Note: Anyone wishing to speak at any Planning Commission meeting is encouraged to do so. If you wish to speak, please rise and, after you have been recognized by the Chair, give your name and complete address for the record. You will then be allowed to speak. Please note that the public testimony may be limited by the Chair and normally is not allowed after the Public Hearing is closed.

ASHLAND PLANNING COMMISSION
March 13, 2018
AGENDA

I. CALL TO ORDER: 7:00 PM, Civic Center Council Chambers, 1175 E. Main Street

II. ANNOUNCEMENTS

III. AD-HOC COMMITTEE UPDATES

IV. CONSENT AGENDA

A. Approval of Minutes

1. February 13, 2018 Regular Meeting.
2. February 27, 2018 Study Session.

V. PUBLIC FORUM

VI. UNFINISHED BUSINESS

A. Approval of Findings for PA-2017-01911, 181 A Street.

VII. TYPE III PUBLIC HEARINGS

A. PLANNING ACTION: PA-2018-00154
SUBJECT PROPERTY: 601 Washington Street
OWNER/APPLICANT: South Ashland Business Park LLC
DESCRIPTION: A request for Annexation of a 5.38-acre parcel, Zone Change from County RR-5 Rural Residential) to City E-1 (Employment), and Site Design Review approval for the phased development of a light industrial business park for the property located at 601 Washington Street. The application includes a request for a Conditional Use Permit to allow a watchman's dwelling; Limited Use/Activity Permits within the Water Resource Protection Zones of Knoll Creek and a Possible Wetland on the property to construct a stormwater outfall and street improvements; an Exception to Street Standards for the frontage improvements along the property's Washington Street frontage; and a Tree Removal Permit to remove four trees greater than six-inches in diameter at breast height (d.b.h.).COMPREHENSIVE PLAN DESIGNATION: Employment; ZONING: Existing – County RR-5, Proposed – City E-1; ASSESSOR'S MAP: 39 1E 14AB; TAX LOT #: 2800.

VIII. ADJOURNMENT

CITY OF ASHLAND

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development office at 541-488-5305 (TTY phone is 1-800-735-2900). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1).

CITY OF
ASHLAND

ASHLAND PLANNING COMMISSION
MINUTES
February 13, 2018

CALL TO ORDER

Chair Roger Pearce called the meeting to order at 7:01 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

Commissioners Present:	**Staff Present:**
Troy Brown, Jr.	Bill Molnar, Community Development Director
Michael Dawkins	Derek Severson, Senior Planner
Debbie Miller	Dana Smith, Executive Assistant
Melanie Mindlin	
Haywood Norton	
Roger Pearce	
Lynn Thompson	
Absent Members:	**Council Liaison:**
	Dennis Slattery, absent

ANNOUNCEMENTS

Community Development Director Bill Molnar announced the City Council would hear a staff update on the Croman Mill area during their Study Session March 5, 2018. The legislative action and Comprehensive Plan amendment for 475 East Nevada were tentatively scheduled for the Council Meeting March 20, 2018. At this time, there was nothing scheduled for the Planning Commission Study Session February 27, 2018.

AD-HOC COMMITTEE UPDATES

Chair Pearce met with the Wildfire Lands Committee two weeks ago. Senior Planner Brandon Goldman had revised the draft ordinance. It could possibly go on the agenda for the Study Session February 27, 2018.

CONSENT AGENDA

A. Approval of Minutes

1. January 9, 2018 Regular Meeting.

Commissioners Thompson/Mindlin m/s to approve the Consent Agenda. Voice Vote: all AYES. Motion passed 7-0.

PUBLIC FORUM - None

UNFINISHED BUSINESS

A. Approval of Findings for PA-2017-02129, 475 East Nevada Street.

The Commission had no ex parte contacts regarding the matter.

Commissioners Dawkins/Thompson m/s to approve the Findings for PA-2017-02129, 475 East Nevada Street. Voice Vote: all AYES. Motion passed 7-0.

TYPE II PUBLIC HEARINGS

A. PLANNING ACTION: PA-2017-01911
SUBJECT PROPERTY: 181 A Street
OWNER/APPLICANT: Jorge Yant
DESCRIPTION: A continued public hearing from December 12, 2017 to review an application for a Conditional Use Permit for Marijuana Retail Sales in the existing building located at 181 A St. The applicant withdrew the previously proposed Marijuana Production (Indoor Grow) located at 185, 191 and 195 A St and as a result, the indoor grow is no longer a part of the application. COMPREHENSIVE PLAN DESIGNATION: Employment; ZONING: E-1; ASSESSOR'S MAP: 39 1E 09BA; TAX LOT #: 14600 & 14900.

Chair Pearce read aloud the public hearing procedures for land use hearings.

Ex Parte Contact

Commissioners Mindlin, Brown, Norton, and Thompson declared no ex parte contact regarding the matter. Commissioner Miller and Chair Pearce had no ex parte contact and one site visit. Commissioner Dawkins had no ex parte contact, had an additional site visit, read the article in the newspaper and asked the City Attorney clarifying questions.

Staff Report

Planning Manager Maria Harris explained the planning action was a continuation of the public hearing that occurred December 12, 2017. The property was zoned E-1 except across Oak Street where it was zoned R-2. It was in the Historic District Overlay, the Detail Site Review Zone, and the Residential Overlay. The applicant withdrew the indoor marijuana production. At this time, the request was for a marijuana retail sales establishment and subject to the **Marijuana Related Business Special Use Standards**, **Ashland Municipal Code (AMC) 18.2.3.190.B**, and the **Conditional Use Permit (CUP)** criteria in **AMC 18.5.4.050.A.** The retail sales area was 1,850 square feet (sq. ft.).

Issues identified at the Public Hearing December 12, 2017, included:

- **Traffic Generation:** Does the application demonstrate there is no greater adverse material effect on the livability of the impact area from proposed marijuana retail sales use compared to the target use of general office?
  - Performance of nearby intersections.
  - Daily traffic generation - not just the PM Peak Hour traffic.
  - Pedestrian and bicycle travel.
- **Residential Buffer:** Measurement of the required 200 feet from a residential zone to the marijuana retail sales establishment
  - Interior door.

The applicant submitted a revised application that consisted of the following:

- **Production (Indoor Grow) withdrawn from the application.**
- **Revised Findings.**
- **An Intersection evaluation of A Street/Oak Street/Van Ness Avenue** suggested striping the center line on Oak Street, lighting the crosswalk and removing an existing driveway apron on the Oak Street frontage.
- **Letter from Mark Bartholomew** regarding the measurement of the 200-foot buffer.

The Public Works Department Engineering Division reviewed the materials. The revised Findings indicated a 5% increase in traffic on A Street. They compared it to the traffic counts in 2003 when the building was used as the A Street Market Place and added 5% to that amount. It resulted in 200 more vehicles on A Street. Staff agreed with the Findings in the engineering study and supported the changes recommended by the engineer.

The City Attorney reviewed information submitted regarding the 200-foot buffer and agreed with the conclusions and reasoning in the letter. When they measure to the marijuana retail sales, they should measure from the residential

zoning boundary to the use itself. He thought the definition of premises in the Special Use Standards regarding Marijuana Related Business reinforced the staff and the Planning Commission's concern regarding the interior door. It did affect the measurement of the 200-foot buffer.

Outstanding Issues included:
Target Use Comparison: Does the application demonstrate there is no greater adverse material effect on the livability of the impact area from proposed marijuana retail sales use compared to the target use of general office?

- Information regarding future impacts to pedestrian and bicycle travel was limited.
- Transportation capacity and development of adjacent properties as envisioned in the Comprehensive Plan.

There was a certain amount of capacity in the transportation system. Every review for a conditional use looked at how much transportation each use would take. Marijuana retail sales generated more traffic and parking requirements than other uses. This retail use was under 2,000 square feet and would produce more trips than a 20,000 sq. ft. building used as general office.

- **Traffic Information**
  - Daily traffic.
  - Nearby intersections.
  - Incorporation of the remainder of the building.
- **Residential Buffer**
  - Does the interior door shown on site plan provide access to and from the portion of the larger building that is closer than 200 feet to the residential zone?

The residential zoning line ran down the middle of Oak Street. It was 230 feet from that zoning line to the interior of the building where the retail use was located. The definition of premises basically stated everything needed for the business, including the bathrooms, had to be located in the area being measured for the use. Accessing the interior door to the common area and entry to the building on the Oak Street side was close to the residential if measured from Oak Street.

Questions of Staff
Commissioner Dawkins wanted to know if the bathroom in the common area was the only one accessible to the dispensary. Ms. Harris thought the applicant could answer where the restroom that served the retail area was located. If the bathroom was within the 200-foot buffer, they would not comply with the requirement.

Ms. Harris clarified in the Detailed Site Review general office was the target use for a conditional use in the E-1 zone. When the decision maker went through the review process, they would use general office at half the size of the property.

Staff recommended adding a condition to close the interior door and meet all building code requirements if there were issues with the 200-foot buffer.

Ms. Harris explained they had received the applicant's engineering report just hours before the meeting. The submittal did not change the issues staff had with the application. The issues were operational, vehicle traffic, and adjacent property development. The Planning Commission could consider whether it was appropriate to utilize some of the valuable transportation system capacity for a small store generating relatively high traffic when other uses in the area would develop in the future.

There were 43 parking spaces in the lot and the applicant needed twelve for the proposed retail use. The remaining parking spaces covered parking requirements for general office use but not permitted uses. The parking requirement was six spaces. The applicant had doubled the amount. Business owners and the property owner would work out possible parking issues in the future as businesses developed in the building.

The last sentence in the definition of premises for marijuana use in **18.2.3.190(B)(1f) Methodology for Measuring Separation Requirements** read, **"For the purpose of this section, premises is all public and private enclosed areas within a building at the location that are used in the business operation, including offices, kitchens, rest rooms and storerooms."**

Ms. Harris clarified the City used level of service to measure street capacity. Staff addressed the level of service for A Street, Van Ness Avenue, and Oak Street. They were the most heavily impacted intersections. It was a challenge to determine the material adverse effect. The focus on operational measurements of transportation systems could be narrow in scope. The transportation element and the implementing policies and land use ordinance applied to all forms of travel. Engineering information tended to focus on vehicle travel and was not a good mechanism for bicycle and pedestrian travel.

Applicant's Presentation

Jay Harland/CSA Planning, LTD/4497 Brownridge Terrace/Medford, OR/The applicant would comply if the Planning Commission concluded the interior door needed to be closed to meet the 200-foot buffer. There were existing bathrooms in the building closer to the retail area and not restricted to the 200-foot buffer. The trip generation would be higher than the specialty retail based on the International Transportation Engineers (ITE) Manual.

He explained the Sandow Engineering submittal stated the intersections volumes were well within the range typical for these types of intersections. There was no unusual queuing or blocking issues for this type of queuing. The math substantiating the statement was included in the submittal. The area was at a level of service B until 2028. There was adequate capacity from a throughput standpoint for the area. Kelly Sandow, the traffic engineer went out to the site and watched vehicle, pedestrian, and bicycle traffic January 16, 2018. She spotted several soft improvements to the system. One was adding stripping to Oak Street and Van Ness Avenue. Another would install better lighting for the crosswalk at A Street and Oak Street. The third suggestion would replace the curb cut with a landscaped planter strip to keep people from cutting to the other side of Van Ness Avenue. Through the approval of the project, the street improvements would benefit the transportation system.

Questions of the Applicant

Mr. Harland confirmed the applicant was not proposing any type of production at the site. The current lease was only for the dispensary and not cultivation. There were no plans to lease for production. The applicant had no intention to add production after the retail approval.

There was a bathroom located near the retail site. It was not uncommon for tenants to share restroom facilities.

Commissioner Miller expressed concerns the traffic analysis was inadequate. She thought First Street and Pioneer Street should have been included. The peak traffic for the Ashland Food Coop occurred between 4:00 p.m. and 6:00 p.m. It was a one-way street with people exiting on A Street. Mr. Harland responded the traffic engineer observed traffic in that location and did not encounter anything that could cause capacity issues. Commissioner Miller noted the study occurred in January, the quietest month in town. It would be more accurate if the study happened on a spring day. Commissioner Mindlin wanted to know if they had reviewed other studies of the area. Specifically, studies that included all modes of transportation during other seasons. Community Development Director Bill Molnar added the Public Works Department had explained it was not uncommon to evaluate traffic studies this time of year. Pedestrian and bicycle traffic were also issues.

Public Testimony

Brian Comnes/Ashland/Reiterated Commissioner Miller's account of traffic. He walked or drove through the project area daily. Where A Street, Oak Street, and Van Ness Avenue connected was confusing. He had personally

witnessed near accidents with vehicles, pedestrians, and cyclists. Where First Street came out to A Street, the tight "S" turn on A Street made it difficult to see. Any increase in traffic due to the retail establishment in that area would increase safety risk. The rafting company frequently blocked half the street. It was not a desirable place to increase traffic. He expressed concern about the potential of people ingesting the products they just purchased then driving away impaired. He was opposed to the project and suggested the Commission oppose it as well.

Robin Popin/Ashland/Was baffled to be there. She lived in the Railroad District and described the area. The Plexis building was a historic building and the area caused traffic issues. She thought that cannabis dispensaries had to be on major thoroughfares in Ashland, not small streets. She did not consider A Street a thoroughfare. The traffic was bad. It was a residential community that co-existed with commercial property. The marijuana dispensary did not belong in the neighborhood. She would be profoundly disappointed to have purchased her property if this project went through.

Applicant's Rebuttal

Mr. Harland addressed traffic generation and explained the actual retail use generated less than one trip per minute. Ms. Harris shared the number of PM Peak Hour for specialty retail was 5 trips per 1,000 square feet. General office PM Peak Hour was 1.49 per 1,000 square feet. Mr. Harland added trip generation for marijuana retail was higher.

Deliberations & Decision

Ms. Harris confirmed Clear Creek Drive was zoned for E-1 and not in a historical district. The building for the project was a historic building but the applicants were not making any changes to the exterior.

The Commission discussed how using the bathroom in the hallway would change the 200-foot buffer to the residential area on Oak Street. The applicant could access bathrooms located behind the retail site. The Commission could also place a condition on the application to permanently close the interior door. There were multiple entrances for fire exits. There was a concern whether the Oak Street door would be used as an entry. At this point, without using the hallway bathroom, the applicant complied with the 200-foot requirement.

A Street was not a major street but the Comprehensive Plan allowed marijuana retail on a neighborhood collector through a conditional use permit. The Commission voted to include A Street for potential marijuana retail because the street was commercial in nature.

Commissioner Mindlin did not think the applicant met the burden of proof that there was no adverse material effect based on the traffic. The proposed project would generate six times more traffic during peak hour than the specialty retail rate. There was no analysis done regarding pedestrian and bicycle traffic. The study in January did not exhibit a coherent picture of traffic impact later in the year. The Commission majority agreed the applicant had not met the burden of proof for traffic.

Commissioner Dawkins disagreed and thought because this was marijuana based, it was being singled out. Current traffic issues were generated by the Ashland Food Coop and Ace Hardware. In that case, no other retail uses should be allowed in that area due to the increase in traffic. Commissioner Brown commented when the Ashland Food Coop opened at that location, no one had understood the traffic impact. Traffic was also not addressed when Ace Hardware was developed. They could not continue allowing high traffic uses in the area just because two other high traffic uses were there. Additionally, the code based the traffic for that particular building on general office use.

Commissioner Norton thought the issues could have been mitigated or addressed better. Commissioner Thompson noted when the proposed use was compared to the general office use it did show material difference and impact. The other uses allowed had an effect of five per 1,000 square feet. The proposed use was 28 per 1,000, five and a half times the impact. The Commission had to take the congestion in the area and the difficulty navigating the street seriously.

Chair Pearce observed the city engineer did not have a problem with the traffic report. He was not sure there was an adverse material effect here. However, the lack of information on traffic impacts made it hard to make a decision. The traffic report did not take into consideration bicycle and pedestrian traffic in May or June. He did not think the applicant had provided the Commission with the quality of information needed for an approval.

Commissioners Miller/Brown m/s to deny the application for PA-2017-01911. Roll Call Vote: Commissioners Miller, Pearce, Mindlin, Brown, Norton, and Thompson, YES, Commissioner Dawkins, NO. Motion passed 6-1.

ADJOURNMENT

Meeting adjourned at 8:30 p.m.

Submitted by,
Dana Smith, Executive Assistant

CITY OF
ASHLAND

ASHLAND PLANNING COMMISSION
STUDY SESSION
MINUTES
February 27, 2018

CALL TO ORDER

Chair Roger Pearce called the meeting to order at 7:01 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

Commissioners Present:	**Staff Present:**
Troy Brown, Jr.	Bill Molnar, Community Development Director
Michael Dawkins	Maria Harris, Planning Manager
Melanie Mindlin	Brandon Goldman, Senior Planner
Haywood Norton	Dana Smith, Executive Assistant
Roger Pearce	
Lynn Thompson	
Absent Members:	**Council Liaison:**
Debbie Miller	Dennis Slattery

ANNOUNCEMENTS

Community Development Director Bill Molnar announced a public hearing would occur at the Planning Commission meeting March 13, 2018. It was for an annexation and a site review for a business park development at Jefferson Avenue and Washington Street. At the Study Session March 27, 2018, the Commission would discuss a public hearing for the Accessory Residential Unit Standards and possibly another update regarding the Wildfire Lands Ordinance. The Tree Commission and Wildfire Mitigation Commission will have reviewed the ordinance by then. The Planning Commission meeting April 10, 2018, could have the continuation of the accessory residential unit at 232 Nutley Street. The applicant had until March 31, 2018, to request a continuance. Public Works Director Paula Brown and the Planning Division were reconvening the System Development Charge (SDC) Commission. Ms. Brown may contact Commissioner Brown to rejoin the commission.

PUBLIC FORUM

DISCUSSION ITEMS

A. Update on Wildfire Lands Ordinance Revisions

Senior Planner Brandon Goldman explained the Community Planning Assistance for Wildfires (CPAW) assessed the existing ordinance and the proposed ordinance. They provided recommendations and best practices. The ordinance would come back to the Planning Commission March 27, 2018, following a review by the Tree Commission and the Wildfire Mitigation Commission.

The ordinance standards were broken into two broad categories. A requirement for a fire prevention and control plan, and requirements for general fuel management practices. A presentation on Wildfire Development Standards included:

Fire Prevention and Control Plan Applicability

- Subdivisions
- Performance Standards Developments
- Land Partitions
- Site Design Review
- Not required for new single family dwellings or additions

- Code Refs: 18.3.10.100.A.1

Fire Prevention and Control Plan Submittals

- Similar to formal planning application plan requirements regarding:
    - Site, building locations, drive locations, grades, hydrant locations, landscape plan.
- Requires a tree and vegetation management plan:
    - Tree Removals
    - Areas to be thinned
    - Schedule for thinning and removal
- Code Refs: 18.3.10.100.A.2

Fire Prevention and Control Plan Approval

- The wildfire hazards present on the property has been reduced to a reasonable degree, balanced with the need to preserve and/or plant a sufficient number of trees and plants for erosion prevention wildlife habitat, enhancement of water resources, and aesthetics.
- Code Refs: 18.3.10.100.A.3 & A.4

The Fire Department Fire Marshal or designee would conduct the inspection on site to ensure the plants were thinned in a sufficient manner.

Maintenance

- Provisions for the maintenance of a required Fire Prevention and Control Plan shall be recorded on the property to ensure continued maintenance.
- Code Refs: 18.3.10.100.A.3 & A.4

General Fuel Modification Areas - Applicability

- Applies to new buildings, additions, and decks increasing lot coverage by 200 sq. ft. or greater.
- Full extent of the property for new structures.
- 30' from furthest extent of an addition or deck.
- Code Refs: 18.3.10.100.B.1

General Fuel Modification Areas - Requirements

- Remove all dead or dying vegetation.
- No new planting of plants listed on the new Prohibited Flammable Plant List within 30' of a structure.
- Removal of Prohibited Flammable Plants from 5' of a new structure.
- No combustible materials within 5 feet of a new structure or addition, including mulch.
- Flammable trees (not deciduous) which are to be retained:
    - Provide a 10-foot clearance to canopy from new building or additions.
    - Must be maintained to remove understory growth and clearance from the ground (8').
    - Allowance for an exception if pruning the tree to this extent will compromise its health.
- Existing fire resistant trees to be retained:
    - Pruned to not touch a structure.
    - Provide a 10' clearance from a chimney.
- Allowances to preserve vegetation for erosion control, riparian and wetland preservation.
- Roof Material (new or 50% re-roof) to be fire resistant (Class B).
- Code Refs: 18.3.10.100.B.2 & B.3

The primary intent of the ordinance was to expand wildfire overlay to incorporate the entire city.

Implementation Requirements

- Compliance with Fire Prevention and Control Plan, and General Fuel Modification standards, to be completed prior to bringing combustible materials onto the property.
- Fire Code Official inspection and approval
- Ongoing Maintenance
- Code Refs: 18.3.10.100.C

Adjustments to Fire Prevention Control Plan and Fuel modification requirements

- New flexibility to address unique on-site conditions.
- New Section 18.3.10.100.D and E
- Fire Code Official and Planning Director may waive or reduce submittal requirements or fuel modification requirements if on-site conditions are already sufficient to reduce fire risk.
    - Written Request
    - Site Inspection by Fire Code Official
    - Evaluation of criteria
- Code refs: 18.3.10.100.D

Amendments to approved plans

- Minor Amendments
    - Administrative
- Exceptions
    - Type 1 Planning Action
- Code Refs: 18.3.10.100.E & F

Physical and Environmental Constraints

- Tree Removal
    - Amends regulated conifer tree caliper from 24" to 18" to align with the definition of "significant tree."
    - Allows removal of regulated trees in hillside lands for trees removed as part of an approved Fire Prevention and Control Plan, or as approved to implement a comprehensive general fuel modification area.
- Submission Requirements - Staff advisor may waive a submittal requirement if not necessary to make a decision on an application.
- Code Refs: 18.3.10.020.A.3, 18.3.10.040, 18.3.10.090.D

Staff modified tree removal to exempt a tree if it was part of a fire prevention and control plan and required to meet fill modification areas in the wildfire ordinance. It would also exempt tree replacement mitigation requirements. Another modification changed removing and replacing a tree because it was too close to the proposed addition or structure. In terms of what was required for a plant submittal, the staff advisor could waive a submission requirement if it was unnecessary to make a decision on the application.

Tree Removal Permits

- Amends exemption section:
    - Newly requires a tree removal permit for removal of trees greater than 6" dBH, when the lot is large enough to be partitioned or subdivided.
    - Currently, lots occupied by a single family dwelling are exempt regardless of size.
    - The amendment addresses situations in which a site occupied by a single dwelling is cleared of trees under the exemption, in advance of an application to subdivide or partition.
    - Applies in R-1, R-2, R-3, and HC zoned properties.
    - HC zone added as Mountain Meadows is comprised of a large number of small lot single family homes on HC zoned property.
- Code Refs: 18.5.7.C

Alison Lerch, the fire adapted community coordinator spoke to the Wildfire Readiness and Preparedness approach. The ordinance addressed new homes and additions and would only capture a fraction of the city. The Fire Department looked at how to have wildfire reduction citywide. In addition to the ordinance, it required education and incentives. The City's Firewise USA Program currently had 28 individual neighborhoods involved.

Fire Adapted Ashland

1. Expand the Wildfire Hazard Zone to include the entire city. Wildfire risk is citywide. The City of Ashland

Comprehensive Plan would be amended to change the Wildfire Lands Overlay.

2. Adopt an updated Wildfire Lands Ordinance for new construction and additions that require vegetation clearance and fire-resistant landscaping.
3. Adopt a Municipal Code (Health & Sanitation Chapter) restricting new plantings of known flammable species identified on the Prohibited Flammable Plant List.
4. Increase wildfire safety through a citywide grant incentive program encouraging residents to remove known flammable plant species and implement fire resistant landscaping.

The Fire Department was conducting parcel by parcel assessments of every home in city limits and expected to finish the following week. The data collected would provide information on highest hazard homes and areas. It would enable the Fire Department to apply for a Predisaster Mitigation grant through FEMA as well as others. The Predisaster Mitigation grant would provide up to $3,000,000 to help facilitate voluntary removal of flammable plant species and creating fire resistant landscaping. The grant could also go towards retrofitting existing structures and building materials.

5. Continue wildfire mitigation and risk reduction of existing buildings through the Firewise USA program.
6. Adopt wildfire building codes within city limits so new construction uses ignition resistant building materials.

Prohibited Flammable Plant List

- Adopted into Chapter 9, Health and Sanitation.
- Reference in the wildfire development standards.
- Application City Wide
    - To reduce the risk of damage to property and persons by the spread of fire due to highly flammable plant material.
    - Prohibits planting flammable plants with 30' of buildings and decks.

Fire resistant building materials and construction - State of Oregon

- Fire Code Amendments
- Building Code Amendments

Fire Division Chief-Fire Marshal Ralph Sartain addressed Appendix W Building Construction. It was a code proposal that had essential ignition resistant development for homes in the wildfire risk assessment. It would make them less vulnerable to combust during wildfires. The ignition resistant construction elements would reduce the house to house ignition potential resulting in a community risk reduction. Oregon construction was already developing many wildfire risk reduction building. Changes would include a cap on gutters, under mount open exposed decking and flooring. Roofing material was already in City code. Windows were in the construction code and would not change.

The Building Codes Division would review the code proposal and add it as an appendix to the 2014 Fire Code and eventually to the 2018 Fire Code appendix. The state would adopt it first then the City.

Mr. Goldman spoke to the tree removal exemption in A2. An existing conifer over 18 inches could be retained and the new building or addition could be in close proximity. If it could be trimmed back to provide 10 feet of canopy spacing. However, if that clearance jeopardized the health of the tree, it could be retained. It would not provide the same level of fire protection. Smaller trees could potentially be removed.

In the ordinance, **A. Requirements for Subdivisions, Performance Standards Developments, Site Design Review or Partitions. (3) Approval Criteria** would require discretion in reviewing a subdivision by the Commission. It identified balancing with the need to preserve a sufficient number of trees and plants for erosion prevention on steep slopes. An applicant going through a hillside development would have a geotechnical engineer determine if the trees were a vital part of maintaining that slope. An applicant could also argue retaining trees to preserve wildlife habitats. It was balancing goals in terms of what the community wanted to retain. Community Development Director Bill Molnar added in regards to the approval criteria, the ultimate burden was on the applicant.

Ms. Lerch, the City Conservation Specialist, a Wildfire Mitigation Commissioner and the Shooting Star Nursery

developed a list of plants for drought tolerant and pollinator-friendly gardens. It also included plants that required protection from deer. The Water Wise Landscaping website had a Firewise plant list as well.

Mr. Goldman clarified all new buildings that would increase lot coverage by 200 square feet or more would have a fuel modification area within 30-feet of the new building. Submission requirements for the fire prevention and control plan pertained to performance standards subdivisions, preliminary plat of a subdivision, and site design review. Site design review required for accessory residential units was not included. They would have to make a general fuel modification requirement and would not provide a fire prevention and control plan.

Planning Commission comment suggested revising the language for screening a hedge. Other comments expressed concerns regarding enforcement, Home Owner Associations (HOA) and Covenants, Conditions and Restrictions (CC&Rs). Another comment suggested using hardy plank or a metal gate for the last five feet of a fence that connected to a house.

Division Chief-Fire Marshal Sartain spoke to fire resistant wood products that met Class B. He noted city code exceeded state requirements for roofs. Ms. Lerch described education outreach and videos that would be available.

Staff would incorporate language regarding fences and revise wording in Section **2(A)3) Approval Criteria**.

UPDATES

A. Accessory Residential Unit Standards

Planning Manager Maria Harris explained currently adding an Accessory Residential Unit (ARU) required planning approval, site design review, and a pre-application conference. It also required a Type I application fee, and the time and resources to put it together. The ordinance would exempt ARUs less than 500 square feet from the planning approval process if they were attached to a home or within a building. For a new residence, someone could incorporate an ARU into the design. It had to be less than 500 square feet with two parking spaces on site for the primary residence. It also needed on-street parking on one side of the street within 200 feet on either side. If it met those requirements, it could be done with a building permit. She clarified R-1 included R-1-5, R-1-7.5, and R-1-10.

Due to the number of qualifiers, staff created a new section under **18.2.3.040 Accessory Residential Unit** titled **A. Exemptions**. Suggestions from the Planning Commission resulted in **A. 5** and **A. 6.** The exemption would not apply to the multifamily zones because on-street parking was more heavily used. Mr. Molnar added the downtown parking management study looked at parking in the early morning and end of day. They did not detect issues with parking.

For **18.2.3.040 B. R-1 Zone, (2)**, staff removed **"…except that accessory residential units shall be counted in the density of developments created under the Performance Standards Option in Chapter 18.3.9."** In **B(3),** the maximum gross habitable floor area of an ARU did not come up often enough to add the language. **B(6)** and **B(7)** were the design standards staff had introduced. They were in the site design chapter. Staff moved them to this section because it was easier to read. They clarified the "interior of the property" language in **B(7)** to, **"New exterior doors and outdoor living areas (e.g., balconies or decks) on the second story shall be oriented towards the interior of the property rather than the side or rear yards."** Staff would clarify it further to indicate ARUs above a detached structure and add language to minimize the impact on the neighbor's private space.

In **18.2.3.040(B)(C) RR Zone** section, they removed **(1)** and **(2)** regarding building on lands with less than 25% slope and access to an improved city street. Hillside Development standards would address slopes that were 25% greater. If someone did an addition that was 300 square feet or less, it would not require a physical environmental constraints permit.

In **18.2.3.040, E. NN Zones** and **F. NM Zones** were added. It would allow exempt ARUs less than 500 square feet to be in those zones. The Normal Neighborhood and North Mountain plans had ARUs written in the code and adopted before

they were developed. The proposed ordinance would allow a building permit only for exempted ARUs less than 500 square feet instead of going through site design. The number of units was not locked in. It was the number of lots created through the subdivision process. The ARU standards specifically stated they were not subject to the density requirements.

Commissioner Norton explained the conditions of approval for his subdivision locked in the number of units, not lots. Ms. Harris commented most of the subdivisions over the past 30 years were performance standard subdivisions. It brought up whether the community had the ability to acknowledge changing conditions and adjust policies. The community decided through the regional planning process the city would not expand boundaries and accommodate future growth within city limits instead. Mr. Molnar noted there were neighborhoods with subdivisions that were platted with a home owner's association that restricted additional units through their CC&Rs. Commissioner Norton did not think the public was clear on what the ordinance would allow. They might not understand that homes with ARUs were essentially duplexes. He stressed the importance of having a public process and suggested notifying all of the Home Owner Associations in Ashland about the proposed ordinance.

Ms. Harris clarified **18.2.3.040 (B)** as one ARU was allowed per lot and the maximum number of dwelling units shall not exceed two. It was an exemption from site design review and did not permit an unlimited number of ARUs. Applicants had to meet all the qualifiers under **(B)**. For 500 square feet ARUs in historic districts, a planner reviewed the building permits with another review by the historic review board. It went through the noticing process and was appealable to the Planning Commission. The standards were the dimensional requirements of the zone. The following would not be required:

- A landscape plan
- Open space for the ARU
- Planting street trees
- A full Historic Commission review if applicable

Mr. Molnar added it would go to the Historic Commission as part of an advisory. If the 500 square foot addition was part of the site review it had to meet the mandatory standards in terms of compatible materials. Ms. Harris explained it did not have to happen for a single family home. An applicant could build the same volume for a house that was allowed under the standard requirements of the zone. It did not make a difference if the new section was an ARU. A 500 square foot addition for a house in a historic district required a building permit only. It did not go through a site design review.

One Commission comment suggested clarifying parking further.

Ms. Harris addressed **Table 18.4.3.040 Automobile Parking Space by Use.** She separated the requirements for a single family dwelling into its own box and added another box for ARUs. They used the same standard used for cottage housing where one space was required for an ARU.

Staff would incorporate suggested changes and take the opportunity to update typographical errors and redundant information in the ordinance.

ADJOURNMENT

Meeting adjourned at 8:47 p.m.

Submitted by,
Dana Smith, Executive Assistant

BEFORE THE PLANNING COMMISSION
February 13, 2018

IN THE MATTER OF PLANNING ACTION #2017-01911, A REQUEST FOR A CONDITIONAL USE PERMIT FOR MARIJUANA RETAIL SALES LOCATED AT 181 A ST.	) **FINDINGS,**) **CONCLUSIONS,**) **& ORDERS**
APPLICANT: Jorge Yant	)

RECITALS:

1) Tax lots #14600 and 14900 of Map 39 1E 09 BA are located on A St. and zoned E-1, Employment. The properties are located in the Detail Site Review, Historic District and Residential overlays.

2) The project site is comprised of two lots and includes a historic building dated at 1912 that was originally constructed for the Ashland Fruit and Produce Association. The building is bordered by Oak St. on the west, A St. on the south and the railroad tracks and associated right-of-way to the north. The eastern end of the building is next to the private parking lot that is part of the development and serves the subject building. The parking lot includes 43 parking spaces. According to the application, the building is 16,225 square feet in size and according to City of Ashland maps is approximately 400 feet in length.

3) According to the City of Ashland Railroad Addition National Register Historic District Nomination, the business known as Oak Tank and Steel moved into the building in 1945. In the early 2000's, the site was converted from the light industrial use to the A Street Marketplace which included retail, food service, nightclub, light industrial and office uses. Subsequently, Plexis Healthcare Systems, Inc. acquired the building and converted the building to office space for their corporate offices. However, Plexis Healthcare Systems, Inc. moved to Medford and the property is currently vacant.

4) The original application included a request for Site Design Review approval under AMC 18.5.2 for marijuana production (indoor grow) and a Conditional Use Permit for marijuana retail sales. After the first public hearing on December 12, 2017, the applicant withdrew the application for the marijuana production use by a letter submitted on December 28, 2017. The applicant submitted a revised application for the Conditional Use Permit for a marijuana retail use on January 29, 2018 and supplemental transportation information on February 13, 2018.

5) In the letter submitted on December 28, 2017, the applicant also requested to move the second public hearing to February 13, 2018 and granted a 60-day extension the 120-day review period. The extension moves the deadline for the required final decision date by the City to May 2, 2018.

6) The hearing before the Planning Commission involves a request for a Conditional Use Permit for marijuana retail sales located at 181 A. St. The proposal is to use the portion of the building located at 181 A St. for a marijuana retail sales use. The application describes the proposed marijuana retail use as 1,850

square feet in size. Any marijuana-related businesses must also meet the applicable special use standards in AMC 18.2.3.190.B.

7) The criteria for a Conditional Use Permit are described in **AMC 18.5.4.050.A** as follows.

1. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.

2. That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the development, and adequate transportation can and will be provided to the subject property.

3. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection 18.5.4.050.A.5, below. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.

   a. Similarity in scale, bulk, and coverage.

   b. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.

   c. Architectural compatibility with the impact area.

   d. Air quality, including the generation of dust, odors, or other environmental pollutants.

   e. Generation of noise, light, and glare.

   f. The development of adjacent properties as envisioned in the Comprehensive Plan.

   g. Other factors found to be relevant by the approval authority for review of the proposed use.

4. A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.

5. For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of this subsection, the target uses of each zone are as follows.

   f. *E-1.* The general office uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and within the Detailed Site Review overlay, at an intensity of 0.50 floor to area ratio, complying with all ordinance requirements.

8) The special use standards for Marijuana-Related Businesses are described in **Ashland Municipal Code** (**AMC) 18.2.3.190.B** as follows.

B. Marijuana-Related Businesses.

1. Marijuana-related businesses may require Site Design Review under chapter 18.5.2 or a Conditional Use Permit under chapter 18.5.4. See Table 18.2.2.030 – Uses Allowed by Zone for zones where marijuana-related businesses are allowed. See definition of marijuana-related businesses in part 18.6. Marijuana-related businesses shall meet all of the following requirements.
   a. The business must be located in a permanent building and may not locate in a trailer, cargo container, or motor vehicle. Outdoor marijuana production, cultivation, and storage of merchandise, raw materials, or other material associated with the business are prohibited.
   b. Any modifications to the subject site or exterior of a building housing the business must be consistent with the Site Design Use Standards, and obtain Site Design Review approval if required by section 18.5.2.020. Security bars or grates on windows and doors are prohibited.
   c. The business must provide for secure disposal of marijuana remnants or by-products; such remnants or by-products shall not be placed within the business' exterior refuse containers.
   d. *Light and Glare*. Shield lighting systems and use window coverings to confine light and glare from light systems associated with indoor cultivation so as to confine light and glare to the interior of the structure. Grow light systems within a greenhouse are prohibited.
   e. *Building Code*. Any structure, accessory structure, electrical service, plumbing, or mechanical equipment (e.g., lighting, fans, heating and cooling systems) associated with a business shall satisfy the Building Code requirements and obtain all required building permits prior to installation.
   f. *Methodology for Measuring Separation Requirements*. The following methodology shall be used for marijuana related- businesses that are required to be separated by a specific distance (i.e., marijuana production facility, marijuana wholesale facility, marijuana retail outlet). For the purposes of determining the distance between a marijuana related-business and another marijuana-related business, "within 1,000 feet" means a straight line measurement in a radius extending for 1,000 feet or less in every direction from the closest point anywhere on the premises of an approved marijuana related- business to the closest point anywhere on the premises of a proposed marijuana-related business of the same type. If any portion of the premises of a proposed marijuana related-business is within 1,000 feet of an approved marijuana related business of the same type, it may not be approved. For the purpose of this section, premises is all public and private enclosed areas within a building at the location that are used in the business operation, including offices, kitchens, rest rooms, and storerooms.
   g. The property owner shall record a declaration which waives any claim or right to hold the City liable for damages they or a tenant may suffer from state or federal

enforcement actions for activities the City permits as a result of its approval of the proposed use or development once such approval is granted. Furthermore, the owner and tenant agrees not to unreasonably disobey the City's order to halt or suspend business if state or federal authorities order or otherwise subject the City to enforcement to comply with laws in contradiction to the continued operations of the business as permitted under section 18.2.3.190.

h. A marijuana-related business must obtain an approved license or registration from the State of Oregon and meet all applicable Oregon Revised Statutes and Oregon Administrative Rules.

2. Marijuana Laboratories, Processing, Production, and Wholesale. In addition to the standards described in subsection 18.2.3.190.B.1, above, marijuana laboratories, processing, production, and wholesale shall meet the following requirements as applicable. See definition of marijuana processing and production in part 18.6.
   a. Marijuana laboratories, processing, production, and wholesale shall be located 200 feet or more from residential zones.
   b. *Marijuana Production*.
      i. Marijuana production shall be limited to 5,000 square feet of gross leasable floor area per lot.
      ii. A marijuana production facility shall be located more than 1,000 feet from another marijuana production facility. See subsection 18.2.3.190.B.1.f for methodology for measuring the required distance between marijuana related-businesses.
   c. *Marijuana Wholesale*. A marijuana wholesale facility shall be located more than 1,000 feet from another marijuana wholesale facility. See subsection 18.2.3.190.B.1.f for methodology for measuring the required distance between marijuana related-businesses.

3. Marijuana Retail Sales. In addition to the standards described above in subsection 18.2.3.190.B.1, marijuana retail sales shall meet the following requirements. See definition of marijuana retail sales in part 18.6.
   a. *Location*.
      i. Marijuana retail sales are allowed if located on a property with a boundary line adjacent to a boulevard.
      ii. Marijuana retail sales, except as allowed above in subsection 18.2.3.190.B.3.a.i, must be located 200 feet or more from a residential zone and are subject to a Conditional Use Permit under chapter 18.5.4.
      iii. Marijuana retail sales are not permitted in the Downtown Design Standards Zones.
      iv. A marijuana retail sales outlet shall be located more than 1,000 feet from another marijuana retail sales outlet. Medical and recreational marijuana retail sales do not need to be separated by 1,000 feet if located together in one building if the configuration meets all applicable Oregon Revised Statutes and Oregon

Administrative Rules. No more than two registrations or licenses issued by the State of Oregon (e.g., a medical dispensary registration and a recreational sales license) may be located in one building. See subsection 18.2.3.190.B.1.f for methodology for measuring the required distance between marijuana related-businesses.

b. *Drive-up Use*. The marijuana retail sales outlet must not include a drive-up use.

9) The Planning Commission, following proper public notice, held public hearings on December 12, 2017 and February 13, 2018 at which time testimony was heard and evidence was presented. Subsequent to the closing of the February 13, 2018 hearing, the Planning Commission denied the application.

Now, therefore, the Planning Commission of the City of Ashland finds, concludes and recommends as follows:

SECTION 1. EXHIBITS

For the purposes of reference to these Findings, the attached index of exhibits, data, and testimony will be used.

Staff Exhibits lettered with an "S"

Proponent's Exhibits, lettered with a "P"

Opponent's Exhibits, lettered with an "O"

Hearing Minutes, Notices, and Miscellaneous Exhibits lettered with an "M"

SECTION 2. FINDINGS OF FACT AND CONCLUSIONS OF LAW

2.1 The Planning Commission finds that it has received all information necessary to make a decision based on the Staff Report, public hearing testimony and the exhibits received. The Commissioners disclosed at the public hearing that all Commissioners had visited the site or were very familiar with the site and surrounding area.

2.2 The Planning Commission received 38 written comments on the planning action that are included in the record. Additionally, eight individuals provided testimony at the December 12, 2017 hearing and two individuals provided testimony at the February 13, 2018 public hearing. The minutes from the public hearings are included in the record.

2.3 The Planning Commission finds that the proposal for a Conditional Use Permit for marijuana retail sales does not meet all applicable approval criteria in AMC 18.5.4.050.A.

2.4 For the reasons discussed below in this section, the Planning Commission finds that the application

does not demonstrate that the proposal satisfies the third approval criteria for a Conditional Use Permit in AMC 18.5.4.050.A.3. Specifically, the application does not demonstrate that the proposed marijuana retail use will not have a greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the E-1 zone in terms of two of the seven factors to be considered including: b. generation of traffic and effects on surrounding streets, and f. the development of adjacent properties as envisioned in the Comprehensive Plan. Under the Ashland Municipal Code Title 18 Land Use, the applicant has the burden of producing evidence showing that the application satisfies all applicable approval criteria. In this case, the applicant has failed to meet the burden.

2.5 The Conditional Use Permit approval criteria establish the target use in the E-1 zone in AMC 18.5.4.050.A.5.f as general office uses developed at an intensity of .50 floor to area ratio in the Detail Site Review overlay. The floor-area ratio or FAR is defined in AMC 18.6.1.030 as "The gross floor area of all building on a lot divided by the lot area." In this case, the site area is 40,738 square feet. As a result, the target use of the site is a general office building that is half of the size of the site or 20,369 square feet in size. According to the application, the existing building on the site is 16,255 square feet in size.

2.6 The Planning Commission finds that the proposed marijuana retail use is projected to generate significantly more vehicle trips than the target use of general office. The traffic analysis included in the application estimates that a marijuana retail sales use creates 28.2 trips for every 1,000 square feet of floor area during the p.m. peak hour. In comparison, the applicant's traffic analysis shows a rate of 1.49 for every 1,000 square feet of office floor area during the p.m. peak hour. Therefore, a marijuana retail use generates 18 times more traffic than a general office use of the same size based on the trip generation rates provided in the application.

The revised application and February 13, 2018 traffic analysis do not address the trip generation of the target use of general office. Using the rate for general office of 1.49, the target use of 20,369 square feet of general office would create 30 vehicle trips during the p.m. peak hour.

The proposal is to use 1,850 square feet of the existing building for a marijuana retail use which would generate 52 vehicle trips during the p.m. peak hour. The proposal is to use the remaining 14,375 square feet of the existing building for general office which would generate 21 vehicle trips during the p.m. peak hour. Therefore, the total number of vehicle trips generated by the proposal would be 73 vehicle trips during the p.m. peak hour.

In conclusion, the proposal would generate 73 vehicle trips during the p.m. peak hour, which is more than double the 30 vehicle trips that the target use of 20,369 square feet of general office would generate during the p.m. peak hour. The increase in trips of the proposal over the target use is due to the number of trips generated by marijuana retail sales. Again, an 1,850 square foot space would generate 52 vehicle trips during the p.m. peak hour. In comparison, a general office use of the same size, 1,850 square feet, would generate only three vehicle trips during the p.m. peak hour.

2.7 The Planning Commission finds that the application does not adequately address the material

effect of the additional vehicle trips generated by the proposed marijuana retail use on intersections in the area. An intersection evaluation of A St./Oak St/ Van Ness Ave. is included in the revised application (Exhibit 12). The intersection evaluation was based on data collected on January 9, 2018 and January 10, 2018. The original application included a trip generation analysis (Exhibit 11) that concludes that the added traffic to the intersections of A St./Pioneer and A St/First would have negligible impact to the intersections.

Testimony was received at the February 13, 2018 public hearing raising concerns about transportation impacts. In particular, the testimony was that the effect of additional project traffic would be greater during the spring, summer and early fall when there was increased pedestrian, bicycle and vehicle traffic during the Oregon Shakespeare Festival with visitors traveling to nearby travelers' accommodations and attractions in the Railroad Addition Historic District. In addition, the testimony indicated that the pedestrian and bicycle traffic is further increased during the spring, summer and early fall when the weather is conducive to walking and bicycling in contrast to early January when the traffic data was collected. The testimony concluded that the additional traffic from the proposed project would adversely affect traffic during the much busier times of year. The person testifying indicated that he walked or drove in the area daily and that the A St./Oak St./ Van Ness Ave. intersection is confusing and that he has personally witnessed near accidents involving vehicles, pedestrians and cyclists. As the Commissioners indicated prior to the hearing, many of them were also familiar with the area and they knew that traffic was far more congested during the spring, summer and early fall.

The Planning Commission found the testimony about significant congestion and greater traffic impacts during the spring, summer and fall months to be credible and that the application does not adequately respond or address the issues. The Planning Commission finds that the intersection analysis of A St./Oak St./VanNess Ave. provided by the applicant was unreliable because it is based on data collected during one of the slowest traffic times of the year in Ashland.

The testimony at the public hearings also stated there was significant traffic congestion at other area intersections including the intersection of A St./Pioneer St. and A St./First St. because of existing uses of the Ashland Food Co-op and Ashland Hardware. The testimony indicated that the traffic from the proposed project would adversely affect those busy intersections. The Planning Commission found the applicant's transportation analysis failed to adequately address the potential impacts at these nearby intersections.

2.8 The Planning Commission finds that the application does not demonstrate that the additional vehicle trips from the proposed marijuana retail use will not have a greater adverse material effect on pedestrian and bicycle travel in the impact area compared to the target use of general office. The application did not include an assessment or information regarding pedestrian or bicycle use or pedestrian and bicycle conflicts/accidents with vehicle traffic in the impact area. The Planning Commission finds that the sidewalk on A St. is a relatively narrow curbside sidewalk and bicycles are required to share the travel lanes with motorized vehicles. Several Commissioners noted that the Central Ashland Bike Path

ends at Sixth St. and bicyclists cannot bypass the congested area but instead must use A St. In the written comments and testimony received, the area was described as a walkable neighborhood and shopping area that residents regularly use and travel to and through on foot and bicycle. Additionally, testimony was received indicating high volumes of all types of traffic including pedestrian and bicyclists in the impact area, especially in spring, summer and early fall. The Planning Commission finds this testimony credible.

Three individuals testified about the blind corners on A St., conflicts between pedestrian, bicycle and motor vehicle traffic, and traffic congestion in the general area of the project at the December 12, 2017 public hearing. In addition, five written comments were received raising the a variety of transportation issues including concern regarding increased traffic in an area used by large numbers of pedestrians and bicyclists, traffic in an area that is already congested, the inability of the area to handle traffic associated with another major business, concerns about availability of on-street parking, and a request to consider impacts on the crosswalk and pedestrian traffic at the busy intersection of A St./Oak St. The application does not provide information about pedestrian and bicycle traffic in the area or how the proposal could address the reported conflicts between vehicle and pedestrian and bicycle traffic in the A St. corridor or outside of the A St./Oak St./VanNess Ave. intersection.

2.9 The Planning Commission finds that the application does not demonstrate that additional vehicle trips from the proposed marijuana retail use will not have a greater adverse material effect the development of adjacent properties as envisioned in the Comprehensive Plan compared to the target use of general office. The application does not address whether traffic from the proposed marijuana retail sales use will reduce transportation capacity for future permitted uses and development in the vicinity. Specifically, the application assumes the remainder of the subject building will generate relatively few trips and doesn't clearly address the transportation system capacity in relation to development of nearby properties. The application also only addressees the size of the existing building and does not address the target use against which impacts must be measured.

Most of the square footage of the building on the subject property, approximately 14,000 square feet outside of the proposed marijuana retail use, is vacant. The applicant's traffic analysis assumes a general office use but the building could house a range of outright permitted uses such as retail and restaurants. Retail and restaurant uses typically generate more vehicle trips than general office and this range of possible uses in the remainder of the building is not discussed.

The Response to Staff Report Addendum Comments Regarding Traffic by Sandow Engineering that was received on February 13, 2018 assumes a 2.73 percent growth rate in vehicle traffic based on the City of Ashland Transportation System Plan. The analysis predicts the A St./Oak St./VanNess Ave. intersection will operate at Level of Service (LOS) B in the p.m. peak hour in 2028 but as discussed above, the prediction is based on background traffic measured during the slowest traffic time of year (i.e., on January 9 and 10) rather than on the busier spring, summer and early fall time periods. The LOS analysis is not provided for A St./Pioneer St. and A St./First St. It is not clear if the 2.73 percent growth rate used in the analysis incorporates development of closely situated sites such as the approximately 43,000 square foot

mixed-use building that was approved at the intersection of VanNess Ave. and Water St., vacant parcels on Clear Creek Dr. as well as the future development of the approximately 15-acre parcel of railroad property to the northeast of the site. The Planning Commission finds that the transportation analysis does not adequately address the cumulative impacts of the proposal and the future development on the three intersections in the impact area or on pedestrian and bicycle travel in the area.

