The lot is non-conforming and pre-existing</b>		
Standard Yards – Minimum <sup>2</sup> (feet)	<b>The proposal exceeds minimum setbacks for structures to lot lines</b>		
<sup>2</sup> See sections 18.2.4.050 and 18.2.5.060 for yard exceptions, and 18.2.5.040 for accessory structure setback exceptions; additional setbacks may be required to avoid easement encroachments, and to comply with Solar Access requirements in chapter 18.4.8.			
Maximum Building Height	35 ft or 2 ½ stories, whichever is less.		

LOT COVERAGE

TAX LOT - 391E16BB 1100

LOT SIZE:	1.65 ACRES = 71,874 SQUARE FEET
HOUSE FOOTPRINT:	2,772 SQUARE FEET
PAVER DRIVEWAY:	1,062 SQUARE FEET
PROPOSED GRAVEL DRIVEWAY:	1,896 SQUARE FEET
EXISTING DRIVEWAY	5,110 SQUARE FEET
TOTAL COVERAGE BEFORE DETERMINATION:	10,840 SQUARE FEET
ALLOWABLE LOT COVERAGE PER ZONE:	7.0% = 5,031 SQUARE FEET
PROPOSED LOT COVERAGE	15% = 10,840



By applying the rational for the requested variance, it brings the proposed lot coverage compliance, shown below:

**LOT COVERAGE PER RATIONAL OF MINIMUM LOT SIZE AT 2 ACRES AND NO EXISTING DRIVE  
TAX LOT - 391E16BB 1100**

<b>LOT SIZE:</b>	<b>2.00 ACRES = 87,120 SQUARE FEET</b>
<b>HOUSE FOOTPRINT:</b>	<b>2,772 SQUARE FEET</b>
<b>PAVER DRIVEWAY:</b>	<b>1,062 SUARE FEET</b>
<b>PROPOSED GRAVEL DRIVEWAY:</b>	<b>1,896 SQUARE FEET</b>
<b>EXISTING DRIVEWAY</b>	<b>REMOVED FROM CALCULAITON</b>
<b>TOTAL COVERAGE</b>	<b>5,730 SQUARE FEET</b>
<b>ALLOWABLE LOT COVERAGE PER ZONE:</b>	<b>7.0% = 6,098 SQUARE FEET</b>
<b>PROPOSED LOT COVERAGE</b>	<b>6.5% = 5,730</b>

**PHYSICAL AND ENVIRONMENTAL CONSTRAINTS PERMIT**

**18.3.10.020 Applicability**

- A. Physical Constraints Review Permit. A Physical Constraints Review Permit is required for the following activities in the land classifications in section 18.3.10.060.
  - 1. Alteration of Land. The alteration of the land surface by any of the following activities in areas identified as Flood Plain Corridor Land, Hillside Land, or Severe Constraint Land.  
**This project is within the hillside lands area as identified by City of Ashland Maps.**
  - a. Earth-moving activities such as grading, filling, stripping, or cutting involving more than 20 cubic yards on any lot, or earth-moving activity disturbing a surface area greater than 1000 square feet on any lot.  
**This project will result in more than 20 cubic yards of earth movement and disturbs greater than 1,000 square feet of area.**
  - b. Construction of a building, road, driveway, parking area, or other structure; except that additions to existing buildings of less than 300 square feet to the existing building footprint shall not be considered development for section 18.3.10.090 Development Standards for Hillside Lands.  
**This project proposes a new home.**
  - c. Hillside *Land and Severe Constraints Land*. Tree removal, in areas identified as Hillside Land and Severe Constraint Land, except that a permit need not be obtained for tree removal that is not associated with development, and done for the purposes of wildfire management and carried out in accord with a Fire Prevention and Control Plan approved by the Fire Chief.  
**The tree being proposed for removal is an old almond tree that is within the proposed footprint of the house. Fruit and nut trees are not protected by the tree removal ordinance. This project protects all the native and high resource value trees in the site.**

**18.3.10.060 Land Classifications**

The following factors shall be used to determine the classifications of various lands and their constraints to building and development on them.



B. Hillside Lands. Hillside Lands are lands that are subject to damage from erosion and slope failure, and which include areas that are highly visible from other portions of the city. The following lands are classified as Hillside Lands: All areas defined as Hillside Lands on the Physical and Environmental Constraints Hillside Lands and Severe Constraints map and which have a slope of 25 percent or greater.

**This is a Hillside Lands project**

#### 18.3.10.090 Development Standards for Hillside Lands

A. General Requirements. The following general requirements shall apply in Hillside Lands.

**This is an existing lot with a range of grade. The homesite and the driveway are contained within slopes of less than 35%**

4. Geotechnical Studies. For all applications on Hillside Lands involving subdivisions or partitions, the following additional information is required: A geotechnical study prepared by a geotechnical expert indicating that the site is stable for the proposed use and development. The study shall include the following information.

**A Geotechnical Study has been provided as part of this application.**

B. Hillside Grading and Erosion Control. All development on lands classified as Hillside shall provide plans conforming to the following items.

1. All grading, retaining wall design, drainage, and erosion control plans for development on Hillside Lands shall be designed by a geotechnical expert. All cuts, grading or fills shall conform to the International Building Code and be consistent with the provisions of this ordinance. Erosion control measures on the development site shall be required to minimize the solids in runoff from disturbed areas.

**A Geotechnical Study has been provided as part of this application. All grading, wall design, drainage and erosion control has been designed by a geotechnical expert and reviewed by the project geotechnical expert.**

2. Timing of Improvements.

**This proposal is for a single family home on a pre-existing lot.**

3. Retention in natural state.

**The project lot is 1.65 acres, or 71,874 square feet. The average slope, for arguments sake is 40% (actually less), 25% plus 40% would equal a requirement of 65% in natural state leaving 35% allowed to be disturbed which equals 21,156 square feet. Proposed new disturbance on this site is 16,625 square feet equaling 23% which includes the homesite, drainage area, septic drain field and driveway with ample buffers around all of them.**

4. Grading - Cuts. On all cut slopes on areas classified as Hillside Lands, the following standards shall apply.

**All cut slopes will be faced by the building or versa lok walls.**

**In most cases the graded areas will be revegetated with native hydro-seed mix. Where there is a terrace created at the downhill side of the drive, native adapted shrubs with irrigation shall be implemented.**

5. Grading - Fill. On all fill slopes on lands classified as Hillside Lands, the following standards shall apply.

**The proposed fill slopes take place at driveway edges and the stormwater dissipation area. Slopes along the drive are at a three to one slope or are faced with versa-lok retaining wall system. Where fill slopes are not retained, they will be planted with erosion control mix, with integrated erosion control netting. There are no utilities proposed within the fill slopes on this site.**

8. Site Grading. The grading of a site on Hillside Lands shall be reviewed considering the following factors.

**The only grading occurring on this site is for vehicular access, parking, stormwater control and the building pad. Disturbance has been kept to an absolute minimum.**

- C. Surface and Groundwater Drainage. All development on Hillside Lands shall conform to the following standards.

1. All facilities for the collection of stormwater runoff shall be constructed on the site and according to the following requirements:

- a. Stormwater facilities shall include storm drain systems associated with street construction, facilities for accommodating drainage from driveways, parking areas and other impervious surfaces, and roof drainage systems.

**All stormwater on the site is collected and directed to a large above ground recharge berm. The berm is faced with rock. Stormwater will soak through the soil at the berm and when flows are heavy, the berm and boulders will break the intensity of the flow and then be dispersed back to the surrounding grade. Overflow will go over the boulder face in extreme events, still being spread laterally before doing so.**

- b. Stormwater facilities, when part of the overall site improvements, shall be, to the greatest extent feasible, the first improvements constructed on the development site.  
**The stormwater recharge berm will be built as part of the erosion control measures at the beginning of the project.**

- c. Stormwater facilities shall be designed to divert surface water away from cut faces or sloping surfaces of a fill.  
**All storm flows are piped until they get to the berm, then the water is dispersed over undisturbed soil.**

- d. Existing natural drainage systems shall be utilized, as much as possible, in their natural state, recognizing the erosion potential from increased storm drainage.  
**The storm flows will be deposited back on the slope that they would fall on naturally.**

- e. Flow-retarding devices, such as detention ponds and recharge berms, shall be used where practical to minimize increases in runoff volume and peak flow rate due to development. Each facility shall consider the needs for an emergency overflow system to safely carry any overflow water to an acceptable disposal point.

**All stormwater on the site is collected and directed to a large above ground recharge berm. The berm is faced with rock. Stormwater will soak through the soil in the berm and when flows are heavy, the berm and boulders will break the intensity of the flow and then be dispersed back to the surrounding grade. Overflow will go over the boulder face in extreme events, still being spread laterally before doing so.**

- f. Stormwater facilities shall be designed, constructed and maintained in a manner that will avoid erosion on-site and to adjacent and downstream properties.  
**All stormwater on the site is collected and directed to a large above ground recharge berm. The berm is faced with rock. Stormwater will soak through the soil in the berm and when flows are heavy, the berm and boulders will break the intensity of the flow and then be dispersed back to the surrounding grade. Overflow will go over the boulder face in extreme events, still being spread laterally before doing so.**

D. Tree Conservation, Protection and Removal. All development on Hillside Lands shall conform to the following requirements.

1. Inventory of Existing Trees. A tree survey at the same scale as the project site plan shall be prepared, which locates all trees greater than six inches diameter at breast height (DBH) identified by DBH, species, approximate extent of tree canopy. In addition, for areas proposed to be disturbed, existing tree base elevations shall be provided. Dead or diseased trees shall be identified. Groups of trees in close proximity (i.e., those within five feet of each other) may be designated as a clump of trees, with the predominant species, estimated number and average diameter indicated. All tree surveys shall have an accuracy of plus or minus two feet. The name, signature, and address of the site surveyor responsible for the accuracy of the survey shall be provided on the tree survey. Portions of the lot or project area not to be disturbed by development need not be included in the inventory.

**Please see the project Tree Inventory Sheet L 1.1**

2. Evaluation of Suitability for Conservation. All trees indicated on the inventory of existing trees shall also be identified as to their suitability for conservation. When required by the hearing authority, the evaluation shall be conducted by a landscape professional. The following factors shall be included in this determination.
- a. *Tree Health.* Healthy trees can better withstand the rigors of development than non-vigorous trees.
  - b. *Tree Structure.* Trees with severe decay or substantial defects are more likely to result in damage to people and property.
  - c. *Species.* Species vary in their ability to tolerate impacts and damage to their environment.
  - d. *Longevity.* Potential longevity.
  - e. *Variety.* A variety of native tree species and ages.
  - g. *Size.* Large trees provide a greater protection for erosion and shade than smaller trees.

**Please see the project Tree Inventory Sheet L 1.1**

3. Tree Conservation in Project Design. Significant trees (two feet DBH or greater conifers and one foot DBH or greater broadleaf) shall be protected and incorporated into the project design whenever possible.

**The only tree proposed for removal is a multi-trunked Almond Tree. Almonds do have resource value, but are not protected as a native tree or evergreen might be as they are fruit trees by definition. All elements of the site design were driven by the existing trees in the site and their preservation.**

4. Tree Protection. On all properties where trees are required to be preserved during the course of development, the developer shall follow the following tree protection standards.

**Please see Sheet L 1.1, Tree Protection and Removal Plan.**

5. Tree Removal. Development shall be designed to preserve the maximum number of trees on a site. The development shall follow the standards for fuel reduction if the development is located in Wildfire Lands. When justified by findings of fact, the hearing authority may approve the removal of trees for one or more of the following conditions.

**The tree being proposed for removal is in the proposed building envelope**

6. Tree Replacement. Trees approved for removal, with the exception of trees removed because they were determined to be diseased, dead, or a hazard, shall be replaced in compliance with the following standards.

**The applicant is excited to plant two coniferous replacement trees on the site and will use native like species/variety to enhance the natural landscape of the site. See Sheet L 1.1 for the replacement tree location and specifics.**

- E. Building Location and Design Standards. All buildings and buildable areas proposed for Hillside Lands shall be designed and constructed in compliance with the following standards.

1. Building Envelopes. All newly created lots, either by subdivision or partition, shall contain building envelopes conforming to the following standards.

**This is an existing lot.**

2. Building Design. To reduce hillside disturbance through the use of slope responsive design techniques, buildings on Hillside Lands, excepting those lands within the designated Historic District, shall incorporate the following into the building design and indicate features on required building permits.

- a. Maximum hillside building height shall be 35 feet. See Figure

**Complies - See building drawings**

- b. Cut buildings into hillsides to reduce effective visual bulk.

**The proposed home is stepped back into the hillside; the first floor has been treated like a daylight basement along the back wall of the house.**

- c. A building step back shall be required on all downhill building walls greater than 20 feet in height, as measured above natural grade. Step-backs shall be a minimum of six feet. Decks projecting out from the building wall and hillside shall not be considered a building step-back. No vertical walls on the downhill elevations of new buildings shall exceed a maximum height of 20 feet above natural grade. See Figure 18.3.10.090.E.2.c.

**Building design meets this criteria, see building design sections and elevations.**

- d. Continuous horizontal building planes shall not exceed a maximum length of 36 feet. Planes longer than 36 feet shall include a minimum offset of six feet. See Figure 18.3.10.090.E.2.d.

**On the uphill side of this proposed home, we are asking for an exception to the 36 foot horizontal plane rule. The exposure in question will be buried deep in the hillside, the requirement to step it and bring it into the 36 foot rule would only act to disturb the roof lines, and not affect any visual perception of the developed home.**

- e. It is recommended that roof forms and roof lines for new structures be broken into a series of smaller building components to reflect the irregular forms of the surrounding hillside. Long, linear unbroken roof lines are discouraged. Large gable ends on downhill elevations should be avoided, however smaller gables may be permitted.

**Complies - See building drawings**

- f. It is recommended that roofs of lower floor levels be used to provide deck or outdoor space for upper floor levels. The use of overhanging decks with vertical supports in excess of 12 feet on downhill elevations should be avoided.

**Complies - See building drawings**

- h. It is recommended that color selection for new structures be coordinated with the predominant colors of the surrounding landscape to minimize contrast between the structure and the natural environment.

**Complies - See building drawings**

- F. All structures on Hillside Lands shall have foundations designed by an engineer or architect with demonstrable geotechnical design experience. A designer, as defined, shall not complete working drawings without having foundations designed by an engineer.