2.10 The Planning Commission finds that the application does not clearly demonstrate that the additional traffic generated by the proposed marijuana retail use will not create a greater adverse material effect on the livability of the impact area compared to the target use of general office. The Planning Commission finds that the proposed marijuana retail use creates significantly more trips than the target use and the application does not address the impact of the additional trips on the reported high volumes of pedestrian and bicycle travel in the area, especially in spring, summer and early fall. Additionally, testimony received reported conflicts between vehicle traffic and pedestrians and bicyclists in the A St. corridor. Outside of some suggested improvements to the A St./Oak St./VanNess Ave. intersection, the application doesn't include information on the reported conflicts or measures to address those situations. The Planning Commission finds that the application does not address the reported higher volumes of all types of traffic during the Oregon Shakespeare Festival and peak tourism season. Finally, the application does not demonstrate that the cumulative effect of the proposal and future development in the vicinity on the transportation system will not affect the future development of adjacent properties.

SECTION 3. DECISION

3.1 Based on the record of the Public Hearing on this matter, the Planning Commission concludes that the request for a Conditional Use Permit for marijuana retail sales located at 181 A St in Planning Action 2017-01911 is not supported by evidence contained within the record.

Therefore, based on our overall findings and conclusions included above, we deny the application in Planning Action #2017-01911.

	March 13, 2018
Planning Commission Approval	Date

Planning Department, 51 Winburn Way, Ashland, Oregon 97520
541-488-5305 Fax: 541-552-2050 www.ashland.or.us TTY: 1-800-735-2900

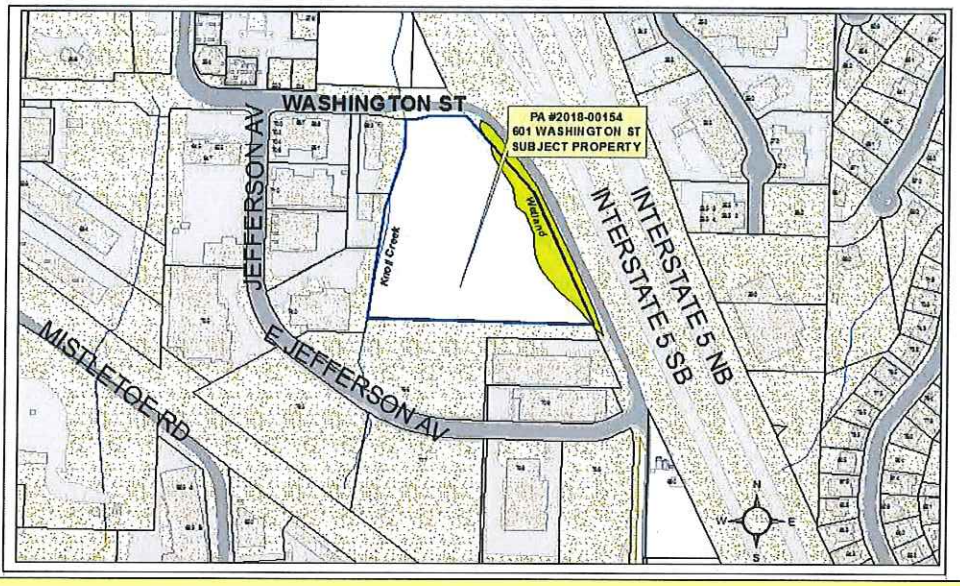
CITY OF ASHLAND

NOTICE OF PUBLIC HEARING

PLANNING ACTION: PA-2018-00154
SUBJECT PROPERTY: 601 Washington Street
OWNER/APPLICANT: South Ashland Business Park LLC
DESCRIPTION: A request for Annexation of a 5.38-acre parcel, Zone Change from County RR-5 Rural Residential) to City E-1 (Employment), and Site Design Review approval for the phased development of a light industrial business park for the property located at 601 Washington Street. The application includes a request for a Conditional Use Permit to allow a watchman's dwelling; Limited Use/Activity Permits within the Water Resource Protection Zones of Knoll Creek and a Possible Wetland on the property to construct a stormwater outfall and street improvements; an Exception to Street Standards for the frontage improvements along the property's Washington Street frontage; and a Tree Removal Permit to remove four trees greater than six-inches in diameter at breast height (d.b.h.).**COMPREHENSIVE PLAN DESIGNATION:** Employment; **ZONING: Existing –** County RR-5**, Proposed –** City E-1; **ASSESSOR'S MAP:** 39 1E 14AB; **TAX LOT #:** 2800.

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, March 8, 2018 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

ASHLAND PLANNING COMMISSION MEETING: ***Tuesday, March 13, 2018 at 7:00 PM, Ashland Civic Center, 1175 East Main Street***



Notice is hereby given that a **PUBLIC HEARING** on the following request with respect to the **ASHLAND LAND USE ORDINANCE** will be held before the **ASHLAND PLANNING COMMISSION** on meeting date shown above. The meeting will be at the **ASHLAND CIVIC CENTER, 1175 East Main Street, Ashland, Oregon.**

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, either in person or 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 Commission 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. A copy of the Staff Report will be available for inspection seven days prior to the hearing and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Department, Community Development and Engineering Services, 51 Winburn Way, Ashland, Oregon 97520.

During the Public Hearing, the Chair shall allow testimony from the applicant and those in attendance concerning this request. The Chair shall have the right to limit the length of testimony and require that comments be restricted to the applicable criteria. Unless there is a continuance, if a participant so requests before the conclusion of the hearing, the record shall remain open for at least seven days after the hearing.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at 541-488-6002 (TTY phone number 1-800-735-2900). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting. (28 CFR 35.102.-35.104 ADA Title I).

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

18.5.8.050 Annexations - Approval Criteria and Standards

An annexation may be approved if the proposed request for annexation conforms, or can be made to conform through the imposition of conditions, with all of the following approval criteria.

A. The land is within the City's Urban Growth Boundary.

B. The proposed zoning for the annexed area is in conformance with the designation indicated on the Comprehensive Plan Map, and the project, if proposed concurrently with the annexation, is an allowed use within the proposed zoning.

C. The land is currently contiguous with the present city limits.

D. Adequate City facilities for the provision of water to the site as determined by the Public Works Department; the transport of sewage from the site to the waste water treatment plant as determined by the Public Works Department; the provision of electricity to the site as determined by the Electric Department; urban storm drainage as determined by the Public Works Department can and will be provided to and through the subject property. Unless the City has declared a moratorium based upon a shortage of water, sewer, or electricity, it is recognized that adequate capacity exists system-wide for these facilities.

E. Adequate transportation can and will be provided to and through the subject property. For the purposes of this section "adequate transportation" for annexations consists of vehicular, bicycle, pedestrian, and transit transportation meeting the following standards.

1. For vehicular transportation a 20-foot wide paved access exists, or can and will be constructed, along the full frontage of the project site to the nearest fully improved collector or arterial street. All streets adjacent to the annexed area shall be improved, at a minimum, to a half-street standard with a minimum 20-foot wide driving surface. The City may, after assessing the impact of the development, require the full improvement of streets adjacent to the annexed area. All streets located within annexed areas shall be fully improved to City standards. Where future street dedications are indicated on the Street Dedication Map or required by the City, provisions shall be made for the dedication and improvement of these streets and included with the application for annexation.
2. For bicycle transportation safe and accessible bicycle facilities exist, or can and will be constructed. Should the annexation be adjacent to an arterial street, bike lanes shall be provided on or adjacent to the arterial street. Likely bicycle destinations from the project site shall be determined and safe and accessible bicycle facilities serving those destinations shall be indicated.
3. For pedestrian transportation safe and accessible pedestrian facilities exist, or can and will be constructed. Full sidewalk improvements shall be provided on one side adjacent to the annexation for all streets adjacent to the proposed annexed area. Sidewalks shall be provided as required by ordinance on all streets within the annexed area. Where the project site is within a quarter of a mile of an existing sidewalk system, the sidewalks from the project site shall be constructed to extend and connect to the existing system. Likely pedestrian destinations from the project site shall be determined and the safe and accessible pedestrian facilities serving those destinations shall be indicated.
4. For transit transportation, should transit service be available to the site, or be likely to be extended to the site in the future based on information from the local public transit provider, provisions shall be made for the construction of adequate transit facilities, such as bus shelters and bus turn-out lanes. All required transportation improvements shall be constructed and installed prior to the issuance of a certificate of occupancy for any new structures on the annexed property.

F. For all residential annexations, a plan shall be provided demonstrating that the development of the entire property will ultimately occur at a minimum density of 90 percent of the base density for the zone, unless reductions in the total number of units is necessary to accommodate significant natural features, topography, access limitations, or similar physical constraints. The owner or owners of the property shall sign an agreement, to be recorded with the county clerk after approval of the annexation, ensuring that future development will occur in accord with the minimum density indicated in the development plan. For purposes of computing maximum density, portions of the annexed area containing undevelopable areas such as wetlands, floodplain corridor lands, or slopes greater than 35 percent, shall not be included.

G. Except as provided in 18.5.8.050.G.7, below, annexations with a density or potential density of four residential units or greater and involving residential zoned lands, or commercial, employment or industrial lands with a Residential Overlay (R-Overlay) shall meet the following requirements.

1. The total number of affordable units provided to qualifying buyers, or to qualifying renters, shall be equal to or exceed 25 percent of the base density as calculated using the unit equivalency values set forth herein.
   a. Ownership units restricted to households earning at or below 120 percent the area median income shall have an equivalency value of 0.75 unit.
   b. Ownership units restricted to households earning at or below 100 percent the area median income shall have an equivalency value of 1.0 unit.
   c. Ownership units restricted to households earning at or below 80 percent the area median income shall have an equivalency value of 1.25 unit.
   d. Ownership or rental units restricted to households earning at or below 60 percent the area median income shall have an equivalency value of 1.5 unit.
2. As alternative to providing affordable units per section 18.5.8.050.G.1, above, the applicant may provide title to a sufficient amount of buildable land for development complying with subsection 18.5.8.050.G.1.b, above, through transfer to a non-profit (IRC 501(3)(c) affordable housing developer or public corporation created under ORS 456.055 to 456.235.
   a. The land to be transferred shall be located within the project meeting the standards set forth in 18.5.8.050.G, subsections 4 - 6.
   b. All needed public facilities shall be extended to the area or areas proposed for transfer.
   c. Prior to commencement of the project, title to the land shall be transferred to the City, an affordable housing developer which must either be a unit of government, a non–profit 501(C)(3) organization, or public corporation created under ORS 456.055 to 456.235.
   d. The land to be transferred shall be deed restricted to comply with Ashland's affordable housing program requirements.
3. The affordable units shall be comparable in bedroom mix and housing type with the market rate units in the development.
   a. The number of bedrooms per dwelling unit in the affordable units within the residential development shall be in equal proportion to the number of bedrooms per dwelling unit in the market-rate units within the residential development. This provision is not intended to require the same floor

area in affordable units as compared to market-rate units. The minimum square footage of each affordable unit shall comply with the minimum required floor based as set forth in Table 18.5.8.050.G.3.

Table 18.5.8.050.G.3

Unit Type	Minimum Required Unit Floor Area (Square Feet)
Studio	350
1 Bedroom	500
2 Bedroom	800
3 Bedroom	1,000
4 Bedroom	1,250

b. The required on-site affordable units shall be comprised of the different unit types in the same proportion as the market dwelling units within the development.

4. A development schedule shall be provided that demonstrates that that the affordable housing units per subsection 18.5.8.050.G shall be developed, and made available for occupancy, as follows.
   a. That 50 percent of the affordable units shall have been issued building permits prior to issuance of a certificate of occupancy for the last of the first 50 percent of the market rate units.
   b. Prior to issuance of a building permit for the final ten percent of the market rate units, the final 50 percent of the affordable units shall have been issued certificates of occupancy.
5. That affordable housing units shall be distributed throughout the project
6. That affordable housing units shall be constructed using comparable building materials and include equivalent amenities as the market rate units.
   a. The exterior appearance of the affordable units in any residential development shall be visually compatible with the market-rate units in the development. External building materials and finishes shall be substantially the same in type and quality for affordable units as for market-rate units
   b. Affordable units may differ from market-rate units with regard to interior finishes and materials provided that the affordable housing units are provided with comparable features to the market rate units, and shall have generally comparable improvements related to energy efficiency, including plumbing, insulation, windows, appliances, and heating and cooling systems.
7. Exceptions to the requirements of 18.5.8.050, subsections G.2 – G.5, above, may be approved by the City Council upon consideration of one or more of the following.
   a. That an alternative land dedication as proposed would accomplish additional benefits for the City, consistent with the purposes of this chapter, than would development meeting the on-site dedication requirement of subsection 18.5.8.050.G.2.
   b. That an alternative mix of housing types not meeting the requirements of subsection 18.5.8.050.G.3.b would accomplish additional benefits to the City consistent with this chapter, than would the development providing a proportional mix of unit types.
   c. That the alternative phasing proposal not meeting subsection 18.5.8.050.G.4 provided by the applicant provides adequate assurance that the affordable housing units will be provided in a timely fashion.
   d. That the distribution of affordable units within the development not meeting subsection 18.5.8.050.G.5 is necessary for development of an affordable housing project that provides onsite staff with supportive services.
   e. That the distribution of affordable units within the development as proposed would accomplish additional benefits for the city, consistent with the purposes of this chapter, than would development meeting the distribution requirement of subsection 18.5.8.050.G.5.
   f. That the materials and amenities applied to the affordable units within the development, that are not equivalent to the market rate units per subsection 18.5.8.050.G.6, are necessary due to local, State, or Federal Affordable Housing standards or financing limitations.
8. The total number of affordable units described in this section 18.5.8.050.G shall be determined by rounding down fractional answers to the nearest whole unit. A deed restriction or similar legal instrument shall be used to guarantee compliance with affordable criteria for a period of not less than 60 years. Properties providing affordable units as part of the annexation process shall qualify for a maximum density bonus of 25 percent.

H. One or more of the following standards are met.
1. The proposed area for annexation is to be residentially zoned, and there is less than a five-year supply of vacant and redevelopable land in the proposed land use classification within the current city limits. "Redevelopable land" means land zoned for residential use on which development has already occurred but on which, due to present or expected market forces, there exists the likelihood that existing development will be converted to more intensive residential uses during the planning period. The five-year supply shall be determined from vacant and redevelopable land inventories and by the methodology for land need projections from the Housing Element of the Comprehensive Plan.
2. The proposed lot or lots will be zoned CM, E-1, or C-1 under the Comprehensive Plan, and that the applicant will obtain Site Design Review approval for an outright permitted use, or special permitted use concurrent with the annexation request.
3. A current or probable public health hazard exists due to lack of full City sanitary sewer or water services.
4. Existing development in the proposed annexation has inadequate water or sanitary sewer service, or the service will become inadequate within one year.

5. The area proposed for annexation has existing City water or sanitary sewer service extended, connected, and in use, and a signed consent to annexation agreement has been filed and accepted by the City.
6. The lot or lots proposed for annexation are an island completely surrounded by lands within the city limits.

18.5.9.020 Zone Change - Applicability and Review Procedure

Applications for Plan Amendments and Zone Changes are as follows:

A. Type II. The Type II procedure is used for applications involving zoning map amendments consistent with the Comprehensive Plan map, and minor map amendments or corrections. Amendments under this section may be approved if in compliance with the Comprehensive Plan and the application demonstrates that one or more of the following.
   1. The change implements a public need, other than the provision of affordable housing, supported by the Comprehensive Plan.
   2. A substantial change in circumstances has occurred since the existing zoning or Plan designation was proposed, necessitating the need to adjust to the changed circumstances.
   3. Circumstances relating to the general public welfare exist that require such an action.
   4. Proposed increases in residential zoning density resulting from a change from one zoning district to another zoning district, will provide 25 percent of the proposed base density as affordable housing consistent with the approval standards set forth in subsection 18.5.8.050.G.
   5. Increases in residential zoning density of four units or greater on commercial, employment, or industrial zoned lands (i.e., Residential Overlay), will not negatively impact the City's commercial and industrial land supply as required in the Comprehensive Plan, and will provide 25 percent of the proposed base density as affordable housing consistent with the approval standards set forth in subsection 18.5.8.050.G.
   6. The total number of affordable units described in 18.5.9.020.A, subsections 4 or 5, above, shall be determined by rounding down fractional answers to the nearest whole unit. A deed restriction, or similar legal instrument, shall be used to guarantee compliance with affordable criteria for a period of not less than 60 years. 18.5.9.020.A, subsections 4 and 5 do not apply to Council initiated actions.

B. Type III. It may be necessary from time to time to make legislative amendments in order to conform with the Comprehensive Plan or to meet other changes in circumstances or conditions. The Type III procedure applies to the creation, revision, or large-scale implementation of public policy requiring City Council approval and enactment of an ordinance; this includes adoption of regulations, zone changes for large areas, zone changes requiring comprehensive plan amendment, comprehensive plan map or text amendment, annexations (see chapter 18.5.8 for annexation information), and urban growth boundary amendments. The following planning actions shall be subject to the Type III procedure.
   1. Zone changes or amendments to the Zoning Map or other official maps, except where minor amendments or corrections may be processed through the Type II procedure pursuant to subsection 18.5.9.020.A, above.
   2. Comprehensive Plan changes, including text and map changes or changes to other official maps.
   3. Land Use Ordinance amendments.
   4. Urban Growth Boundary amendments.

18.5.2.050 SITE DESIGN AND USE STANDARDS APPROVAL CRITERIA

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.

18.5.4.050.A CONDITIONAL USE PERMITS

A Conditional Use 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.

1. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.
2. That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the development, and adequate transportation can and will be provided to the subject property.
3. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection 18.5.4.050.A.5, below. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.
   a. Similarity in scale, bulk, and coverage.
   b. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of

capacity of facilities.
c. Architectural compatibility with the impact area.
d. Air quality, including the generation of dust, odors, or other environmental pollutants.
e. Generation of noise, light, and glare.
f. The development of adjacent properties as envisioned in the Comprehensive Plan.
g. Other factors found to be relevant by the approval authority for review of the proposed use.

4. A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.
5. For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of this subsection, the target uses of each zone are as follows.
   a. WR and RR. Residential use complying with all ordinance requirements, developed at the density permitted by chapter 18.2.5 Standards for Residential Zones.
   b. R-1. Residential use complying with all ordinance requirements, developed at the density permitted by chapter 18.2.5 Standards for Residential Zones.
   c. R-2 and R-3. Residential use complying with all ordinance requirements, developed at the density permitted by chapter 18.2.5 Standards for Residential Zones.
   d. C-1. The general retail commercial uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and within the Detailed Site Review overlay, at an intensity of 0.50 floor to area ratio, complying with all ordinance requirements.
   e. C-1-D. The general retail commercial uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 1.00 gross floor to area ratio, complying with all ordinance requirements.
   f. E-1. The general office uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and within the Detailed Site Review overlay, at an intensity of 0.50 floor to area ratio, complying with all ordinance requirements.
   g. M-1. The general light industrial uses listed in chapter 18.2.2 Base Zones and Allowed Uses, complying with all ordinance requirements.
   h. CM-C1. The general light industrial uses listed in chapter 18.3.2 Croman Mill District, developed at an intensity of 0.50 gross floor to area ratio, complying with all ordinance requirements.
   i. CM-OE and CM-MU. The general office uses listed in chapter 18.3.2 Croman Mill District, developed at an intensity of 0.60 gross floor to area, complying with all ordinance requirements.
   k. CM-NC. The retail commercial uses listed in chapter 18.3.2 Croman Mill District, developed at an intensity of 0.60 gross floor to area ratio, complying with all ordinance requirements.
   l. HC, NM, and SOU. The permitted uses listed in chapters 18.3.3 Health Care Services, 18.3.5 North Mountain Neighborhood, and 18.3.6 Southern Oregon University District, respectively, complying with all ordinance requirements.

18.4.6.020.B.1 EXCEPTION TO STREET STANDARDS APPROVAL CRITERIA

Exception to the Street Design Standards. The approval authority may approve exceptions to the standards section in 18.4.6.040 Street Design Standards if all of the following circumstances are found to exist.

a. 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.
b. The exception will result in equal or superior transportation facilities and connectivity considering the following factors where applicable.
   i. For transit facilities and related improvements, access, wait time, and ride experience.
   ii. For bicycle facilities, feeling of safety, quality of experience (i.e., comfort level of bicycling along the roadway), and frequency of conflicts with vehicle cross traffic.
   iii. For pedestrian facilities, feeling of safety, quality of experience (i.e., comfort level of walking along roadway), and ability to safety and efficiency crossing roadway.
c. The exception is the minimum necessary to alleviate the difficulty.
d. The exception is consistent with the Purpose and Intent of the Street Standards in subsection 18.4.6.040.A.

18.3.11.060.D LIMITED ACTIVITES AND USES PERMIT

All Limited Activities and Uses described in section 18.3.11.060 shall be subject to a Type I procedure in section 18.5.1.050. An application for a Limited Activities and Uses Permit shall be approved if the proposal meets all of the following criteria.

1. All activities shall be located as far away from streams and wetlands as practicable, designed to minimize intrusion into the Water Resources Protection Zone and disturb as little of the surface area of the Water Resource Protection Zone as practicable.
2. The proposed activity shall be designed, located and constructed to minimize excavation, grading, area of impervious surfaces, loss of native vegetation, erosion, and other adverse impacts on Water Resources.
3. On stream beds or banks within the bank full stage, in wetlands, and on slopes of 25 percent or greater in a Water Resource Protection Zone, excavation, grading, installation of impervious surfaces, and removal of native vegetation shall be avoided except where no practicable alternative exists, or where necessary to construct public facilities or to ensure slope stability.
4. Water, storm drain, and sewer systems shall be designed, located and constructed to avoid exposure to floodwaters, and to avoid accidental discharges to streams and wetlands.
5. Stream channel repair and enhancement, riparian habitat restoration and enhancement, and wetland restoration and enhancement will be restored through the implementation of a mitigation plan prepared in accordance with the standards and requirements in section 18.3.11.110 Mitigation Requirements.
6. Long term conservation, management and maintenance of the Water Resource Protection Zone shall be ensured through preparation and recordation of

a management plan as described in subsection 18.3.11.110.C, except a management plan is not required for residentially zoned lots occupied only by a single-family dwelling and accessory structures.

18.5.7.040.B TREE REMOVAL PERMIT

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.

ASHLAND PLANNING DIVISION
STAFF REPORT
March 13, 2018

PLANNING ACTION:	PA-2018-00154
OWNER/APPLICANT:	South Ashland Business Park LLC
AGENT:	CSA Planning Ltd.
LOCATION:	601 Washington Street
COMPREHENSIVE PLAN DESIGNATION:	Employment
APPLICATION DEEMED COMPLETE:	February 21, 2018
120-DAY TIME LIMIT:	June 21, 2018* *(*Type III applications not subject to 120-day limits pursuant to ORS 227.178.7)*

ORDINANCE REFERENCES:

(See also https://ashland.municipal.codes/LandUse)

18.2	Zoning Regulations
18.2.2	Base Zones and Allowed Uses
18.2.4	General Regulations for Base Zones
18.2.6	Standards for Non-Residential Zones
18.3	Special Districts and Overlay Zones
18.3.11	Water Resources Protection Zones (Overlays)
18.4	Site Development and Design Standards
18.4.2	Building Placement, Orientation & Design
18.4.3	Parking, Access and Circulation
18.4.4	Landscaping, Lighting & Screening
18.4.5	Tree Preservation and Protection
18.4.6	Public Facilities
18.4.7	Signs
18.4.8	Solar Access
18.5	Application Review Procedures and Approval Criteria
18.5.2	Site Design Review
18.5.4	Conditional Use Permits
18.5.7	Tree Removal
18.5.8	Annexations
18.5.9	Comprehensive Plan, Zoning & Land Use Ordinance Amendments
18.6.1	Definitions

REQUEST: A request for Annexation of a 5.38-acre parcel, Zone Change from County RR-5 Rural Residential) to City E-1 (Employment), and Site Design Review approval for the phased

development of a light industrial business park for the property located at 601 Washington Street. The application includes a request for a Conditional Use Permit to allow a watchman's dwelling; Limited Use/Activity Permits within the Water Resource Protection Zones of Knoll Creek and a Possible Wetland on the property to construct a stormwater outfall and street improvements; an Exception to Street Standards for the frontage improvements along the property's Washington Street frontage; and a Tree Removal Permit to remove four trees greater than six-inches in diameter at breast height (d.b.h.).

I. Relevant Facts

A. Background - History of Application

There are no planning actions of record for the subject property.

B. Detailed Description of the Site and Proposal

The subject property site is a 5.38-acre parcel located at 601 Washington Street in southeast Ashland, east of the intersection of Washington Street and Jefferson Avenue. The property is presently vacant. The property had previously contained an agricultural outbuilding and a single-wide manufactured home, however these buildings were removed after the "Oak Knoll Fire" burned the property in August 2010.

The subject property is currently vacant and is gently sloped from south down to the north with approximately 15 feet of grade change over the length of the property. Steeper areas exist at the transition from the Washington Street improvements onto the property and at the Knoll Creek corridor along the west boundary.

Natural features on the site include the Knoll Creek corridor along the western boundary; a possible wetland, identified as "W11" in the adopted Local Wetlands Inventory, along the eastern boundary; and native grasses and trees dispersed over the site.

Knoll Creek in an intermittent or ephemeral stream, with a Stream Bank Water Resource Protection Zone (WRPZ) which includes the stream plus a riparian buffer extending 30-feet upland from the centerline of the stream on either side.

The wetland is described in the LWI as a roadside emergent wetland dominated by meadow foxtail, with lesser amounts of blue wild rye, birdsfoot-trefoil and catchweed bedstraw. While not deemed to be locally significant in the inventory, this wetland is connected to the Knoll Creek drainage by the roadside drainage ditch at its downstream end. The LWI notes that the wetland boundary is defined by the change to upland grasses on the property.

The application materials provided identify 22 trees on the subject property which are six-inches in diameter at breast height (d.b.h.) or greater. All of these are Oregon white oaks (*quercus garryanna*) located along the Knoll Creek corridor, and of these 22 trees, six are proposed for removal while the remaining 16 are to be preserved and protected with development of the property. The application notes that Trees #1 and #2 are dead, while Trees #4, #6, #7 and #9 are in poor condition and are in the area proposed for development.

The application also notes that the fire which impacted the property in 2010 severely damaged or killed these trees. Three of the trees to be preserved and protected (#15, #18 and #21) are located within the driveway area of the third phase of the development; the applicants have proposed to preserve and protect them here and to revisit them with the application for the third phase.

Washington Street is paved along the subject property's frontage with a narrow gravel shoulder and an overgrown roadside ditch to convey stormwater. The subject property's frontage lacks curbs, gutters, sidewalks and parkrows. Interstate 5 is located to the east of the property, and the existing Washington Street improvements are within the Oregon Department of Transportation's freeway right-of-way.

The application includes the following component requests:

- Annexation of the 5.38-acre parcel.
- Zone Change from County RR-5 Rural Residential) to City E-1 (Employment).
- Site Design Review approval for the phased development of a light industrial/flexible space business park which when completed will consist of approximately 72,606 square feet of "flexible space" light industrial development accommodating small manufacturing and fabrication activities. The applicants are requesting approval for the first phase here, which includes the watchman quarters and two industrial units in a 3,156 square foot building fronting on Washington Street on the northern portion of the site and Building Group 1, a 15,944 square foot flexible space building. The applicants will also complete rough grading and underground utility installation for the rest of the site in keeping with the proposed master plan with Phase 1. Future building designs for the later phases will require Site Design Review approvals of their own, but the plan here establishes the preliminarily planned orientations, footprints, and site circulation.
- Conditional Use Permit to allow a watchman's dwelling.
- Limited Use/Activity Permits within the Water Resource Protection Zones of Knoll Creek and a Possible Wetland on the property to construct a stormwater outfall and construct street improvements.
- Exception to Street Standards for the frontage improvements along the property's Washington Street frontage.
- Tree Removal Permit to remove four trees greater than six-inches in diameter at breast height (d.b.h.).

II. Project Impact

The application includes a request for Annexation of 5.38 acres. The project requires Site Review approval since it involves the construction of new commercial buildings in the E-1 zoning district. A Conditional Use Permit is required to allow a watchman's dwelling;

Limited Use/Activity Permits within the Water Resource Protection Zones of Knoll Creek and a Possible Wetland are required to construct a stormwater outfall and street improvements; an Exception to Street Standards is necessary for frontage improvements which vary from standards along the property's Washington Street frontage; and a Tree Removal Permit is needed to remove four trees greater than six-inches in diameter at breast height (d.b.h.). Annexation procedures require a public hearing before the Planning Commission to craft a recommendation to Council, and a public hearing before the Council to consider ordinance adoption to annex the property. The Planning Commission has the authority to make the final decisions with respect to the Site Design Review approval, Conditional Use Permit, Limited Use/Activity Permits, Exception to Street Standards, and Tree Removal permits, and the Commission will also need to forward recommendation to the City Council to address the Annexation request.

A. Annexation and Rezoning

The approval standards for an Annexation require that the subject property be located within the City's Urban Growth Boundary, that the proposed zoning for the annexed area be in conformance with the Comprehensive Plan Map designation, that the applicant obtain Site Design Review approval for an outright permitted or special permitted use concurrently with annexation, and that the land be currently contiguous with the present City limits. In this instance, the subject property is located within the Urban Growth Boundary and is contiguous with the existing city limits boundary on three sides. The requested zoning is consistent with the site's Comprehensive Plan designation of "Employment" and Site Design Review is requested for buildings which would contain outright permitted uses.

The requested annexation complies with the applicable approval standards, and the re-zoning is consistent with the Comprehensive Plan designation of the property and with the Economy Goal 7.07.030 of the Comprehensive Plan which strives "*to ensure that the local economy increases in its health, and diversifies in the number, type and size of businesses consistent with the local social needs, public service capabilities and the retention of a high quality environment.*" Staff believes that the 72,000 square foot flexible space light industrial development described will have similar benefits to the economy as have the developments along Hersey Street which provide options for a variety of businesses to establish themselves and grow in Ashland.

Adequacy of Public Facilities (See applicants' Exhibits 7 & 8)

Annexation requests must demonstrate that adequate public facilities can and will be provided to and through the subject property. With three recent annexations in the immediate vicinity, for Oak Street Tank and Steel, Brammo Motorsports and Modern Fan, utilities in the area have had recent upgrades and there are eight-inch water and sanitary sewer lines in place within the Washington Street right-of-way. The application explains that the applicants have engaged Thornton Engineering, Inc. to evaluate public facilities and prepare preliminary utility plans for the project which are provided in Exhibit 7 and on Page 3.3 of the atlas. Thornton's analysis notes that based on research analysis completed, the stormwater management facilities, sanitary sewer facilities, and water service facilities are

adequate in condition, capacity and location to serve the proposed development on the subject property. Individual utilities are discussed in the application as follows:

- **Water:** The application notes that there is an existing eight-inch water main within the Washington Street right-of-way. The applicants propose to connect to the existing main and stub individual services to the proposed buildings, and each building is to have its own meter. Industrial buildings are to be served from the north while the office building will connect at the southeast corner of the site.
- **Sanitary Sewer:** The application notes that there are existing mains within the Washington Street right-of-way. One of the mains runs along the eastern project boundary; the office building is proposed to connect to this line. The other main is on the project's north boundary. The applicants propose to run a new eight-inch private sewer line along the western circulation driveway to the north and tire into the public sanitary sewer in this location.
- **Storm Drainage:** The application notes that, with the exception of the office building proposed at the southeast corner of the site, all new impervious surfaces are proposed to drain to Knoll Creek at the northwest corner of the project. Thornton Engineering designs propose a Contech Stormwater Quality Manhole or similar structure to detain water prior to releasing it onto an engineered outflow structure designed to minimize velocities and prevent erosion and scour where the storm drainage converges with the main channel of Knoll Creek. The office building is relatively small and the applicants propose to discharge its low volume storm water into the existing ditch that feeds the possible wetland along Washington Street.
- **Electric:** The application explains that there is existing electric at the property line where Washington Street turns to the south. The applicants plan to replace the vault at this location with a new vault and create a public utility easement along the project's easterly circulation drive to extend power from the north to the south. The power will tie back in at the existing vault on Washington Street in the southeastern corner of the site.

The applicants civil engineer has provided preliminary drawings addressing the siting of utilities for the project, and conditions have been recommended below to require that final electric, utility and storm drainage plans be provided for the review and approval of the Public Works, Electric, Planning and Building Departments prior to submittal of building permit plans.

Adequacy of Transportation Facilities & Exception to Street Standards

Transportation Impact Analysis (See Applicants' Exhibit 5)

Kelly Sandow PE, of Sandow Engineering, LLC has evaluated the impacts of the proposal, and her transportation impact analysis (TIA) is provided as the applicants' "Exhibit 5." Key findings of the TIA include:

- All of the intersections studied meet mobility standards through the year 2023 with the development of the proposed 72,606 square foot business park;
- The proposed E-1 zoning will generate more traffic than the existing Rural Residential zoning, triggering the need for Transportation Planning Rule analysis.

- The intersections of Ashland Street at the I-5 northbound ramps, Ashland Street at the I-5 southbound ramps, and Ashland Street at Normal Avenue do not meet the applicable mobility standards for the year 2034 background conditions.
- The "worst case" development potential under the proposed E-1 zoning will worsen the year 2034 intersection performance to not meet standards. In lieu of mitigation, the applicants are proposing a trip cap equal to the level of traffic generated by the proposed development scenario. Under the trip cap, all intersections projected to operate within the applicable mobility standards will continue to meet applicable standards and all intersections projected to exceed applicable mobility standards will operate no worse than the 2034 background conditions, with no further mitigation needed.

The trip cap proposed would limit the average daily trips (ADT) from the site to no more than the 910 ADT anticipated to be generated by the proposed watchman quarters and 72,606 square feet of light industrial space proposed. A condition implementing the trip cap has been recommended below.

Transportation Facilities (See Applicants' Exhibit 6)

Annexations are required to provide necessary transportation facilities to and through the subject property, and transportation facilities must address all modes including motor vehicle, bicycle, pedestrian and transit. To satisfy transportation facility requirements for motor vehicles, annexation standards require that, at a minimum, a 20-foot wide paved access exists, or can and will be constructed, along the full frontage of the project site to the nearest fully improved collector or arterial street and that all streets adjacent to the annexed area shall be improved, at a minimum, to a half-street standard with a minimum 20-foot wide driving surface. Annexation standards further provide that the city may, after assessing the impact of the development, require full improvement of streets adjacent to the annexed area. All streets located within the annexed areas are to be fully improved to City standards.

Washington Street is considered a commercial collector street or avenue. The City of Ashland Street Standards call for ten-foot travel lanes, six-foot bike lanes, a six-inch curb five-foot commercial hardscape park rows with tree grates, and eight-foot sidewalks. The application explains that the city's standard avenue frontage improvements, even without a parkrow planting strip and sidewalk on the freeway side, simply do not fit between the wetland water resource protection zone and the freeway guardrail.

The applicants proposed improvements for the property's Washington Street frontage are detailed in their "Exhibit 6." The applicants assert that the city's complete avenue street cross-section cannot be completed without large scale filling of the wetland and/or further encroachment toward the freeway, noting that at the narrowest point there is only approximately 45½ feet between the freeway guardrail and the wetland, and only 25½ feet between the guardrail and the wetland buffer. While the applicants recognize that Washington Street's classification as an Avenue is reasonable and Washington Street is the logical street to provide north-south connectivity in the area, they assert that the numerous connections that contribute to this functionality are likely to occur many years in the future and that from a traffic use and activity standpoint, Washington Street is much more like a local street in that it lacks transit service and currently has some of the lowest travel demand

for bicycles and pedestrians in the city. In terms of vehicle trips, the applicants note that existing average daily trips (ADT) for motor vehicles are at 345 and the applicants TIA only anticipates them to grow to about 1,350 ADT by 2034. The applicants attribute the low travel demand for all modes to isolated employment areas that are primarily industrial in nature with a limited amount of office and commercial uses.

The applicants suggest that travel volumes now and in the near future do not necessitate separate, dedicated bicycle lanes. They suggest that the TSP does not identify a project that would create bicycle lanes on the existing portion of Washington Street, so it would be at least 20 years before bicycle lanes would create a connected system. They further suggest that there is no need for a planting strip and sidewalk on the freeway (east) side since it is adjacent to the freeway where there will be no connectivity or driveways possible along that side. The applicants further emphasize that the segment of Washington Street that fronts on the property has a parallel route for pedestrians and bicyclists along Jefferson Street, which has sidewalks on both sides.

The applicants' Exhibit 6 presents three options for frontage improvements on Washington Street, noting that their Transportation Engineer finds that any of the three options will provide safe and adequate transportation facilities for the roadway users in current and future traffic scenarios. The options proposed include:

- **Applicants Option A –** The applicants Option A would provide pedestrian and bicycle facilities on the west side of Washington Street in the form of a ten-foot wide multi-use path directly behind the curb. This would extend approximately 12-feet into the wetland buffer area and maintains the remainder with an approximate 3:1 slope which is similar to existing slopes. The applicants suggest that this is the only option that would provide a "complete street" to accommodate two-way bicycle and pedestrian traffic and would not require any environmental permitting and only minimal review by ODOT because it stays entirely within the existing guardrail. The applicants suggest that the design does not preclude future widening for bicycle lanes because the 12 additional feet could be added in the future without a massive retaining wall on the freeway side, although some retaining wall and guardrail relocation would be necessary. The applicants suggest that this future widening would not be expected to be cost-prohibitive in the future.

- **Applicants' Option B –** The applicants' Option B is the City's standard cross-section with the parkrow planting strip removed and the centerline located to avoid wetland filling. The applicants would construct all improvements west of the guard rail including two travel lanes, the southbound bicycle lane, and the west sidewalk. The applicants note that this option does not encroach into the wetland itself, but that the buffer would need to be graded at an approximately 1 to 1.5 slope to avoid wetland filling. They suggest that until the northbound bicycle lane is added, the street would be incomplete, but would be adequate to serve local needs in the interim and that future widening for a bicycle lane on the east side of the street would not be expected to be cost-prohibitive. (*The applicants suggest that since this project is actually more than a half-street, it may be due additional SDC improvements for construction of more than a half-street improvement on an Avenue-classified street.*)

  The applicants note that their Options A and B relocate the right-of-way green space behind the sidewalk for this road segment to retain as much wetland protection zone as possible,

while Option C shifts the improvements seven feet further into the wetland buffer to accommodate a planter strip.

- **Applicants' Option C** – The applicants' Option C is the City's standard cross-section, which they note would require substantial wetland filling. The applicants suggest that this option may have a difficult time demonstrating compliance with State and Federal regulatory requirements. The applicants suggest that this option would be dependent upon the City performing design work, obtaining required environmental permits to fill the wetland, and installing any required wetland mitigation. The applicants indicate they would agree to construct the cross-section shown by Thornton Engineering as Option C including both travel lanes, and the requisite improvements west of the travel lanes.

- **Applicants' Option D** – This option is not proposed and is provided for illustration purposes only to show the extent of grade problems with the standard cross-section sited to minimize any wetland impacts. The applicants note that this option would result in an eight- to ten-foot retaining wall adjacent to and directly above the freeway on-ramp and would still place part of the sidewalk within the wetland buffer.

The applicants indicate that they would be willing to complete any of these three options prior to occupancy of any building after the initial Phase 1 proposed here, noting that the existing street improvements are sufficient to handle low traffic associated with Phase 1; that the majority of the improvements will not be used by the majority of the project as the main access point will be at the northwest corner of the site; that once a preferred option is selected, there will be considerable design work necessary; and that this phasing of the improvements will allow cash flow to begin to support completion of the later phase frontage improvements. They further point out that the construction of higher order street improvements typically involves some measure of SDC reimbursement and suggest that the first phase of the development would be constructed prior to the first phase street improvements, meaning that some SDC's would be paid without reimbursement for Phase 1 to the benefit of the city. The applicants conclude that the particular design option for Washington Street is less important to them than the city taking action to select a preferred design option so the project can proceed.

The project proposes two driveway access points to Washington Street. The main project access will be located at the northwest corner of the site. This driveway will serve the industrial flex-space buildings in the project, which constitute the majority of the development. The small office building proposed for the southeast corner of the site in a later phase will have its own access to Washington Street because it is separated from the rest of the site by the possible wetland. There is an unimproved flag pole for the neighboring tax lot to the south (Tax Lot #100) that separates the subject property from the Modern Fan II development (Tax Lot #200). There is a retaining wall on the north boundary of Tax Lot #200 which makes it impractical to utilize a single consolidated driveway for all three properties, however the applicants note that they would accept a condition of approval that the final design for the driveway access for the office building project in Phase ## be configured to allow for cross access to the flag driveway for Tax Lot #100. A condition to this effect is included below.

Staff Recommendation

In staff's assessment, the Washington/Jefferson/Benson employment area, much of which is outside the current city limits but within the Urban Growth Boundary (UGB), will see significant local job and housing growth in the near future. This area consists of approximately 45 acres, including the commercial/employment area along Ashland Street and Tolman Creek Road, the city's second largest employment center after the downtown. These 45 acres developed to an approximate Floor Area Ratio of 0.35 and an employment density of 20 employees per acre will equate to approximately 686,070 square feet of building floor area and 900 employees ultimately being served in this vicinity.

Exceptions to Street Standards require a demonstration that the facilities and resultant connectivity proposed are equal or superior to those required under the standards; that the exceptions requested are the minimum necessary to alleviate the difficulty, and that the exceptions are consistent with the purpose and intent of the Street Standards. In staff's assessment, over the long term a ten-foot multi-use path mixing pedestrians with two-way bicycle traffic immediately adjacent to an avenue as illustrated in Option A, or placing pedestrians on a curbside sidewalk immediately adjacent to an avenue as illustrated in Option B, both without the benefit of a park row and street trees to provide a buffer from anticipated truck traffic at avenue speeds, cannot be found to be equal or superior when users of all modes are considered. Park row planting strips with street trees provide benefits not merely as "*right-of-way greenspace*" but serve "*to buffer pedestrians and adjacent land uses from traffic, enhance street image and neighborhood character, calm motor vehicle traffic speeds, and enhance neighborhood identity or sense of place* (AMC 18.4.6.040.D.17)."

For staff, the first consideration with the proposal is insuring that Washington Street is improved to fill its role as a major collector to support a functional street system for the area which includes multiple transportation options and creates a safe, optimal environment for all users as envisioned in the city's Street Standards and Transportation System Plan. Ashland's Street Standards recognize that Ashland's streets are some of the most important public spaces in the community, and outline the art and science of developing healthy, livable streets with each street component used to create and maintain an environment where people feel comfortable and the maximum number of people choose to walk, bicycle and use transit. The second consideration is that the wetland is treated with care, and any impacts to the wetland mitigated through the site planning process.

Given Washington Street's anticipated role as an avenue serving the Washington/Jefferson/Benson and Croman employment areas, with extensions planned to connect through to Tolman Creek Road to the west and Benson Way to the south; its anticipated level of vehicle trips with full build-out in the area; and the truck traffic and speeds anticipated at build-out, staff believe that having a standard sidewalk buffered from traffic by a park row with street trees is important and as such, we do not believe that an Exception here is appropriate. Staff accordingly recommends requiring that a standard pedestrian corridor with sidewalk and street trees be provided on the property's full frontage, and that a six-foot bicycle lane be provided on-street as illustrated in the

applicants' Option C.

Typically, where on-street parking is not planned, the 13-foot pedestrian corridor may consist of a continuous, seven-foot wide planting strip with a six-foot sidewalk rather than the more typical commercial treatment with a five-foot hardscape planting strip and eight-foot sidewalk. Given that providing on-street parking is impractical here, a continuous seven-foot park row planting strip would better accommodate street tree growth to enhance the corridor and provide for greater buffer for pedestrians particularly given anticipated truck traffic and speeds. A condition recommending this configuration has been included below.

The applicants indicate that the city's selection of Option C as the required street improvements for the project would necessitate that the city perform design work for the necessary street improvements, that the city obtain required environmental permits to fill the wetland, and that the city install any required wetland mitigation. In staff's assessment, the requirements of land use approval are clear that for approval, the applicants must demonstrate that they can and will provide adequate transportation to city standards to and through the subject property. Where transportation improvements require other permitting the burden is on the applicant to obtain these permits. The city's determination to require that the applicants address street standards for an avenue in no way shifts this burden for the improvements, their design or permitting to the city, particular given the discretionary nature of an annexation request, and as such conditions of approval are included below that prior to the second phase of the development, the applicants provide engineered design drawings for the required frontage improvements, prepare and submit a formal wetland delineation and obtain the requisite city, state and federal permits for the work in the wetland, and complete appropriate mitigation within the Knoll Creek corridor on the subject property.

B. Site Design Review

Underlying Zone

The first criterion for Site Design Review approval is that, "*The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.*" The applicants note that the property is more than 100 feet from a residential zone, and as such has no minimum setbacks, and further explain that the buildings will be no more than 40 feet in height as allowed in the E-1 zone. The proposed light industrial, manufacturing, fabrication and office uses described in the application are outright permitted uses within the E-1 zoning district.

Overlay Zones

The second criterion for Site Design Review approval is that, "*The proposal complies with applicable overlay zone requirements (part 18.3).*" In this instance, the subject property includes some areas which fall within the Water Resources Protection Zones overlays. These areas are addressed in the discussion of Limited Uses and Activities below. The property is not proposed for inclusion in other overlay zones.

Site Development and Design Standards

The third approval criterion is that, "*The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.*" The subject property will be located within the Basic Site Review Zone and is subject to the Basic Site Review Standards in AMC 18.4.2.

The application explains that the project contains five multi-tenant buildings, of which two abut Washington Street: the Phase 1 office with watchman quarters and the Phase 4 office building. The application notes that each of these is oriented to the street and has no parking located between the buildings or the street; parking is behind and to the side of the buildings. The other three buildings are noted as being separated from the street by the wetland. Building Group 1 has the entrances for the end unit oriented to the street although no access is possible due to the wetland, while the other tenant entries face the driveways.

AMC 18.4.2.040.B calls for a building façade or multiple facades to occupy a large majority of a project's street frontage, and to avoid designs which incorporate gaps between building frontages. In this case, the applicants explain that roughly 55 percent of the site's frontage is encumbered by water resource protection zones for creeks and wetlands, with the remaining frontage split in two between an area at the north frontage and another on the east frontage. The proposed plan places buildings at the street in each of these locations, where driveways have also been located. The applicants emphasize that all of the area between the proposed buildings is taken up with wetland and related landscaping.

The applicants indicate that both buildings with street frontage have entrances oriented to the street, located within 20 feet of the street, with stairs leading from the sidewalk directly to the entries. The remaining units are interior to the site and cannot be located adjacent to the right-of-way due to the wetland. The applicants further note that with the exception of the Phase 4 office building, the remaining building are intended for industrial use and would have little need for public pedestrian access.

Projects adjacent to a designated creek protection area are to incorporate the creek into the design while maintaining required setbacks and buffering and complying with applicable water quality protection standards. Developers are to plant native riparian plants in and adjacent to creek protection zones. The applicants explain that the plan minimizes impacts to the drainage and includes riparian plantings in any area impacted by construction and complies with water quality protection standards. In staff's assessment, the standard seeks to have creeks more incorporated into site planning as a project amenity for tenants which enables tenants to engage the creek corridor, and a condition has been recommended below to require that the application for Phase 2 include a revised site plan which better incorporates the creek into the site design through means such as pedestrian access points, and unpaved trail and a small patio/seating area.

The application includes parking calculations identifying a parking demand of 73 spaces for the development as proposed, and 84 parking spaces are proposed including seven accessible parking spaces of which two are to be van accessible. In staff's view the limited additional parking proposed provides a measure of flexibility to respond to the variety of potential uses which might occur over the life of the development. With 73 automobile spaces required,

15 bicycle parking spaces are required and one-half of these must be covered. The applicants propose to provide 18 bicycle spaces distributed around the site, and 11 of these are to be covered satisfying the requirements of the ordinance.

The Pedestrian Access and Circulation standards in AMC 18.4.3.090 call for a continuous walkway system within the development which provides safe, direct and convenient connections providing for pedestrian connectivity within the development. The applicants suggest that because the project is made up of several multi-tenant building and does not have primary building entrances, but rather separate entrances to each tenant space, and typically relies only on automobile and truck access regular pedestrian access is not anticipated to be needed as pedestrian movements are expected to be only from related parking spaces to the individual tenant space and as such no internal pedestrian circulation is proposed. The applicants emphasize that roll-up doors will be used for deliveries to each space, and it is not practical to provide walkways that we interrupted every 20 feet with door. They conclude that this configuration is typical and appropriate for a light industrial park and as such meets the standard. In staff assessment, the standard is intended to enable someone to easily walk to a work place or to circulate on site from a space at the southeast corner to the office at the northwest corner, and requires that these facilities be provided. Staff have recommended a condition below to require a revised site plan which addresses these standards. In staff's view, at minimum this would be addressed with a materially-distinct pedestrian walkway within the proposed driveway system to support pedestrian circulation from the office and along the driveway connecting to each of the buildings.

The applicants' grading plan includes calculations illustrating that at least 50 percent of the parking and circulation area is surfaced in concrete or shaded with new tree canopy to address the standards of 18.4.3.080.B.5.00

City Facilities

The fourth Site Design Review criterion is that, "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." These items are addressed completely in the Annexation section above.

C. Conditional Use Permit for Watchman's Quarters (see Volume 1, Pages 27-28 of 72)

AMC Table 18.2.2.030 "Uses Allowed by Zone" provides that a dwelling for a caretaker or watchman is a Conditional Use Permit (CUP) in the E-1 zone. The application materials explain that the applicants have not made a final decision to build a caretaker or watchman's quarters and are requesting a CUP be approved so they can construct watchman's quarters if the ownership ultimately decides it is desirable for the project.

The applicants emphasize that the watchman quarters will have no effect on the scale, bulk or coverage of the project as the space, if not utilized would be used as additional office space and will likely reduce vehicle trips because an on-site staff person would not need to travel to and from the workplace. The application further suggests that the watchman quarters would have no appreciable impact on air quality, noise, light or glare, or upon the development of

adjacent properties, versus either development of the property as flex space as proposed or office space as envisioned in the target use of the zone.

Prior to the most recent Unified Land Use Ordinance update, watchman quarters were not addressed in the Ashland Municipal Code and were generally considered as a reasonable accessory use to certain primary industrial uses (*e.g. Caldera Brewing was approved with upstairs quarters for the brewmaster to live on-site in order to allow after hours monitoring of the brewing process).* In staff's assessment, on-site watchman quarters will have no greater adverse material impact on the livability of the impact area than would the implementation of the primary use by itself and could have the added benefit of providing "eyes on the street" in an area without much human presence afterhours.