**Footings for this project have been designed by an engineer.**

- G. All newly created lots or lots modified by a lot line adjustment must include building envelopes containing a buildable area less than 35 percent slope of sufficient size to accommodate the uses permitted in the underlying zone, unless the division or lot line adjustment is for open space or conservation purposes.

**This is an existing lot. The building envelope takes advantage of slopes under 35%.**

- H. **Exception to the Development Standards for Hillside Lands.** An exception under this section is not subject to the variance requirements of chapter 18.5.5 Variances. An application for an exception is subject to the Type I procedure in section 18.5.1.050 and may be granted with respect to the development standards for Hillside Lands if the proposal meets all of the following criteria.

**We are requesting an exception to the hillside building standards in asking to run the back wall of the house 3.5 feet over the maximum 36 feet in one horizontal plane.**

- 1. There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site.

**The house is designed to be one level for an applicant that wants to be able to live out her life at home. The horizontal plane could be broken by adding a closet to the juncture of the garage and the main house, this would only be done to meet the letter of the ordinance, and would make the rooflines of the home much more complicated, but not necessarily better or more interesting. The house is designed to follow the contours of the site, and in this way, a long horizontal plane makes the most sense from a construction and disturbance analysis.**

- 2. The exception will result in equal or greater protection of the resources protected under this chapter.

**The house is designed to be one level for an applicant that wants to be able to live out her life at home. The horizontal plane could be broken by adding a closet to the juncture of the garage and the main house, this would only be done to meet the letter of the ordinance, and would make the rooflines of the home much more complicated, but not necessarily better or more interesting. The house is designed to follow the contours of the site, and in this way, a long horizontal plane makes the most sense from a construction and disturbance analysis.**

- 3. The exception is the minimum necessary to alleviate the difficulty.

**The proposed horizontal plane is 3.5 feet greater than that automatically allowed.**

4. The exception is consistent with the stated Purpose and Intent of chapter 18.3.10 Physical and Environmental Constraints Overlay chapter and section 18.3.10.090 Development Standards for Hillside Lands.

**The requested exemption is consistent with the Hillside Ordinance in that it results in slightly less disturbance and still supports the aesthetic ideal of having homes integrated into the natural topography.**

#### 18.3.10.100 Development Standards for Wildfire Lands

- A. Requirements for Subdivisions, Performance Standards Developments, or Partitions.  
**Not applicable, this is a pre-existing single family lot.**

- B. Requirements for Construction of All Structures.

**The property has been historically managed for fire protection. There are already functional primary and secondary fuel breaks in place. A small amount of limbing up will be necessary.**

5. Roofing. 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.

**The roof of the new home will be Class B roofing material or better.**

### Chapter 18.4.3 – Parking, Access, and Circulation

Except as provided by section 18.4.3.030, the standard ratios required for automobile parking are as follows. See also, accessible parking space requirements in section 18.4.3.050.

**This project includes a single family home. There is a two car garage proposed with the home to satisfy the requirements for the single family dwelling. There is an additional parking space located next to the garage.**

#### 18.4.3.080 Vehicle Area Design

- A. Parking Location

1. **The proposed parking is directly associated with the dwelling unit.**
2. **The parking is not proposed within any setback.**
3. **Complies.**

- B. Parking Area Design. Required parking areas shall be designed in accordance with the following standards and dimensions as illustrated in 18.4.3.080.B. See also, accessible parking space requirements in section 18.4.3.050 and parking lot and screening standards in subsection 18.4.4.030.F.

1. Parking spaces shall be a minimum of 9 feet by 18 feet.

**The non garaged parking space is 9' x 18'**

2. NA

3. Parking spaces shall have a back-up maneuvering space not less than 22 feet, except when parking is angled, and which does not necessitate moving of other vehicles.

**The back-up for the garage and the outside parking space is 22' or more.**

C. Vehicular Access and Circulation. The intent of this subsection is to manage access to land uses and on-site circulation and maintain transportation system safety and operations. For transportation improvement requirements, refer to chapter 18.4.6 Public Facilities.

NA

D. Driveways and Turn-Around Design. Driveways and turn-arounds providing access to parking areas shall conform to the following provisions.

1. A driveway for a single dwelling shall be a minimum of nine feet in width, and a shared driveway serving two units shall be a minimum of 12 feet in width, except that driveways over 50 feet in length or serve a flag lot shall meet the width and design requirements of section 18.5.3.060. **The proposed driveway is compacted gravel 12 feet wide and 15 feet clear. The driveway at 135 feet in length is over the 50 foot standard maximum and therefore must comply with section 18.5.3.060 these findings will follow this section.**

2. NA

3. NA

4. NA

5. NA

6. NA

7. NA

8. Grades for new driveways in all zones shall not exceed 20 percent for any portion of the driveway. If required by the City, the developer or owner shall provide certification of driveway grade by a licensed land surveyor.

**The proposed driveway is to be graded at 15% or less throughout.**

9. OK

10. NA

E. Parking and Access Construction. The development and maintenance as provided below, shall apply in all cases, except single-family dwellings.

**NA this is a single family project.**

## Chapter 18.4.5 – Tree Preservation and Protection

### 18.4.5.030 Tree Protection

A. Tree Protection Plan. A tree protection plan shall be approved by the Staff Advisor concurrent with applications for Type I, Type II, and Type III planning actions. If tree removal is proposed, a Tree Removal Permit pursuant to chapter 18.5.7 may be required.

B. Tree Protection Plan Submission Requirements.

**See Sheet L 1.1 Tree Protection and Removal Plan. All trees on the site will be numbered to correspond with the plan; aluminum tree tags with numbers are on all the trees.**

C. Tree Protection Measures Required.

**Tree protection measures as identified on sheet L1.1 will be installed prior to any site or other work on the property.**

D. Inspection. The applicant shall not proceed with any construction activity, except installation of erosion control measures, until the City has inspected and approved the installation of the required tree protection measures and a building and/or grading permit has been issued by the City.

**Tree protection measures as identified on sheet L1.1 will be installed prior to any site or other work on the property. No work shall take place until the installed plan has been approved by City staff.**

18.4.5.050 Verification Permit

A. If a site has received development approval through a planning action consistent with the standards of this chapter, then a Verification Permit shall be required for those trees approved for removal through that process. To obtain a Verification Permit, an applicant must clearly identify on the property the trees to be removed by tying pink tagging tape around each tree and submitting a site plan indicating the location of the requested trees. Vegetation four- to six-inches DBH that is to be removed shall also be marked with pink tagging tape. The Staff Advisor may require the building footprint of the development to be staked to allow for accurate verification of the permit application. The Staff Advisor will then verify that the requested trees match the site plan approved with the planning action. The City shall require the applicant to mitigate for the removal of each tree, pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the original development permit.

**The tree to be removed will be marked with a pink surveyor's ribbon.**

B. Verification Permits shall be required prior to the issuance of an excavation permit or building permit and prior to any site disturbance and/or storage of materials on the subject property.

18.5.3.060 Additional Preliminary Flag Lot Partition Plat Criteria

**This driveway is considered a flag drive through ordinance definition, but the lot is not a flag lot.**

The approval authority shall approve a preliminary plat application for a flag lot partition only where all of the following criteria are met.

A. The criteria of section 18.5.3.050 are met.

B. For the purpose of meeting the minimum lot area requirement, the lot area, exclusive of the flag drive area, must meet the minimum square footage requirements of the zoning district.

**The lot meets all minimum lot area requirements.**

C. Flag drives shall be in the same ownership as the flag lots served. Where two or more lots are served by the same flag drive, the flag drive shall be owned by one of the lots and an easement for access shall be granted to the other lot or lots.

**The flag drive is within the lot where the new home is proposed.**

D. Except as provided in subsection 18.5.3.060.H, below, the flag drive serving a single flag lot shall have a minimum width of 15 feet and contain a 12 foot wide paved driving surface. For drives serving two flag lots, the flag drive shall be 20 feet wide, with a 15 foot wide driving surface to the back of the first lot, and a 12 foot wide driving surface to the rear lot. Drives shared by adjacent properties shall have a width of 20 feet, with a 15 foot paved driving surface. Width shall be increased on turns where necessary to ensure fire apparatus remain on a paved surface during travel.

**The drive is proposed to be 15 feet wide clear, and have an engineered compacted gravel surface 12 Feet wide. The drive is only serving one home.**

Curb cuts have been minimized, where possible, through the use of common driveways. No more than two flag lots are served by the flag drive.

**There is no curb cut; the new driveway takes off from an existing private driveway.**

F. Flag drive grades shall not exceed a maximum grade of 15 percent. Variances may be granted for flag drives for grades in excess of 15 percent but no greater than 18 percent for not more than 200 feet. Such variances shall be required to meet all of the criteria for approval in chapter 18.5.5 Variances.

**The driveway is to be graded at 15% or less throughout.**

Flag drives shall be constructed to prevent surface drainage from flowing over sidewalks or other public ways.

**NA there are no adjacent public facilities.**

H. Flag lots adjacent to an alley shall meet all of the requirements of this section, except that:  
**NA**

I. Flag drives and fire work areas shall be deemed Fire Apparatus Access Roads under the Oregon Fire Code and subject to all requirements thereof.

**The driveway will be built to meet Fire Apparatus Access Road requirements.**

J. When required by the Oregon Fire Code, flag drives greater than 150 feet in length shall provide a turnaround (see Figure 18.4.6.040.G.5). The Staff Advisor, in coordination with the Fire Code Official, may extend the distance of the turnaround requirement up to a maximum of 250 feet in length as allowed by Oregon Fire Code access exemptions.

**The drive is 135 feet long to the parking courtyard. Ashland fire and rescue has reviewed the plan and feel they can work with the driveway and home as designed.**

K. Each flag lot has at least three parking spaces situated to eliminate the necessity for vehicles backing out.

**The back up for the garage and the additional space are adequate for a turnaround there is no need to back out of the driveway.**

L. There shall be no parking within ten feet of the centerline of the drive on either side of the flag drive entrance. **N/A**

M. Flag drives serving structures greater than 24 feet in height, as defined in part 18.6, shall provide a fire work area of 20 feet by 40 feet clear of vertical obstructions and 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 sprinkler system installed.

**The proposed home will be fire sprinkled, the average height is less than 24'**

N. Both sides of the flag drive have been screened with a site-obscuring fence, wall or evergreen hedge to a height of from four to six feet, except in the front yard setback area where, starting five feet from the property line, the height shall be from 30 to 42 inches in the remaining setback area. Such fence or landscaping shall be placed at the extreme outside of the flag drive in order to ensure adequate fire access.

**Not Applicable in this situation, the flag does not abut anyone else's property.**

O. The applicant has executed and filed with the Community Development Department an agreement between applicant and the City for paving and screening of the flag drive. Such an agreement shall specify the period within which the applicant, or agent for applicant, or contractor shall complete the paving to standards as specified by the Public Works Director and screening as required by this section, and providing that if applicant should fail to complete such work within such period, the City may complete the same and recover the full cost and expense thereof from the applicant. An agreement shall also provide for the maintenance of the paving and screening pursuant to this section, and assurance ongoing maintenance.

**Not Applicable in this situation, this is a gravel drive without any adjacent property owners.**

P. Flag lots shall be required to provide a useable yard area that has a minimal dimension of 20 feet wide by 20 feet deep. As used in this chapter, the term "useable yard area" means a private yard area which is unobstructed by a structure or automobile from the ground upward.

**This property is not actually a flag lot; it is described as one due to length of driveway only. The property far exceeds this requirement in natural open space, requirement not applicable.**

#### Chapter 18.5.5 – Variances

##### 18.5.5.030 Review Procedure

B. **Type II.** Variances not listed in subsection 18.5.5.030.A, above, are subject to the Type II review procedure in section 18.5.1.060.

**This will be a type II Variance request**

##### 18.5.5.040 Application Submission Requirements

An application for a Variance shall be submitted by the owner of the subject property or authorized agent on a form prescribed by the City and accompanied by the required filing fee. The application shall include a plan or drawing meeting the requirements below:

A. **General Submission Requirements.** Information required for Type I or Type II review, as applicable (see sections 18.5.1.050 and 18.5.1.060), including but not limited to a written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards.

**See Graphic submittal package and these findings of fact**

**B. Plan Submittal.** The plan or drawing accompanying the application shall include the following information.

**See Graphic submittal package**

**18.5.5.050 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.

**This variance request relates to lot coverage. The existing problem as it relates to coverage is shown below; we are over by more than double allowable coverage:**

**LOT COVERAGE PER ORDINANCE**

**TAX LOT - 391E16BB 1100**

<b>LOT SIZE:</b>	<b>1.65 ACRES = 71,874 SQUARE FEET</b>
<b>HOUSE FOOTPRINT:</b>	<b>2,772 SQUARE FEET</b>
<b>PAVER DRIVEWAY:</b>	<b>1,062 SUARE FEET</b>
<b>PROPOSED GRAVEL DRIVEWAY:</b>	<b>1,896 SQUARE FEET</b>
<b>EXISTING DRIVEWAY</b>	<b>5,110 SQUARE FEET</b>
<b>TOTAL COVERAGE BEFORE DETERMINATION:</b>	<b>10,840 SQUARE FEET</b>
<b>ALLOWABLE LOT COVERAGE PER ZONE:</b>	<b>7.0% = 5,031 SQUARE FEET</b>
<b>PROPOSED LOT COVERAGE</b>	<b>15% = 10,840</b>

**By applying the rational for this variance, it brings us into lot coverage compliance, shown below:**

**LOT COVERAGE PER RATIONAL OF MINIMUM LOT SIZE AT 2 ACRES AND NO EXISTING DRIVE**

**TAX LOT - 391E16BB 1100**

<b>LOT SIZE:</b>	<b>2.00 ACRES = 87,120 SQUARE FEET</b>
<b>HOUSE FOOTPRINT:</b>	<b>2,772 SQUARE FEET</b>
<b>PAVER DRIVEWAY:</b>	<b>1,062 SUARE FEET</b>
<b>PROPOSED GRAVEL DRIVEWAY:</b>	<b>1,896 SQUARE FEET</b>
<b>EXISTING DRIVEWAY</b>	<b>REMOVED FROM CALCULAITON</b>
<b>TOTAL COVERAGE</b>	<b>5,730 SQUARE FEET</b>
<b>ALLOWABLE LOT COVERAGE PER ZONE:</b>	<b>7.0% = 6,098 SQUARE FEET</b>
<b>PROPOSED LOT COVERAGE</b>	<b>6.5% = 5,730</b>

**The same information is greatly changed when the property is looked at based on the history of the lot in relationship to current planning ordinance, compared to no regulating ordinance at the time the lots and its adjacent properties were purchased, in 1969. The current land use code as it relates to lot coverage in the WR zone does not account for pre-existing lot constraints. This lot, at 1.65 Acres, is below the minimum set for the zone which is two acres.**

This lot was purchased along with the adjacent properties in 1969, in its current configuration; this is prior to the creation of minimum lot size for the zone and the hillside ordinance. Supporting documents for the lot description and the transfer of ownership are attached at the end of this document. An additional issue for this property as it relates to lot coverage in the existing drive along the north edge of the property, this drive is the access through the property and to the adjacent properties dwellings. If this lot were to be created under current ordinance the existing driveway would have been left out of the lot description and been a flag lot for the adjacent home (which is on a much larger lot, and could more easily absorb the coverage) with an easement to allow for access to this lot. We propose that the lot coverage issue should be looked at as if this development were on a two acre lot without the existing driveway counting as coverage. This will be documented later in this argument.