D. Limited Use/Activity Permits

The application explains that there are two Water Resource Protection Zones on the subject property.

Knoll Creek Stormwater Outfall

The western boundary is traversed by Knoll Creek, an intermittent or ephemeral stream with a Water Resource Protection Zone consisting of the stream itself and a buffer extending 30 feet upland from the centerline of the stream on both sides. Knoll Creek does not have an associated floodplain. The applicants indicate that their surveyor James Hibbs has determined the extent of the protection zone on the site, and that through most of this reach of the stream there are no encroachments in the protection zone. However, at the north end of the property, the applicants propose to construct a stormwater outfall structure as the only "Limited Use/Activity" within the stream's protection zone.

AMC 18.3.11.060.B classifies the construction of a storm water outfall discharging treated storm water from an adjacent developed area as a limited activity and use, provided that the discharge meets local, state, and federal water quality regulations. AMC 18.3.11.060. D requires that limited activities: be located as far away from the stream as practicable, designed to minimize intrusion into the protection zone, and disturb as little surface area as practicable. Limited activities are to be designed, located and constructed to minimize excavation, grading, impervious surfaces, loss of native vegetation, erosion, and other adverse impacts on the stream. Excavation, grading, installation of impervious surfaces, and removal of native vegetation is to be avoided on stream beds, banks within bank full stage, wetlands and areas of slopes over 25 percent except where no practicable alternative exists, or where necessary to construct public facilities or to ensure slope stability. This section also specifically requires that storm drain systems be designed, located and constructed to avoid exposure to floodwaters, and to avoid accidental discharges into the stream.

The applicants explain that the outfall will disturb approximately 0.02 acres and is necessary in this location as the only logical place to drain stormwater from the site. The outfall has been engineered so that stormwater will pass through a treatment manhole prior to entering the protection zone outfall structure.

The limited use and activity criteria require that the stream channel and riparian habitat be restored through the implementation of a mitigation plan prepared in accordance with the standards and requirements in AMC section 18.3.11.110 "Mitigation Requirements," and that long-term conservation, management and maintenance of the protection zone be ensured through the preparation and recording of a management plan as described in AMC subsection 18.3.11.110.C. The applicants are proposing to mitigate the protection zone impacts through the prescriptive option in AMC section 18.3.11.110, and a plan detailing the proposed mitigation has been prepared by the project landscape architect John Galbraith. Conditions requiring final mitigation and management plans be provided for the review and approval of the Staff Advisor prior to the issuance of a building permit are recommended below.

Possible Wetland (See applicants' Exhibit 9)

Ashland's adopted "Water Resources" map identifies a Possible Wetland (PW) along the properties east property line at the edge of the Washington Street right-of-way. This possible wetland is identified as "W11". Possible wetland is a designation for wetlands not classified as locally significant on Ashland's Local Wetland Inventory (LWI). For possible wetlands, the water resource protection zone consists of all lands identified to have wetland presence on a wetland delineation plus all lands within 20 feet of the upland-wetland edge.

Possible wetland W11 is described in the LWI as a roadside emergent wetland dominated by meadow foxtail, with lesser amounts of blue wild rye, birdsfoot-trefoil and catchweed bedstraw. While not deemed to be locally significant in the inventory, this wetland is connected to the Knoll Creek drainage by the roadside drainage ditch at its downstream end. The LWI notes that the wetland boundary is defined by the change to upland grasses on the property. The applicants' "Exhibit 9" provided with the application is a draft Wetland Delineation map prepared by Schott & Associates, Inc.

AMC Section 18.3.11.060 provides for "*The location and construction of public streets... and utilities deemed necessary to maintain a functional system and upon finding that no other reasonable, alternate location outside the Water Resource Protection Zone exists. This ordinance, the Comprehensive Plan, Transportation System Plan, adopted utility master plans, and other adopted documents shall guide this determination.*" Public street and utility installation in considered a limited activity and use. In this instance, Washington Street is classified as an avenue in the adopted Transportation System Plan and the Street Design Standards in AMC 18.4.6.040 set forth the specific improvements determined necessary to support the functions of an avenue within the street system. The application sets forth three options for frontage improvements and requests an Exception to Street Standards in order to reduce the extent of the street improvements and thereby limit impacts to the wetland. As discussed above, staff recommends that the applicants' Option C be selected as the appropriate improvement here to provide for the functionality of an avenue and encourage and support users of all modes here. This will necessitate disturbance into the wetland water resource protection zone, which staff believes could be appropriately mitigated within the stream bank water resource protection zone of Knoll Creek elsewhere on the property.

The applicants indicate that the city's selection of Option C as the required street improvements for the project would necessitate that the city perform design work for the necessary street improvements, that the city obtain required environmental permits to fill the

wetland, and that the city install any required wetland mitigation. In staff's view, the requirements of land use approval are clear that for approval, the applicants must demonstrate that they can and will provide adequate transportation to city standards to and through the subject property, and where transportation improvements require other permitting the burden is on the applicants to obtain the necessary permit approvals. Staff does not believe that the city's determination to require that the applicants address street standards for an avenue in any way shifts this burden to the city, particular given the discretionary nature of an annexation request, and as such conditions of approval are recommended below that prior to the second phase of the development, the applicants provide engineered design drawings for the required frontage improvements, prepare and submit a formal wetland delineation and obtain the requisite city, state and federal permits for the work in the wetland, and complete appropriate mitigation within the Knoll Creek corridor on the subject property.

In applications for the Modern Fan II property to the south, the Division of State Lands (DSL) indicated that stormwater flows feeding this wetland needed to be maintained with development, and conditions of approval were included to require that the storm drainage plan incorporate necessary water quality, retention, and wetland flow maintenance requirements prior to building permit submittals. Staff have recommended a similar condition here.

E. Tree Removal Permits

Exhibit 10 of the application includes a Tree Protection and Removal Plan and associated narrative prepared by Certified Arborist and Landscape Architect John Galbraith of Galbraith & Associates, Inc. Exhibit 10 identifies 22 trees on the subject property which are six-inches in diameter at breast height (d.b.h.) or greater. All of these are Oregon white oaks (*quercus garryanna*) located along the Knoll Creek corridor, and of these 22 trees, six are proposed for removal while the remaining 16 are to be preserved and protected with development of the property.

The application notes that the fire which impacted the property in 2010 severely damaged or killed trees on the property. Three of the trees to be preserved and protected (#15, #18 and #21) are located within the driveway area of the third phase of the development. The applicants have proposed to preserve and protect them here and to revisit them with the application for the third phase.

The application materials note that Trees #1 and #2 are dead and will be removed, and that Trees #4, #6, #7 and #9 are in poor condition and are located in the area proposed for development. The application requests permits to remove Trees #4, #6, #7 and #9, and proposes to mitigate their removals with Oregon white oaks planted along the driveway near the Knoll Creek corridor. The arborist asserts that all of these trees would be hazardous if the development were constructed around them, as most have severe dieback as the result of fire damage. The application emphasizes that large limbs have died, large areas of the cambium layers have been destroyed and one tree (#9) has erosion under the root flare. Photos are included with the application documenting these conditions.

The application explains that because the site's oaks are in generally poor to fair health and are relatively mature, the size of the trees' protection zones has been calculated by measuring the trees' diameters at 4½-feet above the ground and multiplying the diameter in inches by 1½ to arrive at a protection zone radius in feet. So, a ten-inch diameter oak tree would have a 15-foot radius for its protection zone. A Tree Protection Plan illustrating the required protection zones for the trees to be preserved has been provided as Sheet L1 in Exhibit 10.

The Tree Commission has not reviewed the application as this is being written, and a condition is therefore recommended below to require that their recommendations, where consistent with the applicable standards and with final approval by the Staff Advisor, be incorporated into revised Landscaping & Irrigation and Tree Protection plans.

III. Procedural - Required Burden of Proof

The criteria for Annexation approval for a property to be zoned E-1 are described in 18.5.8.050 as follows:

An annexation may be approved if the proposed request for annexation conforms, or can be made to conform through the imposition of conditions, with all of the following approval criteria.

A. The land is within the City's Urban Growth Boundary.

B. The proposed zoning for the annexed area is in conformance with the designation indicated on the Comprehensive Plan Map, and the project, if proposed concurrently with the annexation, is an allowed use within the proposed zoning.

C. The land is currently contiguous with the present city limits.

D. Adequate City facilities for the provision of water to the site as determined by the Public Works Department; the transport of sewage from the site to the waste water treatment plant as determined by the Public Works Department; the provision of electricity to the site as determined by the Electric Department; urban storm drainage as determined by the Public Works Department can and will be provided to and through the subject property. Unless the City has declared a moratorium based upon a shortage of water, sewer, or electricity, it is recognized that adequate capacity exists system-wide for these facilities.

E. Adequate transportation can and will be provided to and through the subject property. For the purposes of this section "adequate transportation" for annexations consists of vehicular, bicycle, pedestrian, and transit transportation meeting the following standards.

1. For vehicular transportation a 20-foot wide paved access exists, or can and will be constructed, along the full frontage of the project site to the nearest fully improved collector or arterial street. All streets adjacent to the annexed area shall be improved, at a minimum, to a half-street standard with a minimum 20-foot wide driving surface. The City may, after assessing the impact of the development, require the full improvement of streets adjacent to the annexed area. All streets located within annexed areas shall be fully improved to City standards. Where future street dedications are indicated on the Street Dedication Map or required by the City, provisions shall be made for the dedication and improvement of these streets and included with the application for annexation.
2. For bicycle transportation safe and accessible bicycle facilities exist, or can and will be constructed. Should the annexation be adjacent to an arterial street, bike lanes shall be provided on or adjacent to the arterial street. Likely bicycle destinations from the project site shall be determined and safe and accessible bicycle facilities serving those destinations shall be indicated.
3. For pedestrian transportation safe and accessible pedestrian facilities exist or can and will be constructed. Full sidewalk improvements shall be provided on one side adjacent to the annexation for all streets adjacent to the proposed annexed area. Sidewalks shall be provided as required by

ordinance on all streets within the annexed area. Where the project site is within a quarter of a mile of an existing sidewalk system, the sidewalks from the project site shall be constructed to extend and connect to the existing system. Likely pedestrian destinations from the project site shall be determined and the safe and accessible pedestrian facilities serving those destinations shall be indicated.

4. For transit transportation, should transit service be available to the site, or be likely to be extended to the site in the future based on information from the local public transit provider, provisions shall be made for the construction of adequate transit facilities, such as bus shelters and bus turn-out lanes. All required transportation improvements shall be constructed and installed prior to the issuance of a certificate of occupancy for any new structures on the annexed property.

F. For all residential annexations, a plan shall be provided demonstrating that the development of the entire property will ultimately occur at a minimum density of 90 percent of the base density for the zone, unless reductions in the total number of units is necessary to accommodate significant natural features, topography, access limitations, or similar physical constraints. The owner or owners of the property shall sign an agreement, to be recorded with the county clerk after approval of the annexation, ensuring that future development will occur in accord with the minimum density indicated in the development plan. For purposes of computing maximum density, portions of the annexed area containing undevelopable areas such as wetlands, floodplain corridor lands, or slopes greater than 35 percent, shall not be included.

G. Except as provided in 18.5.8.050.G.7, below, annexations with a density or potential density of four residential units or greater and involving residential zoned lands, or commercial, employment or industrial lands with a Residential Overlay (R-Overlay) shall meet the following requirements.

1. The total number of affordable units provided to qualifying buyers, or to qualifying renters, shall be equal to or exceed 25 percent of the base density as calculated using the unit equivalency values set forth herein.
   a. Ownership units restricted to households earning at or below 120 percent the area median income shall have an equivalency value of 0.75 unit.
   b. Ownership units restricted to households earning at or below 100 percent the area median income shall have an equivalency value of 1.0 unit.
   c. Ownership units restricted to households earning at or below 80 percent the area median income shall have an equivalency value of 1.25 unit.
   d. Ownership or rental units restricted to households earning at or below 60 percent the area median income shall have an equivalency value of 1.5 unit.
2. As alternative to providing affordable units per section 18.5.8.050.G.1, above, the applicant may provide title to a sufficient amount of buildable land for development complying with subsection 18.5.8.050.G.1.b, above, through transfer to a non-profit (IRC 501(3)(c) affordable housing developer or public corporation created under ORS 456.055 to 456.235.
   a. The land to be transferred shall be located within the project meeting the standards set forth in 18.5.8.050.G, subsections 4 - 6.
   b. All needed public facilities shall be extended to the area or areas proposed for transfer.
   c. Prior to commencement of the project, title to the land shall be transferred to the City, an affordable housing developer which must either be a unit of government, a non–profit 501(C)(3) organization, or public corporation created under ORS 456.055 to 456.235.
   d. The land to be transferred shall be deed restricted to comply with Ashland's affordable housing program requirements.
3. The affordable units shall be comparable in bedroom mix and housing type with the market rate units in the development.
   a. The number of bedrooms per dwelling unit in the affordable units within the residential development shall be in equal proportion to the number of bedrooms per dwelling unit in the market-rate units within the residential development. This provision is not intended to require the same floor area in affordable units as compared to market-rate units. The minimum square footage of each affordable unit shall comply with the minimum required floor based

as set forth in Table 18.5.8.050.G.3.

Table 18.5.8.050.G.3

Unit Type	Minimum Required Unit Floor Area (Square Feet)
Studio	350
1 Bedroom	500
2 Bedroom	800
3 Bedroom	1,000
4 Bedroom	1,250

b. The required on-site affordable units shall be comprised of the different unit types in the same proportion as the market dwelling units within the development.

4. A development schedule shall be provided that demonstrates that that the affordable housing units per subsection 18.5.8.050.G shall be developed, and made available for occupancy, as follows.
   a. That 50 percent of the affordable units shall have been issued building permits prior to issuance of a certificate of occupancy for the last of the first 50 percent of the market rate units.
   b. Prior to issuance of a building permit for the final ten percent of the market rate units, the final 50 percent of the affordable units shall have been issued certificates of occupancy.
5. That affordable housing units shall be distributed throughout the project
6. That affordable housing units shall be constructed using comparable building materials and include equivalent amenities as the market rate units.
   a. The exterior appearance of the affordable units in any residential development shall be visually compatible with the market-rate units in the development. External building materials and finishes shall be substantially the same in type and quality for affordable units as for market-rate units
   b. Affordable units may differ from market-rate units with regard to interior finishes and materials provided that the affordable housing units are provided with comparable features to the market rate units, and shall have generally comparable improvements related to energy efficiency, including plumbing, insulation, windows, appliances, and heating and cooling systems.
7. Exceptions to the requirements of 18.5.8.050, subsections G.2 – G.5, above, may be approved by the City Council upon consideration of one or more of the following.
   a. That an alternative land dedication as proposed would accomplish additional benefits for the City, consistent with the purposes of this chapter, than would development meeting the on-site dedication requirement of subsection 18.5.8.050.G.2.
   b. That an alternative mix of housing types not meeting the requirements of subsection 18.5.8.050.G.3.b would accomplish additional benefits to the City consistent with this chapter, than would the development providing a proportional mix of unit types.
   c. That the alternative phasing proposal not meeting subsection 18.5.8.050.G.4 provided by the applicant provides adequate assurance that the affordable housing units will be provided in a timely fashion.
   d. That the distribution of affordable units within the development not meeting subsection 18.5.8.050.G.5 is necessary for development of an affordable housing project that provides onsite staff with supportive services.
   e. That the distribution of affordable units within the development as proposed would accomplish additional benefits for the city, consistent with the purposes of this chapter, than would development meeting the distribution requirement of subsection 18.5.8.050.G.5.

f. That the materials and amenities applied to the affordable units within the development, that are not equivalent to the market rate units per subsection 18.5.8.050.G.6, are necessary due to local, State, or Federal Affordable Housing standards or financing limitations.

8. The total number of affordable units described in this section 18.5.8.050.G shall be determined by rounding down fractional answers to the nearest whole unit. A deed restriction or similar legal instrument shall be used to guarantee compliance with affordable criteria for a period of not less than 60 years. Properties providing affordable units as part of the annexation process shall qualify for a maximum density bonus of 25 percent.

H. One or more of the following standards are met.

1. The proposed area for annexation is to be residentially zoned, and there is less than a five-year supply of vacant and redevelopable land in the proposed land use classification within the current city limits. "Redevelopable land" means land zoned for residential use on which development has already occurred but on which, due to present or expected market forces, there exists the likelihood that existing development will be converted to more intensive residential uses during the planning period. The five-year supply shall be determined from vacant and redevelopable land inventories and by the methodology for land need projections from the Housing Element of the Comprehensive Plan.
2. The proposed lot or lots will be zoned CM, E-1, or C-1 under the Comprehensive Plan, and that the applicant will obtain Site Design Review approval for an outright permitted use, or special permitted use concurrent with the annexation request.
3. A current or probable public health hazard exists due to lack of full City sanitary sewer or water services.
4. Existing development in the proposed annexation has inadequate water or sanitary sewer service, or the service will become inadequate within one year.
5. The area proposed for annexation has existing City water or sanitary sewer service extended, connected, and in use, and a signed consent to annexation agreement has been filed and accepted by the City.
6. The lot or lots proposed for annexation are an island completely surrounded by lands within the city limits.

The criteria for approval of a Zoning Map Amendment are described in 18.5.9.020 as follows:

A. Type II. The Type II procedure is used for applications involving zoning map amendments consistent with the Comprehensive Plan map, and minor map amendments or corrections. Amendments under this section may be approved if in compliance with the Comprehensive Plan and the application demonstrates that one or more of the following.

1. The change implements a public need, other than the provision of affordable housing, supported by the Comprehensive Plan.
2. A substantial change in circumstances has occurred since the existing zoning or Plan designation was proposed, necessitating the need to adjust to the changed circumstances.
3. Circumstances relating to the general public welfare exist that require such an action.
4. Proposed increases in residential zoning density resulting from a change from one zoning district to another zoning district, will provide 25 percent of the proposed base density as affordable housing consistent with the approval standards set forth in subsection 18.5.8.050.G.
5. Increases in residential zoning density of four units or greater on commercial, employment, or industrial zoned lands (i.e., Residential Overlay), will not negatively impact the City's commercial and industrial land supply as required in the Comprehensive Plan, and will provide 25 percent of the proposed base density as affordable housing consistent with the approval standards set forth in subsection 18.5.8.050.G.
6. The total number of affordable units described in 18.5.9.020.A, subsections 4 or 5, above, shall be determined by rounding down fractional answers to the nearest whole unit. A deed restriction, or similar legal instrument, shall be used to guarantee compliance with affordable criteria for a period of not less than 60 years. 18.5.9.020.A, subsections 4 and 5 do not apply to Council initiated actions.

B. Type III. It may be necessary from time to time to make legislative amendments in order to conform with the Comprehensive Plan or to meet other changes in circumstances or conditions. The Type III procedure applies to the creation, revision, or large-scale implementation of public policy requiring City Council approval and enactment of an ordinance; this includes adoption of regulations, zone changes for large areas, zone changes requiring comprehensive plan amendment, comprehensive plan map or text amendment, annexations (see chapter 18.5.8 for annexation information), and urban growth boundary amendments. The following planning actions shall be subject to the Type III procedure.

1. Zone changes or amendments to the Zoning Map or other official maps, except where minor amendments or corrections may be processed through the Type II procedure pursuant to subsection 18.5.9.020.A, above.
2. Comprehensive Plan changes, including text and map changes or changes to other official maps.
3. Land Use Ordinance amendments.
4. Urban Growth Boundary amendments.

The criteria for Site Design Review approval are described in 18.5.2.050 as follows:

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.

The criteria for a Conditional Use Permit are described in AMC Chapter 18.5.4.050.A as follows:

A Conditional Use 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.

1. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.
2. That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the development, and adequate transportation can and will be provided to the subject property.
3. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection 18.5.4.050.A.5, below. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.

a. Similarity in scale, bulk, and coverage.
b. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
c. Architectural compatibility with the impact area.
d. Air quality, including the generation of dust, odors, or other environmental pollutants.
e. Generation of noise, light, and glare.
f. The development of adjacent properties as envisioned in the Comprehensive Plan.
g. Other factors found to be relevant by the approval authority for review of the proposed use.

4. A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.
5. For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of this subsection, the target uses of each zone are as follows.

a. WR and RR. Residential use complying with all ordinance requirements, developed at the density permitted by chapter 18.2.5 Standards for Residential Zones.
b. R-1. Residential use complying with all ordinance requirements, developed at the density permitted by chapter 18.2.5 Standards for Residential Zones.
c. R-2 and R-3. Residential use complying with all ordinance requirements, developed at the density permitted by chapter 18.2.5 Standards for Residential Zones.
d. C-1. The general retail commercial uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and within the Detailed Site Review overlay, at an intensity of 0.50 floor to area ratio, complying with all ordinance requirements.
e. C-1-D. The general retail commercial uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 1.00 gross floor to area ratio, complying with all ordinance requirements.
f. E-1. The general office uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and within the Detailed Site Review overlay, at an intensity of 0.50 floor to area ratio, complying with all ordinance requirements.
g. M-1. The general light industrial uses listed in chapter 18.2.2 Base Zones and Allowed Uses, complying with all ordinance requirements.
h. CM-C1. The general light industrial uses listed in chapter 18.3.2 Croman Mill District, developed at an intensity of 0.50 gross floor to area ratio, complying with all ordinance requirements.
i. CM-OE and CM-MU. The general office uses listed in chapter 18.3.2 Croman Mill District, developed at an intensity of 0.60 gross floor to area, complying with all ordinance requirements.
k. CM-NC. The retail commercial uses listed in chapter 18.3.2 Croman Mill District, developed at an intensity of 0.60 gross floor to area ratio, complying with all ordinance requirements.
l. HC, NM, and SOU. The permitted uses listed in chapters 18.3.3 Health Care Services, 18.3.5 North Mountain Neighborhood, and 18.3.6 Southern Oregon University District, respectively, complying with all ordinance requirements.

The criteria for an Exception to Street Standards are described in AMC Section 18.4.6.020.B.1 as follows:

Exception to the Street Design Standards. The approval authority may approve exceptions to the standards section in 18.4.6.040 Street Design Standards if all of the following circumstances are found to exist.

a. 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.
b. The exception will result in equal or superior transportation facilities and connectivity considering the following factors where applicable.

i. For transit facilities and related improvements, access, wait time, and ride experience.
ii. For bicycle facilities, feeling of safety, quality of experience (i.e., comfort level of bicycling along the

roadway), and frequency of conflicts with vehicle cross traffic.

iii. For pedestrian facilities, feeling of safety, quality of experience (i.e., comfort level of walking along roadway), and ability to safety and efficiency crossing roadway.

c. The exception is the minimum necessary to alleviate the difficulty.

d. The exception is consistent with the Purpose and Intent of the Street Standards in subsection 18.4.6.040.A.

The criteria for a Limited Activities and Uses Permit are described in AMC Section 18.3.11.060.D as follows:

All Limited Activities and Uses described in section 18.3.11.060 shall be subject to a Type I procedure in section 18.5.1.050. An application for a Limited Activities and Uses Permit shall be approved if the proposal meets all of the following criteria.

1. All activities shall be located as far away from streams and wetlands as practicable, designed to minimize intrusion into the Water Resources Protection Zone and disturb as little of the surface area of the Water Resource Protection Zone as practicable.
2. The proposed activity shall be designed, located and constructed to minimize excavation, grading, area of impervious surfaces, loss of native vegetation, erosion, and other adverse impacts on Water Resources.
3. On stream beds or banks within the bank full stage, in wetlands, and on slopes of 25 percent or greater in a Water Resource Protection Zone, excavation, grading, installation of impervious surfaces, and removal of native vegetation shall be avoided except where no practicable alternative exists, or where necessary to construct public facilities or to ensure slope stability.
4. Water, storm drain, and sewer systems shall be designed, located and constructed to avoid exposure to floodwaters, and to avoid accidental discharges to streams and wetlands.
5. Stream channel repair and enhancement, riparian habitat restoration and enhancement, and wetland restoration and enhancement will be restored through the implementation of a mitigation plan prepared in accordance with the standards and requirements in section 18.3.11.110 Mitigation Requirements.
6. Long term conservation, management and maintenance of the Water Resource Protection Zone shall be ensured through preparation and recordation of a management plan as described in subsection 18.3.11.110.C, except a management plan is not required for residentially zoned lots occupied only by a single-family dwelling and accessory structures.

The criteria for a Tree Removal Permit are described in AMC Section 18.5.7.040.B as follows:

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.

IV. Conclusions and Recommendations

The application includes a request for the Annexation of a 5.38-acre parcel, Zone Change from County RR-5 Rural Residential) to City E-1 (Employment), and Site Design Review approval for the phased development of a light industrial business park consisting of approximately 72,000 square feet of light industrial, manufacturing and fabrication space for the property located at 601 Washington Street. The application also includes a request for a Conditional Use Permit to allow a watchman's dwelling; Limited Use/Activity Permits to construct a stormwater outfall and street improvements within the Water Resource Protection Zones of Knoll Creek and a Possible Wetland on the property; an Exception to Street Standards for the frontage improvements along the property's Washington Street frontage; and a Tree Removal Permit to remove four trees greater than six-inches in diameter at breast height (d.b.h.).

Annexation procedures require a public hearing before the Planning Commission, as well as hearings and ordinance adoption by the City Council. The Planning Commission has the authority to make the final decision with respect to the Site Design Review, Conditional Use Permit, Limited Use/Activity Permit, Exception to Street Standards and Tree Removal Permits. As part of the Commission's decision, a recommendation will need to be provided to the Council for the Annexation/Zone Change request. Upon annexation, the Council will either adopt Commission findings concurrently with their decision or forward the action back to the Commission for findings adoption.

The requested annexation complies with the applicable approval standards, and the annexation/rezoning is consistent with the Comprehensive Plan designation of the property and with the Economy Goal of the Comprehensive Plan which strives for a healthy economy, diverse in the number, size and types of businesses. Staff are generally very supportive of the annexation request and believe that the 72,000 square foot flexible space light industrial development described will be beneficial for Ashland's economy, as have similar developments along Hersey Street which provide an option for a variety of businesses to establish themselves and grow in Ashland.

Staff believes the proposed building designs are appropriate for the area's employment and light manufacturing designation and are consistent with the city's Basic Site Review standards. The materials proposed reflect a utilitarian design comprised of off-white standing seam metal roofing, beige horizontal metal siding and a textured brown split face block base.

For staff, the application is generally a straightforward one with the primary issue being determining the appropriate frontage improvements which balance the street's role as an avenue with a right-of-way constrained by a roadside wetland and proximity to the freeway.

In staff's assessment, the street's role as a major collector serving the Washington/Jefferson/Benson employment area, with avenue-level truck traffic and travel speeds, ultimately necessitates full sidewalk and parkrow improvements with street trees, and bike lanes, to provide a street which will accommodate and encourage users of all travel modes as the area fully develops. While this will impact the wetland, the presence of Knoll Creek provides an opportunity for mitigation on site.

Overall, Staff believe that the application merits approval and that any issues can be satisfactorily addressed through conditions of approval. Should the Commission concur, staff would recommend that the application be approved with the conditions below and a favorable recommendation forwarded to Council.

1) That all proposals of the applicants shall be conditions of approval unless otherwise modified herein, including the proposed trip cap to address Transportation Planning Rule (TPR) requirements.

2) That the plans submitted for the building permit shall be in substantial conformance with those approved as part of this application. If the plans submitted for the building permit are not in substantial conformance with those approved as part of this application, an application to modify this Site Review approval shall be submitted and approved prior to issuance of a building permit.

3) That a sign permit shall be obtained prior to installation of any new signage. Signage shall meet the requirements of Chapter 18.4.7.

4) That prior to any work within the Oregon Department of Transportation (ODOT) right-of-way, the applicants shall obtain any necessary permit approvals from ODOT. The applicants shall provide evidence of permit approval, including copies of all approved plans, for all work to be done within ODOT right-of-way prior to the commencement of work.

5) That prior to work in the City of Ashland right-of-way, the applicants shall obtain any necessary permit approvals from the City of Ashland Public Works Department. The applicants shall obtain all required inspection approvals for work completed within the City right-of-way.

6) That all recommendations of the Tree Commission from their March 8, 2018 regular meeting shall be conditions of approval where consistent with the applicable regulations and standards, and with final approval by the Staff Advisor.

7) That the applicants shall obtain required land use approvals, as well as any federal or state approvals necessary, for the remaining phases of the development including but not limited to Site Design Review approvals for Phase 2, 3 and 4 buildings; Limited Use/Activity Permits for frontage improvements within the wetland water resource protections zone for W11; and Tree Removal Permits for Trees #15, #18 and #21 in Phase 3. The current approval is limited to the improvements specifically associated with Phase 1 and the conceptual approval of the site master plan, with the recognition

that limited grading and utility installations will occur with Phase 1 to lay the groundwork for later phases.

8) That prior to the submittal of a building permit:

a) Building permit submittals shall include identification of all easements, including public and private utility easements, fire apparatus access easements, and a conservation easement or other similar recorded development restriction to perpetually protect the portion of the Knoll Creek stream bank water resources protection zone and the wetland water resource protection zone on the property according to the requirements of AMC Section 18.3.11.110.C.8.

b) A final stormwater drainage plan, including any details of on-site detention for storm water and necessary water quality mitigation, shall be submitted for the review and approval of the Planning, Building, and Engineering Divisions. The drainage plan shall also demonstrate that stormwater flows into the existing roadside wetland will be retained at their current levels to ensure the continuing recharge of the wetland.

c) Engineered construction drawings for the required improvements along the property's Phase 1 Washington Street frontage, from the existing terminus of the sidewalk at the northwest corner of the site to the eastern extent of the proposed watchman quarters building shall be provided for review and approval by the Oregon Department of Transportation and the City of Ashland's Planning and Engineering Departments prior to the issuance of the Phase 1 building permit or any work within the street right-of-way or pedestrian corridor. Engineered construction drawings for the remaining frontage, from the watchman quarters building to the southeast corner of the site, shall be provided for review and approval with the Phase 2 Site Design Review application. The required improvements shall be consistent with the applicants Option C including paved ten-foot motor vehicle travel lanes, six-foot bike lanes, six-inch curb, gutter, a seven-foot landscaped parkrow with irrigated street trees, a six-foot sidewalk and city standard streetlights for the property's full Washington Street frontage. The final engineered designs shall include details of the transition from the existing curbside sidewalk at the northwest of the property. Any additional right-of-way necessary to accommodate these city standard avenue improvements shall be provided through a right-of-way dedication if deemed necessary by the Public Works/Engineering Department. The applicants shall obtain necessary approvals from the Oregon Department of Transportation (ODOT) for improvements within the ODOT right-of-way and any necessary federal, state and local permits for work in the wetland water resource protection zone prior to installation of those improvements.

d) A final utility plan for the project shall be submitted for review and approval by the Planning, Engineering and Building Divisions prior to issuance of a building permit. The utility plan shall include the location of connections to all public facilities in and adjacent to the development, including the

locations of water lines and meter sizes, sewer mains and services, manholes and clean-outs, storm drainage pipes and catch basins. Utility installations, including any necessary fire protection vault, shall be placed outside of the pedestrian corridor, and necessary public utility easements on the property shall be shown on the building permit submittals.

e) The applicant shall submit an electric distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment. With annexation, the property will no longer be served by Pacific Power and Light; service will be provided by the City's municipal electric utility and the necessary services to make this transition will need to be installed at the applicant's expense. This plan shall be reviewed and approved by the Planning, Engineering and Electric Departments prior to building permit submittal. Transformers and cabinets shall be located outside of the pedestrian corridor, in those areas least visible from the street while considering the access needs of the Electric Department.

f) The building permit plan submittals shall include lot coverage calculations including all building footprints, driveways, parking, and circulation areas. These plans shall demonstrate that at least 15 percent of the site is surfaced in landscaping, and that at least seven percent of the parking lot area is provided in required parking lot landscaping, as required in the Site Design & Use Standards.

g) The building permit plan submittals shall include and sample exterior building colors and materials for review and approval of the Staff Advisor. The exterior building materials and paint colors shall be compatible with the surrounding area and consistent with those described in the application materials.

9) That prior to the issuance of a building permit:

a) The applicant shall provide a final Tree Preservation and Protection Plan consistent with the requirements of AMC 18.4.5.030 incorporating any recommendations of the Tree Commission from their March 8, 2018 meeting, where consistent with applicable standards and with final approval by the Staff Advisor.

b) That a Verification Permit in accordance with 18.4.5.050 shall be applied for and approved by the Ashland Planning Division prior to removal of any trees from the site, and prior to site work, storage of materials and/or issuance of a building permit. The Verification Permit is to inspect the on-site identification of trees to be removed and the installation of tree protection fencing to protect the trees to be retained. The tree protection fencing shall be installed according to the approved Tree Protection and Removal Plan, inspected and approved by the Staff Advisor prior to site work, storage of materials and/or issuance of a building permit. In conjunction with the Tree

Verification, silt fencing or other measures to delineate and protect the Water Resource Protection Zones on site shall be installed, inspected and approved as well.

c) The applicant shall provide a revised Landscape/Irrigation Plan which addresses the recommendations of the Tree Commission from their March 8, 2018 meeting where consistent with applicable standards and with final approval of the Staff Advisor, and also addresses the Water Conserving Landscaping Guidelines AMC 18.4.4.030.I, including irrigation controller requirements to allow multiple/flexible calendar programming. The revised landscape plan shall specifically identify mitigation trees on a one-for-one basis to offset the trees being removed.

d) All exterior lighting shall be appropriately shrouded so as not to permit direct illumination of any adjacent land. Lighting details, including a scaled plan and specifications detailing shrouding, shall be submitted to the Staff Advisor for review and approval with the building permit submittals.

e) At the time of building plan submittal, final bike rack details and shelter details shall be submitted for review and approval by the Staff Advisor. The building permit submittals shall verify that the bicycle parking design, spacing, and coverage requirements are met in accordance with AMC Section 18.4.3.070.

f) Mechanical equipment shall be screened from view from Washington Street. The locations of mechanical equipment and any associated screening shall be shown on the site plan and elevations in the building permit submittals.

g) That the buildings shall meet Solar Setback B in accordance with AMC Section 18.70.040.B. The building permit submittals shall demonstrate compliance with Solar Setback B and shall include solar calculations with shadow producing point(s) and height to natural grade clearly illustrated and labeled.

h) The requirements of the Building Division shall be satisfactorily addressed.

i) The requirements of the Ashland Fire Department shall be satisfied including: approved addressing; fire apparatus approach, access, turn-around and associated easements; fire flow; fire department connection; fire sprinklers and fire hydrants where applicable; key box installation; hydrant clearances; high-piled storage requirements; and that any gates, fences, or other impediments to required fire apparatus access width approved by Ashland Fire and Rescue shall be addressed in the permit submittals and implemented on site prior to the issuance of an occupancy permit. Final determinations of fire hydrant distance, fire flow, and fire apparatus access requirements are to be based upon plans submitted for building permit review.

j) A revised site plan detailing the proposed phased installation of buildings, parking, and driveways detailing the extent of improvements proposed to be

installed with each phase, including street frontage improvements, shall be provided for the review and approval of the Staff Advisor.

k) A revised site plan addressing the pedestrian access and circulation requirements of AMC 18.4.3.090. At a minimum, this would include a materially-distinct pedestrian walkway within the proposed driveway system to support pedestrian circulation from the office, along the driveway connecting to each of the buildings.

l) That the applicants shall provide a final management plan, including any easements, providing for the long-term conservation, management and maintenance of the Knoll Creek Water Resource Protection Zone as detailed in AMC 18.3.11.110.C prior to the issuance of a building permit.

m) That a final size- and species-specific mitigation plan consistent with the requirements of AMC 18.3.11.110.B.1. including irrigation details and details of the selection and placement of landscape materials to mitigate the area impacted by the storm water outfall installation shall be provided for the review and approval of the Staff Advisor. All mitigation plantings shall be installed according to the approved plan, inspected, and approved by the Staff Advisor, and the management plan and any necessary easement modifications recorded prior to final approval of the certificates of occupancy for Phase 1.

10) That prior to the issuance of a certificate of occupancy:

a) That the screening for the recycling and refuse disposal areas shall be installed in accordance with the requirements of AMC 18.4.4.040, inspected and approved by the Staff Advisor.

b) All required parking areas shall be paved and striped according to the approved plan.

c) All landscaping and the irrigation systems shall be installed in accordance with the approved plan, inspected and approved by the Staff Advisor prior to the issuance of a certificate of occupancy.

d) That street trees, one per 30 feet of street frontage, shall be installed along the frontage of the development in accordance with the approved final landscaping plan and prior to issuance of the certificate of occupancy. All street trees shall be chosen from the adopted Street Tree List and shall be installed in accordance with the specifications noted in Section E of the Site Design and Use Standards. The street trees shall be irrigated.

e) That required bicycle parking spaces with a minimum of 50 percent sheltered from the weather shall be installed according to the approved plan, inspected, and approved by the Staff Advisor prior to issuance of a certificate of occupancy.

11) That the application for **Phase 2** shall include a revised Site Plan that better incorporates the creek into the site design through means such as pedestrian access points, unpaved trail installation and a small patio/seating area.

12) That in conjunction with the application for **Phase 2**, the applicants shall provide engineered design drawings for the required frontage improvements along Washington Street consistent with Option C; prepare and submit a formal wetland delineation to the Division of State Lands; obtain the requisite city, state and federal permits for the frontage improvements in the wetland water resource protection zone; and complete appropriate mitigation within the Knoll Creek corridor on the subject property.

13) That the final design for the **Phase 4** office building at the southeast corner of the property shall be configured to allow for cross access to the flag driveway for Tax Lot #100 to the south. Cross easements providing for use of this access shall be provided prior to the issuance of a certificate of occupancy for this building.

Staff Exhibit S-1. Aerial showing Oak Knoll Fire from August, 2010

Volume 1
South Ashland Business Park

Annexation and Zone Change and Development Plan

Prepared for
South Ashland Business Park LLC

Submitted By:
CSA Planning Ltd.

In collaboration with:
ADW, Sandow Engineering,
Thornton Engineering,
Galbraith and Associates,
Schott and Associates,
L.J. Friar and Associates

January 2018

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January 16, 2018

Ashland Mayor and City Council

20 East Main Street
Ashland, Oregon 97520

RE: ***South Ashland Business Park***

Dear Mayor and Council:

CSA Planning Ltd. is pleased to transmit the enclosed application requesting annexation of property located at 601 Washington Street owned by our clients, South Ashland Business Park LLC. Our clients seek to construct a high quality light industrial business park that will facilitate economic development within the City of Ashland.

The City's adopted Economic Development Strategy document identifies specialty manufacturing as an area where the City has competitive advantages. The proposed project is targeted to create additional space for this exciting industry growth area. We believe this project is tailored to serve this demand. The site is large enough to realize some economies of scale and provide growth opportunities for tenants over time, but small enough to fit appropriately in Ashland.

Please review and approve this annexation and the concurrently filed land use applications so that this project can move forward and support the City's economic development objectives.

Very Truly Yours,

CSA Planning, Ltd.

Jay Harland
President

cc. File

BEFORE THE CITY OF ASHLAND PLANNING COMMISSION AND CITY COUNCIL

FOR THE CITY OF ASHLAND

JACKSON COUNTY, OREGON

IN THE MATTER OF A REQUEST FOR A CONSOLIDATED REVIEW FOR THE ANNEXATION AND ZONE CHANGE OF TAX LOT 2800, MAP 39S E1 14AB AND FOR SITE DESIGN REVIEW FOR A LIGHT INDUSTRIAL BUSINESS PARK WITH A CONDITIONAL USE PERMIT FOR A WATCHMANS QUARTERS, LIMITED USE WITHIN WATER RESOURCE PROTECTION ZONE AND A PRECAUTIONARY STREET DESIGN EXCEPTION AT 601 WASHINGTON STREET WITHIN THE CORPORATE LIMITS OF THE CITY OF ASHLAND, OREGON.	**FINDINGS OF FACT AND CONCLUSIONS OF LAW** **Volume 1 of 2** **Applicant's Submittal**
Applicants: South Ashland Business Park, LLC **Agent of Record:** CSA Planning, Ltd.	

I

SCOPE AND NATURE OF THE APPLICATION

This application seeks approval of the South Ashland Business Park which will include a new flex-space industrial business park on Washington Street south of the I-5 Exit 14 interchange. The Applicant herewith requests approval of a consolidated application that includes annexation of a 5.38 acre parcel identified by the Jackson County Assessor as Tax Lot 2800 on Map 39S 1W 14AB. The property is located within the City of Ashland Urban Growth Boundary, but the property is located outside the City's corporate limits. The City of Ashland has designated the subject property as Employment on the Comprehensive Plan Map. The application requests annexation to the City to include the properties within the City's municipal boundaries and rezoning of the property from County RR-5 to City of Ashland E-1 zoning district. The City's annexation criteria require concurrent development approval. Accordingly, Applicant requests site design review approval for the South Ashland Business Park. In addition, Applicant requests a conditional use permit approval for watchman's quarters and precautionary approval of a street design exception due to unusual ODOT right-of-way conditions and an abutting wetland.

II
CONSOLIDATED APPLICATION STRUCTURE

The South Ashland Business Park Application is structured in two volumes. The contents of each Volume are described below:

South Ashland Business Park Volume 1:
Land Use Analysis and Technical Documentation

Section	Title	Description
I	Scope and Nature of Application	• *narrative describing the request*
II	Consolidated Application Structure	• *this section*
III	Applicable Substantive Criteria	• *identification and listing of all criteria applicable to the annexation and each of the associated land use requests*
IV	Findings of Fact	• *analysis and examination of facts relevant to the application and explanation of factors relevant to those facts*
V	Procedural Conclusions	• *examination and analysis of the procedural criteria that apply to the application*
VI	Conclusions of Law	• *analysis and explanation of how the application can be found to comply with all the substantive approval criteria applicable to the project*
VII	Stipulations	• *a priori agreement by the Applicant to accept conditions of approval requiring the Applicant to execute the stipulated actions*
VIII	Ultimate Conclusions	• *summary conclusion of law*
IX	Supporting Evidentiary Exhibits	• *evidentiary exhibits that provides procedurally required submittal information and detailed technical information applicable to the project; see the first page of Section IV for an exhibit list*

South Ashland Business Park Volume 2:

Atlas of Maps and Plans

Section	Title	Description
I	Maps	• *regulatory maps applicable to project*
II	Design Plans	• *Architectural and Site Plan Drawings*
III	Technical Plans	• *Engineering Plans and Survey Maps*

III

APPLICABLE SUBSTANTIVE CRITERIA

The criteria under which the consolidated land-use application must be reviewed are laid forth in the Ashland Municipal Code Chapter 18. The relevant approval criteria are recited verbatim below:

PROCEDURAL CRITERIA

18.5.1.010 Purpose and Applicability

A. Purpose. This chapter establishes procedures to initiate and make final decisions on planning actions under the Land Use Ordinance ("this ordinance"), pursuant to City policy and state law.

B. Applicability of Review Procedures. All planning actions shall be subject to processing by one of the following procedures summarized in subsections 1 - 4, below, and as designated in Table 18.5.1.010. Building permits and other approvals, including approvals from other agencies such as the state department of transportation or a natural resource regulatory agency, may be required. Failure to receive notice of any such requirement does not waive that requirement or invalidate any planning action under this ordinance.

1. Ministerial Action (Staff Advisor Decision). The Staff Advisor makes ministerial decisions by applying City standards and criteria that do not require the use of substantial discretion (e.g., fence, sign and home occupation permits). A public notice and public hearing are not required for Ministerial decisions. Procedures for Ministerial actions are contained in section 18.5.1.040.

2. Type I Procedure (Administrative Decision With Notice). Type I decisions are made by the Staff Advisor with public notice and an opportunity for appeal to the Planning Commission. Alternatively the Staff Advisor may refer a Type I application to the Commission for its review and decision in a public meeting. Procedures for Type I actions are contained in section 18.5.1.050.

3. Type II Procedure (Quasi-Judicial Review/Public Hearing Review). Type II decisions are made by the Planning Commission after a public hearing, with an opportunity for appeal to the City Council. Applications involving zoning map amendments consistent with the Comprehensive Plan map and minor map amendments or corrections are subject to quasi-judicial review under the Type II procedure. Quasi-judicial decisions involve discretion but implement policy. Procedures for Type II actions are contained in section 18.5.1.060.

4. Type III Procedure (Legislative Decision). The Type III procedure applies to the creation, revision, or large-scale implementation of public policy (e.g., adoption of regulations, zone changes, comprehensive plan amendments, annexations). Type III reviews are considered by the Planning Commission, who makes a recommendation to City Council. The Council makes the final decision on a legislative proposal through the enactment of an ordinance.

Table 18.5.1.010 – Summary of Approvals by Type of Review Procedure		
Planning Actions	**Review Procedures**	**Applicable Regulations**
Annexation	Type III	Chapter 18.5.8; See Oregon Revised Statute 222.
Zoning District Map Change	Type II or III	Chapter 18.5.9
Conditional Use Permit	Type I or II	Chapter 18.5.4
Site Design Review	Type I or II	Chapter 18.5.2
Exception to Street Standards (precautionary depending on selected design alternative)	Type I	Subsection 18.4.6.020.B.1
Water Resources Protection Zone – Limited Activities and Uses	Type I	Section 18.3.11.060
Access to a Street/Driveway Approach	Ministerial	Chapter 18.4.3

18.5.1.020 Determination of Review Procedure

Where Table 18.5.1.010 designates more than one possible review procedure, e.g., Type I or Type II, the applicable review procedure shall be based on the criteria contained in the ordinance chapters or sections referenced in the table.

18.5.1.050 Type I Procedure (Administrative Decision with Notice)

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

C. Decision.

1. At the conclusion of the comment period, the Staff Advisor shall review the comments received and prepare a decision approving, approving with conditions, or denying the application based on the applicable ordinance criteria. The Staff Advisor shall prepare a decision within 45 days of the City's determination that an application is complete, unless the applicant agrees to a longer time period. Alternatively, the Staff Advisor may transmit written comments received along with a copy of the application to the Planning Commission for review and decision at its next regularly scheduled meeting.

2. Where the Staff Advisor refers a Type I application to the Planning Commission, the Commission shall approve, approve with conditions, or deny the application through the Type II procedure based on the applicable ordinance criteria. The Commission may continue its review to the next meeting to allow the applicant time to respond to questions, provided the Commission must make a final decision within the 120-day period prescribed under State law (ORS 227.178) and as described in subsection 18.5.1.090.B of this ordinance.

18.5.1.060 Type II Procedure (Quasi-Judicial Decision – Public Hearing)

Type II decisions are made by the Planning Commission after a public hearing, with an opportunity for appeal to the City Council.

18.5.1.070 Type III (Legislative Decision)

Type III actions are reviewed by the Planning Commission, which makes a recommendation to City Council. The Council makes final decisions on legislative proposals through enactment of an ordinance.

18.5.8.030 [Annexation] Review Procedure

All annexations shall be processed under the Type III procedure.

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ANNEXATION CRITERIA

Chapter 18.5.8 – Annexations

Sections:

18.5.8.010 Purpose

This chapter contains procedures and approval criteria for the Annexation of land to provide for the orderly expansion of the City and adequate provision of public facilities and services.

18.5.8.020 Applicability and Application Submission Requirements

Except for annexations initiated pursuant to section 18.5.8.040, application for annexation shall include the following information.

A. Consent to annexation, which is non-revocable for a period of one year from its date.
B. Agreement to deposit an amount sufficient to retire any outstanding indebtedness of special districts defined in ORS 222.510.
C. Boundary description and map prepared in accordance with ORS 308.225. Such description and map shall be prepared by a registered land surveyor. The boundaries shall be surveyed and monumented as required by statute subsequent to City Council approval of the proposed annexation.
D. Written findings addressing the criteria and standards in section 18.5.8.040.
E. Written request by the property owner for a zone change. Provided, however, no written request shall be necessary if the annexation has been approved by a majority vote in an election meeting the requirements of Section 11g of Article XI of the Oregon Constitution (Ballot Measure No. 47).

18.5.8.050 Approval Criteria and Standards

An annexation may be approved if the proposed request for annexation conforms, or can be made to conform through the imposition of conditions, with all of the following approval criteria.

A. The land is within the City's Urban Growth Boundary.
B. The proposed zoning for the annexed area is in conformance with the designation indicated on the Comprehensive Plan Map, and the project, if proposed concurrently with the annexation, is an allowed use within the proposed zoning.
C. The land is currently contiguous with the present city limits.
D. Adequate City facilities for the provision of water to the site as determined by the Public Works Department; the transport of sewage from the site to the waste water treatment plant as determined by the Public Works Department; the provision of electricity to the site as determined by the Electric Department; urban storm drainage as determined by the Public Works Department can and will be provided to and through the subject property. Unless the City has declared a moratorium based upon a shortage of water, sewer, or electricity, it is recognized that adequate capacity exists system-wide for these facilities.

E. Adequate transportation can and will be provided to and through the subject property. For the purposes of this section "adequate transportation" for annexations consists of vehicular, bicycle, pedestrian, and transit transportation meeting the following standards.

1. For vehicular transportation a 20-foot wide paved access exists, or can and will be constructed, along the full frontage of the project site to the nearest fully improved collector or arterial street. All streets adjacent to the annexed area shall be improved, at a minimum, to a half-street standard with a minimum 20-foot wide driving surface. The City may, after assessing the impact of the development, require the full improvement of streets adjacent to the annexed area. All streets located within annexed areas shall be fully improved to City standards. Where future street dedications are indicated on the Street Dedication Map or required by the City, provisions shall be made for the dedication and improvement of these streets and included with the application for annexation.
2. For bicycle transportation safe and accessible bicycle facilities exist, or can and will be constructed. Should the annexation be adjacent to an arterial street, bike lanes shall be provided on or adjacent to the arterial street. Likely bicycle destinations from the project site shall be determined and safe and accessible bicycle facilities serving those destinations shall be indicated.
3. For pedestrian transportation safe and accessible pedestrian facilities exist, or can and will be constructed. Full sidewalk improvements shall be provided on one side adjacent to the annexation for all streets adjacent to the proposed annexed area. Sidewalks shall be provided as required by ordinance on all streets within the annexed area. Where the project site is within a quarter of a mile of an existing sidewalk system, the sidewalks from the project site shall be constructed to extend and connect to the existing system. Likely pedestrian destinations from the project site shall be determined and the safe and accessible pedestrian facilities serving those destinations shall be indicated.
4. For transit transportation, should transit service be available to the site, or be likely to be extended to the site in the future based on information from the local public transit provider, provisions shall be made for the construction of adequate transit facilities, such as bus shelters and bus turn-out lanes. All required transportation improvements shall be constructed and installed prior to the issuance of a certificate of occupancy for any new structures on the annexed property.