Granting this requested variance will support the following issues that were considered in designing this project:

- Protection of large native evergreen trees
- Locating the house and proposed drive in areas of 35% or less slope
- Creation of access drive that is at or stays under 35%

The square footage area of the proposed drive is dictated by the length of the drive, the length is dictated by the steepness of the site and the intention to keep the drive at 15% or less. The length of the drive is needed to maintain this gentle slope. The slope of the drive is required for fire apparatus access and to maintain a safe driving environment for the applicant in most weather conditions. When analyzed, other locations for the home did not relieve this situation (length of drive = square footage of lot coverage). The only placement that would have alleviated lot cover issues would have been to place the home adjacent to the existing drive, this would have put the home in view of the neighbors on Ashland Loop Road as well as pedestrian and vehicles along the road. This is directly in opposition to the goals of the hillside ordinance to integrate homes into the hillside and to keep the natural grade of the hills as they are.

This proposal has no negative impacts on the adjacent properties or adjacent uses. It has been designed to be sensitive to views from all surrounding properties and vehicular and pedestrian traffic. There is a pedestrian trail that runs by the West property line. Keeping the house far away from this path and shielding views out with new evergreen trees was intended to not only provide privacy for the homes but maintain the natural experience of those using the trail. This proposal respects the intent of the hillside ordinance by tucking the home in to the hillside. The house has a relatively small footprint and disturbance area. The intent of this proposal has been to keep as much land as possible in its natural state.

The need for this variance occurs because this lot was created prior to current ordinance restrictions. The same (only larger) lot if created under current ordinance would be at least 2 acres (the land would allow for this) and the existing access drive would have been part of the larger existing homesite lot that it accesses. This tax lot would have gotten an easement to use the drive, rather than having the drive be part of the lot. This lot and the three adjacent lots are all owned by the applicant, these lots were purchased in 1974, and are in the same configuration as when they were bought.

**Additional Information - Septic System**

The applicant holds preliminary approval from the Oregon DEQ to develop a septic system with drain field on the property as shown on sheet EE. DEQ is comfortable with the distance of the drain field from the City water line. A final construction permit for the installation of the septic system will run congruently with this application

Chapter 18.5.7 – Tree Removal Permits

**Not Applicable, the tree proposed for removal is not considered significant in this zone.**

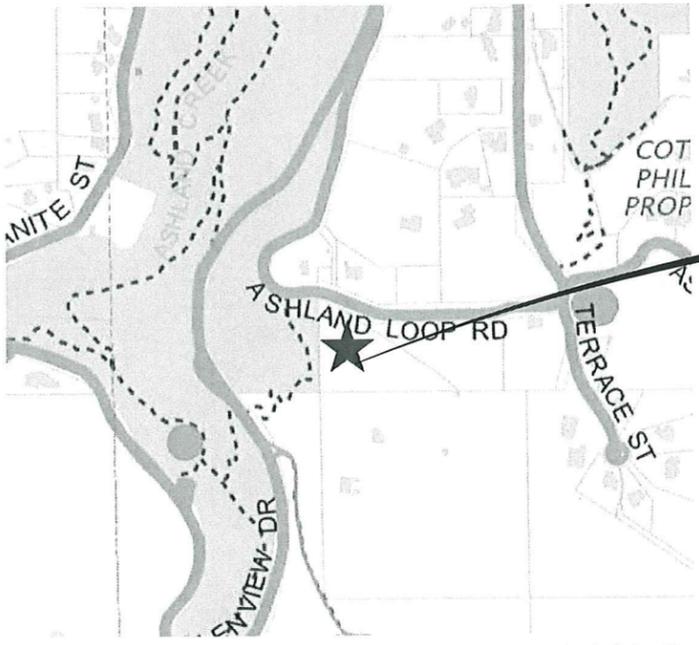
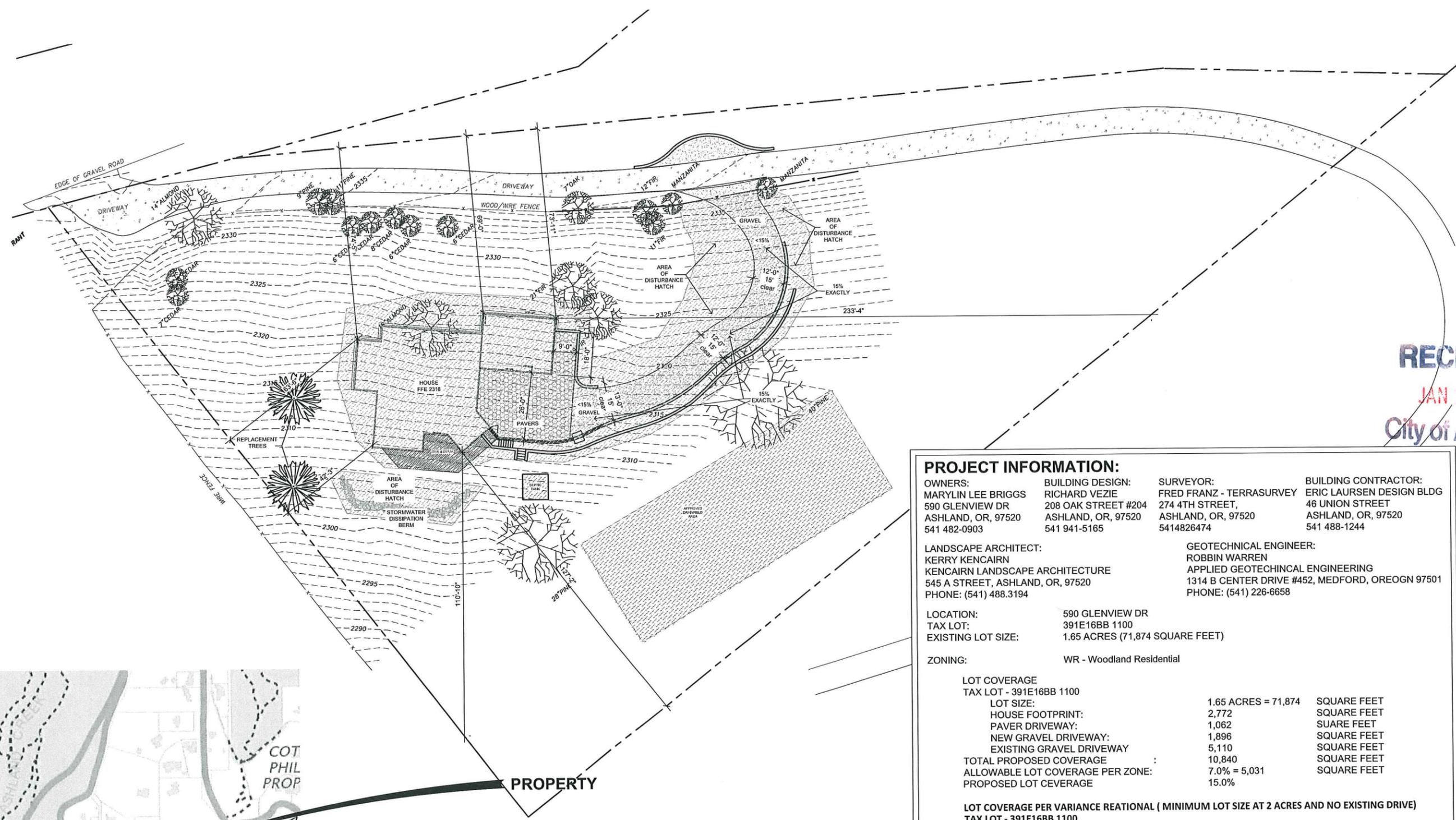