F. *[Criterion F omitted because it concerns residential annexations]*

G. *[Criterion G omitted because it concerns residential annexations]*

H. One or more of the following standards are met.

1. The proposed area for annexation is to be residentially zoned, and there is less than a five-year supply of vacant and redevelopable land in the proposed land use classification within the current city limits. "Redevelopable land" means land zoned for residential use on which development has already occurred but on which, due to present or expected market forces, there exists the likelihood that existing development will be converted to more intensive residential uses during the planning period. The five-year supply shall be determined from vacant and redevelopable land inventories and by the methodology for land need projections from the Housing Element of the Comprehensive Plan.
2. The proposed lot or lots will be zoned CM, E-1, or C-1 under the Comprehensive Plan, and that the applicant will obtain Site Design Review approval for an outright permitted use, or special permitted use concurrent with the annexation request.
3. A current or probable public health hazard exists due to lack of full City sanitary sewer or water services.
4. Existing development in the proposed annexation has inadequate water or sanitary sewer service, or the service will become inadequate within one year.
5. The area proposed for annexation has existing City water or sanitary sewer service extended, connected, and in use, and a signed consent to annexation agreement has been filed and accepted by the City.
6. The lot or lots proposed for annexation are an island completely surrounded by lands within the city limits.

18.5.8.060 Boundaries

When an annexation is initiated by a private individual, the Staff Advisor may include other parcels of property in the proposed annexation to make a boundary extension more logical and to avoid parcels of land which are not

incorporated but are partially or wholly surrounded by the City. The Staff Advisor, in a report to the Planning Commission and City Council, shall justify the inclusion of any parcels other than the parcel for which the petition is filed. The purpose of this section is to permit the Commission and Council to make annexations extending the City's boundaries more logical and orderly.

18.5.8.070 Statutory Procedures

The applicant for the annexation shall also declare which procedure under ORS chapter 222 the applicant proposes that the Council use, and supply evidence that the approval through this procedure is likely.

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ZONE CHANGE CRITERIA

18.5.9 – Comprehensive Plan, Zoning, and Land Use Ordinance Amendments

Sections:

18.5.9.010 Purpose

18.5.9.020 Applicability and Review Procedure

18.5.9.010 Purpose

This chapter contains the procedure for amending the Comprehensive Plan, Zoning and Land Use Control Maps, and Land Use Ordinance.

18.5.9.020 Applicability and Review Procedure

Applications for Plan Amendments and Zone Changes are as follows:

A. Type II. The Type II procedure is used for applications involving zoning map amendments consistent with the Comprehensive Plan map, and minor map amendments or corrections. Amendments under this section may be approved if in compliance with the Comprehensive Plan and the application demonstrates that one or more of the following.

1. The change implements a public need, other than the provision of affordable housing, supported by the Comprehensive Plan.
2. A substantial change in circumstances has occurred since the existing zoning or Plan designation was proposed, necessitating the need to adjust to the changed circumstances.
3. Circumstances relating to the general public welfare exist that require such an action.
4. Proposed increases in residential zoning density resulting from a change from one zoning district to another zoning district, will provide 25 percent of the proposed base density as affordable housing consistent with the approval standards set forth in subsection 18.5.8.050.G.
5. Increases in residential zoning density of four units or greater on commercial, employment, or industrial zoned lands (i.e., Residential Overlay), will not negatively impact the City's commercial and industrial land supply as required in the Comprehensive Plan, and will provide 25 percent of the proposed base density as affordable housing consistent with the approval standards set forth in subsection 18.5.8.050.G.
6. The total number of affordable units described in 18.5.9.020.A, subsections 4 or 5, above, shall be determined by rounding down fractional answers to the nearest whole unit. A deed restriction, or similar legal instrument, shall be used to guarantee compliance with affordable criteria for a period of not less than 60 years. 18.5.9.020.A, subsections 4 and 5 do not apply to Council initiated actions.

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STATE OF OREGON CRITERIA (TRANSPORTATION PLANNING RULE)

OAR 660-012-0060

Plan and Land Use Regulation Amendments

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

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DEVELOPMENT PERMIT CRITERIA

Site Design Review

18.5.2.050 Approval Criteria

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

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

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

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

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

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

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City of Ashland

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.

18.4.6.040 Street Design Standards

A. Purpose, Intent, and Background

1. Purpose. This section contains standards for street connectivity and design as well as cross sections for street improvements. The standards are intended to provide multiple transportation options, focus on a safe environment for all users, design streets as public spaces, and enhance the livability of neighborhoods, consistent with the Comprehensive Plan.

2. Intent. Ashland's streets are some of the most important public spaces in the community. The Street Design Standards outline the art and science of developing healthy, livable streets, and are intended to illustrate current standards for planning and designing the streets of Ashland. The standards are to be used in the development of new streets, and reconstruction of existing streets or portions thereof (i.e. improving a paved local street by adding sidewalks). The standards area also intended as a resource for use by home builders, developers, and community members in the pursuit of quality development practices. A series of street types is offered including the multi-use path, alley, neighborhood street, commercial neighborhood street, neighborhood collector, commercial neighborhood collector, avenue, and boulevard. Street cross sectios provide a model for building streets the traditional way. Variations can be made from these basic types to fit the particular site and situation. However, the measurements of each street component must be used to create and maintain the desired low-speed environment where people feel comfortable and the maximum number of people walk, bicycle and use transit. All streets in Ashland shall be designed using the following assumptions.

- All designs encourage pedestrian and bicycle travel.
- Neighborhood streets (Neighborhood Collectors and Neighborhood Streets) are designed for 20 mile-per-hour (mph).
- All new streets and alleys are paved.
- All streets have standard vertical, non-mountable curbs.
- Gutter widths are included as part of the curb-to-curb street width.
- New avenues and boulevards have bicycle lanes.
- Parkrow and sidewalk widths do not include the curb.
- Sidewalks are shaded by trees for pedestrian comfort.
- All streets have parkrows and sidewalks on both sides. In certain situations where the physical features of the land create severe constraints, or natural features should be preserved, exceptions may be made. Exceptions could result in construction of meandering sidewalks, sidewalks on only one side of the street, or curbside sidewalk segments instead of setback walks. Exceptions should be allowed when physical conditions exist that preclude development of a public street, or components of the street. Such conditions may include, but are not limited to, topography, wetlands, mature trees, creeks, drainages, rock outcroppings, and limited right-of-way when improving streets through a local improvement district (LID).
- Parkrows and medians are usually landscaped.
- Garages are set back from the sidewalk so parked vehicles are clear of sidewalks.
- Building set backs and heights create a sense of enclosure.

Street Design Exceptions:

18.4.6.020 Applicability

B. Exceptions and Variances. Requests to depart from the requirements of this chapter are subject to chapter 18.5.5 Variances, except that deviations from section 18.4.6.040 Street Design Standards are subject to 18.4.6.020.B.1 Exceptions to the Street Design Standards, below

1. Exception to the Street Design Standards. The approval authority may approve exceptions to the standards section in 18.4.6.040 Street Design Standards if all of the following circumstances are found to exist.
   a. 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.
   b The exception will result in equal or superior transportation facilities and connectivity considering the following factors where applicable.
      i. For transit facilities and related improvements, access, wait time, and ride experience.
      ii. For bicycle facilities, feeling of safety, quality of experience (i.e., comfort level of bicycling along the roadway), and frequency of conflicts with vehicle cross traffic.
      iii. For pedestrian facilities, feeling of safety, quality of experience (i.e., comfort level of walking along roadway), and ability to safety and efficiency crossing roadway.
   c. The exception is the minimum necessary to alleviate the difficulty.
   d. The exception is consistent with the Purpose and Intent of the Street Standards in subsection 18.4.6.040.A.

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18.5.4 – Conditional Use Permits

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.

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

1. Vicinity map.
2. North arrow and scale.
3. Depiction and names of all streets abutting the subject property.
4. Depiction of the subject property, including the dimensions of all lot lines.
5. Location and use of all buildings existing and proposed on the subject property and schematic architectural elevations of all proposed structures.
6. Location of all parking areas, parking spaces, and ingress, egress, and traffic circulation for the subject property, including accessible parking by building code.
7. Schematic landscaping plan showing area and type of landscaping proposed.
8. A topographic map of the site showing contour intervals of five feet or less.
9. Approximate location of all existing natural features in areas which are planned to be disturbed, including, but not limited to, all existing trees of greater than six inches DBH, any natural drainage ways, ponds or wetlands, and any substantial outcroppings of rocks or boulders.

18.5.4.050 Approval Criteria

A. Approval Criteria. A Conditional Use 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.

1. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.

2. That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the development, and adequate transportation can and will be provided to the subject property.
3. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection 18.5.4.050.A.5, below. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.
    a. Similarity in scale, bulk, and coverage.
    b. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
    c. Architectural compatibility with the impact area.
    d. Air quality, including the generation of dust, odors, or other environmental pollutants.
    e. Generation of noise, light, and glare.
    f. The development of adjacent properties as envisioned in the Comprehensive Plan.
    g. Other factors found to be relevant by the approval authority for review of the proposed use.
4. A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.
5. For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of this subsection, the target uses of each zone are as follows.
    f. *E-1.* The general office uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and within the Detailed Site Review overlay, at an intensity of 0.50 floor to area ratio, complying with all ordinance requirements.

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18.3.11 Water Resources Protection Zones

18.3.11.010 Purpose

The purpose and intent of this chapter is:

A. To implement state and federal law with respect to the protection of clean water, pollution control, and preservation of endangered species.

B. To protect Ashland's Goal 5 significant wetlands and riparian areas, thereby protecting and restoring the hydrologic, ecologic, and land conservation functions these areas provide for the community.

C. To implement the provisions of Statewide Planning Goals 6 and 7, which require the buffering and separation of those land uses and activities that lead to or may create impacts on water quality, as well as to reduce the risk to people and property resulting from the inappropriate management of wetland and riparian areas.

D. To implement the goals and policies of the Environmental Resources chapter of Ashland's Comprehensive Plan with respect to water resources, wetlands, floodplains, and stream flooding.

E. To reduce flood damage and potential loss of life in areas subject to periodic flooding.

F. To better manage storm water drainage, minimize maintenance costs, protect properties adjacent to drainage ways, improve water quality, protect riparian and aquatic fish and wildlife habitat and provide opportunities for trail connections.

G. To protect water associated with Ashland's hydrology for human uses, fish and wildlife and their habitats.

H. To control erosion and limit sedimentation.

I. To protect the amenity values and educational opportunities of Ashland's wetlands, water bodies and associated riparian areas as community assets.

J. To improve public appreciation and understanding of wetlands and riparian areas for their unique ecosystem structure and functions and for the human-nature interactions they provide.

K. To improve and promote coordination among local, state, and federal agencies regarding development activities near Ashland's wetlands, water bodies, and associated riparian areas.

L. In cases of hardship, to provide a procedure to alter wetlands and riparian areas only when offset by appropriate mitigation, as stipulated in the ordinance and other applicable state and federal requirements.

18.3.11.020 Applicability

A. The provisions of this chapter apply to all lands containing Water Resources and Water Resource Protection Zones. Water Resources and Water Resource Protection Zones are defined, established and protected in this chapter.

B. State and federal wetland and riparian regulations will continue to apply within the City, regardless of whether or not these areas are mapped on Water Resources map. Nothing in this chapter shall be interpreted as superseding or nullifying state or federal requirements. Additionally, the City shall provide notification to the Oregon Department of State Lands (DSL), as required by Division 23 of Oregon Administrative Rules, for all applications concerning development permits or other land use decisions affecting wetlands on the inventory.

C. The burden is on the property owner to demonstrate that the requirements of this chapter are met or are not applicable to development activity or other proposed use or alteration of land. The Staff Advisor may make a determination based on the Water Resources map, field check, and any other relevant maps, site plans, and information that a Water Resource or Water Resource Protection Zone is not located on a particular site or is not impacted by proposed development, activities or uses. In cases where the location of the Water Resource or Water Resource Protection Zone is unclear or disputed, the Staff Advisor may require a survey, delineation prepared by a natural resource professional, or a sworn statement from a natural resource professional that no Water Resources or Water Resource Protection Zones exist on the site.

D. All Water Resource Protection Zones shall be protected from alteration and development, except as specifically provided in this chapter. No person or entity shall alter or allow to be altered any real property designated as a Water Resource Protection Zone, except as set forth in an exemption, approved planning application or permit authorized in this chapter. No person or entity shall use or allow to be used, property designated as a Water Resource Protection Zone, except as set forth in an exemption, approved planning application or permit authorized in this chapter.

E. Where this chapter and any other ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. It is likely that there will be some overlap between the regulations in this chapter and those in chapter 18.3.10 Physical and Environmental Constraints Overlay, which regulates development in physical constrained areas including floodplains. Where two regulations are in conflict, the most stringent shall govern.

18.3.11.030 Inventory of Ashland's Water Resources

The approximate locations of Ashland's Water Resources are identified on the Water Resource map, adopted by the City and added to the Comprehensive Plan through Ordinance 2419 (May 1987), Ordinance 2528 (July 1989) and Ordinance 2999 (December, 2009). Because the Comprehensive Plan maps are acknowledged to be approximate, the more precise wetland boundaries can be mapped, staked, and used for development review purposes without a modification of the Comprehensive Plan maps.

18.3.11.040 Establishment of Water Resource Protection Zones

A Water Resource Protection Zone is hereby established adjacent to and including all Water Resources to protect their integrity, function, and value. The boundaries of the following Water Resource Protection Zones shall be established by an on-site survey based upon the following standards.

A. Stream Bank Protection Zones. The following types of Stream Bank Protection Zones are hereby established to protect streams and their associated riparian resources. The approximate locations of streams are identified on the Water Resources map.

2. Local Streams. For streams classified as non-fish-bearing Local Streams and on the Water Resources map, the Stream Bank Protection Zone shall include the stream, plus a riparian buffer consisting of all lands 40 feet from the centerline of the stream as illustrated in Figure 18.3.11.040.A.2.

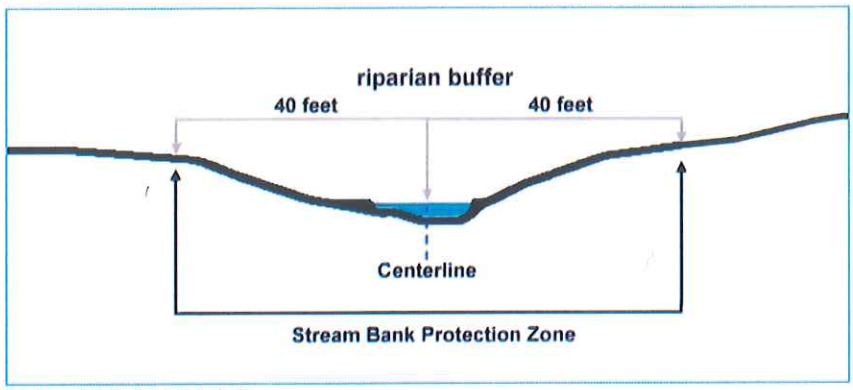

Figure 18.3.11.040.A.2
Stream Bank Protection Zone for Local Streams

3. Intermittent and Ephemeral Streams. For streams classified as Intermittent and Ephemeral Streams on the Water Resource Protection Zones map, the Stream Bank Protection Zone shall include the stream, plus a riparian buffer consisting of all lands within 30 feet from the centerline of the stream as illustrated in Figure 18.3.11.040.A.3.

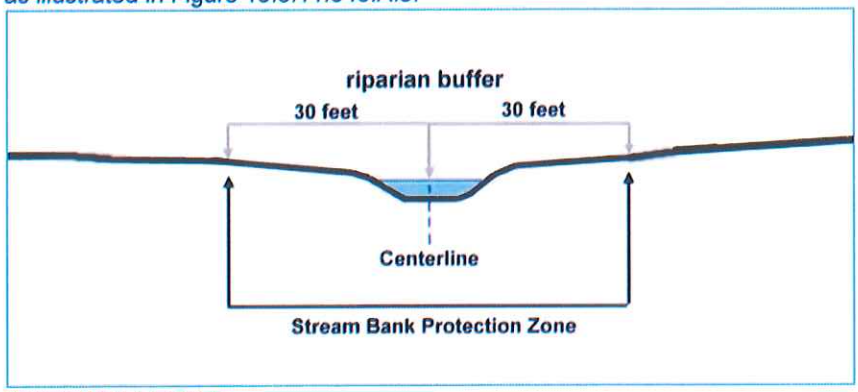

Figure 18.3.11.040.3
Stream Bank Protection Zone for Intermittent and Ephemeral Streams

4. Significant Wetland Presence. Where a Stream Bank Protection Zone includes all or part of a significant wetland as identified on official maps adopted by the City, the distance to the Stream Bank Protection Zone boundary shall be measured from, and include, the upland edge of the wetland.

5. Determination of Protection Zone. The measurement of the Stream Bank Protection Zones shall be a horizontal distance from the top of bank or from the center line of the stream as specified above. For streams that were piped or relocated to a culvert prior to the effective date of this chapter, the

Stream Bank Protection Zones shall be reduced to half of the required width or the width of any existing easement (e.g., drainage-way easement), whichever is greater.

A. **Wetland Protection Zones.** The following types of Wetland Protection Zones are hereby established to protect wetland resources. The approximate locations of Locally Significant Wetlands and Wetlands are identified on the Water Resources map. The precise boundary of a wetland and wetland buffer shall be established through conducting an on-site wetland delineation and survey based upon the following standards.

2. Possible Wetlands. For wetlands not classified as Locally Significant on the Water Resources map, the Wetland Protection Zone shall consist of all lands identified to have a wetland presence on the wetland delineation, plus all lands within 20 feet of the upland-wetland edge as illustrated in Figure 18.3.11.040.B.2. Possible Wetlands includes all areas designated as such on the Water Resources map and any unmapped wetlands discovered on site. A wetland delineation prepared by a qualified wetland specialist shall be submitted to the City that graphically represents the location of wetlands on a site plan map in accordance with subsection 18.3.11.100.A.3. An average buffer width of 20 feet may be utilized around the perimeter of a possible wetland upon submission of evidence and a detailed plan by a natural resources professional demonstrating that equal or better protection of the functions and values of the resource will be ensured.

Figure 18.3.11.040.B.2. Wetland Protection Zone for Possible Wetlands

18.3.11.060 Limited Activities and Uses

The following activities and uses within Water Resource Protection Zones are allowed provided the activities or uses comply with the review procedure and approval standards set forth in subsection 18.3.11.060.D.

A. Limited Activities and Uses within Water Resource Protection Zones.

1. Use of Power-assisted Equipment or Machinery. Use of power-assisted equipment or machinery for vegetation maintenance unless otherwise exempted in subsection 18.3.11.050.A.1.h.

2. Multi-Year Maintenance Plans. Multi-year maintenance plans may be authorized as follows for existing areas or storm water treatment facilities in Water Resource Protection Zones which do not have a previously approved management plans.

a. Publicly and Commonly Owned Properties. The routine restoration and enhancement of publicly and commonly owned properties such as public parks and private open spaces.

b. Storm Water Treatment Facilities. The ongoing routine maintenance of storm water treatment facilities such as detention ponds or sediment traps, vegetated swales, and constructed wetlands in order to maintain flow and prevent flooding. Routine maintenance of storm water treatment facilities in accordance with an approved management plan is exempted as outline in subsection 18.3.11.050.A.2.c.

3. Building, Paving, and Grading Activities. Permanent alteration of Water Resource Protection Zones by grading or by the placement of structures, fill or impervious surfaces may be authorized as follows.

a. New Public Access and Utilities. The location and construction of public streets, bridges, trails, multi-use path connections, and utilities deemed necessary to maintain a functional system and upon finding that no other reasonable, alternate location outside the Water Resource Protection Zone exists. This ordinance, the Comprehensive Plan, Transportation System Plan, adopted utility master plans, and other adopted documents shall guide this determination.

b. New Private Access and Utilities. The location and construction of private streets, driveways, and utilities to provide a means of access to an otherwise inaccessible or landlocked property where no other reasonable, alternate location outside the Water Resource Protection Zone exists.

c. Storm Water Treatment Facility Installation. Installation of public and private storm water treatment facilities such as detention ponds or sediment traps, vegetated swales, and constructed wetlands.

d. Replacement of Nonconforming Accessory Structures in Residential Districts and Replacement of Nonconforming Structures in Non-Residential Zoning Districts and Outside Historic Districts. Replacement of nonconforming structures located within or partially within the original building footprint, except those nonconforming primary structures exempted in subsection 18.3.11.050.A.3, provided replacement does not disturb additional surface area within the Water Resource Protection Zone.

B. Additional Limited Activities and Uses within Stream Bank Protection Zones.

1. Stream Restoration and Enhancement. Restoration and enhancement projects resulting in a net gain in stream bank corridor functions unless otherwise exempted in subsection 18.3.11.050.B.2. Restoration and enhancement activities not otherwise associated with development involving building, grading or paving are encouraged, and planning application fees associated with reviewing these activities for compliance with applicable land use standards may be waived by the Staff Advisor.

2. Driveway and Street Maintenance and Paving. Maintenance, paving, and reconstruction of existing public and private streets and driveways if work disturbs more total surface area than the area inside the street right-of-way or access easement and an additional five percent surface area of the street right-of-way or access easement outside of the right-of-way or easement. Public streets shall be located in public right-of-way or a public easement.

3. Public Facility Paving and Reconstruction. Paving and reconstruction of public parking areas and walkways if additional surface area in the Stream Bank Protection Zone is not disturbed, the public facilities are deemed necessary to maintain a functional system and upon finding that no other reasonable alternate location outside the Water Resource Protection Zone exits.

4. Public Utility Maintenance and Replacement. Routine maintenance and replacement of existing public utilities and irrigation pumps if work disturbs more total surface area than the area inside the public utility easement and an additional five percent surface area of the public utility easement outside of the public utility easement.

5. Erosion Control. Erosion control and stream bank stabilization measures that have been approved by the Oregon Department of State Lands (DSL), the U.S. Army Corps of Engineers, or other state or federal regulatory agencies, and that utilize non-structural bio-engineering methods.

6. Storm Water Outfall. Construction of a storm water outfall discharging treated storm water from an adjacent developed area provided that the discharge meets local, state, and federal water quality regulations.

7. Bridges. The installation of a bridge or similar, bottomless crossing structure for the purpose of constructing a public or private street, bicycle or pedestrian crossing, as well as to provide a means of access to an otherwise inaccessible or landlocked property.

8. Flood Control Measures. Installation or expansion of structural flood control measures, including but not limited to concrete retaining walls, gabions, gravity blocks, etc., shall generally be prohibited, but approved only if demonstrated that less-invasive, non-structural methods will not adequately meet the stabilization or flood control needs.

D. Limited Activities and Uses Permit. All Limited Activities and Uses described in section 18.3.11.060 shall be subject to a Type I procedure in section 18.5.1.050. An application for a Limited Activities and Uses Permit shall be approved if the proposal meets all of the following criteria.

1. All activities shall be located as far away from streams and wetlands as practicable, designed to minimize intrusion into the Water Resources Protection Zone and disturb as little of the surface area of the Water Resource Protection Zone as practicable.

2. The proposed activity shall be designed, located and constructed to minimize excavation, grading, area of impervious surfaces, loss of native vegetation, erosion, and other adverse impacts on Water Resources.

3. On stream beds or banks within the bank full stage, in wetlands, and on slopes of 25 percent or greater in a Water Resource Protection Zone, excavation, grading, installation of impervious surfaces, and removal of native vegetation shall be avoided except where no practicable alternative exists, or where necessary to construct public facilities or to ensure slope stability.

4. Water, storm drain, and sewer systems shall be designed, located and constructed to avoid exposure to floodwaters, and to avoid accidental discharges to streams and wetlands.

5. Stream channel repair and enhancement, riparian habitat restoration and enhancement, and wetland restoration and enhancement will be restored through the implementation of a mitigation plan prepared in accordance with the standards and requirements in section 18.3.11.110 Mitigation Requirements.

6. Long term conservation, management and maintenance of the Water Resource Protection Zone shall be ensured through preparation and recordation of a management plan as described in subsection 18.3.11.110.C, except a management plan is not required for residentially zoned lots occupied only by a single-family dwelling and accessory structures.

18.3.11.100 Application Submission Requirements

A. Required Plans and Information. The following plans and information shall be submitted with the application for activities and uses in a Water Resource Protection Zone which are required to be processed under a Type I or Type II procedure in chapter 18.5.1 including Limited Activities and Uses, Water Resource Protection Zone Reductions and Hardship Exceptions.

1. A narrative description of all proposed activities and uses including the extent to which any Water Resource Protection Zone is proposed to be altered or affected as a result of the proposed development activity or use (in terms both of square footage of surface disturbance and cubic yards of overall disturbance).

2. Written findings of fact addressing all applicable development standards and approval criteria.

3. Site development plan map, drawn to scale. The application shall include a site map of the subject property prepared by a licensed surveyor, civil engineer, or other design professional that includes

the information described below. The Staff Advisor may request additional information based upon the character of the site or the specific nature of the proposal.

a. All watercourses identified (including any drainage ways, ponds, etc).

b. Surveyed location of the Water Resource Protection Zone, as described in section 18.3.11.040 Establishment of Water Resource Protection Zones. For applications involving single-family residences or Limited Activities and Uses, in lieu of a surveyed location, the Staff Advisor may approve a field determination of the Water Resource Protection Zone by the Staff Advisor or his/her designee in which the applicant shall be required to stake the top-of-bank or the upland-wetland edge and the boundary of the Water Resource Protection Zone.

c. For activities and use proposed within a Stream Bank Protection Zone: identification of the stream as being either fish-bearing or non-fish-bearing; identification of the top-of-bank or center line as required; and surveyed location of the stream's floodway and floodplain, if applicable.

d. For activities and uses proposed within a Wetland Protection Zone: a wetland delineation (with an accompanying site map) prepared by a natural resource professional and that has been concurred with by the Oregon Department of State Lands (DSL); and an aerial photo with the wetland boundaries identified.

e. Topographic information at two foot contour increments identifying both existing grades and proposed grade changes.

f. Surveyed locations of all trees six inches in diameter at breast height (DBH) or greater located in the Water Resource Protection Zone and within 15 feet of the Water Resource Protection Zone, identified by edge of canopy, DBH, and species;

g. The outlines of non-tree vegetation, with a dominant species and any occurrence of non- native, invasive species identified.

h. Location of existing and proposed development, including all existing and proposed structures, any areas of fill or excavation, stream or wetland crossings, alterations to vegetation, or other alterations to the site' s natural state.

i. The location of natural features, proposed and existing structures, and other proposed and existing improvements associated with lands within 100 feet of the Water Resource Protection Zone.

j. Proposed and existing land uses within 100 feet of the Water Resource Protection Zone.

k. The location of temporary fencing and erosion control measures installed to prevent encroachment and flow of material into the Water Resource Protection Zone, such as sediment fencing and hay bales, etc.

l. North arrow and scale.

m. Sources of information (federal, state, and local).

4. Mitigation Plan prepared in accordance with the requirements described in section 18.3.11.110 Mitigation Requirements.

5. Management Plan prepared in accordance with the requirements described in subsection 18.3.11.110.C., except a management plan is not required for residentially zoned lots occupied only by a single-family dwelling and accessory structures.

B. Building Permits and Development Activities. When approval of a planning action is not required, other permit applications for the construction of structures or other development activities on properties containing Water Resource Protection Zones shall be reviewed by the Staff Advisor to ensure that Water Resource Protection Zones are accurately identified on a site plan and that Limited Activities and Uses

or other site disturbances will not be conducted within the Water Resource Protection Zone. Temporary fencing and erosion control measures may be required to be installed to prevent encroachment and flow of material or other debris into the Water Resource Protection Zone and to otherwise prevent impacts to the Water Resource Protection Zone by clearly identifying its boundaries. When required, these measures shall be installed and site-verified by the Staff Advisor before any permits are issued and prior to the commencement of excavation, grading, site clearing, construction, or similar site work resulting in changes to the land.

C. Required Information Waived – Determination. Applications under this chapter involving properties containing a Water Resource Protection Zone shall accurately indicate the locations of these features and all other information as described and required above. The Staff Advisor may waive one or more of the required elements of the site development plan map in subsection 18.3.11.100.A.3 if evidence is provided conclusively demonstrating that proposed excavation, grading, site clearing, construction, or similar actions resulting in changes to the property are not located within the boundaries of the Water Resource Protection Zone.

18.3.11.110 Mitigation Requirements for Water Resource Protection Zones

A. Vegetation Preservation and Construction Staging. The following standards shall be addressed in mitigation plans to protect vegetation identified for preservation and water resources from sedimentation when construction activity is proposed within a Water Resources Protection Zone.

1. Work areas on the immediate site shall be identified and marked to reduce damage to trees and vegetation. Temporary construction fencing shall be placed at the drip line of trees bordering the work area. No equipment maneuvering, staging, or stockpiling shall occur outside of designated work areas.

2. Trees shall not be used as anchors for stabilizing equipment.

3. Stockpiling of soil or soil mixed with vegetation, shall not be permitted in Water Resource Protection Areas on a permanent basis. Temporary storage shall employ erosion control measures to ensure sediments are not transported to adjacent surface waters.

4. Temporary erosion control measures shall be installed to prevent encroachment and flow of runoff, material, or other debris into the Water Resource. These measures shall be installed prior to the commencement of excavation, grading, site clearing, construction, or similar site work resulting in changes to the land. Access roads, staging areas, storage areas, and other areas of temporary disturbance necessary to complete the proposed activity shall be restored as soon as possible, but not more than 90 days after authorized land disturbance. Erosion control measures shall be in place concurrently with construction or establishment of the proposed activity. Temporary measures used for initial erosion control shall not be left in place permanently.

B. Options for Satisfying Restoration and Enhancement Requirements in Mitigation Plans. Mitigation plans are required to meet the standards in either the prescriptive option or alternative option as follows.

1. Prescriptive Option. The mitigation plan shall meet the following standards.

a. Re-Planting Timeline. Re-planting shall occur within 90 days of authorized land disturbance.

b. Restoration Area Ratio. Disturbed areas shall be re-planted and an additional area restored, re-planted and enhanced at a one square foot to one and a half square feet (1:1.5) ratio (e.g., if 100 square feet of surface area is disturbed, 150 square feet shall be restored, re- planted and enhanced).

c. Local Native Plant Species Coverage. The Stream Bank Protection Zone shall be a minimum of 50 percent plant coverage in local native plant species with the installation of new trees only to consist of native trees as illustrated in Figure 18.3.11.110.B.1.c.i, Figure 18.3.11.110.B.1.c.ii, and Figure 18.3.11.110.B.1.c.iii. The Wetland Protection Zone shall be 100 percent plant coverage in local native plant species and in accordance with local, state, and federal approved management plans. Local native plant species for stream bank and wetland applications are

identified on the City's Local Native Plant Species List. The use of noxious and invasive plants on the City's Prohibited Plant List in Water Resource protection Zones is prohibited.

d. Re-Planting Priorities.

i. Priority shall be given to removal of noxious and invasive vegetation and planting of local native plant species.

ii. Plant materials shall be located in such a manner as to maximize enhancement and restoration of the Water Resource Protection Zone, with particular emphasis on temperature reduction of watercourses, erosion control, bank stabilization, and wildlife habitat enhancement.

ii. Nearby riparian plant communities should be used as a guide for developing a re-vegetation plan.

e. Shrub and Tree Requirements. Re-planting shall include shrubs and tree canopy layers in accordance with the following coverage and spacing requirements.

i. Shrubs shall be planted and maintained to provide a minimum of 50 percent total coverage of the restored area within a five year period. The minimum planting size shall be one gallon. Restoration areas that have existing vegetated under-story consisting of healthy riparian shrubs that covers at least 50 percent of the restoration area are considered compliant with the restoration standards for under-story plantings.

ii. Canopy trees shall be planted at 20-foot intervals. The minimum planting size shall be one inch caliper. All new trees shall be staked and protected by deer/rodent-proof fencing. Restoration areas that have an existing vegetated tree canopy consisting of healthy trees at least four inches DBH and at an average spacing of 20 feet on–center are considered compliant with the restoration standards for trees.

f. Erosion Control. Erosion control material such as mulch, hay, jute-netting, or comparable material shall be applied to protect disturbed, re-planted areas. Disturbed areas shall be replanted so that landscaping shall obtain 50 percent coverage after one year and 90 percent coverage after five years.

g. Irrigation. New plantings shall be irrigated for a period of five years to ensure establishment.

h. Performance. Local native plant species that do not survive the first two years after planting shall be replaced.

i. Landscape and Irrigation Plans. A mitigation plan shall include landscape and irrigation plans, with details addressing the proposed plant species, variety, size of plant materials, number of plants, timing of plantings, plant spacing and installation methods. The landscape plan shall address the plant coverage by local native plant species after five years.

C. Management Plan. The applicant shall implement a management plan for the Water Resource Protection Zone and resource areas under the applicant' s ownership or control, including the areas restored and enhanced to assure long term conservation and maintenance. The management plan shall detail proposed monitoring and maintenance, and shall include a schedule delineating how completed projects will be monitored and reported to the Staff Advisor. The management plan shall contain the following requirements.

1. The approved mitigation plan.
2. Identification of Water Resources and Water Resource Protection Zone management practices to be conducted and proposed intervals.
3. The following statements.
   a. "There shall be no alteration of the Water Resource Protection Zones as delineated and shown on the attached plan." (attach reduced plan)

b. "There shall be no alteration of the size, shape, or design of an approved Water Resource Protection Zone without prior approval by the City of Ashland".

c. "There shall be no amendment or change to this Management Plan without prior approval of the City of Ashland".

4. Provisions for the ongoing removal and management of noxious or invasive vegetation and debris.

5. Provisions for the protection of protected plant and animal species in accordance with recommendations from applicable state and federal agencies.

6. Specific provisions for city enforcement of the management plan.

7. Any additional measures deemed necessary to protect and maintain the structures, functions and values of the Water Resource Protection Zone (e.g., signage delineating preservation boundaries).

8. Provisions for the perpetual protection and maintenance of the Water Resource and Water Resource Protection Zone including but not limited to the following:

   a. Recordation of a conservation easement or Conditions, Covenants, and Restrictions (CC&Rs) which prescribe the conditions and restrictions set forth in the approved planning application, development permit, building permit, or proposed public facilities plans, and any imposed by state or federal permits.

   b. Transfer of the ownership and maintenance responsibilities for the area to a willing public agency, non-profit association, or private conservation organization with a recorded conservation easement prescribing the conditions and restrictions set forth in the approved planning application, development permit, building permit, or proposed public facilities plans, and any imposed by state or federal permits.

   c. Other mechanisms addressing long-term protection, maintenance, and mitigation consistent with the purposes and requirements of this ordinance as deemed appropriate and acceptable by the approval authority.

IV

FINDINGS OF FACT

The City of Ashland reaches the following facts and finds them to be true with respect to this matter:

1. **Property Location**: The subject property is located at the easternmost corner of Washington Street where it turns to the south and becomes an Interstate freeway frontage road. The property is south of Highway 66 (Ashland Street). The situs address is 601 Washington Street in Ashland, Oregon.
2. **Ownership:** Tax Lot 2800 is owned in fee simple by South Ashland Business Park LLC.
3. **Property Description**: The subject property is identified as Tax Lot 2800 in Township 39 South, Range 1 East, Section 14AB in the Assessor's records of Jackson County. Tax Lot 2800's current configuration as the residual property from two partitions. Partition 5330 established the western, northern, and eastern boundaries. Partition 9668 established the southern boundary by partitioning off the southern portion of the property shown on Survey 5330. According to the Jackson County Assessor, the property contains approximately 5.38 acres.
4. **Existing Land Use:** Tax Lot 2800 is vacant land and is not devoted to any particular beneficial use at this time. The property is located outside the existing corporate limits of the City of Ashland. The property abuts the Ashland Municipal boundary on the south, west and east boundary lines, see Atlas Page 1.5.
5. **Comprehensive Plan Map**: The City of Ashland Comprehensive Plan Map designation for the subject property is Employment, see Atlas Page 1.1.
6. **Existing and Proposed Zoning:** The existing zoning is County RR-5, see Atlas Page 1.2. The proposed zoning is E-1 which is the City's implementing zone for Employment Comprehensive Plan Map designation, see Atlas Page 1.3.
7. **Project Description:** The project is an approximately 72,000 square-foot light industrial business park/flex space. Tenants for these types of projects can be engaged in a wide variety of small manufacturing and fabrication activities. These businesses are often engaged in specialty products that serve niche markets. These businesses can also be engaged in prototyping endeavors where relatively small quantities of products are produced but the enterprise is focused on "how to make the product" rather than mass production. The flexible nature of the space can allow successful businesses within the complex to grow and occupy adjacent suites as their needs grow over time. This type of space can also be useful as satellite short-term space for an expanding enterprise that is looking to eventually complete a larger scale dedicated building project but must find room for expanded operations in the interim.
8. **Topography and Soils:** The main part of the property is gently sloped from the south down to the north with about 15 feet of grade change. Steeper topography exists at the change from the Washington Street right-of-way and the property. There is also

considerable topography within the Knoll Creek water resource protection zone. The NRCS maps the soils on the property as Kubli Loam.

9. **Surrounding Land Uses**: The aerial/zoning map, Atlas Page 1.3, accurately depicts the pattern of land partitioning and development in the surrounding area. *See also*, Atlas Pages1.4 and 1.5. The land uses which presently surround the property are:

   West: Immediately to the west of the property (and along the west property line) is Knoll Creek. Across Knoll Creek is a small set of office/industrial buildings that are home to Mt. Ashland and a heating/sheet metal fabrication company. Also to the west across Knoll Creek, is an industrial building with office space which is home to Yerba Prima Inc. which is a company that makes dietary supplements. Further to the west, there are three industrial buildings on Jefferson Street. These lands are all planned employment and zoned E-1 and are within Ashland's municipal boundary.

   South: To the south is Tax Lot 100 and is owned by Jefferson Investment Properties LLC. This 2.59 acre lot is vacant and is traversed by Knoll Creek. A narrow strip of this parcel, that is approximately 45 feet wide, separates the subject property from the Modern Fan properties (Tax Lots 200 and 300). The Modern Fan properties are industrial buildings and home to a ceiling fan manufacturing company and together they comprise approximately 1.84 acres. These lands are all planned employment and zoned E-1 and are within Ashland's municipal boundary.

   East: To the east of the subject property is Washington Street which is a planned Avenue in the City's TSP and is located in Interstate 5 right-of-way. Beyond Washington Street is Interstate 5. This section of Interstate 5 is within Ashland's municipal boundary.

   North: Land to the north is Washington Street some of which is in I-5 right-of-way and some of which is located in Ashland right-of-way. Beyond Washington Street to the northeast, is additional I-5 right-of-way. Beyond Washington Street to the northwest, are tax lots 100 and 200 which are vacant. These lands are all planned employment and are located outside Ashland's municipal boundary.

10. **Essential Public Facilities (except streets):** Applicants engaged Thornton Engineering Incorporated evaluate public facilities and prepare preliminary utility plans for the project, see Exhibit 7 and Atlas Page 3.3.

    a. **Water:** There is an existing water main in Washington Street. Applicant proposes to connect to this existing 8-inch water main. And to stub individual service lines to the individual buildings- each building is contemplated to have its own water meter. The industrial buildings are proposed to be served from the north and the office building will connect in the southeast corner of the site.

    b. **Sanitary Sewer:** There is an existing Sanitary Sewer mains in Washington Street. One of the mains runs along the eastern project boundary and this is the location where the office building will connect. The other main is in Washington Street on the north boundary of the project. The industrial component of the project will run a new 8-inch private Sanitary Sewer line along the western circulation drive to the north and then tie into the public Sanitary Sewer in this location.

c. **Storm Drainage:** With the exception of the office building in the southeast corner of the project, all new impervious surfaces will drain to Knoll Creek at the northwest corner of the project. Thornton Engineering plans to install a Contech Stormwater Quality Manhole (or similar structure to be determined at the time of final engineering) prior to releasing onto an engineered outflow structure designed to minimize velocities and prevent erosion and scour where the storm drainage converges with the main Knoll Creek channel. The office building component of the project is small and will discharge its low-volume storm water into the existing ditch that feeds the existing area designated as a "possible wetland" on the City's water resources map. *See,* Exhibit 5.

d. **Power:** There is existing power at the property line where Washington Street turns to the south. The Applicant plans to replace the vault at this location with a new vault and create a Public Utility Easement along the project's easterly circulation drive to extend power from the north to the south. The power will tie back in at the existing vault on Washington Street in the southeastern corner of the site.

11. **Transportation Facility Analysis:** The Applicant engaged Kelly Sandow PE (dba Sandow Engineering LLC) to evaluate impacts of the future development of the South Ashland Business Park site. *See,* Exhibit 5. The Applicant engaged CSA Planning Ltd. for the land use and transportation planning components of the project; CSA Planning has over 30-years of land use and transportation planning experience in the State of Oregon. The Applicant also engaged Thornton Engineering to work on certain civil design issues associated with future Washington Street improvements. The analysis presented herein is a synthesis of technical work prepared by Sandow Engineering and transportation planning analysis conducted by CSA Planning Ltd and civil engineering performed by Thornton Engineering.

a. **Functional Classification and Standards Analysis:** Washington Street is functionally classified as an Avenue and has a 20-foot paved width that drains into roadside ditches. In its current configuration, Washington Street makes a loop with Jefferson Street but does not connect through to other city streets. The City's TSP plans for future connections one to the south to Crowson Road and another to the west, across the railroad tracks, to connect up with Mistletoe. To the north, Washington Street connects directly to Ashland Street, approximately 730 feet west of the centerline of I-5. Ashland Street is functionally classified as a Boulevard. The City of Ashland has an in-process project that will create an additional "way out" of the dead-end loop where Washington bends to the east (going southbound). Ashland has a planned Neighborhood Commercial Collector street connection through the "IPCO" site to construct Independent Way. This will connect the Washington Street area with the rest of the City's transportation network and will allow traffic from the Washington Street/Jefferson Street area to connect to Tolman Creek Road for traffic bound for southwest Ashland. It will also allow traffic to cross or turn left at a traffic signal on Ashland Street from the Washington Street area.

b. **Washington Street Frontage Improvements Analysis:** Washington Street has a number of unique characteristics. Private developments are often required to make improvements to their public street frontages to bring them up to urban standards as part of development. Because of these unique characteristics of Washington Street, and particularly this project's frontage on Washington Street, the project team worked with the City over several months to discuss improvement options for Washington Street. This work culminated in three improvement alternatives that seek to balance short and long-term transportation demands, private improvement leverage, and environmental impacts of the City's standard Avenue cross-section to the project. The Tech Memo in Exhibit 5 details the trade-offs of the design alternatives for Washington Street Improvements. Applicant will accept a condition of approval requiring frontage improvements consistent with any of the three improvement options set forth in the Tech Memo in Exhibit 5 prior to occupancy of Phase 2.

c. **Transportation Impact Analysis:** A Transportation Impact Analysis was prepared by Sandow Engineering to evaluate the potential impacts to the transportation system from the proposed project. The Sandow Engineering analysis is provided in Exhibit 5. The analysis findings show that:

- All of the studied intersections meet mobility standards through the year 2023 with the proposed development of a 72,606 sf of business park.
- The proposed E-1 zoning will generate more traffic than the existing Rural Residential zoning, triggering the need for TPR analysis.
- The intersection of Ashland Street at I-5 Northbound Ramps, Ashland Street at I-5 Southbound Ramps, and Ashland Street at Normal Avenue do not meet the applicable mobility standards for the year 2034 background conditions.
- The "worst-case" development potential under the proposed E-1 zoning will worsen the year 2034 intersection performance to not meet standards. In lieu of expensive mitigation, the applicant is proposing a trip cap equal to the level of traffic generated by the proposed development scenario. Under the trip cap, all intersections projected to operate within the applicable mobility standards will continue to meet applicable standards. Under the trip cap, all intersections projected to exceed the applicable mobility standards will operate no worse than the 2034 background conditions, and no further mitigation is needed.

d. **Access Analysis:** The project proposes two access points to Washington Street. The main project access is located in the northwest corner of the site. This access will serve the industrial flex-space buildings in the project, which are the majority of the project. The small office building in the southeast corner of the project will have its own access to Washington Street because it is separated from the rest of the site by a wetland area. There is a flag strip on Tax Lot 100 that separates the subject property from the built property at Tax Lot 200. There is a retaining wall on the north boundary of Tax Lot 200 that makes it impractical to utilize a single driveway for all

three properties. However, Applicant will accept a condition of approval that requires the final design for the driveway access to the office building project to be configured to allow cross access to the flag strip portion of Tax Lot 100.

12. **Project Phasing and Site Grading Analysis:** The project is proposed to be constructed in phases and the proposal includes a Master Plan for the entire site. Full design plans have been provided for Phase 1 of the project and the proposal requests site design approval for that phase. Applicant intends to do rough grading and underground utility installation on the balance of the site, consistent with the approved Master Plan. Future building designs will come back for site design review, but the Applicant requests that the Master Plan be approved in a manner that establishes that future buildings can be constructed in the approximate orientation, footprint, site circulation and entrance locations depicted on the approved site Master Plan upon which the annexation and zone change is based[1]. The utility plans, and grading plans have all been developed for the entire site and have been designed to satisfy all applicable site design review requirements for this area. Detailed landscape plans and building elevations will be provided for subsequent phases at such time as the subsequent phases are market-ready for vertical construction.

13. **Solar Impacts Discussion:** The location of the project and the nature of the design are such that the project is not expected to cast a shadow on any adjoining properties.

14. **Water Resource Protection Analysis:** The application has two Water Resource Protection components. The western boundary of the project is traversed by Knoll Creek and the eastern boundary of the project has an identified wetland.

    a. **Knoll Creek:** Knoll Creek is identified as an Intermittent and Ephemeral Stream on the adopted Ashland Water Resources Map. ALUO Section 18.3.11.040(A)(3) sets the protection zone for Intermittent and Ephemeral Streams at 30 feet from the centerline of the creek. The location of this protection zone on the Applicant's plans was determined by Applicant's registered professional land surveyor, James Hibbs. Throughout most of the length of the stream Applicant proposes no encroachments into this area and no changes to the proposed protection zone are proposed. At the north end of the property, Applicant proposes a Stormwater Outfall structure which is the only limited use activity proposed within the protection zone. This structure will disturb approximately 0.02 acres. The structure is necessary because this is the only logical location to drain storm water from the project. The stormwater will pass through a treatment manhole prior to entering the protection zone outfall structure. A plan that employs the prescriptive option for mitigation has been prepared by Applicants landscape architect John Galbraith.

[1] Substantial departure from the Site Master Plan in the future may require a new site plan review that may trigger compliance with new standards adopted after the Site Master Plan adoption. However, if future building design reviews are laid out in a manner that is substantially consistent with the approved Site Master Plan and the first phase of construction is initiated to implement the Site Master Plan, then future design reviews would be delimited to specific use analysis issues, building designs and applicable site design details not specified in the Site Master Plan.

b. Wetland Protection Zone: The adopted Ashland Water Resources Map identifies a possible wetland on the eastern boundary of the subject property. This resource is identified as PW-W11 on the Water Resources map. Applicant engaged Schott and Associates, recognized wetlands experts in the State of Oregon, to evaluate the possible wetland, see Atlas Page 1.6. The location of the wetland identified by Schott and Associates established the location of the 20-foot wetland buffer. No private development is planned within the wetland buffer. Frontage improvement exactions requested by the City of Ashland as a condition of development approval will encroach into the water resource protection zone. One alternative would impact the wetland itself. Three alternative improvement options have been offered by the Applicant for consideration and determination by the City prior to occupancy of Phase 2 of the project. Exhibits 5 details the street improvement alternatives developed by the Applicant for the City's consideration.

15. Knoll Creek Floodplain Corridor Analysis: Knoll Creek does not have a FEMA identified floodplain associated with it. No vertical construction is proposed within the steeper topography near the stream channel.

16. Tree Protection/Removal Analysis: See Exhibit 10 for discussion of tree protection measures and recommendations for tree removal.

17. Livability Impacts Analysis (Delimited to CUP for Watchman Quarters Only): The Applicant has not made a final decision to build the caretaker or watchman quarters (henceforth "watchman quarters"). The CUP request is not intended to function as a project requirement. The Applicant is requesting the CUP be approved so that they can implement the watchman quarters, if the ownership ultimately decides that it is desirable for the project. The below evidence constitutes the testimony of Applicant's agent, CSA Planning Ltd., on potential impacts to livability associated with the proposed watchman quarters when compared to the "target use in the E-1 zone" which is general purpose office[2]:

a. The submitted plans include the area for the watchman quarters. If this space not ultimately utilized for watchman quarters it will be used as additional office space for one of the tenants in the northernmost building. As such, the conditional use will have no effect on the scale, bulk or coverage of the project.

b. The traffic analysis submitted for the project includes trip generation for a residence associated with the watchman quarters as a worst case scenario. In reality, the watchman quarters would be expected to reduce traffic on surrounding streets because some management is required of the site and the onsite watchman will reduce some of these management trips. No appreciable adverse effect on livability from the standpoint of traffic is expected to result from the watchman quarters.

[2] CSA Planning Ltd. has over 35 years of land use planning experience in the State of Oregon. CSA principal Jay Harland has been involved in numerous land use proceedings in Oregon and has broad experience in all matters of real estate development in Oregon generally and Southern Oregon specifically.

c. The submitted plans include the area for the watchman quarters. If this space not ultimately utilized for watchman quarters it will be used as additional office space for one of the tenants in the northernmost building. As such, the conditional use will have minimal, if any, effect on the architecture of the project and it will remain compatible in all ways with an E-1 employment area.

d. The watchman quarters is not expected to produce any appreciable impacts to air quality.

e. The watchman quarters is not expected to generate any appreciable noise, light, and glare that would not otherwise occur as part of an employment area development whether it is flex space, as is proposed here or office space with is the target use in the zone.

f. Watchman quarters are not expected to have an appreciable effect on development of adjacent properties. The entire area is planned Employment and there is no reason to expect a watchman quarters would negatively impact employment development envisioned in the Comprehensive Plan in any manner whatsoever.

V

PROCEDURAL CONCLUSIONS OF LAW

The Planning Commission reaches the following conclusions of law with respect to the review procedure for the subject land use action:

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Procedural Criterion 1

PROCEDURAL CRITERIA

18.5.1.010 Purpose and Applicability

A. Purpose. This chapter establishes procedures to initiate and make final decisions on planning actions under the Land Use Ordinance ("this ordinance"), pursuant to City policy and state law.

B. Applicability of Review Procedures. All planning actions shall be subject to processing by one of the following procedures summarized in subsections 1 - 4, below, and as designated in Table 18.5.1.010. Building permits and other approvals, including approvals from other agencies such as the state department of transportation or a natural resource regulatory agency, may be required. Failure to receive notice of any such requirement does not waive that requirement or invalidate any planning action under this ordinance.

1. Ministerial Action (Staff Advisor Decision). The Staff Advisor makes ministerial decisions by applying City standards and criteria that do not require the use of substantial discretion (e.g., fence, sign and home occupation permits). A public notice and public hearing are not required for Ministerial decisions. Procedures for Ministerial actions are contained in section 18.5.1.040.

2. Type I Procedure (Administrative Decision With Notice). Type I decisions are made by the Staff Advisor with public notice and an opportunity for appeal to the Planning Commission. Alternatively the Staff Advisor may refer a Type I application to the Commission for its review and decision in a public meeting. Procedures for Type I actions are contained in section 18.5.1.050.

3. Type II Procedure (Quasi-Judicial Review/Public Hearing Review). Type II decisions are made by the Planning Commission after a public hearing, with an opportunity for appeal to the City Council. Applications involving zoning map amendments consistent with the Comprehensive Plan map and minor map amendments or corrections are subject to quasi-judicial review under the Type II procedure. Quasi-judicial decisions involve discretion but implement policy. Procedures for Type II actions are contained in section 18.5.1.060.

4. Type III Procedure (Legislative Decision). The Type III procedure applies to the creation, revision, or large-scale implementation of public policy (e.g., adoption of regulations, zone changes, comprehensive plan amendments, annexations). Type III reviews are considered by the Planning Commission, who makes a recommendation to City Council. The Council makes the final decision on a legislative proposal through the enactment of an ordinance.

Table 18.5.1.010 – Summary of Approvals by Type of Review Procedure		
Planning Actions	**Review Procedures**	**Applicable Regulations**
Annexation	Type III	Chapter 18.5.8; See Oregon Revised Statute 222.
Zoning District Map Change	Type II or III	Chapter 18.5.9
Conditional Use Permit	Type I or II	Chapter 18.5.4
Site Design Review	Type I or II	Chapter 18.5.2
Exception to Street Standards (precautionary depending on selected design alternative)	Type I	Subsection 18.4.6.020.B.1
Water Resources Protection Zone – Limited Activities and Uses	Type I	Section 18.3.11.060
Access to a Street/Driveway Approach	Ministerial	Chapter 18.4.3

Conclusions of Law: The City of Ashland concludes that the Annexation is identified as a Type III procedure which is considered legislative proceeding. The subject application is a quasi-judicial annexation, *see Johnson v. City of La Grande, 37 Or LUBA 380 (1999)*. As such, the annexation is a Type II Quasi-Judicial procedure but one that is subject to City Council approval, rather than Planning Commission approval. All other applications are subservient to the Annexation and are subject to approval by the Planning Commission. Approval of these subservient Type II and Type I permits are conditioned on ultimate approval of the annexation by the City Council.

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Procedural Criterion 2

18.5.1.020 Determination of Review Procedure

Where Table 18.5.1.010 designates more than one possible review procedure, e.g., Type I or Type II, the applicable review procedure shall be based on the criteria contained in the ordinance chapters or sections referenced in the table.

Conclusions of Law: The Applicant herewith requests, and the City of Ashland concludes here such request is appropriate, that the identified Type 1 permits are referred to the Planning Commission as an entire package and for approval through the Type II process as the same is allowed pursuant to 18.5.1.050(C)(2).

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Procedural Criterion 3

18.5.1.050 Type I Procedure (Administrative Decision with Notice)

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

C. Decision.

1. At the conclusion of the comment period, the Staff Advisor shall review the comments received and prepare a decision approving, approving with conditions, or denying the application based on the applicable ordinance criteria. The Staff Advisor shall prepare a decision within 45 days of the City's determination that an application is complete, unless the applicant agrees to a longer time period. Alternatively, the Staff Advisor may transmit written comments received along with a copy of the application to the Planning Commission for review and decision at its next regularly scheduled meeting.
2. Where the Staff Advisor refers a Type I application to the Planning Commission, the Commission shall approve, approve with conditions, or deny the application through the Type II procedure based on the applicable ordinance criteria. The Commission may continue its review to the next meeting to allow the applicant time to respond to questions, provided the Commission must make a final decision within the 120-day period prescribed under State law (ORS 227.178) and as described in subsection 18.5.1.090.B of this ordinance.

18.5.1.060 Type II Procedure (Quasi-Judicial Decision – Public Hearing)

Type II decisions are made by the Planning Commission after a public hearing, with an opportunity for appeal to the City Council.

18.5.1.070 Type III (Legislative Decision)

Type III actions are reviewed by the Planning Commission, which makes a recommendation to City Council. The Council makes final decisions on legislative proposals through enactment of an ordinance.

18.5.8.030 [Annexation] Review Procedure

All annexations shall be processed under the Type III procedure.

Conclusions of Law: The City of Ashland concludes that the Annexation is identified as a Type III procedure which is considered legislative proceeding. The subject application is a quasi-judicial annexation, *see Johnson v. City of La Grande, 37 Or LUBA 380 (1999)*. As such, the annexation is a Type II Quasi-Judicial procedure but one that is subject to City Council approval, rather than Planning Commission approval. All other applications are subservient to the Annexation and are subject to approval by the Planning Commission. Approval of these subservient Type II and Type I permits are conditioned on ultimate approval of the annexation by the City Council.

VI

CONCLUSIONS OF LAW

The City concludes the application includes an annexation and several interrelated land use requests. The annexation "proper" is not a land use action, but rather a quasi-judicial administrative action prescribed by Oregon Revised Statutes. However, the City of Ashland has a number land use criteria that function as prerequisites to annexation approval. The Applicant requests the City of Ashland[3] reach the following conclusions of law with respect to the relevant substantive approval criteria for the subject land use application:

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ANNEXATION

Annexation Criterion 1

ANNEXATION CRITERIA

Chapter 18.5.8 – Annexations

18.5.8.010 Purpose

This chapter contains procedures and approval criteria for the Annexation of land to provide for the orderly expansion of the City and adequate provision of public facilities and services.

18.5.8.020 Applicability and Application Submission Requirements

Except for annexations initiated pursuant to section 18.5.8.040, application for annexation shall include the following information.

A. Consent to annexation, which is non-revocable for a period of one year from its date.

B. Agreement to deposit an amount sufficient to retire any outstanding indebtedness of special districts defined in ORS 222.510.

C. Boundary description and map prepared in accordance with ORS 308.225. Such description and map shall be prepared by a registered land surveyor. The boundaries shall be surveyed and monumented as required by statute subsequent to City Council approval of the proposed annexation.

D. Written findings addressing the criteria and standards in section 18.5.8.040.

E. Written request by the property owner for a zone change. Provided, however, no written request shall be necessary if the annexation has been approved by a majority vote in an election meeting the requirements of Section 11g of Article XI of the Oregon Constitution (Ballot Measure No. 47).

[3] As set forth in these Conclusions of Law, the term "The City of Ashland" encompasses both the Planning Commission and the City Council and recognizes that these bodies have related and interdependent authorities over disparate application components.

Conclusions of Law: The City of Ashland concludes the application is consistent with the annexation provision's purpose and the Applicant has provided all required submittal materials including the following:

A. The Applicant has provided a consent to annex, see Exhibit2.
B. The Applicant has agreed to deposit an amount sufficient to retire outstanding debt of special districts.
C. A boundary map and description prepared by a registered land surveyor, see Exhibit 4.
D. This document provides findings addressing Section 18.4.5.8.040.
E. Zone change and all applicable requirements for zone change have been filed concurrently herein and the Applicant requests a zone that implements the existing Comprehensive Plan designation for the subject property.

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Annexation Criterion 2

18.5.8.050 Approval Criteria and Standards

An annexation may be approved if the proposed request for annexation conforms, or can be made to conform through the imposition of conditions, with all of the following approval criteria.

A. The land is within the City's Urban Growth Boundary.

Conclusions of Law: Based upon the Map on Atlas Page 1.5, the City of Ashland concludes the property is within the City's Urban Growth Boundary.

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Annexation Criterion 3

B. The proposed zoning for the annexed area is in conformance with the designation indicated on the Comprehensive Plan Map, and the project, if proposed concurrently with the annexation, is an allowed use within the proposed zoning.

Conclusions of Law: Based upon the Map on Atlas Pages 1.1 and 1.3 and the requested zoning described in Section IV, the City of Ashland concludes the proposed E-1 zoning is the zoning district that implements the Employment Comprehensive Plan Map designation and this is the requested zoning. The City of Ashland further concludes that the proposed project is a flex-space project the nature of which is an allowed use in the zone, but specific tenant uses will not be known until the project is approved and under construction[4]. The City of Ashland further concludes that the project includes one conditional use- the watchman quarters- but this use request is not a necessary project component and is, therefore, not necessary to demonstrate compliance with this criterion.

[4] The City has a process to review business license applications to assure that individual tenant businesses within the project are uses allowed in the E-1 zoning district.

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Annexation Criterion 4

C. The land is currently contiguous with the present city limits.

Conclusions of Law: Based upon the map at Atlas Page 1.5, the City of Ashland concludes the property is contiguous with the present city limits on the west, east and south sides of the subject property.

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Annexation Criterion 5

D. Adequate City facilities for the provision of water to the site as determined by the Public Works Department; the transport of sewage from the site to the waste water treatment plant as determined by the Public Works Department; the provision of electricity to the site as determined by the Electric Department; urban storm drainage as determined by the Public Works Department can and will be provided to and through the subject property. Unless the City has declared a moratorium based upon a shortage of water, sewer, or electricity, it is recognized that adequate capacity exists system-wide for these facilities.

Conclusions of Law: Based upon the Findings of Fact in Section IV and the evidence provided in Exhibit 7 from Thornton Engineering, the City of Ashland concludes that existing water and sewer mains and full electric power service is available at the property lines and connection is feasible. With respect to storm drainage, the project plans include a preliminary grading plan that depicts the proposed stormwater system on Atlas Page 3.2. Based upon these plans, the City of Ashland concludes that an existing drainage course, Knoll Creek, exists on the property and the Applicant will utilize on-site treatment and detention for the design-year storm prior to release into the Knoll Creek drainage.

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Annexation Criterion 6

E. Adequate transportation can and will be provided to and through the subject property. For the purposes of this section "adequate transportation" for annexations consists of vehicular, bicycle, pedestrian, and transit transportation meeting the following standards.

1. For vehicular transportation a 20-foot wide paved access exists, or can and will be constructed, along the full frontage of the project site to the nearest fully improved collector or arterial street. All streets adjacent to the annexed area shall be improved, at a minimum, to a half-street standard with a minimum 20-foot wide driving surface. The City may, after assessing the impact of the development, require the full improvement of streets adjacent to the annexed area. All streets located within annexed areas shall be fully improved to City standards. Where future street dedications are indicated on the Street Dedication Map or required by the City, provisions shall be made for the dedication and improvement of these streets and included with the application for annexation.
2. For bicycle transportation safe and accessible bicycle facilities exist, or can and will be constructed. Should the annexation be adjacent to an arterial street, bike lanes shall be provided on or adjacent to the arterial street. Likely bicycle destinations from the project site shall be determined and safe and accessible bicycle facilities serving those destinations shall be indicated.

3. For pedestrian transportation safe and accessible pedestrian facilities exist, or can and will be constructed. Full sidewalk improvements shall be provided on one side adjacent to the annexation for all streets adjacent to the proposed annexed area. Sidewalks shall be provided as required by ordinance on all streets within the annexed area. Where the project site is within a quarter of a mile of an existing sidewalk system, the sidewalks from the project site shall be constructed to extend and connect to the existing system. Likely pedestrian destinations from the project site shall be determined and the safe and accessible pedestrian facilities serving those destinations shall be indicated.

4. For transit transportation, should transit service be available to the site, or be likely to be extended to the site in the future based on information from the local public transit provider, provisions shall be made for the construction of adequate transit facilities, such as bus shelters and bus turn-out lanes. All required transportation improvements shall be constructed and installed prior to the issuance of a certificate of occupancy for any new structures on the annexed property.

Conclusions of Law: The City of Ashland concludes there is no need for additional connectivity through the property given the connectivity constraints in the area, such as Interstate 5 and Knoll Creek and existing development to the west of the site. With respect to adequate transportation facilities to the subject property, the City of Ashland concludes as follows:

OFFSITE TRANSPORTATION FACILITY ADEQUACY:

Vehicular Transportation - Access to the and from the site is via Washington Street which is a paved Avenue that is at least 20-feet wide. Additional local circulation is "in-process" and it will connect Washington Street to Tolman Creek Road via the new Independent Way street connection. Offsite traffic operations were evaluated in the transportation impact analysis prepared by Sandow Engineering, see Exhibit 5. That analysis demonstrates adequate transportation facilities exist to serve the traffic demand from the proposed project at offsite intersections.

Bicycle and Pedestrian Transportation: The project includes a sidewalk connecting the site to Washington Street to the west as part of Phase 1. This will connect pedestrian travel to the broader network. There are existing sidewalk connections from there to Ashland Street and a new connection to Tolman Creek will be created in the near future completion of Independent Way. For bicycles, the vehicle traffic volumes and speeds are low in this area and cyclists should be able to share Washington Street and Independent Way without any unusual conflict conditions. Overall, the proposed project is located in in an area with some of the lowest demand for pedestrian and bicycle use in the City of Ashland as shown in TSP Figures 4-1 and 4-2. This project is not anticipated to add pedestrian or bicycle traffic due to the nature of the use.

Transit: It is not expected that this area will be served directly by transit in the future. However, the available pedestrian and bicycle routes can be linked to the transit system in approximately a third of a mile, which is generally considered close enough for transit to be a viable transportation option.

ONSITE TRANSPORTATION FACILITY ADEQUACY: Access to and from the site is via Washington Street which is a paved Avenue along the entire frontage that is at least 20-

feet wide and meets the minimum standards for annexation. Two access points are proposed – one at the northwest corner of the site and one at the southeast corner of the site. The Applicant has proposed three different frontage improvement design solutions for Washington Street for the City to consider; the design solution preferred by the City of Ashland will be constructed prior to occupancy of any buildings in Phases 2-4, see Exhibit 5 for details on the design solution alternatives. Any of the design alternative options are sufficient to meet the needs of the project now and well into the foreseeable future for traffic, bicycle and pedestrian travel. However, each option has trade-offs with respect to the long-term improvement objectives for the City of Ashland's transportation system in this area.

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Annexation Criterion 7

H. One or more of the following standards are met.

1. The proposed area for annexation is to be residentially zoned, and there is less than a five-year supply of vacant and redevelopable land in the proposed land use classification within the current city limits. "Redevelopable land" means land zoned for residential use on which development has already occurred but on which, due to present or expected market forces, there exists the likelihood that existing development will be converted to more intensive residential uses during the planning period. The five-year supply shall be determined from vacant and redevelopable land inventories and by the methodology for land need projections from the Housing Element of the Comprehensive Plan.
2. The proposed lot or lots will be zoned CM, E-1, or C-1 under the Comprehensive Plan, and that the applicant will obtain Site Design Review approval for an outright permitted use, or special permitted use concurrent with the annexation request.
3. A current or probable public health hazard exists due to lack of full City sanitary sewer or water services.
4. Existing development in the proposed annexation has inadequate water or sanitary sewer service, or the service will become inadequate within one year.
5. The area proposed for annexation has existing City water or sanitary sewer service extended, connected, and in use, and a signed consent to annexation agreement has been filed and accepted by the City.
6. The lot or lots proposed for annexation are an island completely surrounded by lands within the city limits.

Conclusions of Law: The City of Ashland concludes that the Applicant has requested an E-1 zoning and has concurrently applied for Site Design Review for a flex-space development that is appropriately designed to house a wide range of permitted uses such as: food products manufacturing, general and light manufacturing, and wholesale storage and distribution[5]. This application structure satisfies the requirements of (H)(2) above.

[5] The City of Ashland concludes that the requested Watchman Quarters is an option for the project that is not a necessary project component and, therefore, approval of this conditional use concurrent with the Annexation is appropriate under ALUO 18.5.8.050(H)(2).

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Annexation Criterion 8

18.5.8.060 Boundaries

When an annexation is initiated by a private individual, the Staff Advisor may include other parcels of property in the proposed annexation to make a boundary extension more logical and to avoid parcels of land which are not incorporated but are partially or wholly surrounded by the City. The Staff Advisor, in a report to the Planning Commission and City Council, shall justify the inclusion of any parcels other than the parcel for which the petition is filed. The purpose of this section is to permit the Commission and Council to make annexations extending the City's boundaries more logical and orderly.

Conclusions of Law: The City of Ashland concludes the annexation has been initiated by a private individual and the Staff report includes recommendations on the inclusion of other properties in the area[6].

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Annexation Criterion 9

18.5.8.070 Statutory Procedures

The applicant for the annexation shall also declare which procedure under ORS chapter 222 the applicant proposes that the Council use, and supply evidence that the approval through this procedure is likely.

Conclusions of Law: The City of Ashland concludes as follows with respect to ORS Chapter 222:

222.111 Authority and procedure for annexation.

(1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies.

(2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.

(5) The legislative body of the city shall submit, except when not required under ORS 222.120, 222.170 and 222.840 to 222.915 to do so, the proposal for annexation to the electors of the territory proposed for annexation and, except when permitted under ORS 222.120 or 222.840 to 222.915 to dispense with submitting the proposal for annexation to the electors of the city, the legislative body of the city shall submit such proposal to the electors of the city. The proposal for annexation may be voted upon at a general election or at a special election to be held for that purpose.

Conclusions of Law (continued): Based upon the evidence in Atlas Page 1.5, the City of Ashland (henceforth "the City") concludes the existing City limit is adjacent to the subject property and will result in a contiguous City limit following the annexation. The City herewith incorporates and adopts the annexation petition at Exhibit 2 and based thereupon concludes the proposal for annexation has been initiated by the owners of the real property in

[6] Because this matter is quasi-judicial in nature, Applicant reserves the right to object to the inclusion of any other property in the annexation area that would diminish the ability this application to satisfy all applicable approval criteria in any manner.

the territory to be annexed under ORS 222.111(2). The City further incorporates its findings under ORS 222.120 below and concludes based upon the same that ORS 222.120 allows the City Council to dispense with submission of the proposal for annexation to the electors of the City and does so herewith.

222.120 Procedure for annexation without election; hearing; ordinance subject to referendum.

(1) Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection.

(2) When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation.

(3) The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period.

(4) After the hearing, the city legislative body may, by an ordinance containing a legal description of the territory in question:

(a) Declare that the territory is annexed to the city upon the condition that the majority of the votes cast in the territory is in favor of annexation;

(b) Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS 222.125 or 222.170, prior to the public hearing held under subsection (2) of this section; or

(7) For the purpose of this section, ORS 222.125 and 222.170, "owner" or "landowner" means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.

Conclusions of Law: Based upon the evidence provided by the Applicant and the evidence in the record, the City of Ashland concludes that it has properly followed the hearing procedures for annexation and herewith declares the territory annexed pursuant to 222.120(4)(b) as described in Exhibit 3.

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ZONE CHANGE

Zone Change Criterion 1

ZONE CHANGE CRITERIA

18.5.9 – Comprehensive Plan, Zoning, and Land Use Ordinance Amendments

18.5.9.010 Purpose

This chapter contains the procedure for amending the Comprehensive Plan, Zoning and Land Use Control Maps, and Land Use Ordinance.

18.5.9.020 Applicability and Review Procedure

Applications for Plan Amendments and Zone Changes are as follows:

A. Type II. The Type II procedure is used for applications involving zoning map amendments consistent with the Comprehensive Plan map, and minor map amendments or corrections. Amendments under this section may be approved if in compliance with the Comprehensive Plan and the application demonstrates that one or more of the following.

1. The change implements a public need, other than the provision of affordable housing, supported by the Comprehensive Plan.

Conclusions of Law: The City of Ashland concludes the public need for the requested zone change is set forth in OAR 660 Division 009. OAR 660 Division 009 requires all cities located within an Metropolitan Planning Organization area maintain "competitive short-term supply" of employment land as a matter of policy, see OAR 660-009-0020(1)(b). The OAR defines competitive short-term supply of employment land as follows:

> (10) "Short-term Supply of Land" means suitable land that is ready for construction within one year of an application for a building permit or request for service extension. Engineering feasibility is sufficient to qualify land for the short-term supply of land. Funding availability is not required. "Competitive Short-term Supply" means the short-term supply of land provides a range of site sizes and locations to accommodate the market needs of a variety of industrial and other employment uses.

The City of Ashland's Economic Opportunities Analysis applied OAR 660 Division 009 and inventoried all buildable land within the City's UGB as available to meet the requirements for a competitive short-term supply of employment land, see pages 4-7 and 5-13. The subject site is included in the City's inventory of competitive short-term land supply, see Map 1 on page 4-3 and Map 4 in the City's adopted Buildable Lands Inventory. As such, the City concludes that the requested zone change is necessary to assure land inventoried as short-term supply is available to satisfy the State requirements to which the City's Comprehensive Plan is required to comply.

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Zone Change Criterion 2

2. A substantial change in circumstances has occurred since the existing zoning or Plan designation was proposed, necessitating the need to adjust to the changed circumstances.

Conclusions of Law: In the context of an annexation requesting the zoning to implement the applicable Comprehensive Plan designation for the property, the City of Ashland concludes the change in circumstances is the petition for annexation and the inclusion of the subject property into the corporate limits of the City.

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Zone Change Criterion 3

3. Circumstances relating to the general public welfare exist that require such an action.

Conclusions of Law: The City of Ashland concludes compliance with applicable state requirements is a matter of general public welfare and the requested zone change is necessary to comply with applicable requirements of OAR 660 Division 009. OAR 660 Division 009 requires all cities located within an Metropolitan Planning Organization area maintain "competitive short-term supply" of employment land as a matter of policy, see OAR 660-009-0020(1)(b). The OAR defines competitive short-term supply of employment land as follows:

> (10) "Short-term Supply of Land" means suitable land that is ready for construction within one year of an application for a building permit or request for service extension. Engineering feasibility is sufficient to qualify land for the short-term supply of land. Funding availability is not required. "Competitive Short-term Supply" means the short-term supply of land provides a range of site sizes and locations to accommodate the market needs of a variety of industrial and other employment uses.

The City of Ashland's Economic Opportunities Analysis applied OAR 660 Division 009 and inventoried all buildable land within the City's UGB as available to meet the requirements for a competitive short-term supply of employment land, see pages 4-7 and 5-13. The subject site is included in the City's inventory of competitive short-term land supply, see Map 1 on page 4-3 and Map 4 in the City's adopted Buildable Lands Inventory. As such, the City concludes that the requested zone change is necessary to assure land inventoried as short-term supply is available to satisfy the State requirements which is a matter of general public welfare.

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Zone Change Criterion 4

4. Proposed increases in residential zoning density resulting from a change from one zoning district to another zoning district, will provide 25 percent of the proposed base density as affordable housing consistent with the approval standards set forth in subsection 18.5.8.050.G.

Conclusions of Law: The City of Ashland concludes the requested zone change is not residential in nature, and therefore, this criterion is satisfied by virtue of its inapplicability.

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Zone Change Criterion 5

5. Increases in residential zoning density of four units or greater on commercial, employment, or industrial zoned lands (i.e., Residential Overlay), will not negatively impact the City's commercial and industrial land supply as required in the Comprehensive Plan, and will provide 25 percent of the proposed base

density as affordable housing consistent with the approval standards set forth in subsection 18.5.8.050.G.

Conclusions of Law: The City of Ashland concludes the requested zone change is not residential in nature, and therefore, this criterion is satisfied by virtue of its inapplicability

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Zone Change Criterion 6

6. The total number of affordable units described in 18.5.9.020.A, subsections 4 or 5, above, shall be determined by rounding down fractional answers to the nearest whole unit. A deed restriction, or similar legal instrument, shall be used to guarantee compliance with affordable criteria for a period of not less than 60 years. 18.5.9.020.A, subsections 4 and 5 do not apply to Council initiated actions.

Conclusions of Law: The City of Ashland concludes the requested zone change is not residential in nature, and therefore, this criterion is satisfied by virtue of its inapplicability

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Zone Change Criterion 7

OAR 660-012-0060

Plan and Land Use Regulation Amendments

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

Conclusions of Law: Based upon the Transportation Impact Analysis prepared by Sandow Engineering and the Findings of Fact in Section IV, herewith incorporated and adopted, the City of Ashland concludes the requested zone change will not change the functional classification of any existing or planned transportation facility, nor will it change standards implementing a functional classification system. The City of Ashland concludes that the types of travel and levels of access to Washington Street in this area are appropriate for an

Avenue serving an employment area. The City of Ashland concludes that, with a condition of approval limiting the trip generation to the proposed business park use, the zone change will not degrade the performance of an existing or planned transportation facility such that it would not meet performance standards identified in the TSP or in the case of certain intersections that are projected to not meet identified performance standards with or without the project will not degrade the performance of those intersections at the end of the planning horizon.

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SITE DESIGN REVIEW

Site Design Review Criterion 1

DEVELOPMENT PERMIT CRITERIA

Site Design Review

18.5.2.050 Approval Criteria

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

B. 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.

Conclusions of Law: Based upon the maps and plans in the Atlas and the standards compliance document in Exhibit 3, the City of Ashland concludes the project is a flex-space development designed to house a wide range of permitted uses in the E-1 zone such as: food products manufacturing, general and light manufacturing, and wholesale storage and distribution. The City of Ashland herewith incorporates and adopts Atlas Page 2.1 which demonstrates how the design of the project complies with applicable provisions of the underlying zone.

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Site Design Review Criterion 2

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

Conclusions of Law: The City of Ashland herewith incorporates and adopts its conclusions of law below addressing the Water Resource Protection Zone, and based upon the same, concludes the project complies with the applicable overlay zone requirements.

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Site Design Review Criterion 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.

Conclusions of Law: The City of Ashland herewith incorporates and adopts Atlas page 2.1 and the evidencing Exhibit 3 which demonstrates how the design of the project complies with applicable provisions of the underlying zone; separate conclusions concerning street design standards are provided in subsection 18.4.6.020 wherein specific standards apply to alternative street designs.

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Site Design Review Criterion 4

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.

Conclusions of Law: The City of Ashland herewith incorporates and adopts the Findings of Fact in Section IV Parts 9 and 10, and concludes based thereupon, that adequate City facilities exist for water, sewer, electricity and urban storm drainage and that the site has adequate transportation.

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Site Design Review Criterion 5

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.

Conclusions of Law: *[**Reserved** – preparation of the application did not identify the need for any exceptions to the site development and design standards as part of application preparation]*

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Site Design Review Criterion 6

18.4.6.040 Street Design Standards

A. Purpose, Intent, and Background

1. Purpose. This section contains standards for street connectivity and design as well as cross sections for street improvements. The standards are intended to provide multiple transportation options, focus on a safe environment for all users, design streets as public spaces, and enhance the livability of neighborhoods, consistent with the Comprehensive Plan.

2. Intent. Ashland's streets are some of the most important public spaces in the community. The Street Design Standards outline the art and science of developing healthy, livable streets, and are intended to illustrate current standards for planning and designing the streets of Ashland. The standards are to be used in the development of new streets, and reconstruction of existing streets or portions thereof (i.e. improving a paved local street by adding sidewalks). The standards area also intended as a resource for use by home builders, developers, and community members in the pursuit of quality development practices. A series of street types is offered including the multi-use path, alley, neighborhood street, commercial neighborhood street, neighborhood collector, commercial neighborhood collector, avenue, and boulevard. Street cross sections provide a model for building streets the traditional way. Variations can be made from these basic types to fit the particular site and situation. However, the measurements of each street component must be used to create and maintain the desired low-speed environment where people feel comfortable and the maximum number of people walk, bicycle and use transit. All streets in Ashland shall be designed using the following assumptions.

- All designs encourage pedestrian and bicycle travel.
- Neighborhood streets (Neighborhood Collectors and Neighborhood Streets) are designed for 20 mile-per-hour (mph).
- All new streets and alleys are paved.
- All streets have standard vertical, non-mountable curbs.
- Gutter widths are included as part of the curb-to-curb street width.
- New avenues and boulevards have bicycle lanes.
- Parkrow and sidewalk widths do not include the curb.
- Sidewalks are shaded by trees for pedestrian comfort.
- All streets have parkrows and sidewalks on both sides. In certain situations where the physical features of the land create severe constraints, or natural features should be preserved, exceptions may be made. Exceptions could result in construction of meandering sidewalks, sidewalks on only one side of the street, or curbside sidewalk segments instead of setback walks. Exceptions should be allowed when physical conditions exist that preclude development of a public street, or components of the street. Such conditions may include, but are not limited to, topography, wetlands, mature trees, creeks, drainages, rock outcroppings, and limited right-of-way when improving streets through a local improvement district (LID).
- Parkrows and medians are usually landscaped.
- Garages are set back from the sidewalk so parked vehicles are clear of sidewalks.
- Building set backs and heights create a sense of enclosure.

Conclusions of Law: The City of Ashland herewith incorporates and adopts the analysis in Exhibit 5 wherein all three street design alternatives proposed for the project are evaluated. Based upon this analysis, the City concludes that all three of the design alternatives analyzed

in that memo serve the purpose and intent of the City's street design standards. Specifically, the City concludes as follows:

1. All three designs serve bicyclists and pedestrians but they do so in different ways. The multi-use path option provides a 10-foot wide paved surface to be shared by pedestrians and more casual cyclists. Bike commuter-type cyclists would have the option of using the multi-use path of sharing the street surface which has volumes and speeds appropriate for a shared facility. The advantage of the multi-use path design is that full bike/ped facilities would then exist prior to occupancy of Phase 2 of the project. The other two design alternatives are two half-street improvement versions of the City's standard Avenue cross-section where pedestrians are on a separated sidewalk and bike lanes are provided on-street. Until the other half of the street is constructed, this design would provide for separated bike traffic in the bike-lane southbound and northbound bike traffic would share the travel lane.
2. All three design alternatives have paved streets with street dimensions that include the curb. The streets have non-mountable vertical curbs.
3. The multi-use path design alternative does not include on-street bike lanes, but the other two half-street design alternatives do. In this area, the traffic volumes do not necessitate a dedicated bike lane now and are not expected to for many years.
4. The landscape design has provided trees to shade the multi-use path or sidewalk where feasible and parkrow areas located outside the wetland are proposed for landscaping.
5. The intent of Ashland's Street standards specifically provide for design flexibility to address unique circumstances such as wetlands and topography. Those are the two issues that are challenging for this site. The Thornton cross-section for the multi-use path shows the issues well. There is barely enough room to fit the multi-use path and street between the existing I-5 guardrail and the wetland. The street sections with park rows and bike lanes does not fit without some combination of expensive retaining walls and moving the street much closer towards I-5 (which ODOT may not even allow) or some wetland filling.

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Site Design Review Criterion 7

Street Design Exceptions[7]:

18.4.6.020 Applicability

B. Exceptions and Variances. Requests to depart from the requirements of this chapter are subject to chapter 18.5.5 Variances, except that deviations from section 18.4.6.040 Street Design Standards are subject to 18.4.6.020.B.1 Exceptions to the Street Design Standards, below

[7] The street exception standards are addressed in a measure of abundant caution. However, Applicant reserves the right to argue the exception is not actually required because the purpose and intent section of the Street standards includes express language that design flexibility is permissible to address wetland and topographic constraints such as those that are present on the subject property.

1. Exception to the Street Design Standards. The approval authority may approve exceptions to the standards section in 18.4.6.040 Street Design Standards if all of the following circumstances are found to exist.
    a. 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.

Conclusions of Law: The City of Ashland concludes Washington Street is a planned Avenue where the standard cross-section includes sidewalks, bike lanes, parkrows and two or three travel lanes with right-of-ways that measure 59' to 86'. Based upon the evidence in the record, the City of Ashland concludes that a portion of Washington Street exists within the ODOT Interstate 5 right-of-way in a location that is constrained by wetlands to the west and the topographic relieve between Washington Street down to Interstate to the east. At the narrowest "pinch point", the edge of the wetland is approximately 45.5 feet from the existing ODOT guardrail. There is simply not room to construct the City's standard cross section between the 20-foot wetland protection buffer and the existing ODOT guardrail (or even with a minor relocation of the guardrail). Based upon the foregoing, the City concludes that the wetland and I-5 constraints are unique and unusual aspects of the site and create demonstrable difficulty in meeting the standard street design requirements.

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Site Design Review Criterion 8

b The exception will result in equal or superior transportation facilities and connectivity considering the following factors where applicable.
    i. For transit facilities and related improvements, access, wait time, and ride experience.
    ii. For bicycle facilities, feeling of safety, quality of experience (i.e., comfort level of bicycling along the roadway), and frequency of conflicts with vehicle cross traffic.
    iii. For pedestrian facilities, feeling of safety, quality of experience (i.e., comfort level of walking along roadway), and ability to safely and efficiency crossing roadway.

Conclusions of Law: The City concludes the multi-use path design alternative is equal from a connectivity standpoint because all options are utilizing Washington Street along its approximate current alignment and will, therefore, have similar connectivity conditions. With respect to user experience, the issue is a question of the period of time being considered. The proposed multi-use path with 10-foot travel lanes is proposed to be completed by the Applicant prior to occupancy of the first building of Phase 2. Based upon market expectations, the Applicant expects this would occur in the 2019-2021 timeframe. Thus, sometime in the next two to three years a "complete" street improvement would be done with curbs on both sides and a multi-use path on the west side. The street will continue to be very low volume for on-street commuter cyclists to share and would provide a good pedestrian experience and experience for the more casual cyclist. This would serve the City for many years in this area. Application of the standard half-street improvement will result in a single bike lane until the City constructs a bike lane on the I-5 side. This project is not in the City's TSP so it is unknown when the other bike lane would be constructed. As such, it is reasonable to expect it to be many years into the future, and during this potentially long interim period, the standard bike lane cross-section would be inferior to the multi-use path solution. Based upon the above analysis, the City concludes that the multi-use path design alternative could be considered equal to the standard cross-section.

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Site Design Review Criterion 9

c. The exception is the minimum necessary to alleviate the difficulty.

Conclusions of Law: The City of Ashland herewith incorporates and adopts the Technical Memorandum at Exhibit 5, and concludes based thereupon, that the multi-use path option is the minimum necessary to alleviate the difficulty and would result in the least amount of encroachment in the 20-foot wetland buffer while still meeting the City's transportation needs.

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Site Design Review Criterion 10

d. The exception is consistent with the Purpose and Intent of the Street Standards in subsection 18.4.6.040.A.

Conclusions of Law: The City of Ashland herewith incorporates and adopts the Technical Memorandum at Exhibit 5 and the findings above addressing the purpose and intent statement, and concludes based thereupon, that the street standards are intended to balance environmental considerations with all types of travel demand and the proposed multi-use path alternative represents a balance that is consistent with the purpose and intent of the Street Standards in subsection 18.4.6.040.A.

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CONDITIONAL USE PERMIT

Conditional Use Permit Criterion 1

18.5.4 – Conditional Use Permits

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.

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

1. Vicinity map.
2. North arrow and scale.
3. Depiction and names of all streets abutting the subject property.
4. Depiction of the subject property, including the dimensions of all lot lines.
5. Location and use of all buildings existing and proposed on the subject property and schematic architectural elevations of all proposed structures.
6. Location of all parking areas, parking spaces, and ingress, egress, and traffic circulation for the subject property, including accessible parking by building code.
7. Schematic landscaping plan showing area and type of landscaping proposed.

8. A topographic map of the site showing contour intervals of five feet or less.
9. Approximate location of all existing natural features in areas which are planned to be disturbed, including, but not limited to, all existing trees of greater than six inches DBH, any natural drainage ways, ponds or wetlands, and any substantial outcroppings of rocks or boulders.

Conclusions of Law: Based upon the evidence in the record, the City of Ashland concludes the project includes all required plans upon which to evaluate the watchman quarters.

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Conditional Use Permit Criterion 2

18.5.4.050 Approval Criteria

A. Approval Criteria. A Conditional Use 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.

1. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.

Conclusions of Law: The City concludes it has reviewed its Comprehensive Plan policies and concludes that there are no policies applicable directly applicable to the requested watchman quarters. The City of Ashland further concludes that there are no specific standards applicable to the requested watchman quarters except that such quarters be located in a building that is appropriate to the E-1 zoning district which is a requirement to which the proposed project complies.

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Conditional Use Permit Criterion 3

2. That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the development, and adequate transportation can and will be provided to the subject property.

Conclusions of Law: The City of Ashland concludes that the single watchman quarters will have no meaningful impact on the demand for water, sewer, power and storm drainage at the subject property. The City of Ashland herewith incorporates and adopts the utility plans prepared by Thornton Engineering, and concludes based upon the same, that water, sewer, power and storm drainage can be supplied in adequate condition and capacity for the proposed project with our without the watchman quarters use.

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Conditional Use Permit Criterion 4

3. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection 18.5.4.050.A.5, below. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.

a. Similarity in scale, bulk, and coverage.

b. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.

c. Architectural compatibility with the impact area.

d. Air quality, including the generation of dust, odors, or other environmental pollutants.

e. Generation of noise, light, and glare.

f. The development of adjacent properties as envisioned in the Comprehensive Plan.

g. Other factors found to be relevant by the approval authority for review of the proposed use.

Conclusions of Law: The City of Ashland concludes the proposed watchman quarters will have no greater adverse material effect on the livability of the impact area when compared to the development of the an office use which is the target use in the E-1 zone, for the following reasons:

- The proposed exterior building design is the same with and without the proposed watchman quarters and such space could be used for office if not a watchman quarters. As such, the watchman quarters has no material effect on the project from the standpoint of scale, bulk or coverage.
- The watchman quarters was considered in the trip generation of the project's transportation analysis. However, a similarly sized office would be expected to have similar, if not greater, trip generation. From a practical standpoint, management and security of the project is a necessary component. As such, the actual effect should be on traffic in the area is expected to be modestly positive by reducing offsite security and management trips.
- The proposed exterior building design is the same with and without the proposed watchman quarters and such space could be used for office if not a watchman quarters. As such, the watchman quarters has no material effect on the project from the standpoint of Architectural compatibility.
- A single watchman quarters is not expected to produce any meaningful amount of dust, odors or other environmental pollutants that would be meaningfully different from an office use the same locatoin.
- A single watchman quarters is not expected to produce any meaningful amount of noise, light or glare that would be meaningfully different from an office use in the same location.
- Lands in the area are generally planned for employment and there is no reason to expect that a single watchman quarters would affect development in the area in a manner that not occur as a result of an office building.

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Conditional Use Permit Criterion 5

4. A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.

Conclusions of Law: The City of Ashland concludes that Subsection F in the ALUO Table of Allowed Uses at Section 18.2.2.030 lists "Dwelling for a Caretaker or Watchman" as a Conditional Use in the E-1 and concludes accordingly that the requested is not prohibited in the proposed location.

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Conditional Use Permit Criterion 6

5. For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of this subsection, the target uses of each zone are as follows.

   f. *E-1.* The general office uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and within the Detailed Site Review overlay, at an intensity of 0.50 floor to area ratio, complying with all ordinance requirements.

Conclusions of Law: The City of Ashland concludes it is properly evaluated office uses as the target use in the zone for the E-1 zoning district sought by the application herein.

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WATER RESOURCES PROTECTION ZONE

Water Resources Protection Zone Criterion 1

18.3.11 Water Resources Protection Zones

18.3.11.010 Purpose

The purpose and intent of this chapter is:

A. To implement state and federal law with respect to the protection of clean water, pollution control, and preservation of endangered species.

B. To protect Ashland's Goal 5 significant wetlands and riparian areas, thereby protecting and restoring the hydrologic, ecologic, and land conservation functions these areas provide for the community.

C. To implement the provisions of Statewide Planning Goals 6 and 7, which require the buffering and separation of those land uses and activities that lead to or may create impacts on water quality, as well as to reduce the risk to people and property resulting from the inappropriate management of wetland and riparian areas.

D. To implement the goals and policies of the Environmental Resources chapter of Ashland's Comprehensive Plan with respect to water resources, wetlands, floodplains, and stream flooding.

E. To reduce flood damage and potential loss of life in areas subject to periodic flooding.

F. To better manage storm water drainage, minimize maintenance costs, protect properties adjacent to drainage ways, improve water quality, protect riparian and aquatic fish and wildlife habitat and provide opportunities for trail connections.

G. To protect water associated with Ashland's hydrology for human uses, fish and wildlife and their habitats.

H. To control erosion and limit sedimentation.

I. To protect the amenity values and educational opportunities of Ashland's wetlands, water bodies and associated riparian areas as community assets.

J. To improve public appreciation and understanding of wetlands and riparian areas for their unique ecosystem structure and functions and for the human-nature interactions they provide.

K. To improve and promote coordination among local, state, and federal agencies regarding development activities near Ashland's wetlands, water bodies, and associated riparian areas.

L. In cases of hardship, to provide a procedure to alter wetlands and riparian areas only when offset by appropriate mitigation, as stipulated in the ordinance and other applicable state and federal requirements.

Conclusions of Law: The City of Ashland concludes there is nothing in the submitted application that is inconsistent with the purpose and intent of the water resource protection zone regulations.

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Water Resources Protection Zone Criterion 2

18.3.11.020 Applicability

A. The provisions of this chapter apply to all lands containing Water Resources and Water Resource Protection Zones. Water Resources and Water Resource Protection Zones are defined, established and protected in this chapter.

B. State and federal wetland and riparian regulations will continue to apply within the City, regardless of whether or not these areas are mapped on Water Resources map. Nothing in this chapter shall be interpreted as superseding or nullifying state or federal requirements. Additionally, the City shall provide notification to the Oregon Department of State Lands (DSL), as required by Division 23 of Oregon Administrative Rules, for all applications concerning development permits or other land use decisions affecting wetlands on the inventory.

C. The burden is on the property owner to demonstrate that the requirements of this chapter are met or are not applicable to development activity or other proposed use or alteration of land. The Staff Advisor may make a determination based on the Water Resources map, field check, and any other relevant maps, site plans, and information that a Water Resource or Water Resource Protection Zone is not located on a particular site or is not impacted by proposed development, activities or uses. In cases where the location of the Water Resource or Water Resource Protection Zone is unclear or disputed, the Staff Advisor may require a survey, delineation prepared by a natural resource professional, or a sworn statement from a natural resource professional that no Water Resources or Water Resource Protection Zones exist on the site.

D. All Water Resource Protection Zones shall be protected from alteration and development, except as specifically provided in this chapter. No person or entity shall alter or allow to be altered any real property designated as a Water Resource Protection Zone, except as set forth in an exemption, approved planning application or permit authorized in this chapter. No person or entity shall use or allow to be used, property designated as a Water Resource Protection Zone, except as set forth in an exemption, approved planning application or permit authorized in this chapter.

E. Where this chapter and any other ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. It is likely that there will be some overlap between the regulations in this chapter and those in chapter 18.3.10 Physical and Environmental Constraints Overlay, which regulates development in physical constrained areas including floodplains. Where two regulations are in conflict, the most stringent shall govern.

Conclusions of Law: The City of Ashland concludes the submitted application has properly identified the manner in which the water resource protection zone criteria apply to the subject

land use application and the below conclusions of law addressing the water resource protection zone criteria are herewith incorporated and adopted demonstrating proper application of these requirements.

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Water Resources Protection Zone Criterion 3

18.3.11.030 Inventory of Ashland's Water Resources

The approximate locations of Ashland's Water Resources are identified on the Water Resource map, adopted by the City and added to the Comprehensive Plan through Ordinance 2419 (May 1987), Ordinance 2528 (July 1989) and Ordinance 2999 (December, 2009). Because the Comprehensive Plan maps are acknowledged to be approximate, the more precise wetland boundaries can be mapped, staked, and used for development review purposes without a modification of the Comprehensive Plan maps.

18.3.11.040 Establishment of Water Resource Protection Zones

A Water Resource Protection Zone is hereby established adjacent to and including all Water Resources to protect their integrity, function, and value. The boundaries of the following Water Resource Protection Zones shall be established by an on-site survey based upon the following standards.

A. Stream Bank Protection Zones. The following types of Stream Bank Protection Zones are hereby established to protect streams and their associated riparian resources. The approximate locations of streams are identified on the Water Resources map.

2. Local Streams. For streams classified as non-fish-bearing Local Streams and on the Water Resources map, the Stream Bank Protection Zone shall include the stream, plus a riparian buffer consisting of all lands 40 feet from the centerline of the stream as illustrated in Figure 18.3.11.040.A.2.

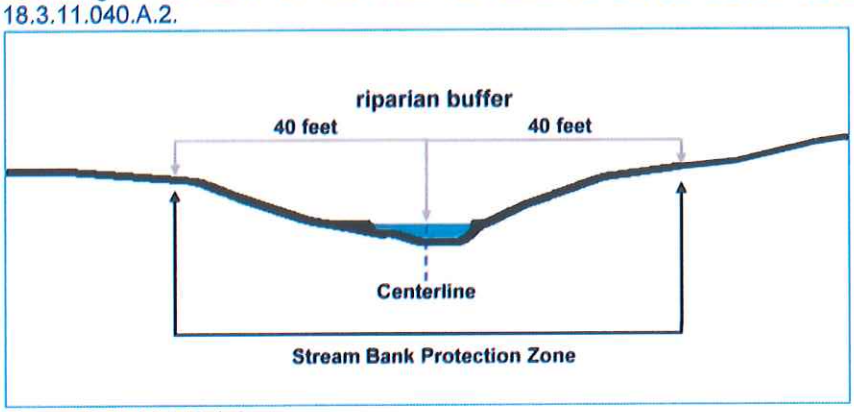

Figure 18.3.11.040.A.2
Stream Bank Protection Zone for Local Streams

3. Intermittent and Ephemeral Streams. For streams classified as Intermittent and Ephemeral Streams on the Water Resource Protection Zones map, the Stream Bank Protection Zone shall include the stream, plus a riparian buffer consisting of all lands within 30 feet from the centerline of the stream as illustrated in Figure 18.3.11.040.A.3.

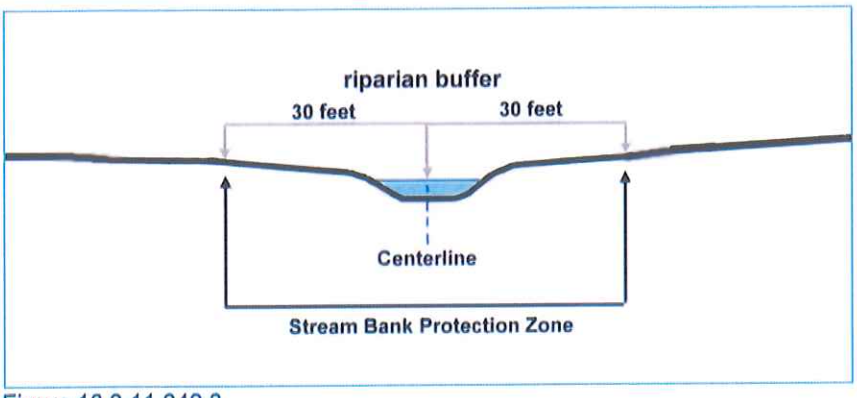

Figure 18.3.11.040.3
Stream Bank Protection Zone for Intermittent and Ephemeral Streams

4. Significant Wetland Presence. Where a Stream Bank Protection Zone includes all or part of a significant wetland as identified on official maps adopted by the City, the distance to the Stream Bank Protection Zone boundary shall be measured from, and include, the upland edge of the wetland.

5. Determination of Protection Zone. The measurement of the Stream Bank Protection Zones shall be a horizontal distance from the top of bank or from the center line of the stream as specified above. For streams that were piped or relocated to a culvert prior to the effective date of this chapter, the Stream Bank Protection Zones shall be reduced to half of the required width or the width of any existing easement (e.g., drainage-way easement), whichever is greater.

C. **Wetland Protection Zones.** The following types of Wetland Protection Zones are hereby established to protect wetland resources. The approximate locations of Locally Significant Wetlands and Wetlands are identified on the Water Resources map. The precise boundary of a wetland and wetland buffer shall be established through conducting an on-site wetland delineation and survey based upon the following standards.

2. Possible Wetlands. For wetlands not classified as Locally Significant on the Water Resources map, the Wetland Protection Zone shall consist of all lands identified to have a wetland presence on the wetland delineation, plus all lands within 20 feet of the upland-wetland edge as illustrated in Figure 18.3.11.040.B.2. Possible Wetlands includes all areas designated as such on the Water Resources map and any unmapped wetlands discovered on site. A wetland delineation prepared by a qualified wetland specialist shall be submitted to the City that graphically represents the location of wetlands on a site plan map in accordance with subsection 18.3.11.100.A.3. An average buffer width of 20 feet may be utilized around the perimeter of a possible wetland upon submission of evidence and a detailed plan by a natural resources professional demonstrating that equal or better protection of the functions and values of the resource will be ensured.

Figure 18.3.11.040.B.2. Wetland Protection Zone for Possible Wetlands

Conclusions of Law: Based upon the map on Atlas Page 1.6, the City of Ashland concludes Knoll Creek along the subject property is mapped as an intermittent and ephemeral stream and the wetland on the property is identified as a "possible wetland" and subject, therefore, to the 30-foot riparian streambank protection zone for Knoll Creek and the 20-foot buffer for the wetland protection zone. The City of Ashland concludes the Applicant engaged a registered professional land surveyor, James Hibbs, to perform a topographic survey of the site and the 30-foot stream bank protection zone is based upon the survey prepared by James Hibbs. The City of Ashland concludes the Applicant engaged a wetland expert, Martin Schott, to perform a wetlands assessment of the site and the 20-foot wetland buffer protection zone is based upon the assessment performed by Martin Schott.