Drawn By:  
STAFF

SCALE 1" = 40'-0"

**RECEIVED**  
JAN 10 2016  
City of Ashland



VICINITY MAP NOT TO SCALE

**PROJECT INFORMATION:**

<b>OWNERS:</b> MARYLIN LEE BRIGGS 590 GLENVIEW DR ASHLAND, OR, 97520 541 482-0903	<b>BUILDING DESIGN:</b> RICHARD VEZIE 208 OAK STREET #204 ASHLAND, OR, 97520 541 941-5165	<b>SURVEYOR:</b> FRED FRANZ - TERRASURVEY 274 4TH STREET, ASHLAND, OR, 97520 5414826474	<b>BUILDING CONTRACTOR:</b> ERIC LAURSEN DESIGN BLDG 46 UNION STREET ASHLAND, OR, 97520 541 488-1244
<b>LANDSCAPE ARCHITECT:</b> KERRY KENCAIRN KENCAIRN LANDSCAPE ARCHITECTURE 545 A STREET, ASHLAND, OR, 97520 PHONE: (541) 488.3194	<b>GEOTECHNICAL ENGINEER:</b> ROBBIN WARREN APPLIED GEOTECHNICAL ENGINEERING 1314 B CENTER DRIVE #452, MEDFORD, OREGON 97501 PHONE: (541) 226-6658		

<b>LOCATION:</b>	590 GLENVIEW DR
<b>TAX LOT:</b>	391E16BB 1100
<b>EXISTING LOT SIZE:</b>	1.65 ACRES (71,874 SQUARE FEET)
<b>ZONING:</b>	WR - Woodland Residential

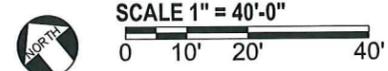
<b>LOT COVERAGE</b>		
TAX LOT - 391E16BB 1100	1.65 ACRES = 71,874	SQUARE FEET
LOT SIZE:	2,772	SQUARE FEET
HOUSE FOOTPRINT:	1,062	SQUARE FEET
PAVER DRIVEWAY:	1,896	SQUARE FEET
NEW GRAVEL DRIVEWAY:	5,110	SQUARE FEET
EXISTING GRAVEL DRIVEWAY	10,840	SQUARE FEET
<b>TOTAL PROPOSED COVERAGE :</b>	<b>7.0% = 5,031</b>	<b>SQUARE FEET</b>
<b>ALLOWABLE LOT COVERAGE PER ZONE:</b>	<b>15.0%</b>	<b>SQUARE FEET</b>
<b>PROPOSED LOT CEVORAGE</b>		

<b>LOT COVERAGE PER VARIANCE REATIONAL ( MINIMUM LOT SIZE AT 2 ACRES AND NO EXISTING DRIVE)</b>		
TAX LOT - 391E16BB 1100	2.00 ACRES = 87,120	SQUARE FEET
LOT SIZE:	2,772	SQUARE FEET
HOUSE FOOTPRINT:	1,062	SQUARE FEET
PAVER DRIVEWAY:	1,896	SQUARE FEET
PROPOSED GRAVEL DRIVEWAY:	REMOVED FROM CALCULAITON	SQUARE FEET
EXISTING DRIVEWAY	5,730	SQUARE FEET
<b>TOTAL COVERAGE:</b>	<b>7.0% = 6,098</b>	<b>SQUARE FEET</b>
<b>ALLOWABLE LOT COVERAGE PER ZONE:</b>	<b>6.5% = 5,730</b>	<b>SQUARE FEET</b>
<b>PROPOSED LOT COVERAGE PER VARIANCE</b>		

**CONTENTS:**

- |       |                          |
|-------|--------------------------|
| COVER | SITE PLAN + VICINITY MAP |
| L 1.0 | SITE SURVEY              |
| L 1.1 | TREE PROTECTION PLAN     |
| L 1.2 | SLOPE ANALYSIS PLAN      |
| L 2.0 | GRADING PLAN             |
| L 2.1 | CUT/FILL ANALYSIS PLAN   |
| L 2.2 | DRAINAGE PLAN            |
| L 2.3 | EROSION CONTROL PLAN     |



**BRIGGS RESIDENCE**  
590 GLENVIEW DRIVE  
ASHLAND, OR, 97520

REVISION DATE  
JANUARY 3, 2016

**SITE PLAN**  
+  
**VICINITY MAP**

ISSUE DATE:  
DECEMBER 9, 2016

**COVER**

ASHLAND LOOP RD.

FOREST SERVICE ROAD (ASHLAND L



NOTE: BOUNDARY LINES SHOWN ARE FROM FOUND MONUMENTS AND RECORD INFORMATION AND ARE NOT THE RESULT OF A DETAILED BOUNDARY SURVEY.

**RECEIVED**  
 JAN 10 2016  
 City of Ashland

**CONTENTS:**

COVER	SITE PLAN + VICINITY MAP
L 1.0	SITE SURVEY
L 1.1	TREE PROTECTION PLAN
L 1.2	SLOPE ANALYSIS PLAN
L 2.0	GRADING PLAN
L 2.1	CUT/FILL ANALYSIS PLAN
L 2.2	DRAINAGE PLAN
L 2.3	EROSION CONTROL PLAN



SCALE 1" = 40'-0"  
 0 10' 20' 40'



Drawn By:  
 STAFF

SCALE 1" = 40'-0"