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Water Resources Protection Zone Criterion 4

18.3.11.060 Limited Activities and Uses
The following activities and uses within Water Resource Protection Zones are allowed provided the activities or uses comply with the review procedure and approval standards set forth in subsection 18.3.11.060.D.

A. Limited Activities and Uses within Water Resource Protection Zones.

1. Use of Power-assisted Equipment or Machinery. Use of power-assisted equipment or machinery for vegetation maintenance unless otherwise exempted in subsection 18.3.11.050.A.1.h.

2. Multi-Year Maintenance Plans. Multi-year maintenance plans may be authorized as follows for existing areas or storm water treatment facilities in Water Resource Protection Zones which do not have a previously approved management plans.

a. Publicly and Commonly Owned Properties. The routine restoration and enhancement of publicly and commonly owned properties such as public parks and private open spaces.

b. Storm Water Treatment Facilities. The ongoing routine maintenance of storm water treatment facilities such as detention ponds or sediment traps, vegetated swales, and constructed wetlands in order to maintain flow and prevent flooding. Routine maintenance of storm water

treatment facilities in accordance with an approved management plan is exempted as outline in subsection 18.3.11.050.A.2.c.

3. Building, Paving, and Grading Activities. Permanent alteration of Water Resource Protection Zones by grading or by the placement of structures, fill or impervious surfaces may be authorized as follows.

   a. New Public Access and Utilities. The location and construction of public streets, bridges, trails, multi-use path connections, and utilities deemed necessary to maintain a functional system and upon finding that no other reasonable, alternate location outside the Water Resource Protection Zone exists. This ordinance, the Comprehensive Plan, Transportation System Plan, adopted utility master plans, and other adopted documents shall guide this determination.

   b. New Private Access and Utilities. The location and construction of private streets, driveways, and utilities to provide a means of access to an otherwise inaccessible or landlocked property where no other reasonable, alternate location outside the Water Resource Protection Zone exists.

   c. Storm Water Treatment Facility Installation. Installation of public and private storm water treatment facilities such as detention ponds or sediment traps, vegetated swales, and constructed wetlands.

   d. Replacement of Nonconforming Accessory Structures in Residential Districts and Replacement of Nonconforming Structures in Non-Residential Zoning Districts and Outside Historic Districts. Replacement of nonconforming structures located within or partially within the original building footprint, except those nonconforming primary structures exempted in subsection 18.3.11.050.A.3, provided replacement does not disturb additional surface area within the Water Resource Protection Zone.

Conclusions of Law: Based upon the findings in Section IV above and the evidence submitted with the application, the City of Ashland concludes the Applicant is not proposing any specific development permits for the above listed limited activities and uses within the riparian protection zone. However, Applicant may engage in vegetation maintenance with power assisted equipment or machinery as allowed in (1) above.

Based upon the findings in Section IV above and the evidence submitted with the application, the City of Ashland concludes the TSP plans an Avenue along the subject property's east frontage and improvements to this frontage would result in varying degrees if encroachment on the wetland and wetland protection zone. The City concludes the Applicant has presented three design alternatives with varying degrees of impact to the wetland, as follows:

1. The first design alternative proposes a multi-use path that would minimally encroach on the wetland buffer (approximately 6 feet at the narrowest location) and no filling of the wetland itself would occur.
2. The second design alternative is a half-street improvement of the City's standard cross-section with bike lanes and parkrows but configured with the new centerline designed to avoid any physical impact to the wetland itself; most, if not all, of the wetland buffer would be impacted by this design alternative at the narrowest point.
3. The third design alternative is a half-street improvement that would utilize the City's standard cross-section with an alignment that seeks to optimize future constructability of the remainder of the street on the east side. This design may require joint permit approval from DSL and NMFS for wetland fill.

City of Ashland concludes that all three of the proffered design alternatives can be shown to satisfy 3(a) above depending on the rationale and priorities the City has for this street segment.

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Water Resources Protection Zone Criterion 5

B. Additional Limited Activities and Uses within Stream Bank Protection Zones.

1. Stream Restoration and Enhancement. Restoration and enhancement projects resulting in a net gain in stream bank corridor functions unless otherwise exempted in subsection 18.3.11.050.B.2. Restoration and enhancement activities not otherwise associated with development involving building, grading or paving are encouraged, and planning application fees associated with reviewing these activities for compliance with applicable land use standards may be waived by the Staff Advisor.

2. Driveway and Street Maintenance and Paving. Maintenance, paving, and reconstruction of existing public and private streets and driveways if work disturbs more total surface area than the area inside the street right-of-way or access easement and an additional five percent surface area of the street right-of-way or access easement outside of the right-of-way or easement. Public streets shall be located in public right-of-way or a public easement.

3. Public Facility Paving and Reconstruction. Paving and reconstruction of public parking areas and walkways if additional surface area in the Stream Bank Protection Zone is not disturbed, the public facilities are deemed necessary to maintain a functional system and upon finding that no other reasonable alternate location outside the Water Resource Protection Zone exits.

4. Public Utility Maintenance and Replacement. Routine maintenance and replacement of existing public utilities and irrigation pumps if work disturbs more total surface area than the area inside the public utility easement and an additional five percent surface area of the public utility easement outside of the public utility easement.

5. Erosion Control. Erosion control and stream bank stabilization measures that have been approved by the Oregon Department of State Lands (DSL), the U.S. Army Corps of Engineers, or other state or federal regulatory agencies, and that utilize non-structural bio-engineering methods.

6. Storm Water Outfall. Construction of a storm water outfall discharging treated storm water from an adjacent developed area provided that the discharge meets local, state, and federal water quality regulations.

7. Bridges. The installation of a bridge or similar, bottomless crossing structure for the purpose of constructing a public or private street, bicycle or pedestrian crossing, as well as to provide a means of access to an otherwise inaccessible or landlocked property.

8. Flood Control Measures. Installation or expansion of structural flood control measures, including but not limited to concrete retaining walls, gabions, gravity blocks, etc., shall generally be prohibited, but approved only if demonstrated that less-invasive, non-structural methods will not adequately meet the stabilization or flood control needs.

Conclusions of Law: The City of Ashland concludes that the Applicant has proposed one of the above limited activities and uses in the stream bank protection zone for Knoll Creek; that proposed use being a storm water outfall. Based upon the engineering plans prepared by Thornton Engineering, the City of Ashland concludes the design of the system will include storm water treatment prior to discharge into the Knoll Creek drainage and the same will be subject to water quality standards for storm water discharge.

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Water Resources Protection Zone Criterion 6

D. Limited Activities and Uses Permit. All Limited Activities and Uses described in section 18.3.11.060 shall be subject to a Type I procedure in section 18.5.1.050. An application for a Limited Activities and Uses Permit shall be approved if the proposal meets all of the following criteria.

1. All activities shall be located as far away from streams and wetlands as practicable, designed to minimize intrusion into the Water Resources Protection Zone and disturb as little of the surface area of the Water Resource Protection Zone as practicable.

Conclusions of Law: Based upon the submitted plans, the City of Ashland concludes the storm water outfall is located just over the slope break at the lowest usable elevation for storm water treatment for the project and that storm water treatment is required prior to outfall into the drainage system. The plans prepared by Thornton Engineering seek to minimize disturbance of the water resource protection zone but are the minimum necessary to control water velocities to prevent erosion and bank scour.

Based upon the findings in Section IV above and the evidence submitted with the application, the City of Ashland concludes the TSP plans an Avenue along the subject property's east frontage and improvements to this frontage would result in varying degrees if encroachment on the wetland and wetland protection zone. The City concludes the Applicant has presented three design alternatives with varying degrees of impact to the wetland resource protection, as follows:

1. The first design alternative proposes a 10-foot multi-use path that would minimally encroach on the wetland buffer (approximately 6 feet at the narrowest location) and no filling of the wetland itself would occur.
2. The second design alternative is a half-street improvement of the City's standard cross-section with bike lanes and parkrows but configured with the new centerline designed to avoid any physical impact to the wetland itself; most, if not all, of the wetland buffer would be impacted by this design alternative at the narrowest point.
3. The third design alternative is a half-street improvement that would utilize the City's standard cross-section with an alignment that seeks to optimize future constructability of the remainder of the street on the east side. This design may require joint permit approval from DSL and NMFS for wetland fill.

City of Ashland concludes that all three of the proffered design alternatives can be shown to satisfy D(1) above depending on the rationale and priorities the City has for this street segment.

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Water Resources Protection Zone Criterion 7

2. The proposed activity shall be designed, located and constructed to minimize excavation, grading, area of impervious surfaces, loss of native vegetation, erosion, and other adverse impacts on Water Resources.

Conclusions of Law: Based upon the submitted plans, the City of Ashland concludes the storm water outfall is located just over the slope break at the lowest usable elevation for storm water treatment for the project and that storm water treatment is required prior to outfall into the drainage system. The plans prepared by Thornton Engineering seek to minimize disturbance of the water resource protection zone but are the minimum necessary to control water velocities to prevent erosion and bank scour.

Based upon the findings in Section IV above and the evidence submitted with the application, the City of Ashland concludes the TSP plans an Avenue along the subject property's east frontage and improvements to this frontage would result in varying degrees if encroachment on the wetland and wetland protection zone. The City concludes the Applicant has presented three design alternatives with varying degrees of impact to the wetland protection resource, as follows:

1. The first design alternative proposes a 10-foot multi-use path that would minimally encroach on the wetland buffer (approximately 6 feet at the narrowest location) and no filling of the wetland itself would occur.
2. The second design alternative is a half-street improvement of the City's standard cross-section with bike lanes and parkrows but configured with the new centerline designed to avoid any physical impact to the wetland itself; most, if not all, of the wetland buffer would be impacted by this design alternative at the narrowest point.
3. The third design alternative is a half-street improvement that would utilize the City's standard cross-section with an alignment that seeks to optimize future constructability of the remainder of the street on the east side. This design may require joint permit approval from DSL and NMFS for wetland fill.

City of Ashland concludes that all three of the proffered design alternatives can be shown to satisfy D(2) above depending on the rationale and priorities the City has for this street segment.

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Water Resources Protection Zone Criterion 8

3. On stream beds or banks within the bank full stage, in wetlands, and on slopes of 25 percent or greater in a Water Resource Protection Zone, excavation, grading, installation of impervious surfaces, and removal of native vegetation shall be avoided except where no practicable alternative exists, or where necessary to construct public facilities or to ensure slope stability.

Conclusions of Law: Based upon the submitted plans, the City of Ashland concludes the storm water outfall is not located in the stream bed or bank full area and is in an area of under 25 percent slope.

Based upon the findings in Section IV above and the evidence submitted with the application, the City of Ashland concludes the TSP plans an Avenue along the subject property's east frontage and improvements to this frontage would result in varying degrees if encroachment on the wetland and wetland protection zone. The City concludes the Applicant has presented three design alternatives with varying degrees of impact to the wetland resource protection, as follows:

1. The first design alternative proposes a 10-foot multi-use path that would minimally encroach on the wetland buffer. No impacts to the wetland itself would occur.
2. The second design alternative is a half-street improvement of the City's standard cross-section with bike lanes and parkrows but configured with the new centerline designed to avoid any physical impact to the wetland itself.
3. The third design alternative is a half-street improvement that would utilize the City's standard cross-section with an alignment that seeks to optimize future constructability of the remainder of the street on the east side. This design may require joint permit approval from DSL and NMFS for some amount of wetland fill.

City of Ashland concludes that all three of the proffered design alternatives can be shown to satisfy D(3) above depending on the rationale and priorities the City has for this street segment.

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Water Resources Protection Zone Criterion 9

4. Water, storm drain, and sewer systems shall be designed, located and constructed to avoid exposure to floodwaters, and to avoid accidental discharges to streams and wetlands.

Conclusions of Law: Based upon the submitted plans prepared by Thornton Engineering, the City of Ashland concludes the water, storm drain and sewer systems have been designed and located to avoid exposure to floodwaters and to avoid any accidental discharges into streams and wetlands.

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Water Resources Protection Zone Criterion 10

5. Stream channel repair and enhancement, riparian habitat restoration and enhancement, and wetland restoration and enhancement will be restored through the implementation of a mitigation plan prepared in accordance with the standards and requirements in section 18.3.11.110 Mitigation Requirements.

Conclusions of Law: The City of Ashland concludes that the Applicant has provided a preliminary mitigation plan prepared by Galbraith and Associates for the storm water outfall and concludes the implementation of the same is appropriately made a condition of approval. The City of Ashland concludes a similar plan is feasible for the impacts to the wetland resource but preparation of this plan requires the City to select a design alternative for this street section and the same will be made a condition of approval for the selected design alternative.

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Water Resources Protection Zone Criterion 11

6. Long term conservation, management and maintenance of the Water Resource Protection Zone shall be ensured through preparation and recordation of a management plan as described in subsection 18.3.11.110.C, except a management plan is not required for residentially zoned lots occupied only by a single-family dwelling and accessory structures.

Conclusions of Law: The City of Ashland concludes the management plan can feasibly and will be made a condition of approval.

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Water Resources Protection Zone Criterion 12

18.3.11.100 Application Submission Requirements

A. Required Plans and Information. The following plans and information shall be submitted with the application for activities and uses in a Water Resource Protection Zone which are required to be processed under a Type I or Type II procedure in chapter 18.5.1 including Limited Activities and Uses, Water Resource Protection Zone Reductions and Hardship Exceptions.

1. A narrative description of all proposed activities and uses including the extent to which any Water Resource Protection Zone is proposed to be altered or affected as a result of the proposed development activity or use (in terms both of square footage of surface disturbance and cubic yards of overall disturbance).

2. Written findings of fact addressing all applicable development standards and approval criteria.

3. Site development plan map, drawn to scale. The application shall include a site map of the subject property prepared by a licensed surveyor, civil engineer, or other design professional that includes the information described below. The Staff Advisor may request additional information based upon the character of the site or the specific nature of the proposal.
   a. All watercourses identified (including any drainage ways, ponds, etc).
   b. Surveyed location of the Water Resource Protection Zone, as described in section 18.3.11.040 Establishment of Water Resource Protection Zones. For applications involving single-family residences or Limited Activities and Uses, in lieu of a surveyed location, the Staff Advisor may approve a field determination of the Water Resource Protection Zone by the Staff Advisor or his/her designee in which the applicant shall be required to stake the top-of-bank or the upland-wetland edge and the boundary of the Water Resource Protection Zone.
   c. For activities and use proposed within a Stream Bank Protection Zone: identification of the stream as being either fish-bearing or non-fish-bearing; identification of the top-of-bank or center line as required; and surveyed location of the stream's floodway and floodplain, if applicable.
   d. For activities and uses proposed within a Wetland Protection Zone: a wetland delineation (with an accompanying site map) prepared by a natural resource professional and that has been concurred with by the Oregon Department of State Lands (DSL); and an aerial photo with the wetland boundaries identified.
   e. Topographic information at two foot contour increments identifying both existing grades and proposed grade changes.
   f. Surveyed locations of all trees six inches in diameter at breast height (DBH) or greater located in the Water Resource Protection Zone and within 15 feet of the Water Resource Protection Zone, identified by edge of canopy, DBH, and species;
   g. The outlines of non-tree vegetation, with a dominant species and any occurrence of non- native, invasive species identified.
   h. Location of existing and proposed development, including all existing and proposed structures, any areas of fill or excavation, stream or wetland crossings, alterations to vegetation, or other alterations to the site' s natural state.

i. The location of natural features, proposed and existing structures, and other proposed and existing improvements associated with lands within 100 feet of the Water Resource Protection Zone.

j. Proposed and existing land uses within 100 feet of the Water Resource Protection Zone.

k. The location of temporary fencing and erosion control measures installed to prevent encroachment and flow of material into the Water Resource Protection Zone, such as sediment fencing and hay bales, etc.

l. North arrow and scale.

m. Sources of information (federal, state, and local).

4. Mitigation Plan prepared in accordance with the requirements described in section 18.3.11.110 Mitigation Requirements.

5. Management Plan prepared in accordance with the requirements described in subsection 18.3.11.110.C., except a management plan is not required for residentially zoned lots occupied only by a single-family dwelling and accessory structures.

Conclusions of Law: The City of Ashland concludes that the Applicant has provided a preliminary mitigation plan prepared by Galbraith and Associates for the storm water outfall and concludes the implementation of the same is appropriately made a condition of approval. The City of Ashland concludes a similar plan is feasible for the impacts to the wetland resource but preparation of this plan requires the City to select a design alternative for this street section and the same will be made a condition of approval for the selected design alternative. With respect to the Management Plan preparation, the City of Ashland concludes this can feasibly and is appropriately made a condition of approval because the plan preparation is contingent on approval or denial of key aspects of this application which cannot be known *a priori* in advance of the land use process.

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Water Resources Protection Zone Criterion 13

B. Building Permits and Development Activities. When approval of a planning action is not required, other permit applications for the construction of structures or other development activities on properties containing Water Resource Protection Zones shall be reviewed by the Staff Advisor to ensure that Water Resource Protection Zones are accurately identified on a site plan and that Limited Activities and Uses or other site disturbances will not be conducted within the Water Resource Protection Zone. Temporary fencing and erosion control measures may be required to be installed to prevent encroachment and flow of material or other debris into the Water Resource Protection Zone and to otherwise prevent impacts to the Water Resource Protection Zone by clearly identifying its boundaries. When required, these measures shall be installed and site-verified by the Staff Advisor before any permits are issued and prior to the commencement of excavation, grading, site clearing, construction, or similar site work resulting in changes to the land.

Conclusions of Law: The City of Ashland concludes this review is part of a planning action and this standard does not apply.

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Water Resources Protection Zone Criterion 14

C. Required Information Waived – Determination. Applications under this chapter involving properties containing a Water Resource Protection Zone shall accurately indicate the locations of these features and all other information as described and required above. The Staff Advisor may waive one or more of

the required elements of the site development plan map in subsection 18.3.11.100.A.3 if evidence is provided conclusively demonstrating that proposed excavation, grading, site clearing, construction, or similar actions resulting in changes to the property are not located within the boundaries of the Water Resource Protection Zone.

Conclusions of Law: The City of Ashland concludes the Applicant is not requesting required information be waived.

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Water Resources Protection Zone Criterion 15

18.3.11.110 Mitigation Requirements for Water Resource Protection Zones

A. Vegetation Preservation and Construction Staging. The following standards shall be addressed in mitigation plans to protect vegetation identified for preservation and water resources from sedimentation when construction activity is proposed within a Water Resources Protection Zone.

1. Work areas on the immediate site shall be identified and marked to reduce damage to trees and vegetation. Temporary construction fencing shall be placed at the drip line of trees bordering the work area. No equipment maneuvering, staging, or stockpiling shall occur outside of designated work areas.

2. Trees shall not be used as anchors for stabilizing equipment.

3. Stockpiling of soil or soil mixed with vegetation, shall not be permitted in Water Resource Protection Areas on a permanent basis. Temporary storage shall employ erosion control measures to ensure sediments are not transported to adjacent surface waters.

4. Temporary erosion control measures shall be installed to prevent encroachment and flow of runoff, material, or other debris into the Water Resource. These measures shall be installed prior to the commencement of excavation, grading, site clearing, construction, or similar site work resulting in changes to the land. Access roads, staging areas, storage areas, and other areas of temporary disturbance necessary to complete the proposed activity shall be restored as soon as possible, but not more than 90 days after authorized land disturbance. Erosion control measures shall be in place concurrently with construction or establishment of the proposed activity. Temporary measures used for initial erosion control shall not be left in place permanently.

Conclusions of Law: The City of Ashland concludes the above requirements can feasibly be implemented at the time of construction and detailed plans explaining how this will be done can and will be provided as part of the final grading plan permit request and/or as part of the City street construction design process.

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Water Resources Protection Zone Criterion 16

B. Options for Satisfying Restoration and Enhancement Requirements in Mitigation Plans. Mitigation plans are required to meet the standards in either the prescriptive option or alternative option as follows.

1. Prescriptive Option. The mitigation plan shall meet the following standards.

a. Re-Planting Timeline. Re-planting shall occur within 90 days of authorized land disturbance.

b. Restoration Area Ratio. Disturbed areas shall be re-planted and an additional area restored, re-planted and enhanced at a one square foot to one and a half square feet (1:1.5) ratio (e.g., if 100 square feet of surface area is disturbed, 150 square feet shall be restored, re- planted and enhanced).

c. Local Native Plant Species Coverage. The Stream Bank Protection Zone shall be a minimum of 50 percent plant coverage in local native plant species with the installation of new trees only to consist of native trees as illustrated in Figure 18.3.11.110.B.1.c.i, Figure 18.3.11.110.B.1.c.ii, and Figure 18.3.11.110.B.1.c.iii. The Wetland Protection Zone shall be 100 percent plant coverage in local native plant species and in accordance with local, state, and federal approved management plans. Local native plant species for stream bank and wetland applications are identified on the City's Local Native Plant Species List. The use of noxious and invasive plants on the City's Prohibited Plant List in Water Resource protection Zones is prohibited.

d. Re-Planting Priorities.
   i. Priority shall be given to removal of noxious and invasive vegetation and planting of local native plant species.
   ii. Plant materials shall be located in such a manner as to maximize enhancement and restoration of the Water Resource Protection Zone, with particular emphasis on temperature reduction of watercourses, erosion control, bank stabilization, and wildlife habitat enhancement.
   ii. Nearby riparian plant communities should be used as a guide for developing a re-vegetation plan.

e. Shrub and Tree Requirements. Re-planting shall include shrubs and tree canopy layers in accordance with the following coverage and spacing requirements.
   i. Shrubs shall be planted and maintained to provide a minimum of 50 percent total coverage of the restored area within a five year period. The minimum planting size shall be one gallon. Restoration areas that have existing vegetated under-story consisting of healthy riparian shrubs that covers at least 50 percent of the restoration area are considered compliant with the restoration standards for under-story plantings.
   ii. Canopy trees shall be planted at 20-foot intervals. The minimum planting size shall be one inch caliper. All new trees shall be staked and protected by deer/rodent-proof fencing. Restoration areas that have an existing vegetated tree canopy consisting of healthy trees at least four inches DBH and at an average spacing of 20 feet on–center are considered compliant with the restoration standards for trees.

f. Erosion Control. Erosion control material such as mulch, hay, jute-netting, or comparable material shall be applied to protect disturbed, re-planted areas. Disturbed areas shall be replanted so that landscaping shall obtain 50 percent coverage after one year and 90 percent coverage after five years.

g. Irrigation. New plantings shall be irrigated for a period of five years to ensure establishment.

h. Performance. Local native plant species that do not survive the first two years after planting shall be replaced.

i. Landscape and Irrigation Plans. A mitigation plan shall include landscape and irrigation plans, with details addressing the proposed plant species, variety, size of plant materials, number of plants, timing of plantings, plant spacing and installation methods. The landscape plan shall address the plant coverage by local native plant species after five years.

Conclusions of Law: The City of Ashland concludes that the Galbraith and Associates mitigation plan for the storm water outfall uses the prescriptive option at the required ratios and has considered all the above factors in developing plan. Final landscape plan submittal can feasibly finalize any remaining details described in this code section after the overall concept has been approved. The City of Ashland further concludes that a similar plan can feasibly and will be developed for the street improvements when the City selects its preferred design solution.

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Water Resources Protection Zone Criterion 17

C. Management Plan. The applicant shall implement a management plan for the Water Resource Protection Zone and resource areas under the applicant' s ownership or control, including the areas restored and enhanced to assure long term conservation and maintenance. The management plan shall detail proposed monitoring and maintenance, and shall include a schedule delineating how completed projects will be monitored and reported to the Staff Advisor. The management plan shall contain the following requirements.

1. The approved mitigation plan.
2. Identification of Water Resources and Water Resource Protection Zone management practices to be conducted and proposed intervals.
3. The following statements.
   a. "There shall be no alteration of the Water Resource Protection Zones as delineated and shown on the attached plan." (attach reduced plan)
   b. "There shall be no alteration of the size, shape, or design of an approved Water Resource Protection Zone without prior approval by the City of Ashland".
   c. "There shall be no amendment or change to this Management Plan without prior approval of the City of Ashland".
4. Provisions for the ongoing removal and management of noxious or invasive vegetation and debris.
5. Provisions for the protection of protected plant and animal species in accordance with recommendations from applicable state and federal agencies.
6. Specific provisions for city enforcement of the management plan.
7. Any additional measures deemed necessary to protect and maintain the structures, functions and values of the Water Resource Protection Zone (e.g., signage delineating preservation boundaries).
8. Provisions for the perpetual protection and maintenance of the Water Resource and Water Resource Protection Zone including but not limited to the following:
   a. Recordation of a conservation easement or Conditions, Covenants, and Restrictions (CC&Rs) which prescribe the conditions and restrictions set forth in the approved planning application, development permit, building permit, or proposed public facilities plans, and any imposed by state or federal permits.
   b. Transfer of the ownership and maintenance responsibilities for the area to a willing public agency, non-profit association, or private conservation organization with a recorded conservation easement prescribing the conditions and restrictions set forth in the approved planning application, development permit, building permit, or proposed public facilities plans, and any imposed by state or federal permits.
   c. Other mechanisms addressing long-term protection, maintenance, and mitigation consistent with the purposes and requirements of this ordinance as deemed appropriate and acceptable by the approval authority.

Conclusions of Law: With respect to the Management Plan preparation, the City of Ashland concludes this can feasibly and is appropriately made a condition of approval because the plan preparation is contingent on approval or denial of key aspects of this application which cannot be known *a priori* in advance of the land use process.

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TREE REMOVAL PERMIT

Tree Removal Criterion 1

Chapter 18.5.7 – Tree Removal Permits Sections:

18.5.7.020 Applicability and Review Procedure

All tree removal and topping activities shall be carried out in accordance with the requirements of this chapter and as applicable, the provisions of part 18.3 Special Districts and Overlay Zones, and chapter

Conclusions of Law: Based upon the other conclusions of law addressing tree removal and new trees to be added as part of the project, the Planning Commission concludes the project complies with the requirements of this chapter and applicable overlay provisions in part 18.3.

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Tree Removal Criterion 2

18.4.4 Landscaping, Lighting, and Screening.

If tree removal is part of another planning action involving development activities, the tree removal if timely filed, shall be processed concurrently with the other planning action. Applications for Tree Removal Permits are reviewed as follows.

A. Ministerial Action. The following Tree Removal Permits are subject to the Ministerial procedure in section 18.5.1.040.
   1. Emergency Tree Removal Permit.

B. Type I Reviews. The following Tree Removal Permits are subject to the Type I review in section 18.5.1.050. This section applies to removal of trees that are a hazard or are not a hazard.
   1. Removal of trees greater than six-inches DBH on private lands zoned C-I, E-I, M-I, CM, or HC.
   2. Removal of trees greater than six-inches DBH on lots zoned R-2, R-3, and R-1-3.5 that are not occupied solely by a single family detached dwelling.
   3. Removal of significant trees, as defined in part 18.6, on vacant property zoned for residential purposes including but not limited to R-I, RR, WR, and NM zones.
   4. Removal of significant trees as defined in part 18.6, on lands zoned SOU, on lands under the control of the Ashland School District, or on lands under the control of the City.
   5. Tree Topping Permit.

Conclusions of Law: The Planning Commission concludes the Type I review procedures applies because the Applicant proposes to remove trees greater than six-inches DBH on private lands zoned E-1.

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Tree Removal Criterion 3

C. Exempt From Tree Removal Permit. The following activities are exempt from the requirement for a tree removal permit in 18.5-7.020.A, subsections A. and B, above.
   1. Those activities associated with the establishment or alteration of any public park under the Ashland Parks and Recreation Commission. However, the Parks and Recreation Department shall provide an annual plan in January to the Tree Commission outlining proposed tree removal and topping

activities, and reporting on tree removal and topping activities that were carried out in the previous year.

2. Removal of trees in single family residential zones on lots occupied only by a single family detached dwelling and associated accessory structures, except as otherwise regulated by chapters 18.3.10 Physical and Environmental Constraints and 18.3.11 Water Resource Protection Zones.
3. Removal of trees in multi-family residential zones on lots occupied only by a single family detached dwelling and associated accessory structures, except as otherwise regulated by chapters 18.3.10 Physical and Environmental Constraints and 18.3.11 Water Resource Protection Zones.
4. Removal of trees less than six-inches DBH in any zone, excluding those trees located within the public right of way or required as conditions of approval with landscape improvements for planning actions.
5. Removal of trees less than 18 inches DBH on any public school lands, Southern Oregon University, and other public land, excluding Heritage trees.
6. Removal of trees within the Wildfire Lands area of the City, as defined on adopted maps, for the purposes of wildfire fuel management, and in accord with the requirements of chapters 18.3.10 Physical and Environmental Constraints and 18.3.11 Water Resource Protection Zones.
7. Removal of dead trees.
8. Those activities associated with tree trimming for safety reasons, as mandated by the Oregon Public Utilities Commission, by the City's Electric and Telecommunication Utility. However, the Utility shall provide an annual plan to the Tree Commission outlining tree trimming activities and reporting on tree trimming activities that were carried out in the previous year. Tree trimming shall be done, at a minimum, by a Journeyman Tree Trimmer, as defined by the Utility, and will be done in conformance and to comply with OPUC regulations.
9. Removal of street trees within the public right-of-way subject to street tree removal permits in AMC 13.16.

Conclusions of Law: Based on the evidence in Exhibit 6, the Planning Commission concludes that Tree #1 is dead and therefore removal of it is exempt. Trees #4, 6, 7, and 9 are greater than six-inches DBH and are not exempt.

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Tree Removal Criterion 4

D, Other Requirements.

1. Flood Plain, Hillsides, and Wildfire. Tree removal in the Physical and Environmental Constraints Overlay (i.e., areas identified as Flood Plain Corridor Land, Hillside Lands, Wildfire Lands and Severe Constraint Lands) must also comply with the provisions of chapter 18.3.10 Physical and Environmental Constrains Overlay.
2. Water Resources. Tree removal in regulated riparian areas and wetlands must also comply with the provisions of chapter 18.3.11 Water Resources Protection Zones.

Conclusions of Law: The Planning Commission concludes that a concurrent application has been submitted for Water Resource Protection Zones consistent with these other requirements, as applicable.

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Tree Removal Criterion 5

18.5.7.030 Application Submission Requirements

An application for a Tree Removal Permit 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 a Ministerial or Type I review, as applicable (see sections 18.5.1.040 and 18.5.1.050.), including but not limited to a written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards.

B. Plan Submittal. An application for all Tree Removal Permits shall include the following.
   1. Plans drawn to scale containing the number, size, species, and location of the trees proposed to be removed or topped on a site plan of the property.
   2. The anticipated date of removal or topping.
   3. A statement of the reason for removal or topping. If a prior planning approval requires that the subject tree(s) be preserved, a modification request, pursuant to chapter 18.5.6, may also be required.
   4. Information concerning proposed landscaping or planting of new trees to replace the trees to be removed.
   5. Evidence that the trees proposed for removal or topping have been clearly identified on the property for visual inspection.
   6. A Tree Protection Plan that includes trees located on the subject site that are not proposed for removal, and any off-site trees where drip lines extend into proposed landscaped areas on the subject site. Such plans shall conform to the protection requirements under section 18.4.5.030.
   7. .The Staff Advisor may require an arborist's report to substantiate the criteria for a permit.
   8. Any other information reasonably required by the City.

Conclusions of Law: The Planning Commission concludes that the Applicant hired L.J. Friar & Associates PC, Consulting Land Surveyors, to prepare an accurate topographic base map showing tree locations. This map was analyzed by the project landscape architects, Galbraith and Associates, who used it and their onsite inspections as the basis for preparation of the Exhibit 6 Report and Tree Protection Plan.

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Tree Removal Criterion 6

18.5.7.040 Approval Criteria

A. Emergency Tree Removal Permit. An Emergency 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.
   1. If the condition of a tree presents an immediate danger of collapse, as defined in part 18.6, and represents a clear and present hazard to persons or property, an emergency tree removal permit may be issued and the payment of a fee may be waived. The Staff Advisor may require the applicant to hire an arborist to review the evidence to ascertain whether the tree presented an immediate danger of collapse.

Conclusions of Law: The Planning Commission concludes the applicant is not seeking an Emergency Tree Removal Permit.

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Tree Removal Criterion 7

B. Tree Removal Permit.

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.

Conclusions of Law: The Planning Commission concludes the analysis by Galbraith and Associates identified Trees #4, 6, 7, and 9 as a hazard trees in need of removal. Galbraith and Associates recommend replacement of these trees with trees of the same species near the riparian area of the Knoll Creek.

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Tree Removal Criterion 8

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 18.3.10.

   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.

Conclusions of Law: The Planning Commission concludes that Trees 15, 18 and 21 are located where they will be affected by the project driveways. Since they are located in Phase 2 and 3 areas, the Applicant proposes to preserve these trees until such time that Phases 2 and 3 move forward. Removal will then be addressed in conjunction with detailed landscape and building design plans for that portion of the site.

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Tree Removal Criterion 9

18.5.7.050 Mitigation Required

One or more of the following shall satisfy the mitigation requirement.

A. Replanting On-Site. The applicant shall plant either a minimum 1 ½-inch caliper healthy and well-branched deciduous tree or a five to six-foot tall evergreen tree for each tree removed. The replanted tree shall be of a species that will eventually equal or exceed the removed tree in size if appropriate for the new location. Larger trees may be required where the mitigation is intended, in part, to replace a visual screen between land uses. Suitable species means the tree' s growth habits and environmental requirements are conducive to the site, given existing topography, soils, other vegetation, exposure to wind and sun, nearby structures, overhead wires, etc. The tree shall be planted and maintained per the specifications of the Recommended Street Tree Guide.

Conclusions of Law: The Planning Commission concludes the proposed replanting has been designed by a landscape architect for appropriate variety based upon the location of proposed planting; the required tree size is a matter of code standard and the plantings will meet the applicable standard.

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Tree Removal Criterion 10

B. Replanting Off-Site. If in the City's determination there is insufficient available space on the subject property, the replanting required in section 18.5.7.050.A, above, shall occur on other property in the applicant's ownership or control within the City, in an open space tract that is part of the same subdivision, or in a City owned or dedicated open space or park. Such mitigation planting is subject to the approval of the authorized property owners. If planting on City owned or dedicated property, the City may specify the species and size of the tree. Nothing in this section shall be construed as an obligation of the City to allow trees to be planted on City owned or dedicated property.

Conclusions of Law: The Planning Commission concludes that no off-site replanting is needed or proposed.

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Tree Removal Criterion 11

C Payment In-Lieu of Planting. If in the City's determination no feasible alternative exists to plant the required mitigation, the applicant shall pay into the tree account an amount as established by resolution of the City Council.

Conclusions of Law: The Planning Commission concludes the Applicant is not proposing payment in-lieu of planting.

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Tree Removal Criterion 12

D. Mitigation Plan. An approved mitigation plan shall be fully implemented within one year of a tree being removed unless otherwise set forth in a tree removal application and approved in the tree removal permits.

Conclusions of Law: The Planning Commission concludes that Trees proposed to be removed will be removed at the start of Phase 1 and the six trees proposed as mitigation will be installed with the Phase 1 landscaping.

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Tree Removal Criterion 13

18.5.7.060 Conditions of Approval for Tree Removal Permits

The City may impose conditions of approval on any Tree Removal Permit if the condition is reasonably related to preventing, eliminating, or mitigating a negative impact or potential negative impact on natural features or processes or on the built environment of the neighborhood which is as created or contributed to by the approved tree removal. Conditions of approval may include, but are not limited to the following.

A. Requiring modifications in the location, design, or intensity of a development or activities on a site or to require or prohibit certain construction methods. Modifications may result in a decrease in size of residential or commercial structures, but modifications shall not reduce the density of residential development below the permitted density allowed by the zone.

B. Requiring vegetation not requiring a tree removal permit to remain in place or be planted.

C. Requiring the removal of injurious or noxious vegetation (such as English Ivy) from other trees on the property.

Conclusions of Law: The Planning Commission concludes that no additional special conditions are required or warranted in this instance.

VII

STIPULATIONS

Applicant herewith agrees to stipulate to accept a condition of approval requiring construction of one of the three alternatives for the Washington Street frontage prior to occupancy of the first building in any of Phases 2-4; nothing in this stipulation is intended to waive any SDC credits due the project for construction of higher order streets. The Applicant further stipulates to providing a wetland resource mitigation plan and implementing said plan for any wetland or wetland buffer areas affected design for Washington Street improvements selected by the City of Ashland.

VIII

ULTIMATE CONCLUSIONS

Based upon the foregoing findings of fact and conclusions of law, the City of Ashland herewith concludes the Application satisfies all the relevant substantive criteria of the City of Ashland. On this basis, the Application is herewith approved.

Respectfully submitted on behalf of Applicant:

CSA PLANNING, LTD.

Jay Harland
Consulting Planner

Dated: January 18, 2018

IX

SUPPORTING EVIDENTIARY EXHIBITS

Section IX of Volume 1 contains the Applicant's additional[8] evidentiary exhibits in support of the requested annexation and associated land use application. These exhibits are numbered according to the below Exhibit List and labeled:

Exhibit 1. Signed and Completed Application Forms and Authorization from the current property owners, South Ashland Business Park, LLC.

Exhibit 2. Consent to Annex and Deposit Agreement

Exhibit 3. Evidence of Compliance with Applicable Development Standards

Exhibit 4. Legal description of property to be annexed and zoned

Exhibit 5. Transportation Impact Analysis and Access Analysis prepared by Sandow Engineering

Exhibit 6. Technical Memo Analyzing Washington Street Cross-Section Concepts

Exhibit 7. Preliminary Utility Analysis, Thornton Engineering, January 11, 2018

Exhibit 8. Preliminary Storm Water Calculations, Thornton Engineering, Inc. December 21, 2017

Exhibit 9. Draft Wetland Delineation Map, Schott & Associates Inc. November 2016

Exhibit 10. Tree Protection Plan

[8] These exhibits are additive evidence to the evidence in Sections I-VIII in Volume 1 and the Atlas of Maps and Plans in Volume 2 of Applicants submittal.

EXHIBIT 1

CITY OF ASHLAND

Planning Division
51 Winburn Way, Ashland OR 97520
541-488-5305 Fax 541-488-6006

ZONING PERMIT APPLICATION

FILE #_____

DESCRIPTION OF PROJECT Light Industrial Business Park

DESCRIPTION OF PROPERTY

Pursuing LEED® Certification? ☐ YES ☒ NO

Street Address 601 Washington Street

Assessor's Map No. 39 1E 14AB Tax Lot(s) 2800

Zoning Current: RR-5 Proposed: E-1 Comp Plan Designation Employment

APPLICANT

Name South Ashland Business Park LLC Phone _____ E-Mail _____

Address 860 O'Hare Parkway, Ste City Medford Zip 97504

PROPERTY OWNER

Name South Ashland Business Park LLC Phone _____ E-Mail _____

Address 860 O'Hare Parkway, Ste 100 City Medford Zip 97504

SURVEYOR, ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OTHER

Title Architect Name Architectural Design Works Phone 541-488-0719 E-Mail dr@adwarchitect.com

Address 518 Washington St., Ste 4 City Ashland Zip 97520

Title _____ Name _____ Phone _____ E-Mail _____

Address _____ City _____ Zip _____

I hereby certify that the statements and information contained in this application, including the enclosed drawings and the required findings of fact, are in all respects, true and correct. I understand that all property pins must be shown on the drawings and visible upon the site inspection. In the event the pins are not shown or their location found to be incorrect, the owner assumes full responsibility. I further understand that if this request is subsequently contested, the burden will be on me to establish:

1) *that I produced sufficient factual evidence at the hearing to support this request;*
2) *that the findings of fact furnished justifies the granting of the request;*
3) *that the findings of fact furnished by me are adequate; and further*
4) *that all structures or improvements are properly located on the ground.*

Failure in this regard will result most likely in not only the request being set aside, but also possibly in my structures being built in reliance thereon being required to be removed at my expense. If I have any doubts, I am advised to seek competent professional advice and assistance.

Applicant's Signature Jay Harland, CSA Planning, Ltd., Agent — Date January 18, 2018

As owner of the property involved in this request, I have read and understood the complete application and its consequences to me as a property owner.

Property Owner's Signature (required) Jay Harland, CSA Planning, Ltd., Agent — Date January 18, 2018

[To be completed by City Staff]

Date Received_____ Zoning Permit Type_____ Filing Fee $_____

RECEIVED
JAN 22 2018
City of Ashland

OVER ▸▸

ZONING PERMIT SUBMITTAL REQUIREMENTS

- ☐ APPLICATION FORM must be completed and signed by both applicant and property owner.
- ☐ FINDINGS OF FACT – Respond to the appropriate zoning requirements in the form of factual statements or findings of fact and supported by evidence. List the findings criteria and the evidence that supports it. Include information necessary to address all issues detailed in the Pre-Application Comment document.
- ☐ 2 SETS OF SCALED PLANS no larger than 11"x17". Include site plan, building elevations, parking and landscape details. (Optional – 1 additional large set of plans, 2'x3', to use in meetings)
- ☐ FEE (Check, Charge or Cash)
- ☐ LEED® CERTIFICATION *(optional)* – Applicant's wishing to receive priority planning action processing shall provide the following documentation with the application demonstrating the completion of the following steps:
  - Hiring and retaining a LEED® Accredited Professional as part of the project team throughout design and construction of the project; and
  - The LEED® checklist indicating the credits that will be pursued.

NOTE:

- Applications are accepted on a first come, first served basis.
- Applications will not be accepted without a complete application form signed by the applicant(s) AND property owner(s), all required materials and full payment.
- All applications received are reviewed for completeness by staff within 30 days from application date in accordance with ORS 227.178.
- The first fifteen COMPLETE applications submitted are processed at the next available Planning Commission meeting. (Planning Commission meetings include the Hearings Board, which meets at 1:30 pm, or the full Planning Commission, which meets at 7:00 pm on the second Tuesday of each month. Meetings are held at the City Council Chambers at 1175 East Main St).
- A notice of the project request will be sent to neighboring properties for their comments or concerns.
- If applicable, the application will also be reviewed by the Tree and/or Historic Commissions.

LIMITED SPECIAL POWER OF ATTORNEY

AUTHORIZATION TO ACT on behalf of the undersigned owner of real property described as Tax Lot 2800 of Jackson County Assessor map 39-1E-14AB.

LET IT BE KNOWN that CSA Planning, Ltd. (CSA) is the duly authorized representative of South Ashland Business Park, LLC, the applicant and owner of the above described real property, and, by this instrument, do hereby authorize CSA to perform all acts procedurally required to obtain land use and development applications and permits as may be required by and through the City of Ashland as legal prerequisites to actual development of the described real property.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY shall be used for only the limited and special purposes above described and shall not be used to buy, sell or convey any part or any interest whatsoever in this or any other land owned by the above property owner.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY has been expressly authorized by the undersigned applicant and shall expire on December 31, 2018, but may be extended by the mutual consent of the parties.

Done and dated this 3/7/2017 day of _____, 2017.

_____
Authorized Representative

LIMITED SPECIAL POWER OF ATTORNEY

AUTHORIZATION TO ACT on behalf of the undersigned owner of real property described as Tax Lot 2800 of Jackson County Assessor map 39-1E-14AB.

LET IT BE KNOWN that CSA Planning, Ltd. (CSA) is the duly authorized representative of Breeze Capital Management LLC, the applicant and owner of the above described real property, and, by this instrument, do hereby authorize CSA to perform all acts procedurally required to obtain land use and development applications and permits as may be required by and through the City of Ashland as legal prerequisites to actual development of the described real property.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY shall be used for only the limited and special purposes above described and shall not be used to buy, sell or convey any part or any interest whatsoever in this or any other land owned by the above property owner.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY has been expressly authorized by the undersigned applicant and shall expire on December 31, 2018, but may be extended by the mutual consent of the parties.

Done and dated this 5 day of MARCH, 2017.

Authorized Representative MEMBER

RECEIVED
JAN 22 2018
City of Ashland

EXHIBIT 2

CITY OF ASHLAND
PLANNING DIVISION

IRREVOCABLE CONSENT TO ANNEXATION

The undersigned, referred to in this document as "Owner" whether singular or plural, owns or is the purchaser under a recorded land sale contract of real property in Jackson County, Oregon, described below and referred to in this document as "the property":

Legal Description: TWP:39 RANGE: 1E SECTION: 14AB Tax Lot: 2800
Location: 601 Washington Street, Ashland, Oregon
(See attached description)

In consideration of the application for annexation and subsequent extension of City of Ashland water and sewer services, Owner declares and agrees that the property shall be held, sold, and conveyed subject to the following covenants, conditions, and restrictions which shall constitute covenants running with the land and shall be binding on all parties, their heirs, successors and assigns, having any right, title, or interest in the property or any part thereof:

> **Whenever a proposal to annex the property is initiated by the City of Ashland or otherwise, Owner shall consent and does consent to the annexation of the property to the City of Ashland. Owner agrees this consent to annexation is irrevocable.**

Dated this 19 day of January, 2018.

Signature: _____
L. John Pierce, Member
South Ashland Business Park LLC

State of Oregon)
) ss:
County of Jackson)

Personally appeared the above named L. John Pierce, Member of South Ashland Business Park LLC and acknowledged the foregoing instrument to be his voluntary act and deed.

_____
Notary Public for Oregon
My Commission expires: May 4, 2019

OFFICIAL STAMP
LORETTA SUE HOLLIS
NOTARY PUBLIC-OREGON
COMMISSION NO. 938458
MY COMMISSION EXPIRES MAY 04, 2019

RECEIVED
JAN 22 2018
City of Ashland

TELEPHONE
541-772-2782

JAMES E. HIBBS, PLS

L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS
P.O. BOX 1947
PHOENIX, OR 97535

FAX
541-772-8465

ljfriar@charter.net

LEGAL DESCRIPTION

Beginning at the Northeast corner of Parcel 2 per Partition Plat No. P-53-1991, according to the official plat thereof, now of record, in Volume 2, Page 53 of "Record of Partition Plats" of Jackson County, Oregon and filed as Survey No. 12528 in the Office of the Jackson County Surveyor, said point also being on the existing City of Ashland Boundary; thence along said City Boundary, North 00°09'23" East, 70.01 feet to the North line of Washington Street as set forth in Document No. 72-00467, Official Records of Jackson County, Oregon; thence leaving said City Boundary, along said North line, South 89°50'37" East, 114.48 feet to the Westerly right of way line of Interstate No. 5 as set forth in Circuit Court Case No. 91-804-L, also being on the existing City of Ashland Boundary; thence along right of way line and along said City Boundary, the following three courses: South 43°24'07" East, 360.57 feet; thence South 26°38'49" East, 319.92 feet; thence South 26°41'00" East, 73.36 feet to the Southeast corner of that tract described in Document No. 2009-009985, said Official Records; thence along said City Boundary and along said South line, WEST, 622.96 feet to the Southwest corner of said tract; thence along the Westerly line of said tract and along said City Boundary the following four courses: North 06°50'20" East, 145.15 feet; thence North 07°40'02" East, 157.59 feet; thence North 16°14'57" East, 181.37 feet; thence North 04°04'34" West, 69.52 feet to the point of beginning. Containing 5.60 acres, more or less.

ANNEXED TRACT
391E14AB TL2800
Archerd-Breeze
16-199
December 1, 2017

REGISTERED
PROFESSIONAL
LAND SURVEYOR
James E. Hibbs
OREGON
JULY 17, 1986
JAMES E. HIBBS
2234
RENEWAL DATE : 6-30-19

RECEIVED
JAN 22 2018
City of Ashland

ANNEXATION AGRREEMENT
TO DEPOSIT AN AMOUNT SUFFICIENT TO RETIRE ANY OUTSTANDING INDEBTEDNESS OF SPECIAL DISTRICTS

Between
South Ashland Business Park, LLC
and
CITY OF ASHLAND

THIS AGREEMENT entered into by and between South Ashland Business Park, LLC, hereinafter referred to as "APPLICANT" and the CITY OF ASHLAND, hereinafter referred to as "CITY",

WITNESSETH:

WHEREAS, pursuant to ORS 222.520(2)(b), the CITY elects to pay the bonds of the special districts when such property subject to special district indebtedness is annexed by the CITY.

WHEREAS, Ashland Municipal Code, Sections 4.14.020, 14.08.030(F) and 18.5.8.020(B), require that an applicant for annexation must agree to deposit an amount sufficient to retire any outstanding indebtedness of special districts defined in ORS 222.510 as part of an annexation application.

NOW, THEREFORE, as part of the annexation application for the property described in APPENDIX "A", APPLICANT agrees to deposit an amount sufficient to retire any outstanding indebtedness of special district defined in ORS 222.510. In the event that no special district requests from the CITY an amount to be paid to retire indebtedness within one (1) year from the date of annexation, the full amount deposited to the CITY shall be returned to the APPLICANT. In the event that a special district requires an amount less than the amount deposited, the CITY shall return the remainder to the APPLICANT.

APPLICANT FOR ANNEXATION:

Signed_____
L. John Pierce, Member
South Ashland Business Park LLC

Date 1/19/2018

CITY OF ASHLAND:
Signed_____

Date_____

RECEIVED
JAN 22 2018
City of Ashland

TELEPHONE
541-772-2782

JAMES E. HIBBS, PLS

L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS
P.O. BOX 1947
PHOENIX, OR 97535

ljfriar@charter.net

APPENDIX "A"

LEGAL DESCRIPTION

Beginning at the Northeast corner of Parcel 2 per Partition Plat No. P-53-1991, according to the official plat thereof, now of record, in Volume 2, Page 53 of "Record of Partition Plats" of Jackson County, Oregon and filed as Survey No. 12528 in the Office of the Jackson County Surveyor, said point also being on the existing City of Ashland Boundary; thence along said City Boundary, North 00°09'23" East, 70.01 feet to the North line of Washington Street as set forth in Document No. 72-00467, Official Records of Jackson County, Oregon; thence leaving said City Boundary, along said North line, South 89°50'37" East, 114.48 feet to the Westerly right of way line of Interstate No. 5 as set forth in Circuit Court Case No. 91-804-L, also being on the existing City of Ashland Boundary; thence along right of way line and along said City Boundary, the following three courses: South 43°24'07" East, 360.57 feet; thence South 26°38'49" East, 319.92 feet; thence South 26°41'00" East, 73.36 feet to the Southeast corner of that tract described in Document No. 2009-009985, said Official Records; thence along said City Boundary and along said South line, WEST, 622.96 feet to the Southwest corner of said tract; thence along the Westerly line of said tract and along said City Boundary the following four courses: North 06°50'20" East, 145.15 feet; thence North 07°40'02" East, 157.59 feet; thence North 16°14'57" East, 181.37 feet; thence North 04°04'34" West, 69.52 feet to the point of beginning. Containing 5.60 acres, more or less.

ANNEXED TRACT
391E14AB TL2800
Archerd-Breeze
16-199
December 1, 2017

REGISTERED
PROFESSIONAL
LAND SURVEYOR
James E. Hibbs
OREGON
JULY 17, 1986
JAMES E. HIBBS
2234
RENEWAL DATE: 6-30-19

RECEIVED
JAN 22 2018
City of Ashland

APPLICANT'S EXHIBIT 3

DEMONSTRATION OF COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Ashland Land Use Ordinance ("ALUO")

The relevant approval standards are recited verbatim below:

Chapter 18.2.6 – Standards for Non-Residential Zones

18.2.6.010 Purpose

Chapter 18.2.6 sets forth lot and development standards, including minimum dimensions, area, density, coverage, structure height, and other provisions that control the intensity, scale, and location of development, for Ashland's base employment zones, pursuant to the Comprehensive Plan and the purposes of this ordinance.

18.2.6.020 Applicability

The standards contained in this chapter apply to all uses and development in the city's employment zones. Property owners are responsible for verifying whether a proposed use or development meets the applicable standards of this ordinance, and for obtaining Zoning Permits.

Table 18.2.6.030 – Standards for Non-Residential Zones
(Except as modified under chapter 18.5.5 Variances.)

Standard	*E-1*
Setback Yards (feet)	There is no minimum front, side, or rear yard required, except where buildings on the subject site abut a residential zone, in which case a side of not less than 10 ft and a rear yard of not less than 10 ft per story is required. The solar setback standards of chapter 18.4.8 do not apply to structures in the C-1-D zone. Except for buildings within 100 feet of a residential zone, the solar setback standards of chapter 18.4.8 do not apply to structures in the C-1 zone.
Building Height [2&3] – Maximum (feet) (feet)	40 ft, except: - Buildings greater than 40 ft and less than 55 ft are permitted in C-1-D zone with approval of a Conditional Use Permit. -Where located more than 100 feet from a residential zone, buildings greater than 40 ft and less than 55 ft are permitted in C-1 zone with approval of a Conditional Use Permit.
Landscape Area – Minimum (% of developed lot area)	15%

[3]Parapets may be erected up to five feet above the maximum building height; see also, 18.4.4.030.G.4 for mechanical equipment screening requirements, and 18.5.2.020 for Site Design Review for mechanical equipment review process.

Compliance with Standards: The project is surrounded by E-1 zoned properties and is more than 100 feet from a residential zone. Therefore there are no minimum setbacks. Building height for proposed buildings to be no more than 40 feet.

Chapter 18.4.2 – Building Placement, Orientation, and Design

B. Basic Site Review Standards. Except as otherwise required by an overlay zone or plan district, the following requirements apply to commercial, industrial, non-residential and mixed-use development pursuant to section 18.5.2.020. See conceptual site plan of basic site review development in Figure 18.4.2.040.B.

1. Orientation and Scale.

a. Buildings shall have their primary orientation toward the street and not a parking area. Automobile circulation or off-street parking is not allowed between the building and the street. Parking areas shall be located behind buildings, or to one side. See Figure 18.4.2.040.B.1.

Compliance with Standards: The project contains five of multi-tenant buildings of which only two abut the street, the Phase 1 Office/Watchman Quarters/Units building and the Phase 4 Office Building. Each of these buildings has their primary entrances oriented to the street. No parking areas are located between these buildings and the street. Parking is located behind and to the side of the buildings.

The other three buildings are separated from the street by a wetland. Building Group 1 has the entrances for the end unit tenants oriented to the street though no access is possible due to the wetlands. The other tenant unit entries in this and the remaining two buildings face the driveways as is typical for this type of use.

b. A building façade or multiple building facades shall occupy a large majority of a project's street frontage as illustrated in Figure 18.4.2.040.B, and avoid site design that incorporates extensive gaps between building frontages created through a combination of driveway aprons, parking areas, or vehicle aisles. This can be addressed by, but not limited to, positioning the wider side of the building rather than the narrow side of the building toward the street. In the case of a corner lot, this standard applies to both street frontages. Spaces between buildings shall consist of landscaping and hard durable surface materials to highlight pedestrian areas.

Compliance with Standards: Of the subject property's 843.4 feet of frontage, 55 percent is encumbered by wetland and creek setbacks. The remaining frontage is split into two parts, a short section 110 feet long along the northern frontage and a 350 foot long narrow triangular section along the eastern frontage. The proposed plan places buildings adjacent to the street in each of these sections. These sections are also the only locations available for access driveways, therefore a portion of the northern frontage is used for the entry drive and the southern portion of the eastern section is used to provide the required parking and driveway for the Phase 4 Office Building. All of the space between these buildings is taken up with wetlands and related landscaping.

c. Building entrances shall be oriented toward the street and shall be accessed from a public sidewalk. The entrance shall be designed to be clearly visible, functional, and shall be open to the public during all business hours. See Figure 18.4.2.040.B.1.

Compliance with Standards: As noted above, the building entrances for the Phase 1 Office/Watchman Quarters/Units building and the Phase 4 Office Building are oriented to the street. Each has stairs leading from the sidewalk directly to the entries. These office entrances will be open to the public during business hours.

d. Building entrances shall be located within 20 feet of the public right of way to which they are required to be oriented. Exceptions may be granted for topographic constraints, lot configuration, designs where a greater setback results in an improved access or for sites with multiple buildings, such as shopping centers, where other buildings meet this standard.

Compliance with Standards: Entrances for the Phase 1 Office/Watchman Quarters/Units building and the Phase 4 Office Building are located within 20 feet of the public right-of-way. None of the interior tenant units are intended for the general public. These units are designed for the light industrial use and have entrances located at the front of each unit. These units cannot be located adjacent to the right-of-way due to the wetlands. The Applicant requests approval of this layout based on the type of use and the topographic constraints.

e. Where a building is located on a corner lot, its entrance shall be oriented toward the higher order street or to the lot corner at the intersection of the streets. The building shall be located as close to the intersection corner as practicable.

Compliance with Standards: The subject property is on a portion of Washington Street that bends but it does not intersect with any other streets so it is not a corner lot.

f. Public sidewalks shall be provided adjacent to a public street along the street frontage.

Compliance with Standards: Public sidewalks are proposed. See further discussion regarding street sections in Applicant's Findings.

g. The standards in a-d, above, may be waived if the building is not accessed by pedestrians, such as warehouses and industrial buildings without attached offices, and automotive service stations.

Compliance with Standards: With the exception of the Phase 4 Office Building, the proposed buildings are intended for light industrial use and are therefore not in need of pedestrian access.

2. Streetscape. One street tree chosen from the street tree list shall be placed for each 30 feet of frontage for that portion of the development fronting the street pursuant to subsection 18.4.4.030.E.

Compliance with Standards: Street trees are proposed as required, except within the wetlands areas. See Atlas Page 2.4.

3. Landscaping.
   a. Landscape areas at least ten feet in width shall buffer buildings adjacent to streets, except the buffer is not required in the Detail Site Review, Historic District, and Pedestrian Place overlays.
   b. Landscaping and recycle/refuse disposal areas shall be provided pursuant to chapter 18.4.4.

Compliance with Standards: Landscaping is proposed as required except within the wetlands boundary. Landscaping and recycle/refuse disposal areas are provided. See Atlas Page 2.4.

4. Designated Creek Protection. Where a project is proposed adjacent to a designated creek protection area, the project shall incorporate the creek into the design while maintaining required setbacks and buffering, and complying water quality protection standards. The developer shall plant native riparian plants in and adjacent to the creek protection zone.

Compliance with Standards: The subject property contains the eastern half of the Knoll Creek drainage and as such includes a creek protection area. The plan minimizes impact on the drainage and includes riparian planting in any area impacted by construction and complies with water quality protection standards.

5. Noise and Glare. Artificial lighting shall meet the requirements of section 18.4.4.050. Compliance with AMC 9.08.170.c and AMC 9.08.175 related to noise is required.

Compliance with Standards: Artificial lighting can and will comply with requirements. See Atlas Page 2.1.

* * * * * * * * * * * *

18.4.3.040 Parking Ratios

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.

Table 18.4.3.040 - Automobile Parking Spaces by Use	
Use Categories	**Minimum Parking Per Land Use** (Based on Gross Floor Area; fractions are rounded to whole number.)
Residential Categories	
Multi-family	c. 2-bedroom units -- 1.75 spaces/unit.
Commercial Categories	
Offices	General Office: 1 space per 500 sq. ft. floor area.
Industrial Categories	
Industrial, Manufacturing and Production, Warehousing and Freight	1 space per 1,000 sq. ft. of gross floor area, or 1 space for each 2 employees whichever is less, plus 1 space per company vehicle

Compliance with Standards: Total parking spaces in development- 84.

Residential: One 2-bedroom unit – 1.75 spaces required. 2 spaces provided. Complies.

Office: Industrial Unit Main Office – 214 sf/500= .43~ 1 space required
1 space provided. Complies.
Phase 4 Office Building- 4,497 sf/500= 8.99 ~ 9 spaces required.
11 spaces provided. Complies.

Industrial: 46 Industrial Units - 61,417 sf/1,000= 61.4~ 62 spaces required
71 spaces provided. Complies.

18.4.3.050 Accessible Parking Spaces

Accessible parking shall be provided consistent with the requirements of the building code, including but not limited to the minimum number of spaces for automobiles, van-accessible spaces, location of spaces relative to building entrances, accessible routes between parking areas and building entrances, identification signs, lighting, and other design and construction requirements. Accessible parking shall be included and identified on the planning application submittals.

Compliance with Standards: Accessible parking spaces can and will be provided as required to meet building code standards. A total of 7 accessible parking spaces are proposed, 2 of which will be van-accessible.

* * * * * * * * * * * *

18.4.3.070 Bicycle Parking

D. Bicycle Parking for Non-Residential Uses. Uses required to provide off street parking, except as specifically noted, shall provide two spaces per primary use, or one bicycle parking space for every five required automobile parking spaces, whichever is greater. Fifty percent of the bicycle parking spaces required shall be sheltered from the weather. All spaces shall be located in proximity to the uses they are intended to serve.

I. Bicycle Parking Design Standards.

1. Bicycle parking shall be located so that it is visible to and conveniently accessed by cyclists, and promotes security from theft and damage.
2. Bicycle parking requirements, pursuant to this section, can be met in any of the following ways.
   a. Providing bicycle racks or lockers outside the main building, underneath an awning or marquee, or in an accessory parking structure.
   b. Providing a bicycle storage room, bicycle lockers, or racks inside the building. Providing bicycle racks on the public right of way, subject to review and approval by the Staff Advisor.
3. All required exterior bicycle parking shall be located on-site and within 50 feet of a regularly used building entrance and not farther from the entrance than the closest motor vehicle parking space. Bicycle parking shall have direct access to both the public right-of-way and to the main entrance of the principal use. For facilities with multiple buildings, building entrances or parking lots (such as a college), exterior bicycle parking shall be located in areas of greatest use and convenience for bicyclists.
4. Required bicycle parking spaces located out of doors shall be visible enough to provide security. Lighting shall be provided in a bicycle parking area so that all facilities are thoroughly illuminated and visible from adjacent walkways or motor vehicle parking lots during all hours of use. Bicycle parking shall be at least as well lit as automobile parking.
5. Paving and Surfacing. Outdoor bicycle parking facilities shall be surfaced in the same manner as the automobile parking area or with a minimum of two inch thickness of hard surfacing (i.e., asphalt, concrete, pavers, or similar material) and shall be relatively level. This surface will be maintained in a smooth, durable, and well-drained condition.

Compliance with Standards: With a total of 73 parking spaces in the main business park, 14 bicycle spaces are required. Bicycle parking is provided throughout the development. Spaces are provided in 3 locations- 4 near the Main Office at the entry to the development, 8 at the east end of Building Group 1 and another 4 at the southeast corner of Building Group 2, for a total of 12. The 8 racks near Building Group 1 will be covered. The Phase 4 Office building has an 11 space parking lot, so will be provided with racks for 3 bicycles, which will be covered. Total bicycle parking spaces: 18. Total covered: 11. Project complies.

* * * * * * * * * * * *

18.4.3.080 Vehicle Area Design

A. Parking Location

1. Except for single and two-family dwellings, required automobile parking facilities may be located on another parcel of land, provided said parcel is within 200 feet of the use it is intended to serve. The distance from the parking lot to the use shall be measured in walking distance from the nearest parking space to an access to the building housing the use, along a sidewalk or other pedestrian path separated from street traffic. Such right to use the off-site parking must be evidenced by a deed, lease, easement, or similar written instrument establishing such use, for the duration of the use.

Compliance with Standards: All spaces are adjacent to the building being served on the same parcel. Complies.

B. Parking Area Design.

4. Parking lots with 50 or more parking spaces, and parking lots where pedestrians must traverse more than 150 feet of parking area, as measured as an average width or depth, shall be divided into separate areas by one or more of the following means: a building or group of buildings; plazas landscape areas with walkways at least five feet in width; streets; or driveways with street-like features as illustrated in Figure 18.4.3.080.B.4 Street-like features, for the purpose of this section, means a raised sidewalk of at least five feet in width, with six-inch curb, accessible curb ramps, street trees in planters or tree wells and pedestrian-oriented lighting (i.e., not exceeding 14 feet typical height).

Compliance with Standards: The entire project contains 84 total parking spaces, which are separated by the buildings into four areas. Each parking area's use is directly related to the building abutting each side of the area. Complies.

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.

1. Applicability. This section applies to all public streets within the City and to all properties that abut these streets. The standards apply when developments are subject to a planning action (e.g., Site Design Review, Conditional Use permit, Land Partition, Performance Standards Subdivision).
2. Site Circulation. New development shall be required to provide a circulation system that accommodates expected traffic on the site. All on-site circulation systems shall incorporate street-like features as described in 18.4.3.080.B.4. Pedestrian connections on the site, including connections through large sites, and connections between sites and adjacent sidewalks must conform to the provisions of section 18.4.3.090.
3. Intersection and Driveway Separation. The distance from a street intersection to a driveway, or from a driveway to another driveway shall meet the minimum spacing requirements for the street's classification in the Ashland Transportation System Plan (TSP) as illustrated in Figures 18.4.3.080.C.3.a and Figure 18.4.3.080.C.3.b.

c. Street and driveway access points in an R-2, R-3, C-1, E-1, CM, or M-1 zone shall be limited to the following.

i. Distance between driveways.

on boulevard streets:	100 feet
on collector streets:	75 feet
on neighborhood streets:	24 feet for 2 units or fewer per lot, 50 feet for three or more units per lot

ii. Distance from intersections.

on boulevard streets:	100 feet
on collector streets:	50 feet
on neighborhood streets:	35 feet

Compliance with Standards: The project design proposes two driveway access points, one on the northern frontage that serves the business park and a second on the eastern frontage that exclusively serves the office building. The driveway on the northern frontage is located 150 feet from the nearest driveway to the west and 110 feet from the corner. Washington Street makes a near right angle turn around the property, but it is not an intersection as there are no connecting roads. The driveway on the eastern boundary is located 85 feet from the nearest driveway to the south and approximately 445 feet from the corner. As Washington Street is classified as an Avenue, which is similar to a collector, driveways must be 75 feet or more apart and at least 50 feet away from an intersection. Both driveways comply.

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

3. Parking areas of more than seven parking spaces shall be served by a driveway 20 feet in width and constructed to: facilitate the flow of traffic on or off the site, with due regard to pedestrian and vehicle safety; be clearly and permanently marked and defined; and provide adequate aisles or turn-around areas so that all vehicles may enter the street in a forward manner.
4. The width of driveways and curb cuts in the parkrow and sidewalk area shall be minimized.
6. Vertical Clearances. Driveways, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13.5 feet for their entire length and width. Parking structures are exempt from this requirement.
7. Vision Clearance. No obstructions may be placed in the vision clearance area except as set forth in section 18.2.4.040.

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.

Compliance with Standards: The project design complies with above requirements as follows:

3. & 4. The driveways connecting the parking areas to Washington Street are designed to facilitate flow of traffic on and off the site. They will be 20 feet in width, minimizing their impact on the parkrow and sidewalk. The drive aisles in the main business park are laid out in loops, eliminating the need for turn-arounds. The office building parking lot is a standard single entrance/exit design and meets the ALUO standards for layout.

6. All driveways and aisles meet vertical clearance requirements

7. No obstructions are present within the vision clearance areas of either driveway.

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

1. Paving. All required parking areas, aisles, turn-arounds, and driveways shall be paved with concrete, asphaltic, porous solid surface, or comparable surfacing, constructed to standards on file in the office of the City Engineer.
2. Drainage. All required parking areas, aisles, and turn-arounds shall have provisions made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way, and abutting private property.
3. Driveway Approaches. Approaches shall be paved with concrete surfacing constructed to standards on file in the office of the City Engineer.
4. Marking. Parking lots of more than seven spaces shall have all spaces permanently and clearly marked.
5. Wheel stops. Wheel stops shall be a minimum of four inches in height and width and six feet in length. They shall be firmly attached to the ground and so constructed as to withstand normal wear. Wheel stops shall be provided where appropriate for all spaces abutting property lines, buildings, landscaping, and no vehicle shall overhang a public right-of-way.
6. Walls and Hedges
   a. Where a parking facility is adjacent to a street, a decorative masonry wall or evergreen hedge screen between 30 and 42 inches in height and a minimum of 12 inches in width shall be established parallel to and not nearer than two feet from the right-of-way line, pursuant to the following requirements.
      i. The area between the wall or hedge and street line shall be landscaped.
      ii. Screen planting shall be of such size and number to provide the required screening within 12 months of installation.
      iii. All vegetation shall be adequately maintained by a permanent irrigation system, and said wall or hedge shall be maintained in good condition.
      iv. Notwithstanding the above standards, the required wall or screening shall be designed to allow access to the site and sidewalk by pedestrians and shall meet the vision clearance area requirements in section 18.2.4.040.

Compliance with Standards: The parking areas comply with the above standards as follows:

1. Paving is proposed to be a combination of asphalt and concrete constructed to meet City Engineer standards. See Atlas Page 3.2.
2. Parking areas have been laid out to direct drainage to appropriate collection systems. See Atlas Pages 3.2 and 3.3.
3. Driveway approaches can and will meet city standards.
4. Wheel stops meeting code standards will be installed at all parking spaces.

5. Hedges are provided at all parking stalls that face or abut the street. Landscaping will be installed to meet required standards.

* * * * * * * * * * * *

18.4.3.090 Pedestrian Access and Circulation

A. Purpose. The purpose of section 18.4.3.090 is to provide for safe, direct, and convenient pedestrian access and circulation.

B. Standards. Development subject to this chapter, except single-family dwellings on individual lots and associated accessory structures, shall conform to the following standards for pedestrian access and circulation.

1. Continuous Walkway System. Extend the walkway system throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent sidewalks, trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property for this purpose.
2. Safe, Direct, and Convenient. Provide safe, reasonably direct, and convenient walkway connections between primary building entrances and all adjacent streets. For the purposes of this section, the following definitions apply.
   a. "Reasonably direct" means a route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.
   b. "Safe and convenient" means reasonably free from hazards and provides a reasonably direct means of walking between destinations.
   c. "Primary entrance" for a non-residential building means the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.
3. Connections within Development. Walkways within developments shall provide connections meeting all of the following requirements as illustrated in Figures 18.4.3.090.B.3.a and 18.4.3.090.B.3.b
   a. Connect all building entrances to one another to the extent practicable.
   b. Connect on-site parking areas, recreational facilities, and common areas, and connect offsite adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections.

Compliance with Standards: This project is made up of several multi-tenant buildings and does not have a primary building entrance, but rather has separate entrances for every tenant, with related parking adjacent to it. This type of development typically has only auto and truck access. Regular pedestrian access is not anticipated to be needed.

Pedestrian movement within the project is anticipated to be only from the related parking space to the tenant entrance, and as such, no sidewalks are proposed connecting the separate tenant spaces. Due to the roll-up doors needed for deliveries to this type of space, it is not practical to provide connecting walkways that would be interrupted every 20 or so feet. This layout is typical and appropriate for this type of light industrial business park. Project complies.

* * * * * * * * * * * *

18.4.4.030 Landscaping and Screening

G. Other Screening Requirements. Screening is required for refuse and recycle containers, outdoor storage areas, loading and service corridors, mechanical equipment, and the City may require screening other situations, pursuant with the requirements of this ordinance.

1. Recycle and Refuse Container Screen. Recycle and refuse containers or disposal areas shall be screened from view by placement of a solid wood fence or masonry wall five to eight feet in height to limit the view from adjacent properties or public rights-of-way. All recycle and refuse materials shall be contained within the screened area.

2. Outdoor Storage. Outdoor storage areas shall be screened from view, except such screening is not required in the M-1 zone.

3. Loading Facilities and Service Corridors. Commercial and industrial loading facilities and service corridors shall be screened when adjacent to residential zones. Siting and design of such service areas shall reduce the adverse effects of noise, odor, and visual clutter upon adjacent residential uses.

4. Mechanical Equipment. Mechanical equipment shall be screened by placement of features at least equal in height to the equipment to limit view from public rights-of-way, except alleys, and adjacent residentially zoned property. Mechanical equipment meeting the requirements of this section satisfy the screening requirements in 18.5.2.020.C.3.

   a. *Roof-mounted Equipment.* Screening for roof-mounted equipment shall be constructed of materials used in the building's exterior construction and include features such as a parapet, wall, or other sight-blocking features. Roof-mounted solar collection devices are exempt from this requirement pursuant to subsection 18.5.2.020.C.3.

   b. *Other Mechanical Equipment.* Screening for other mechanical equipment (e.g., installed at ground level) include features such as a solid wood fence, masonry wall, or hedge screen.

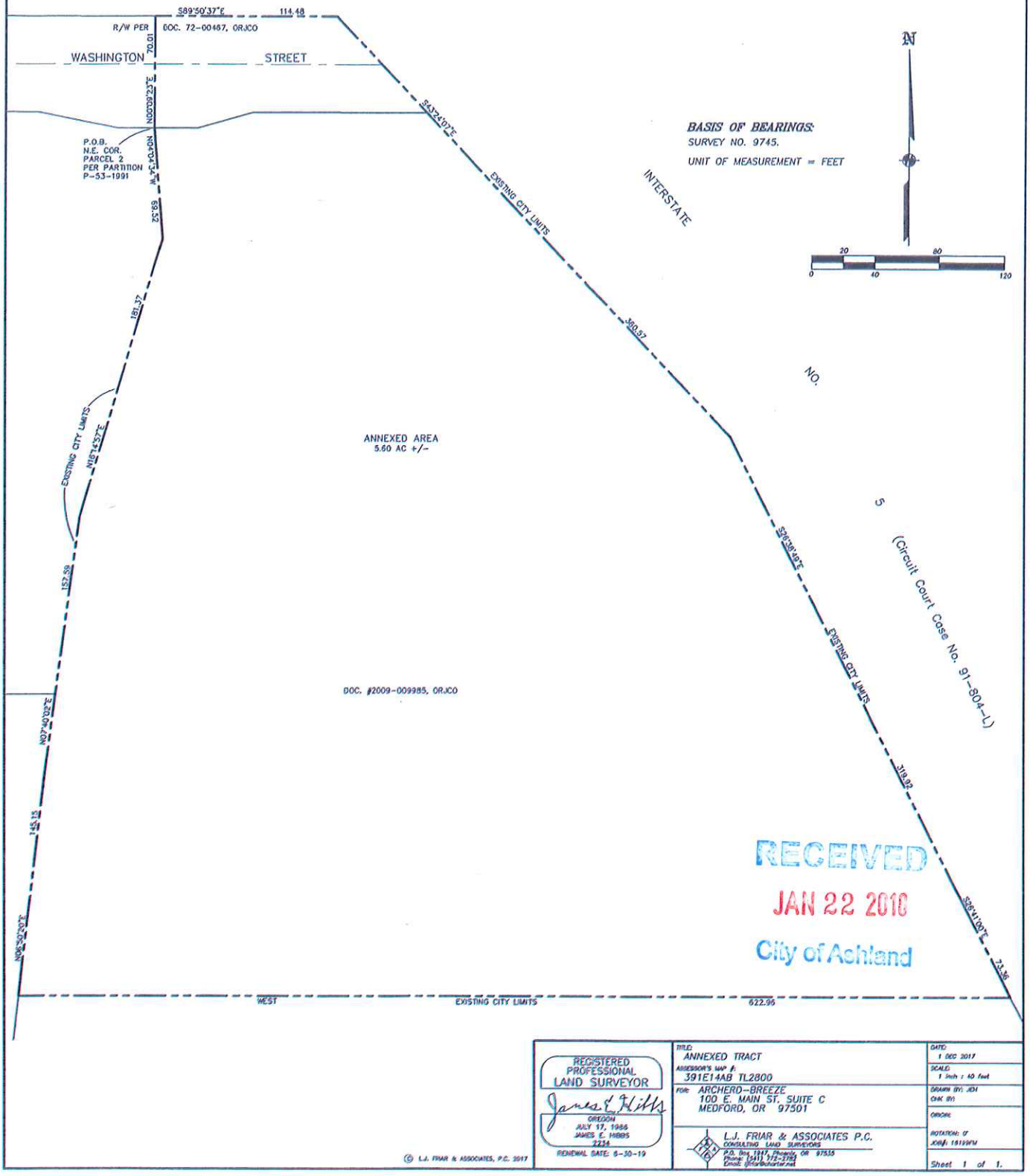
Compliance with Standards: Recycle and Refuse area has masonry wall screening it from view. Loading dock is not screened as the site is surrounded by E-1 zoned properties. Mechanical Equipment will be limited to small individual units at the tenant spaces. The office building HVAC units will be roof mounted and screened by a parapet. Project complies.

* * * * * * * * * * * *

EXHIBIT 4

MAP OF ANNEXED TRACT

Located in the N.E. 1/4 of Sec. 14, T.39S., R.1E., W.M.
City of Ashland Jackson County, Oregon



RECEIVED
JAN 22 2018
City of Ashland

REGISTERED PROFESSIONAL LAND SURVEYOR
James E. Hibbs
OREGON
JULY 17, 1986
JAMES E. HIBBS
2214
RENEWAL DATE: 6-30-19

TITLE: ANNEXED TRACT
ASSESSOR'S MAP #: 391E14AB TL2800
FOR: ARCHERD-BREEZE
100 E. MAIN ST. SUITE C
MEDFORD, OR 97501

L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS
P.O. Box 1217, Phoenix, OR 97535
Phone: (541) 512-2763
Email: ljfriar@charter.net

DATE: 1 DEC 2017
SCALE: 1 inch = 40 feet
DRAWN BY: JDH
CHK BY:
ORDER:
ROTATION: 0°
JOB#: 1919PM

Sheet 1 of 1.

TELEPHONE
541-772-2782

JAMES E. HIBBS, PLS

L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS
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ljfriar@charter.net

LEGAL DESCRIPTION

Beginning at the Northeast corner of Parcel 2 per Partition Plat No. P-53-1991, according to the official plat thereof, now of record, in Volume 2, Page 53 of "Record of Partition Plats" of Jackson County, Oregon and filed as Survey No. 12528 in the Office of the Jackson County Surveyor, said point also being on the existing City of Ashland Boundary; thence along said City Boundary, North 00°09'23" East, 70.01 feet to the North line of Washington Street as set forth in Document No. 72-00467, Official Records of Jackson County, Oregon; thence leaving said City Boundary, along said North line, South 89°50'37" East, 114.48 feet to the Westerly right of way line of Interstate No. 5 as set forth in Circuit Court Case No. 91-804-L, also being on the existing City of Ashland Boundary; thence along right of way line and along said City Boundary, the following three courses: South 43°24'07" East, 360.57 feet; thence South 26°38'49" East, 319.92 feet; thence South 26°41'00" East, 73.36 feet to the Southeast corner of that tract described in Document No. 2009-009985, said Official Records; thence along said City Boundary and along said South line, WEST, 622.96 feet to the Southwest corner of said tract; thence along the Westerly line of said tract and along said City Boundary the following four courses: North 06°50'20" East, 145.15 feet; thence North 07°40'02" East, 157.59 feet; thence North 16°14'57" East, 181.37 feet; thence North 04°04'34" West, 69.52 feet to the point of beginning. Containing 5.60 acres, more or less.

ANNEXED TRACT
391E14AB TL2800
Archerd-Breeze
16-199
December 1, 2017

REGISTERED
PROFESSIONAL
LAND SURVEYOR
James E. Hibbs
OREGON
JULY 17, 1986
JAMES E. HIBBS
2234
RENEWAL DATE : 6-30-19

RECEIVED
JAN 22 2018
City of Ashland

EXHIBIT 5

TRANSPORTATION PLANNING RULE ANALYSIS

SOUTH ASHLAND BUSINESS PARK

January 5, 2018

160 Madison Street, Suite A
Eugene, Oregon 97402
541.513.3376

SANDOW ENGINEERING

Transportation Planning Rule Analysis

South Ashland Business Park

RENEWAL 06 / 30 /18

Kelly Sandow PE

Ashland, Oregon
January 5, 2018

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ENGINEERING
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project # 5643

SANDOW ENGINEERING

EXECUTIVE SUMMARY

This report describes the traffic analysis and findings consistent with the development proposal of Tax Lot 2800 of Assessor's Map 391E14AB in Ashland, Oregon. The property consists of 5.38 acres and is currently zoned Rural Residential (5 acre) minimum (RR-5) by Jackson County. The property is currently located outside of the City of Ashland city limits. The applicant is requesting an annexation and a zone change to Employment (E-1) to support the proposed business park to be developed on the site. As part of the zone change request, an analysis of compliance with the Transportation Planning Rule (TPR), Statewide Planning Rule Goal 12, OAR 660-012-0060(1) is needed to demonstrate that any increase in traffic generated by the proposed zoning will not have a significant effect on the adjacent transportation system.

The analysis evaluates the adjacent roadway network and intersections with added traffic from the proposed rezoning and development consistent with City of Ashland and Oregon Department of Transportation (ODOT) analysis and evaluation criteria.

The following findings and recommendations are based on the information and analysis contained within this report.

FINDINGS

The analysis concludes the following:

- All of the studied intersections meet mobility standards though the year 2023 with the proposed development of a 72,606 sf of business park.
- The proposed E-1 zoning will generate more traffic than the existing Rural Residential zoning, triggering the need for TPR analysis.
- The intersection of Ashland Street at I-5 Northbound Ramps, Ashland Street at I-5 Southbound Ramps, and Ashland Street at Normal Avenue do not meet the applicable mobility standards for the year 2034 background conditions.
- The "worst-case" development potential under the proposed E-1 zoning will worsen the year 2034 intersection performance. In lieu of expensive mitigation, the applicant is proposing a trip cap equal to the level of traffic generated by the proposed development scenario. Under the trip cap, all intersections projected to operate within applicable mobility standards will continue to meet applicable mobility standards. Under the trip cap, all intersections projected to not meet the mobility standards will operate no worse than the 2034 background conditions, and no further mitigation is needed.

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1.0 BACKGROUND

1.1 SITE INFORMATION

This report describes the traffic analysis and findings for the development and zone change of Tax Lot 2800 of Assessor's Map 391E14AB located on Washington Street in Ashland, Oregon. Figure 1 illustrates the site location. The property is currently zoned Rural Residential (5 acre) minimum (RR-5) by Jackson County.

The applicant will be requesting a zone change to support the annexation, therefore the traffic study will require analysis/findings consistent with the Transportation Planning Rule (TPR), Statewide Planning Rule Goal 12, OAR 660-12-0060 requirements.

The proposed development will be a business park consisting of approximately 72,606 square feet of light industrial building/office and one two-bedroom apartment[1]. The proposed development is anticipated to generate 112 PM peak hour trips. As such, the development triggers a Traffic Impact Analysis as per City of Ashland TIA requirements. Appendix A includes the preliminary site plan.

The development is expected to be completed in multiple phases. It is anticipated that current market demand exists for approximately two-thirds of the project in the short-to-medium term. Thus, impacts are evaluated at two-thirds completion and final completion. At these two stages in the development there is the potential for cumulative impacts of the development trips on the adjacent intersections to warrant an evaluation.

1.2 SCOPE OF ANALYSIS

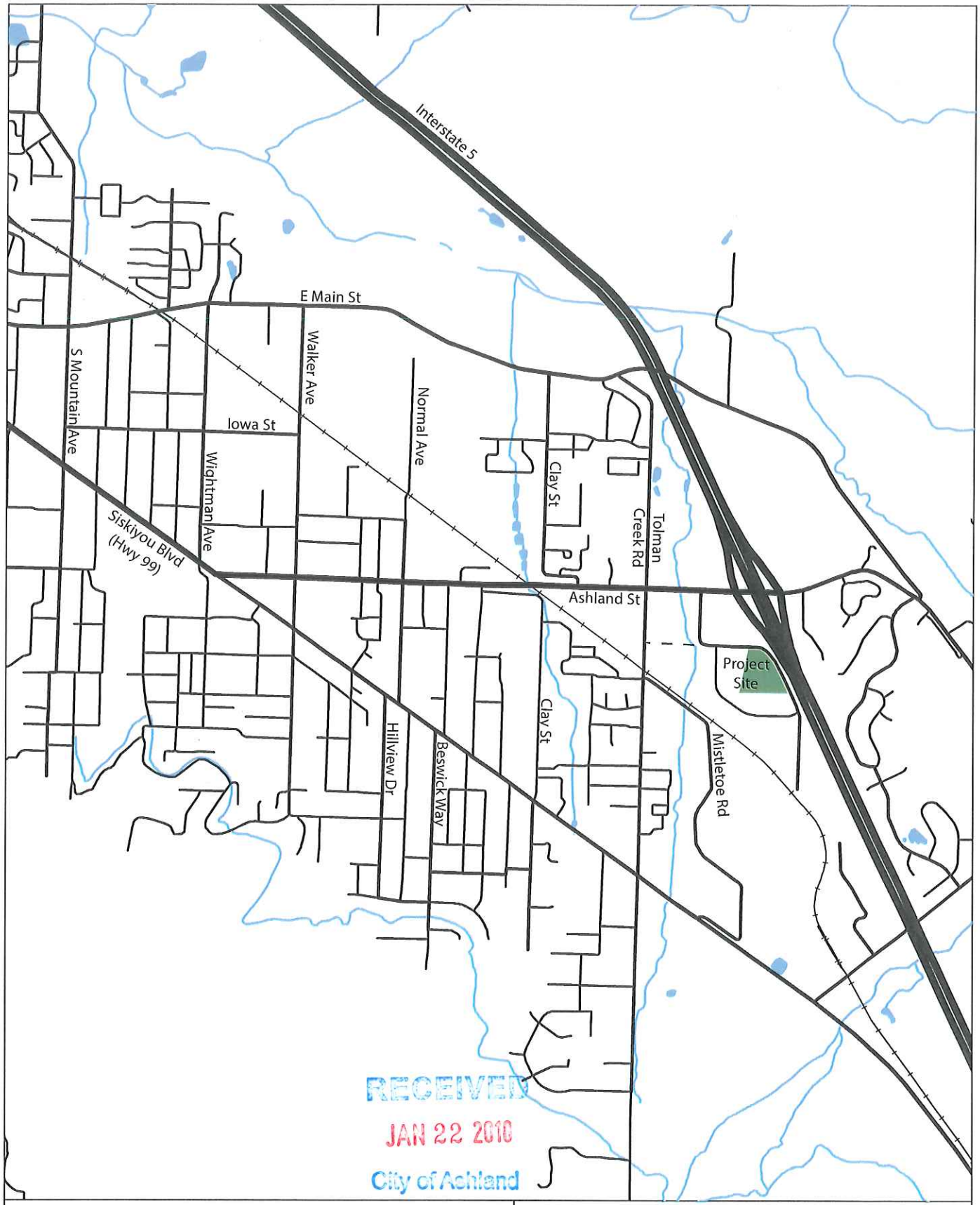
The traffic study is performed in accordance with City of Ashland and ODOT Traffic Impact Analysis standards and criteria. The Scope of Work was coordinated by Sandow Engineering, the City of Ashland, and ODOT to establish evaluation criteria for off-site impacts at the following locations and time periods. The traffic impacts are evaluated for the weekday PM time period between 4:00 PM to 6:00 PM at locations within the City of Ashland's jurisdiction and from 3:30 PM to 6:30 PM at locations within ODOT's jurisdiction. The intersections included in the analysis are as follows:

- Ashland Street @ Walker Avenue (City - TPR Only)
- Ashland Street @ Normal Avenue (City - TPR Only)
- Ashland Street @ Tolman Creek Road (ODOT)
- Ashland Street @ Washington Street (ODOT)
- Ashland Street @ Southbound I-5 Ramps (ODOT)
- Ashland Street @ Northbound I-5 Ramps (ODOT)
- Tolman Creek Road @ Independent Way (City - Future)

[1] A "watchman or managers" apartment until accessory to the business park use.

- Washington Street @ Independent Way (City - Future)
- Washington Street @ Site Driveway (City)

The operational analysis is performed at the studied intersections during the weekday PM peak hour of the system for the existing year (year 2017), at two-thirds site completion (year 2019) with and without the proposed development, final completion (year 2023) with and without the proposed development, and for the 20-year planning horizon (year 2034) with and without the proposed zone change. Year 2034 is the current planning horizon for the City of Ashland Transportation System Plan (TSP) and therefore is the 20-year planning horizon to be considered for the TPR Analysis. The scope of work is included in Appendix B.



South Ashland Business Park, Ashland, Oregon

Figure 1: Site Location and Vicinity Map

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2.0 EXISTING ROADWAY CONDITIONS

2.1 STREET NETWORK

Streets included within the study are Ashland Street, Washington Street, Tolman Creek Road, Normal Avenue, Walker Avenue, and the future Independent Way. The City of Ashland's functional classification system uses "Boulevards" as the street classification intended to serve the highest travel demands and "Avenues" as the next highest classification. The project site abuts Washington Street. Ashland Street is a Boulevard which serves as a main east-west route between the interstate and downtown Ashland. Washington Street is an Avenue that serves as access to surrounding industrial businesses. Tolman Creek Road is a Boulevard south of Ashland Street and Avenue to the north. Tolman Creek Road is a main north-south route that serves residential and commercial properties in the surrounding area. Normal Avenue is an Avenue that serves surrounding residences and connects Ashland Street to Siskiyou Boulevard (Hwy 99) to the south. Walker Avenue is an Avenue that serves surrounding residences, commercial, and a portion of Southern Oregon University and connects Ashland Street to Siskiyou Boulevard (Hwy 99) to the south. Table 1 illustrates the roadway characteristics within the study area.

TABLE 1: ROADWAY CHARACTERISTICS WITHIN STUDY AREA

Characteristic	Ashland Street	Washington Street	Tolman Creek Road	Normal Avenue	Walker Avenue
Functional Classification	District Highway/ Boulevard	Avenue	Boulevard/ Avenue	Avenue	Avenue
Posted Speed	30/35 mph	25 mph (unposted)	25 mph	25 mph (unposted)	25 mph
Lanes per Direction	2	1	1	1	1
Center Left Turn Lane	Yes	None	None	None	None
Restrictions in the Median	Intermittent	None	None	None	None
Bikes Lanes Present	Yes	None	Yes	None	Yes
Sidewalks Present	Yes	East/North-Yes South-Intermittent	Yes	East Side – Yes West Side - None	Yes
Transit Route	Yes	None	Yes	None	None
On-Street Parking	None	Yes	Yes	Yes	North of Ashland Street

Figure 2 illustrates the study area intersection locations, intersection geometry, and access control.

South Ashland Business Park, Ashland, Oregon

Figure 2: Intersection Control and Lane Configuration

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2.2 CRASH ANALYSIS

A crash investigation was performed for the study area intersections. The analysis investigates crashes that have been reported to the state for the most recent 5 years of data available, 1/1/2011-12/31/2015, to determine a crash rate in crashes per million vehicles on the roadway and the types of crashes that occurred. Year 2016 data is preliminary and does not include property damage, only crashes, therefore was not included in the analysis. The crash rate is compared to the statewide 90th percentile intersection crash rate as there are not enough intersections to create a reference population for the HSM Critical Crash rate methodology. If the calculated crash rate exceeds the statewide 90th percentile intersection crash rate or there is a high percentage of a certain crash type, the location is investigated for further mitigation measures. The 90th % crash rate for 4-way signalized intersections is 0.860, and 0.293 for stop controlled "T" intersections. Crash data was provided by ODOT for the study area and is included in Appendix C. The results of the crash analysis are provided in Table 2.

TABLE 2: INTERSECTION CRASH RATES

		Types of Crashes								
Location	Number of Crashes	Head	Rear	Side	Turn	Other	Pedestrian/ Bike	ADT	Crash Rate*	90th % crash rate
Ashland St @ SB I-5 Ramp	0**	0	0	0	0	0	0	19,640	0.00**	0.860
Ashland St @ NB I-5 Ramp	0**	0	0	0	0	0	0	16,940	0.00**	0.860
Ashland St @ Washington St	1	0	1	0	0	0	0	17,650	0.00	0.293
Ashland St @ Tolman Creek Rd	8	0	3	0	3	2	0	22,140	0.20	0.860

*(crashes/million entering vehicles)

** Intersections were recently updated and signalized in 2012. No crashes reported from 2012 to 2015.

It should be noted that the intersections of Ashland Street with the I-5 ramps were recently updated in 2012 with traffic signals. This substantial change to intersection operations mean that historic crash data will not reflect existing conditions. As such, crash data from the Ashland Street and I-5 ramp intersections was limited to the time frame after the signal update was completed. The ODOT Crash reports show no crashes at these intersections for the time period evaluated.

As illustrated in Table 2, all of the studied intersections have a crash rate lower than the statewide 90th percentile crash rate. The intersections do not meet the threshold for requiring mitigation. Additionally, the types and frequency of crashes are typical of those found at intersections with similar configurations and control.

3.0 BACKGROUND TRAFFIC VOLUMES

3.1 INTERSECTION COUNTS

As part of the analysis, weekday PM peak hour turning movement counts were collected at the study intersections. The traffic counts were performed for the 3:30 PM to 6:30 PM peak period at ODOT intersections and the 4:00PM to 6:00PM peak period at Ashland Intersections. AM traffic counts were taken at ODOT intersections for the purpose of verifying the peak hour of the system. Figure 3 includes the AM traffic volumes. Figure 4 includes the PM peak hour traffic volumes. The PM peak hour traffic volumes on the system total 10,549 (combined total of all ODOT intersections). The AM peak hour traffic volumes on the system total 5,978 (combine total of all ODOT intersections). The PM peak hour traffic volumes are nearly twice as high as the AM peak hour. As per coordination with ODOT, an AM analysis is not necessary since the PM is clearly the peak hour of the day.

Table 3 provides the count date for each intersection and the traffic volumes are included in Appendix D.

TABLE 3: TRAFFIC COUNT SUMMARY

Intersection	Count Date	Count Type	Jurisdiction
Ashland Street @ I-5 Northbound Ramps	6/7/2017	3 hr	ODOT
Ashland Street @ I-5 Southbound Ramps	6/7/2017	3 hr	ODOT
Ashland Street @ Washington Street	6/7/2017	3 hr	ODOT
Ashland Street @ Tolman Creek Road	6/7/2017	3 hr	ODOT
Ashland Street @ Normal Avenue	9/20/2016	2 hr	City
Ashland Street @ Walker Avenue	9/22/2016	2 hr	City
Washington Street @ Independence Way (Future)	6/7/2017	2 hr	City

3.2 SEASONAL ADJUSTMENT

Application of seasonal adjustment factors account for the fact that through volumes along State Highways and recreational routes tend to fluctuate from month to month due to changes in recreational behavior, etc. Monthly volume variations for routes with recreational traffic show much higher seasonal peaking than for routes with predominantly intercity traffic. All traffic counts were taken on a typical Southern Oregon University day to account for university traffic.

The traffic volumes were seasonally adjusted using rates included in the ODOT Seasonal Trend Table. The nearest Automatic Traffic Recorders are along Interstate-5 and Highway 99 outside of the city. Therefore, they are not representative of the study area. The seasonal factor for the commuter trend was determined to be the appropriate factor for this section of Ashland St. The seasonal adjustment calculation is included in Appendix E.

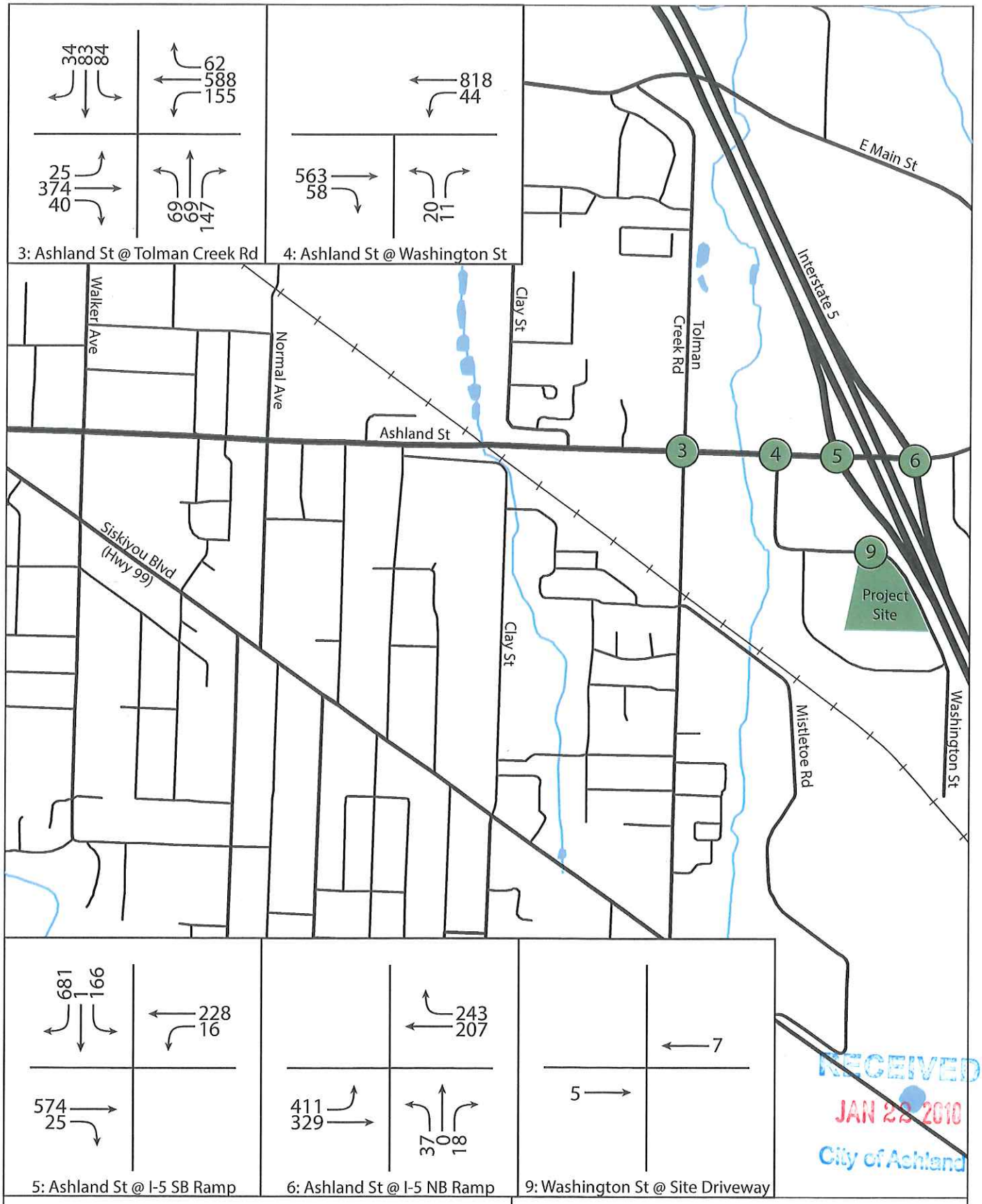
3.3 FUTURE YEAR BACKGROUND VOLUMES

The analysis evaluates the traffic conditions for the years 2019, 2023 and 2034. Therefore, existing traffic volumes are "grown" to represent the future conditions. The growth rates for intersections in the area were determined from the City of Ashland Transportation System Plan (TSP). Base level and future traffic volumes were used to determine a linear growth rate for the study area intersection turning movements.

3.4 BACKGROUND VOLUMES

Independent way is anticipated to be completed prior to completion of Phase 1 (year 2019). The Independent Way connection will provide alternate routing for vehicles in the area. The years 2019, 2023, and 2034 traffic volumes were adjusted to account for this connection. The adjustment followed the same travel patterns within the Southern Oregon Transportation Engineering IPCO Site Expansion and Independent Way Street Connection TIA dated November 11th, 2013.

Additionally, the approved but not completed IPCO development was included as pipeline trips in the background and no build conditions. Resulting background traffic volumes are included in Appendix E. The background traffic volumes are illustrated in Figure 5 for year 2019, Figure 6 for year 2023, and Figure 7 for year 2024.