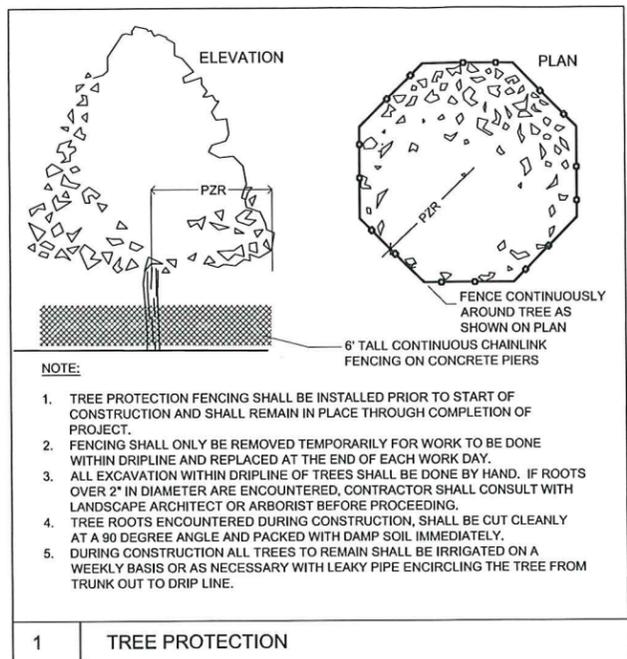
**BRIGGS RESIDENCE**  
 590 GLENVIEW DRIVE  
 ASHLAND, OR, 97520

REVISION DATE  
 JANUARY 3, 2016

**SITE SURVEY**

ISSUE DATE:  
 DECEMBER 9, 2016

**L 1.0**



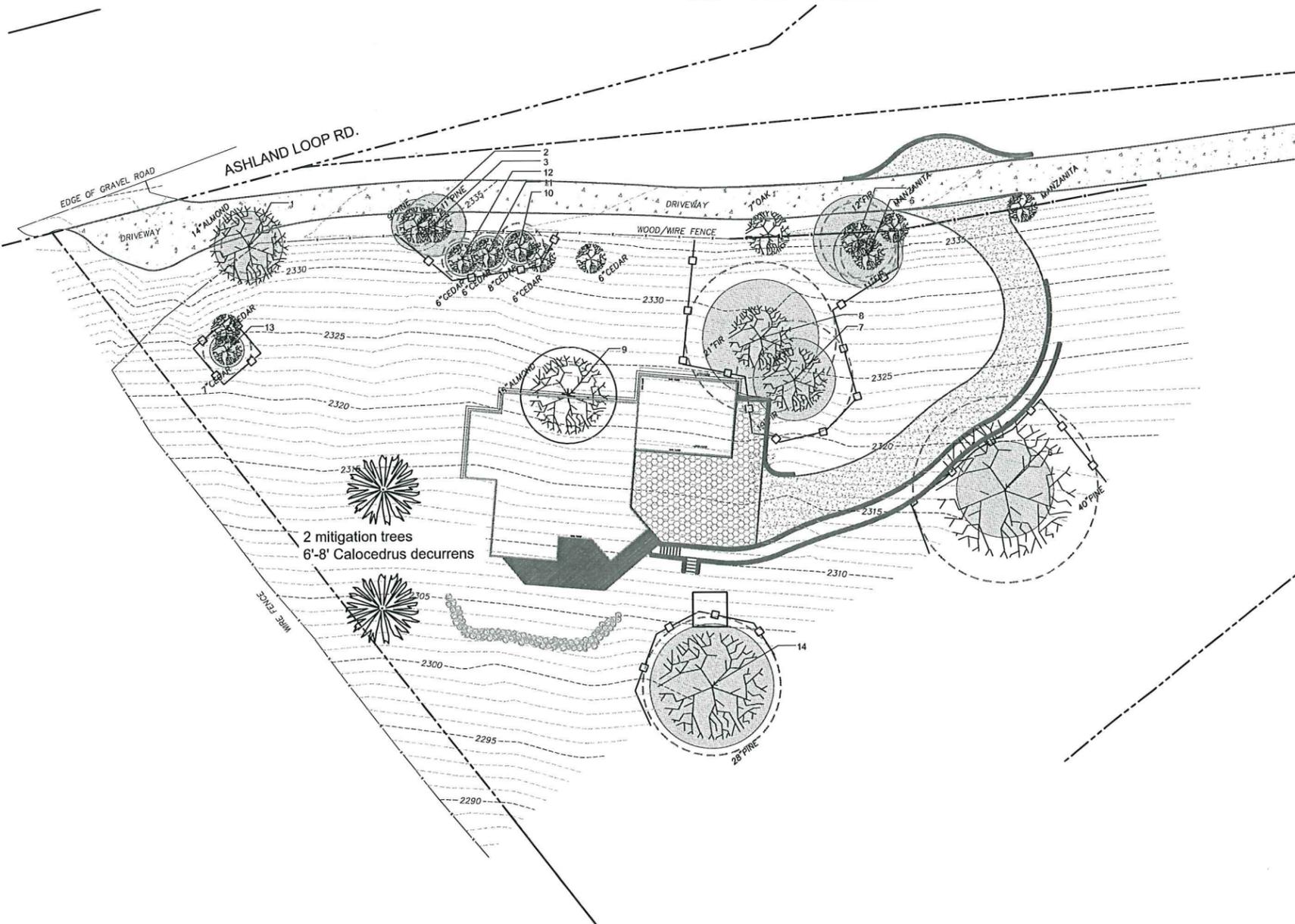
1 TREE PROTECTION

#	Species	DBH (Inches)	Height in Feet	Crown Radius in Feet	Tree Protection Zone Radius in Feet	Tolerance to Construction	Condition	Notes
1	Prunus sp	6,7,8	22	10	8	Moderate	Poor	Sparse foliage
2	Pinus ponderosa	8	28	7.5	6	Good	Good	
3	Pinus ponderosa	12	32	9	9	Good	Good	
4	Pseudotsuga menziesii	11	35	13	11	Moderate	Good	
5	Pseudotsuga menziesii	8	35	10	8	Moderate	Good	
6	Pinus ponderosa	36	60	14	27	Good	Good	
7	Pseudotsuga menziesii	17	40	12	17	Moderate	Good	
8	Pseudotsuga menziesii	22	40	17	22	Moderate	Good	
9	Prunus sp.	7,7,7,8,9	25	14	9	Moderate	Good	REMOVE
10	Calocedrus decurrens	7	18	5	7	Moderate	Good	
11	Calocedrus decurrens	6	15	5	6	Moderate	Fair	
12	Calocedrus decurrens	6	15	5	6	Moderate	Good	
13	Calocedrus decurrens	7	18	5	7	Moderate	Good	
14	Pinus ponderosa	26	60	18	20	Good	Good	

THE TREE PROTECTION ZONE FOR EACH TREE IS BASED ON THE GUIDELINES ESTABLISHED BY: Matheny, N. & Clark, J. 1998. *Trees and Development: A Technical Guide to Preservation of Trees During Land Development.* p. 72.

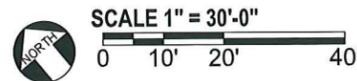
TREE PROTECTION AND REMOVAL NOTES

1. BEFORE BEGINNING WORK, THE CONTRACTOR IS REQUIRED TO MEET WITH THE LANDSCAPE ARCHITECT AT THE SITE TO REVIEW ALL WORK PROCEDURES, ACCESS ROUTES, STORAGE AREAS, AND TREE PROTECTION MEASURES.
2. FENCES MUST BE ERECTED TO PROTECT TREES TO BE PRESERVED AS SHOWN IN DIAGRAM. FENCING SHALL BE 6' TALL TEMPORARY CHAIN LINK PANELS INSTALLED WITH METAL CONNECTIONS TO ALL PANELS AREA INTEGRATED. THESE FENCES SHALL BE INSTALLED SO THAT IT DOES NOT ALLOW PASSAGE OF PEDESTRIANS AND/OR VEHICLES THROUGH IT. FENCES DEFINE A SPECIFIC PROTECTION ZONE FOR EACH TREE OR GROUP OF TREES. FENCES ARE TO REMAIN UNTIL ALL SITE WORK HAS BEEN COMPLETED. FENCES MAY NOT BE RELOCATED OR REMOVED WITHOUT THE PERMISSION OF THE LANDSCAPE ARCHITECT.
3. CONSTRUCTION TRAILERS AND TRAFFIC AND STORAGE AREAS MUST REMAIN OUTSIDE FENCED AREAS AT ALL TIMES.
4. ALL PROPOSED UNDERGROUND UTILITIES AND DRAIN OR IRRIGATION LINES SHALL BE ROUTED OUTSIDE THE TREE PROTECTION ZONE. IF LINES MUST TRANVERSE THE PROTECTION AREA, THEY SHALL BE TUNNELED OR BORED UNDER THE TREE ROOTS.
5. NO MATERIALS, EQUIPMENT, SPOIL, OR WASTE OR WASHOUT WATER MAY BE DEPOSITED, STORED, OR PARKED WITHIN THE TREE PROTECTION ZONE (FENCED AREA).
6. ADDITIONAL TREE PRUNING REQUIRED FOR THE CLEARANCE DURING CONSTRUCTION MUST BE PERFORMED BY A QUALIFIED ARBORIST AND NOT BY CONSTRUCTION PERSONNEL.
7. ANY HERBICIDES PLACED UNDER PAVING MATERIALS MUST BE SAFE FOR USE AROUND TREES AND LABELED FOR THAT USE.
8. IF INJURY SHOULD OCCUR TO ANY TREE DURING CONSTRUCTION, THE TREE CONSULTANT SHOULD EVALUATE IT AS SOON AS POSSIBLE SO THAT APPROPRIATE TREATMENTS CAN BE APPLIED. ALL DAMAGE CAUSED BY CONSTRUCTION TO EXISTING TREES SHALL BE COMPENSATED FOR, BEFORE THE PROJECT WILL BE CONSIDERED COMPLETE.
9. THE PROJECT LANDSCAPE ARCHITECT MUST MONITOR ANY GRADING, CONSTRUCTION, DEMOLITION, OR OTHER WORK THAT IS EXPECTED TO ENCOUNTER TREE ROOTS.
10. ALL TREES REMAINING SHALL BE IRRIGATED ON A WEEKLY BASIS WHEN WORK OCCURS BETWEEN JUNE 1st THROUGH OCTOBER 1st. IRRIGATION SHALL WET THE SOIL WITHIN THE TREE PROTECTION ZONE TO A DEPTH OF 30 INCHES.
11. EROSION CONTROL DEVICES SUCH AS SILT FENCING, DEBRIS BASINS, AND WATER DIVERSION STRUCTURES SHALL BE INSTALLED TO PREVENT SILTATION AND/OR EROSION WITHIN THE TREE PROTECTION ZONE.
12. BEFORE GRADING, PAD PREPARATION, OR EXCAVATION FOR THE FOUNDATIONS, FOOTINGS, WALLS, OR TRENCHING, ANY TREES WITHIN THE SPECIFIC CONSTRUCTION ZONE SHALL BE ROOT PRUNED 1 FOOT OUTSIDE THE TREE PROTECTION ZONE BY CUTTING ALL ROOTS CLEANLY AT A 90 DEGREE ANGLE TO A DEPTH OF 24 INCHES. ROOTS SHALL BE CUT BY MANUALLY DIGGING A TRENCH AND CUTTING EXPOSED ROOTS WITH A SAW, VIBRATING KNIFE, ROCK SAW, NARROW TRENCHER WITH SHARP BLADES, OR OTHER APPROVED ROOT-PRUNING EQUIPMENT.
13. ANY ROOTS DAMAGED DURING GRADING OR CONSTRUCTION SHALL BE EXPOSED TO SOUND TISSUE AND CUT CLEANLY AT A 90 DEGREE ANGLE TO THE ROOT WITH A SAW. PLACE DAMP SOIL AROUND ALL CUT ROOTS TO A DEPTH EQUALING THE EXISTING FINISH GRADE WITHIN 4 HOURS OF CUTS BEING MADE.
14. IF TEMPORARY HAUL OR ACCESS ROADS MUST PASS OVER THE ROOT AREA OF TREES TO BE RETAINED, A ROAD BED OF 6 INCHES OF MULCH OR GRAVEL SHALL BE CREATED TO PROTECT THE SOIL. THE ROAD BED MATERIAL SHALL BE REPLENISHED AS NECESSARY TO MAINTAIN A 6 INCH DEPTH.
15. SPOIL FROM TRENCHES, BASEMENTS, OR OTHER EXCAVATIONS SHALL NOT BE PLACED WITHIN THE TREE PROTECTION ZONE, EITHER TEMPORARILY OR PERMANENTLY.
16. NO BURN PILES OR DEBRIS PILES SHALL BE PLACED WITHIN THE TREE PROTECTION ZONE. NO ASHES, DEBRIS, OR GARBAGE MAY BE DUMPED OR BURIED WITHIN THE TREE PROTECTION ZONE.
17. MAINTAIN FIRE-SAFE AREAS AROUND FENCED AREA. ALSO, NO HEAT SOURCES, FLAMES, IGNITION SOURCES, OR SMOKING IS ALLOWED NEAR MULCH OR TREES.
18. DO NOT RAISE THE SOIL LEVEL WITHIN THE DRIP LINES TO ACHIEVE POSITIVE DRAINAGE, EXCEPT TO MATCH GRADES WITH SIDEWALKS AND CURBS, AND IN THOSE AREAS, FEATHER THE ADDED TOPSOIL BACK TO EXISTING GRADE AT APPROXIMATELY 3:1 SLOPE.
19. REMOVE THE ROOT WAD FOR EACH TREE THAT IS INDICATED ON THE PLAN AS BEING REMOVED.
20. EXCEPTIONS TO THE TREE PROTECTION SPECIFICATIONS MAY ONLY BE GRANTED IN EXTRAORDINARY CIRCUMSTANCES WITH WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT.



**CONTENTS:**

COVER	SITE PLAN + VICINITY MAP
L 1.0	SITE SURVEY
L 1.1	TREE PROTECTION PLAN
L 1.2	SLOPE ANALYSIS PLAN
L 2.0	GRADING PLAN
L 2.1	CUT/FILL ANALYSIS PLAN
L 2.2	DRAINAGE PLAN
L 2.3	EROSION CONTROL PLAN



RECEIVED  
JAN 10 2016  
City of Ashland

**KenCairn**  
Landscape Architecture

www.KenCairnLandscape.com  
545 A ST, STE 3, ASHLAND, OR 97520  
541.488.3194

REGISTERED  
STATE OF OREGON  
REG. # 493

Kerry KenCairn  
11/12/99  
LANDSCAPE ARCHITECT

Drawn By:  
STAFF

SCALE 1" = 40'-0"

**BRIGGS RESIDENCE**  
590 GLENVIEW DRIVE  
ASHLAND, OR, 97520

REVISION DATE  
JANUARY 3, 2016

**TREE PROTECTION PLAN**

ISSUE DATE:  
DECEMBER 9, 2016

**L 1.1**