South Ashland Business Park, Ashland, Oregon

Figure 3: 2017 AM Peak Hour Background Traffic Volumes

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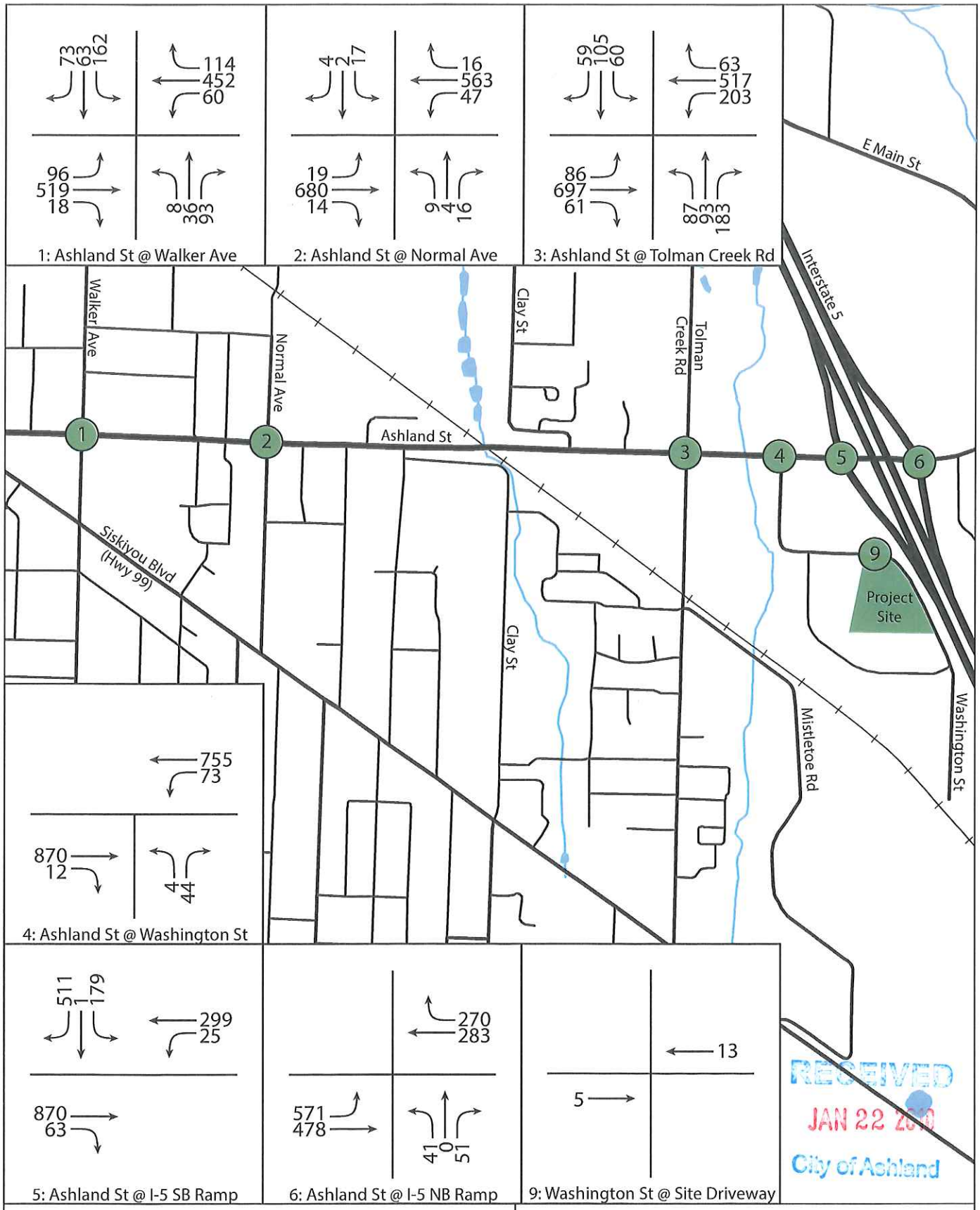

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Figure 4: 2017 PM Peak Hour Background Traffic Volumes

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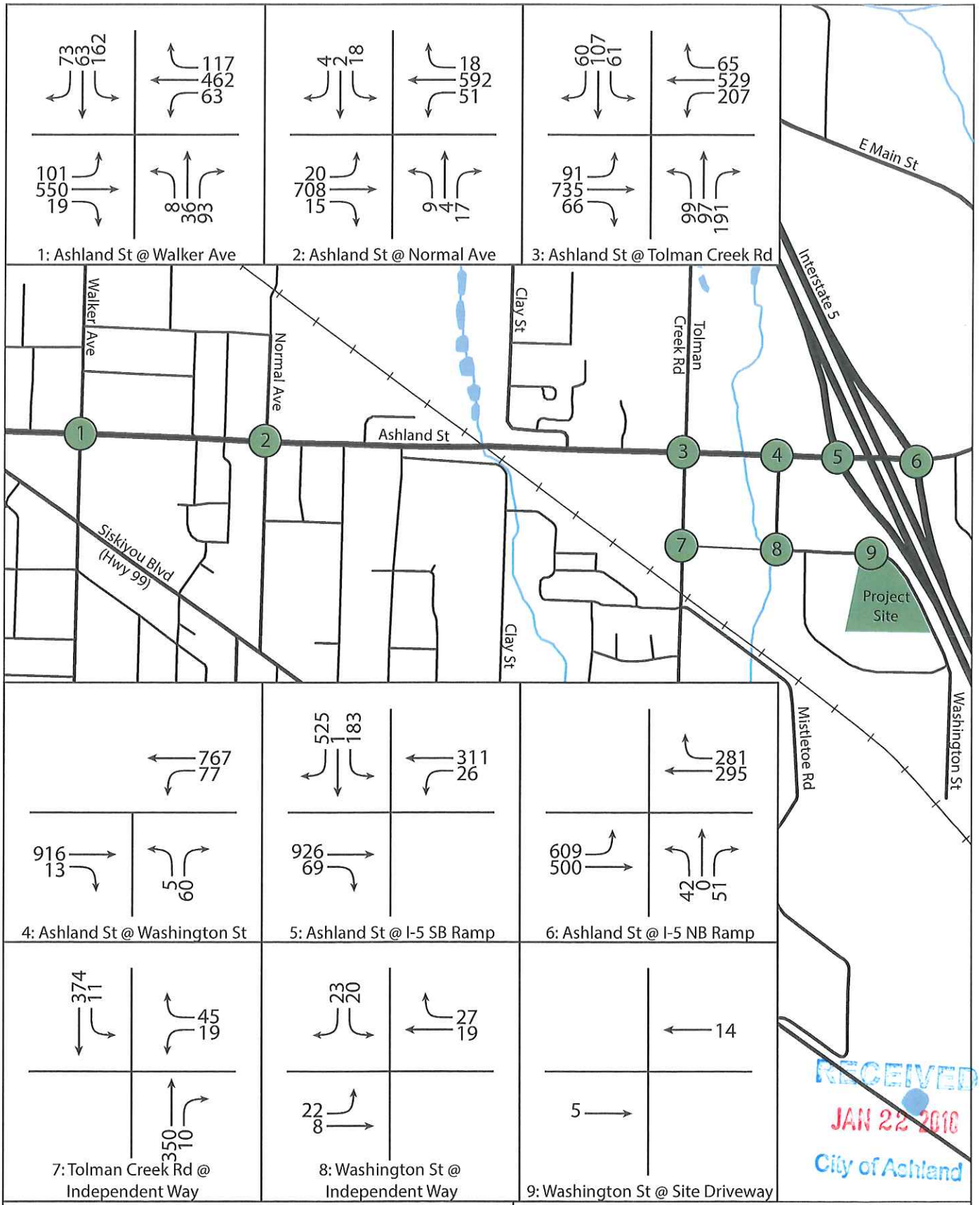

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Figure 5: 2019 PM Peak Hour Background Traffic Volumes

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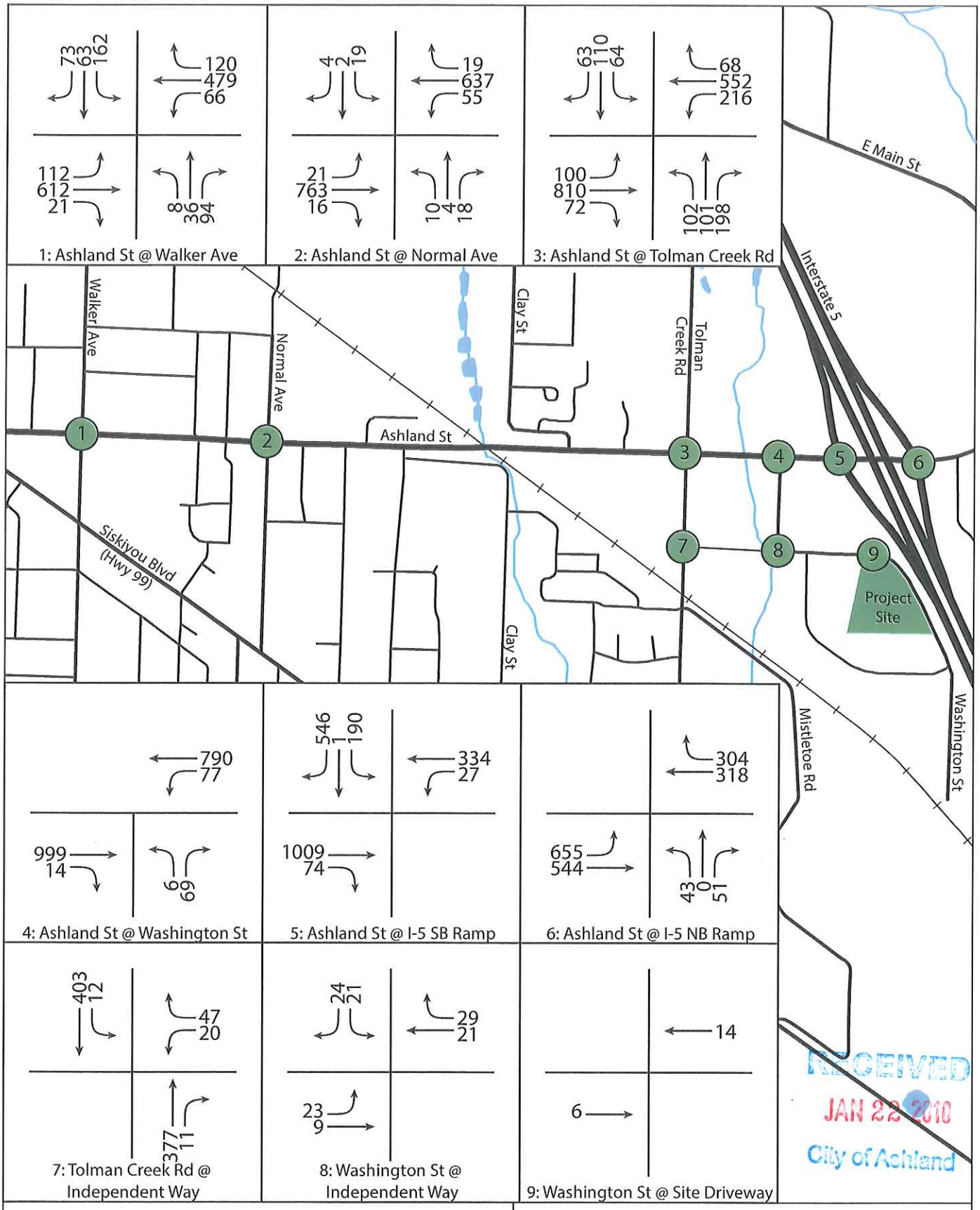

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Figure 6: 2023 PM Peak Hour Background Traffic Volumes

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4.0 DEVELOPMENT ANALYSIS

4.1 TRIP GENERATION

The proposed development is 72,606 square feet of light industrial building/office flex space and one two-bedroom apartment. The development will be completed in multiple phases. However, potential cumulative impacts are not anticipated to be significant enough to warrant an evaluation until two-thirds completion (48,404 sf). Impacts are evaluated at two-thirds completion and full-build out of the development.

The ITE Trip Generation Manual 9th Edition was used to estimate development trips. The ITE land use 770-Business Park was determined to most closely match the proposed use of the site.

The associated traffic generation for the proposed development is illustrated in Table 4.

TABLE 4: PM PEAK HOUR PROPOSED DEVELOPMENT TRIP GENERATION

			PM Peak Hour Trip Generation			
ITE Land Use	**Size**	**Units**	**Rate**	**Trips**	**In**	**Out**
770 – Business Park	72.61	KSF GFA	Ln(T) = 0.90 * Ln(X) + 0.85	111	29 (26%)	82 (74%)
220 – Apartment	1	Dwelling Units	0.62	1	1 (65%)	0 (35%)
			Total	112	30	82
			Frist Two-Thirds of Development (48,404 sf)	74	20	54
			Final Third of Development (24,202 sf)	38	10	28

As demonstrated in the table above, full-build out of the proposed development is expected to generate approximately 112 trips during the PM peak hour.

4.2 TRIP DISTRIBUTION

The development trips were distributed though the study area network using the existing observed travel patterns as a base with modifications as per reasonable origins and destinations.

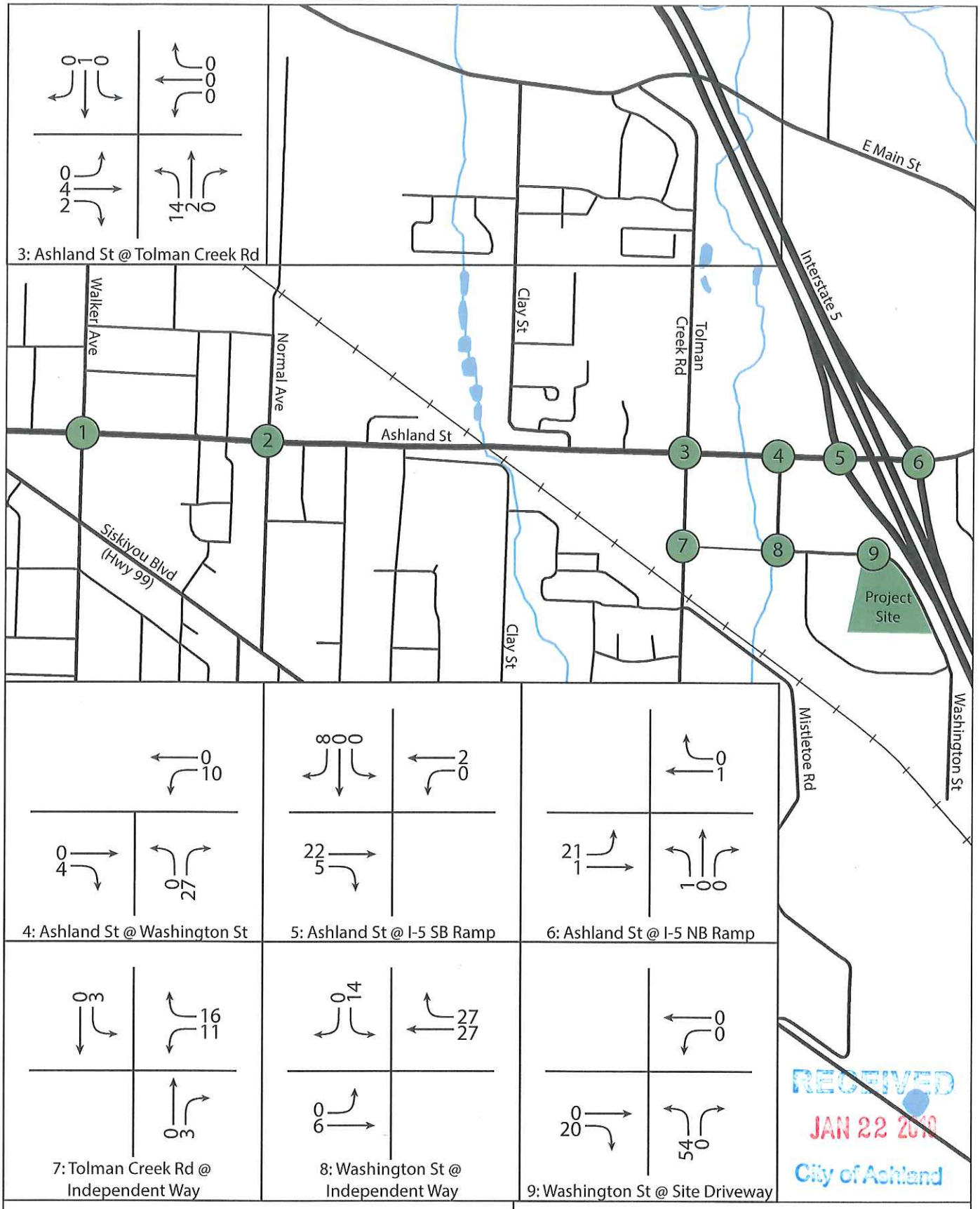
Trip distribution patterns:

- 30% to/from the west via Ashland Street (OR 66)
- 40% to/from the north via I-5
- 9% to/from the south via I-5
- 18% to/from the south via Tolman Creek Road
- 3% to/from nearby streets

The trip distribution is illustrated in Figure 7 for the year 2019 and Figure 8 for the year 2023.

4.3 BUILD-OUT TRAFFIC VOLUMES

The development trips for Phase 1 and Phase 2 are added to background traffic volumes to determine the traffic volumes after completion. Figure 9 illustrates the year 2019 build-out traffic volumes, and Figure 10 illustrates the year 2023 built-out traffic volumes.



South Ashland Business Park, Ashland, Oregon

Figure 7: 2019 Build-Out PM Peak Hour Development Trips

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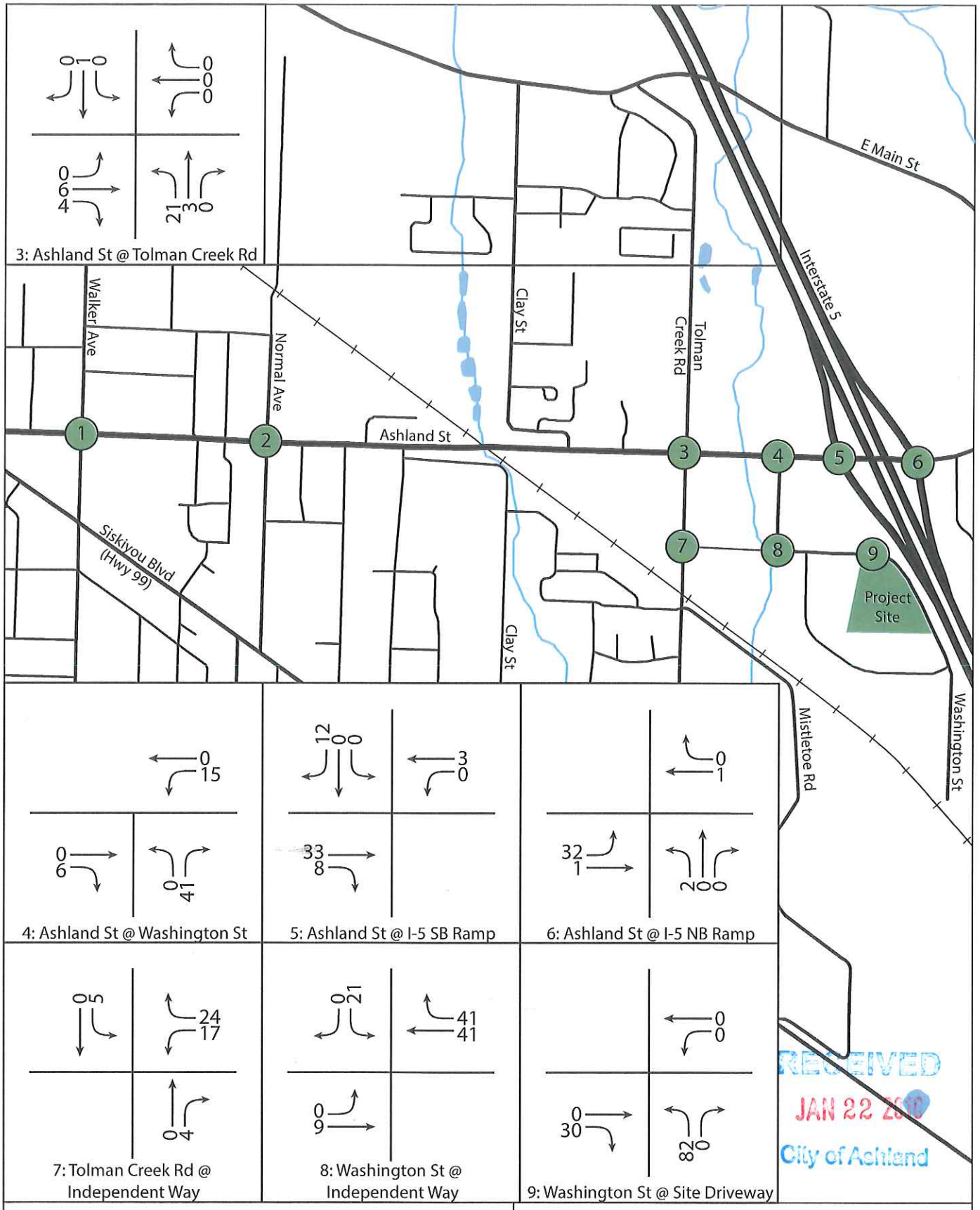

South Ashland Business Park, Ashland, Oregon

Figure 8: Full Build-Out PM Peak Hour Development Trips

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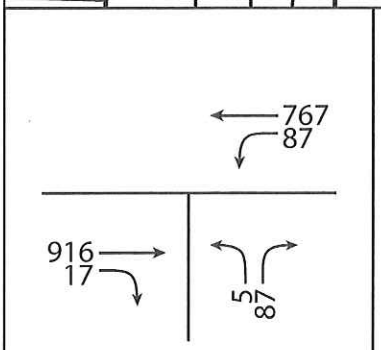
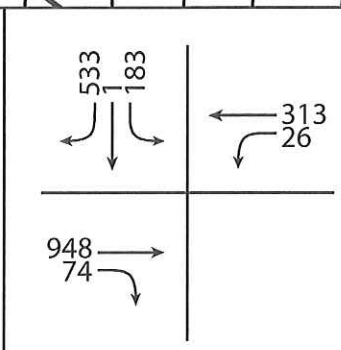
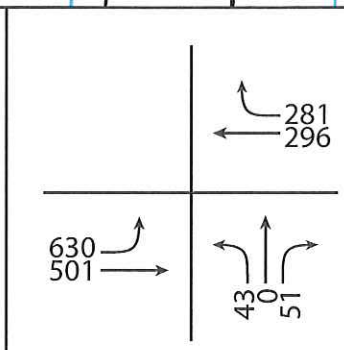
3: Ashland St @ Tolman Creek Rd



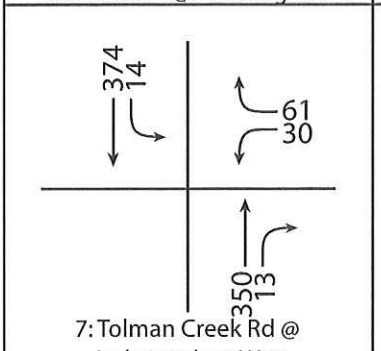
4: Ashland St @ Washington St



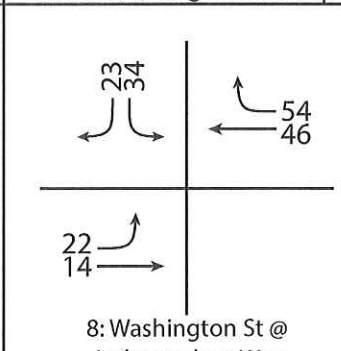
5: Ashland St @ I-5 SB Ramp



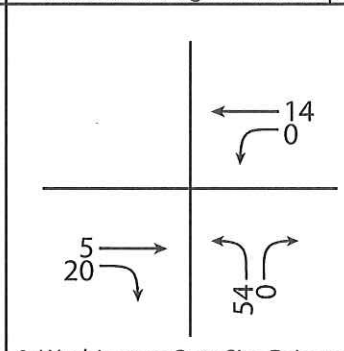
6: Ashland St @ I-5 NB Ramp



7: Tolman Creek Rd @ Independent Way



8: Washington St @ Independent Way



9: Washington St @ Site Driveway

South Ashland Business Park, Ashland, Oregon

Figure 9: 2019 PM Peak Hour Build Traffic Volumes - Phase 1

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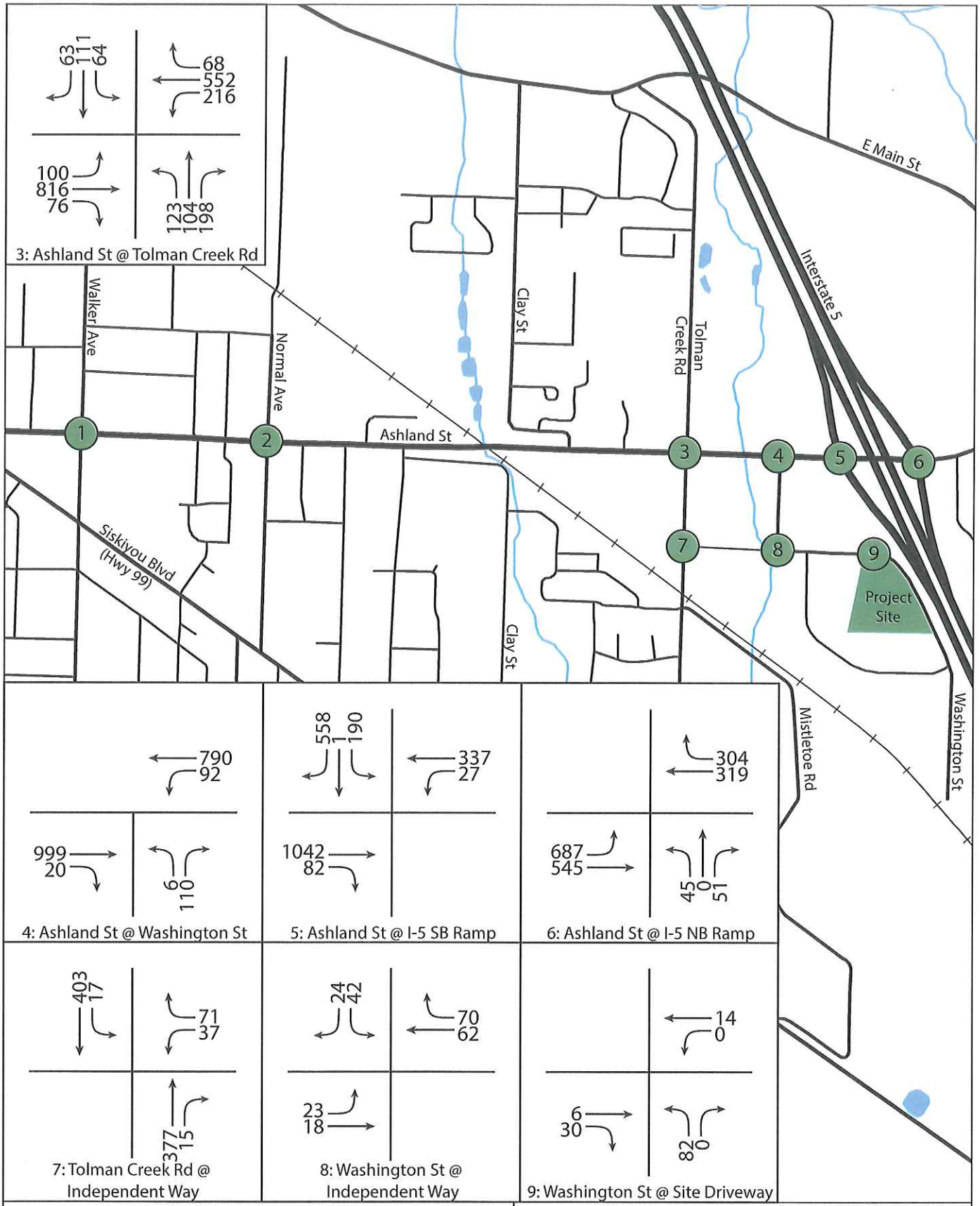

South Ashland Business Park, Ashland, Oregon

Figure 10: 2023 PM Peak Hour Build Traffic Volumes - Phase 2

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4.4 PERFORMANCE MEASURES

The studied intersections were evaluated for Level of Service (LOS) and volume to capacity (V/C). LOS is defined by the Highway Capacity Manual (HCM). LOS is a concept developed to quantify the degree of comfort (including such elements as travel time, number of stops, total amount of stopped delay, and impediments caused by other vehicles) afforded to drivers as they travel though an intersection or along a roadway segment. It was developed to quantify the quality of service of transportation facilities.

LOS is based on average delay, defined as the average total elapsed time from when a vehicle stops at the end of a queue until the vehicle departs from the stop line. Average delay is measured in seconds per vehicle per hour and then translated into a grade or "level of service" for each intersection. LOS ranges from A to F, with A indicating the most desirable condition and F indicating the most unsatisfactory condition.

For Ashland, a LOS D or better, is considered to be acceptable operations. The LOS criteria, as defined by the Highway Capacity Manual, for intersections is provided in Table 5.

TABLE 5: HCM LEVEL OF SERVICE FOR INTERSECTIONS

	Stopped Delay Per Vehicle (Seconds per Vehicle)	
Level of Service	**Unsignalized Intersections**	**Signalized Intersections**
A	≤ 10.0	≤ 10
B	> 10.0 and ≤ 15.0	> 10 and ≤ 20
C	> 15.0 and ≤ 25.0	> 20 and ≤ 35
D	> 25.0 and ≤ 35.0	> 35 and ≤ 55
E	> 35.0 and ≤ 50.0	> 55 and ≤ 80
F	> 50.0	> 80

The volume-to-capacity ratio describes the capability of an intersection to meet volume demand based upon the maximum number of vehicles that could be served in an hour. V/C is the threshold for which ODOT evaluates the operation of intersections, as defined by the *1999 Oregon Highway Plan*. V/C thresholds are defined based on roadway classification and speed. Ashland Street is a District Level Highway and is within a Metropolitan Planning Organization (MPO). The maximum v/c threshold for Ashland Street is 0.95. Policy 1F of the Oregon Highway plan defines a v/c for a ramp terminal as 0.85, therefore this standard applies to the signalized intersections of Ashland Street at the I-5 Northbound and Southbound ramps.

Table 6 illustrates the mobility standards for the studied intersections.

TABLE 6: STUDY AREA MOBILITY STANDARDS

Intersection	Jurisdiction	Mobility Standard V/C, LOS
Ashland Street @ I-5 Northbound Ramps	ODOT	0.85
Ashland Street @ I-5 Southbound Ramps	ODOT	0.85
Ashland Street @ Washington Street	ODOT	0.95
Ashland Street @ Tolman Creek Road	ODOT	0.95
Washington Street @ Site Driveway (Future)	City	D
Washington Street @ Independent Way (Future)	City	D
Tolman Creek Road @ Independent Way (Future)	City	D

4.5 INTERSECTION ANALYSIS RESULTS - 2017

A performance analysis was conducted for the studied intersections for the year 2017 existing condition during the PM peak hour. The results of the analysis are illustrated in Table 7. The SYNCHRO outputs are provided in Appendix F.

TABLE 7: INTERSECTION PERFORMANCE: YEAR 2017 PM PEAK HOUR

Intersection	Jurisdiction	Mobility Standard V/C, LOS	2017 Background
Ashland Street @ I-5 Northbound Ramps	ODOT	0.85	0.73
Ashland Street @ I-5 Southbound Ramps	ODOT	0.85	0.85
Ashland Street @ Washington Street	ODOT	0.95	0.19*
Ashland Street @ Tolman Creek Road	ODOT	0.95	0.79

*results for stop controlled intersections are reported for the critical approach only.

As illustrated in Table 7, all of the studied intersections operate at or better than the mobility standard in existing conditions. The intersection of Ashland Street at I-5 Southbound Ramps is operating right at the acceptable v/c ratio.

4.6 INTERSECTION ANALYSIS RESULTS – 2019

A performance analysis was conducted for the studied intersections for the year 2019 background condition and development scenario during the PM peak hour. The results of the analysis are illustrated in Table 8. The SYNCHRO outputs are provided in Appendix G.

TABLE 8: INTERSECTION PERFORMANCE: YEAR 2019 PM PEAK HOUR

Intersection	Jurisdiction	Mobility Standard V/C, LOS	2019 Background*	2019 With Phase 1
Ashland Street @ I-5 Northbound Ramps	ODOT	0.85	0.79	0.81
Ashland Street @ I-5 Southbound Ramps	ODOT	0.85	0.85	0.85
Ashland Street @ Washington Street	ODOT	0.95	0.12*	0.18*
Ashland Street @ Tolman Creek Road	ODOT	0.95	0.82	0.83
Tolman Creek @ Independent Way	City	D	B*	B*
Washington Street @ Independent Way	City	D	A*	A*
Washington Street @ Site Driveway	City	D	A*	A*

*results for stop controlled intersections are reported for the critical approach only.

As illustrated in Table 8, all of the studied intersections operate at or better than the mobility standard in the year 2019 PM peak hour background and build conditions. The intersection of Ashland Street at I-5 Southbound Ramps is operating right at the acceptable v/c ratio. The addition of development trips to this intersection does no worsen the v/c ratio to below the mobility standard.

4.7 INTERSECTION ANALYSIS RESULTS – 2023

A performance analysis was conducted for the studied intersections for the year 2023 background condition and development scenario during the PM peak hour. The results of the analysis are illustrated in Table 9. The SYNCHRO outputs are provided in Appendix H.

TABLE 9: INTERSECTION PERFORMANCE: YEAR 2023 PM PEAK HOUR

Intersection	Jurisdiction	Mobility Standard V/C, LOS	2023 Background	2023 With Phase 1 and Phase 2
Ashland Street @ I-5 Northbound Ramps	ODOT	0.85	0.71	0.74
Ashland Street @ I-5 Southbound Ramps	ODOT	0.85	**0.88**	**0.88**
Ashland Street @ Washington Street	ODOT	0.95	0.15*	0.24*
Ashland Street @ Tolman Creek Road	ODOT	0.95	0.77	0.77
Tolman Creek @ Independent Way	City	D	B*	B*
Washington Street @ Independent Way	City	D	A*	A*

Intersection	Jurisdiction	Mobility Standard V/C, LOS	2023 Background	2023 With Phase 1 and Phase 2
Washington Street @ Site Driveway	City	D	A*	A*

*results for stop controlled intersections are reported for the critical approach only.

As illustrated in Table 9, all of the studied intersections operate at or better than the mobility standard in the year 2023 PM peak hour background and build conditions with the exception of Ashland Street at the I-5 Southbound ramps. The intersection is projected to not meet mobility standards in the background conditions. The development traffic is not projected to worsen the operation beyond the background conditions.

ODOT standard procedures for analysis is to apply default parameters for items as peak hour factors for analysis that is performed for 5 years or more into the future. This will sometimes result in the intersection v/c shown to be improved between just prior to and after the 5-year period. This is the case for the signalized intersections of Ashland @ I-5 northbound ramps and Ashland @ Tolman Creek. The peak hour factors were increased to 0.95 as per the ODOT Analysis Procedures Manual, resulting in an improved v/c result. Additionally, it is not uncommon for intersections to have improved v/c ratios as conditions become more congested. Typically signal timing an driver behavior changes making the intersection operate more efficiently and allow more vehicles through per cycle.

4.8 INTERSECTION QUEUING ANALYSIS RESULTS - YEAR 2017

A queuing analysis was performed following procedures within the Highway Capacity Manual and implemented within SimTraffic 8. SimTraffic, a micro simulation software, evaluates traffic operations as a network and provides queuing estimates. The Average and 95th Percentile queues for the year 2017 PM peak hour existing conditions are included in Table 10. The outputs are included in Appendix I.

TABLE 10: INTERSECTION QUEUING: YEAR 2017 PM PEAK HOUR

Intersection	Approach		Storage (Feet)	2017 Average Queue Length (feet)	2017 95th Queue Length (feet)
Tolman Creek Rd & Ashland St	EB	L	TWLTL	100	200
	EB	T	500+	250	400
	EB	TR	500+	200	350
	WB	L	TWLTL	150	200
	WB	T	500+	150	300
	WB	TR	500+	150	250
	NB	L	100	75	150
	NB	TR	500+	175	300
	SB	L	100	75	125
	SB	TR	500+	100	175
Washington St & Ashland St	EB	T	650	50	225
	EB	TR	650	25	125
	WB	L	1075	50	75
	WB	T	650	0	25
	WB	T	335	0	0
	NB	L	250+	50	100
	NB	R	75	50	75
I-5 SB Ramp & Ashland St	EB	T	400	225	400
	EB	R	400	25	100
	WB	L	150	25	50
	WB	T	425	50	125
	SB	LT	1000	125	250
	SB	R	100	150	250
I-5 NB Ramp & Ashland St	EB	L	150	200	325
	EB	T	425	125	400
	WB	T	385	100	175
	WB	R	385	75	125
	NB	LT	775	25	75
	NB	R	185	25	50

EB = Eastbound, WB = Westbound, NB = Northbound, SB = Southbound, U=U-Turn,L = Left, T = Thru, R = Right

Table 10 illustrateds that the existing storage lengths are not exceed with the exception of the Eastbound Left Turn at the I-5 Northbound Ramp. The queuing can be improved with extended green time for this approach.

4.9 INTERSECTION QUEUING ANALYSIS RESULTS - YEAR 2019

A queuing analysis was performed following procedures within the Highway Capacity Manual and implemented within SimTraffic 8. SimTraffic, a micro simulation software, evaluates traffic operations as a network and provides queuing estimates. The Average and 95th Percentile queues for the year 2019 PM peak hour with and without the proposed development scenario are included in Table 11. The outputs are included in Appendix J.

TABLE 11: INTERSECTION QUEUING: YEAR 2019 PM PEAK HOUR

Intersection	Approach		Storage (Feet)	2019 Background Queue Length (feet)		2019 Build Queue Length (feet)	
				Average	95th	Average	95th
Tolman Creek Rd & Ashland St	EB	L	TWLTL	125	225	125	225
	EB	T	500+	350	625	300	450
	EB	TR	500+	275	550	225	375
	WB	L	TWLTL	150	200	150	200
	WB	T	500+	175	325	175	325
	WB	TR	500+	150	250	175	275
	NB	L	100	100	200	125	225
	NB	TR	500+	250	500	250	475
	SB	L	100	75	150	75	150
	SB	TR	500+	125	225	125	225
Washington St & Ashland St	EB	T	650	275	675	250	600
	EB	TR	650	150	550	75	375
	WB	L	1075	50	100	50	100
	WB	T	650	0	0	0	50
	NB	L	250+	125	350	175	500
	NB	R	75	75	125	75	125
I-5 SB Ramp & Ashland St	EB	T	400	300	425	300	425
	EB	R	400	25	75	25	100
	WB	L	150	25	75	25	75
	WB	T	425	75	175	75	175
	SB	LT	1000	150	300	150	350
	SB	R	100	150	275	175	275

Intersection	Approach		Storage (Feet)	2019 Background Queue Length (feet)		2019 Build Queue Length (feet)	
				Average	95th	Average	95th
I-5 NB Ramp & Ashland St	EB	L	150	225	350	225	325
	EB	T	425	200	500	175	475
	WB	T	385	100	175	100	175
	WB	R	385	75	125	75	125
	NB	LT	775	25	75	25	75
	NB	R	185	25	75	25	75
Tolman Creek Rd & Independent Way	WB	LR	125	50	75	50	75
	NB	TR	500	0	0	0	25
	SB	LT	500	25	50	25	50
Washington St & Independent Way	EB	LR	150	25	50	25	50
	WB	LT	125	0	25	0	25
Site Driveway & Washington St	WB	LT	250+	0	0	0	25
	NB	LR	75	N/A	N/A	25	50

EB = Eastbound, WB = Westbound, NB = Northbound, SB = Southbound, U=U-Turn, L = Left, T = Thru, R = Right

As illustrated in Table 11, the added development traffic is not anticipated to significantly increase queuing conditions in the future year.

4.10 INTERSECTION QUEUING ANALYSIS RESULTS - YEAR 2023

A queuing analysis was performed following procedures within the Highway Capacity Manual and implemented within SimTraffic 8. SimTraffic, a micro simulation software, evaluates traffic operations as a network and provides queuing estimates. The Average and 95th Percentile queues for the year 2023 PM peak hour with and without the proposed development scenario are included in Table 12. The outputs are included in Appendix K.

TABLE 12: INTERSECTION QUEUING: YEAR 2023 PM PEAK HOUR

Intersection	Approach		Storage (Feet)	2023 Background Queue Length (feet)		2023 Build Queue Length (feet)	
				Average	95th	Average	95th
Tolman Creek Rd & Ashland St	EB	L	TWLTL	125	225	125	250
	EB	T	500+	250	400	375	650
	EB	TR	500+	200	350	300	575
	WB	L	TWLTL	125	200	150	200
	WB	T	500+	150	250	150	275
	WB	TR	500+	125	225	150	225
	NB	L	100	100	175	125	200
	NB	TR	500+	150	275	200	350
	SB	L	100	50	100	75	125
	SB	TR	500+	100	175	125	200
Washington St & Ashland St	EB	T	650	300	625	475	825
	EB	TR	650	100	425	325	800
	WB	L	1075	50	100	50	100
	WB	T	650	0	25	0	25
	NB	L	250+	150	425	550	800
	NB	R	75	75	125	100	100
I-5 SB Ramp & Ashland St	EB	T	400	325	400	350	350
	EB	R	400	25	100	25	125
	WB	L	150	25	75	25	50
	WB	T	425	75	200	75	200
	SB	LT	1000	100	225	100	200
	SB	R	100	125	250	150	225
I-5 NB Ramp & Ashland St	EB	L	150	175	300	175	300
	EB	T	425	100	300	75	200
	WB	T	385	125	225	125	250
	WB	R	385	100	175	100	175
	NB	LT	775	25	75	25	75
	NB	R	185	25	75	25	75
Tolman Creek Rd & Independent Way	WB	LR	125	50	75	50	100
	NB	TR	500	0	0	0	0
	SB	LT	500	25	50	25	200

Intersection	Approach		Storage (Feet)	2023 Background Queue Length (feet)		2023 Build Queue Length (feet)	
				Average	95th	Average	95th
Washington St & Independent Way	EB	LR	150	25	50	200	500
	WB	LT	125	0	25	125	275
Site Driveway & Washington Street	WB	LT	250+	0	0	25	50
	NB	LR	75	N/A	N/A	75	175

EB = Eastbound, WB = Westbound, NB = Northbound, SB = Southbound, U=U-Turn, L = Left, T = Thru, R = Right

As illustrated in Table 12, the added development traffic is not anticipated to significantly increase queuing conditions in the future year.

5.0 WASHINGTON STREET CROSS-SECTION RECOMMENDATION

In addition to completing a traffic analysis, the development is responsible for improving the Washington Street frontage along the site. The following discussed the operation of Washington Street and the proposed cross section.

ROADWAY CHARACTERISTICS:

Washington Street is designated as an Avenue within the City of Ashland roadway functional classification. The TSP has identified Washington Avenue as a street with a modified cross section as there are right of way restrictions. As such, the appropriate cross section is determined based on the right of way, goals and objectives of the city's functional classification, existing and future land uses, street characteristics, and safety for all users.

Street Classification: As per the City of Ashland Transportation System Plan (TSP) Washington Street functionally classified an Avenue. As per the City of Ashland *"A Handbook for Planning and Designing Streets"* an Avenue should "provide concentrated pedestrian, bicycle, and motor vehicle access" and the "Design should provide an environment where walking, bicycling, using transit, and driving are equally convenient". Therefore, the street cross section needs to provide safe and efficient bicycling, pedestrian, and vehicle amenities.

Surrounding Land Uses: Washington Street for its entirety has been developed with a mix of office, commercial, and light industrial uses. There is a significant amount vacant land in the area with the potential to develop with similar land uses. The City Ashland TSP has identified the area to develop and add an additional 324 employees by the year 2034. Additionally, there is the future potential to connect Washington Street south to Benson Way, and to provide a future connection across the railroad tracks to the Croman Mill District redevelopment area.

The Washington Street connection to the south will occur with future development. The timing of the connection is unknown; however, the connection has the potential to increase traffic on Washington Street and should be taken into consideration. This connection will provide a more direct route for users of businesses along the Washington Street and Benson Way, i.e. drivers from Ashland Blvd with destination on Benson Way will likely find the new connection a more direct and better route to take. However, due to the travel speed, and horizontal curvature it is not anticipated that this connection will result in a significant amount of cut through traffic. Users between Ashland St and Siskiyou Blvd. or Crowson Road will find the use of Tolman Creek Road a significantly faster and easier route to travel, therefore minimizing cut through traffic on Washington Street.

The Croman Mill District plan and Ashland TSP have identified a railroad crossing from Washington Street to the redevelopment area. This at grade crossing will be development driven and has no identified timeline for completion. As with the Washington St/Benson Way connection there will likely be some increase in traffic to Washington Street for users accessing businesses between these two areas but it is anticipated that there will be minimal cut through traffic as this route has a longer travel distance and length between Siskiyou Boulevard and Ashland St.

Street Characteristics:

Traffic Volumes:

- The existing average daily traffic is estimated from recent PM peak hour traffic volumes. Washington Street east of Jefferson Avenue has an ADT of 325 vehicles. Washington Street west of Jefferson Avenue has an ADT of 1,205 vehicles
- The TSP estimates the area between Ashland St, Tolman Creek Rd, I-5 and the north edge of Benson Way will expand to include additional 325 employees. The TSP estimates the area along Benson Way to Crowson Road will increase by 29 employees. This area is anticipated to increase traffic volumes between 1,500 and 2,000 ADT.
- Sandow Engineering estimates Washington Street east of Jefferson Avenue will have an increase in ADT of 750-1000 vehicles by the year 2034.

Roadway Speed:

- Roadway Speed is not posed however, a comfortable driving speed given the horizontal curvature is 25 mph.

Street Usage:

- The area surrounding Washington Street will be developed with a mix of office and light industrial uses. The uses are anticipated to frequently have a mix of larger vehicles such as signal unit trucks and larger.
- Tolman Creek will connect Washington Street to Central Bike Path and other neighborhood center through the Independence Way connection. Additionally, Tolman Creek Road will be

improved to include more pedestrian friendly amenities, providing employees and visitors to Washington Street businesses with a future safer bicycle and pedestrian network.

CROSS-SECTION RECOMMENDATION:

CSA Planning provided cross section alternatives in a memo dated January 15, 2018. The alternatives are Option A with two 10' travel lanes and a 10' multi use path; Option B which is a half-street improvement with two 10' travel lanes, a bike lane, a curb and gutter and sidewalk; and Option C which is the City standard cross-section for Avenue. Each cross-section scenario was evaluated, and it was determined that the proposed cross-sections will provide safe and adequate transportation facilities for all roadway users for the current and future traffic scenarios.

6.0 DEVELOPMENT SCENARIOS FINDINGS

As demonstrated in the above sections, the proposed development of approximately two-thirds of the South Ashland Business Park will not reduce the performance of any intersection to below the mobility standard. Further the development traffic does not significantly increase queuing conditions over the no-build conditions. Therefore, intersection improvements are not required for the proposed development.

Additionally, a cross-section recommendation has been made for Washington Street as the City of Ashland TSP identified the need for a modified cross section as there are right-of-way restrictions. The recommended cross-section provides safe and efficient bicycling, pedestrian, and vehicle amenities as required by the City of Ashland's *"A Handbook for Planning and Designing Streets"*.

7.0 TRANSPORTATION PLANNING RULE ANALYSIS

To be consistent with the Oregon Administrative Rule OAR 660-012-0060, Transportation Planning Rule (TPR), it must be found that the reasonable worst-case development potential of the E-1 zoning will not have a significant effect on the adjacent transportation system. This is achieved by evaluating the impacts from a reasonable "worst-case" development scenario for the allowed uses under the local code.

7.1 YEAR 2034 BACKGROUND TRAFFIC VOLUMES

The TPR analysis needs to evaluate conditions at the end of the City of Ashland's Planning Horizon. As defined in the City of Ashland's TSP the planning horizon is the year 2034, therefore the conditions need to be evaluated though the year 2034. The growth rate described in Section 3.3 was used to project the year 2034 traffic volumes. Figure 11 illustrates the year 2034 background traffic volumes.

7.2 TRIP GENERATION

The reasonable worst-case development potential was determined for both the existing and proposed zoning. The development Potential trip generation is estimated using the ITE Trip Generation Manual (9th edition).

EXISTING RR-5 DEVELOPMENT POTENTIAL

The reasonable "worst-case" development potential and associated traffic generation for the existing RR-5 zoning is illustrated in Table 13. These numbers were determined using the following assumptions and allowed uses under the Jackson County LDO 8.2.

RR-5 Zoning

- Maximum Gross Density 1 unit / 5 acres

TABLE 13: PM PEAK HOUR WORST CASE-TRIP GENERATION RR-5 ZONING

ITE Land Use	Size (DU)	PM Peak Hour Trip Generation	
		Rate	Trips
210 – Single-Family Detached Housing	1	1.0	1

PROPOSED E-1 DEVELOPMENT POTENTIAL

The reasonable "worst-case" development potential and associated traffic generation for the proposed E-1 zoning is illustrated in Table 14. These numbers were determined using the following assumptions and allowed uses under Ashland Code.

E-1 Zoning

- Building is 2 stories
- Building area is 32% of site
- 48% of area is drive isles, loading, and parking
- 20% is landscaping, setbacks, pedestrian facilities and storm water

Several land use scenarios were evaluated to determine the highest trip generator allowed by the code. The following is the calculated building type and square footage that generates the highest traffic.

TABLE 14: PM PEAK HOUR WORST CASE-TRIP GENERATION E-1 ZONING

ITE Land Use	Size (ksf)	PM Peak Hour Trip Generation	
		Rate	Trips
710 – General Office Building	149.99	1.49	223

The above analysis illustrates the following trip generation:

	PM
Potential E-1 Zoning	223
Existing RR-5 Zoning	1
Additional Trips	222

As illustrated, the proposed zoning has the potential to generate 222 additional PM peak hour trips. As the proposed zoning generates more traffic than the existing zoning, an intersection analysis needs to be performed to determine if there are any significant impacts.

7.3 TRIP DISTRIBUTION

The development trips were distributed though the study area network using the existing observed travel patterns as a base with modifications as per reasonable origins and destinations.

Trip distribution patterns:

- 30% to/from the west via Ashland Street (OR 66)
- 40% to/from the north via I-5
- 9% to/from the south via I-5
- 18% to/from the south via Tolman Creek Road
- 3% to/from nearby streets

The trip distribution is illustrated in Figure 12 for the 223 worst-case E-1 zoning trips.

The level of E-1 development trips trigger the need for an intersection analysis at Ashland Street at Walker Avenue and Ashland Street at Normal Avenue.

7.4 BUILD-OUT TRAFFIC VOLUMES

The development trips for the E-1 worst case zoning were added to the background traffic volumes to determine future traffic volumes under a worst-case development scenario with the E-2 zoning. Figure 13 illustrates the year 2034 total traffic volumes.

7.5 INTERSECTION ANALYSIS RESULTS – 2034

A performance analysis was conducted for the studied intersections for the year 2034 background conditions and with proposed zoning during the PM peak hour. The results of the analysis are illustrated in Table 14. The SYNCHRO outputs are provided in Appendix L. The intersection mobility standards for year 2034 are the same as used for the development level analysis (Section 4.1).

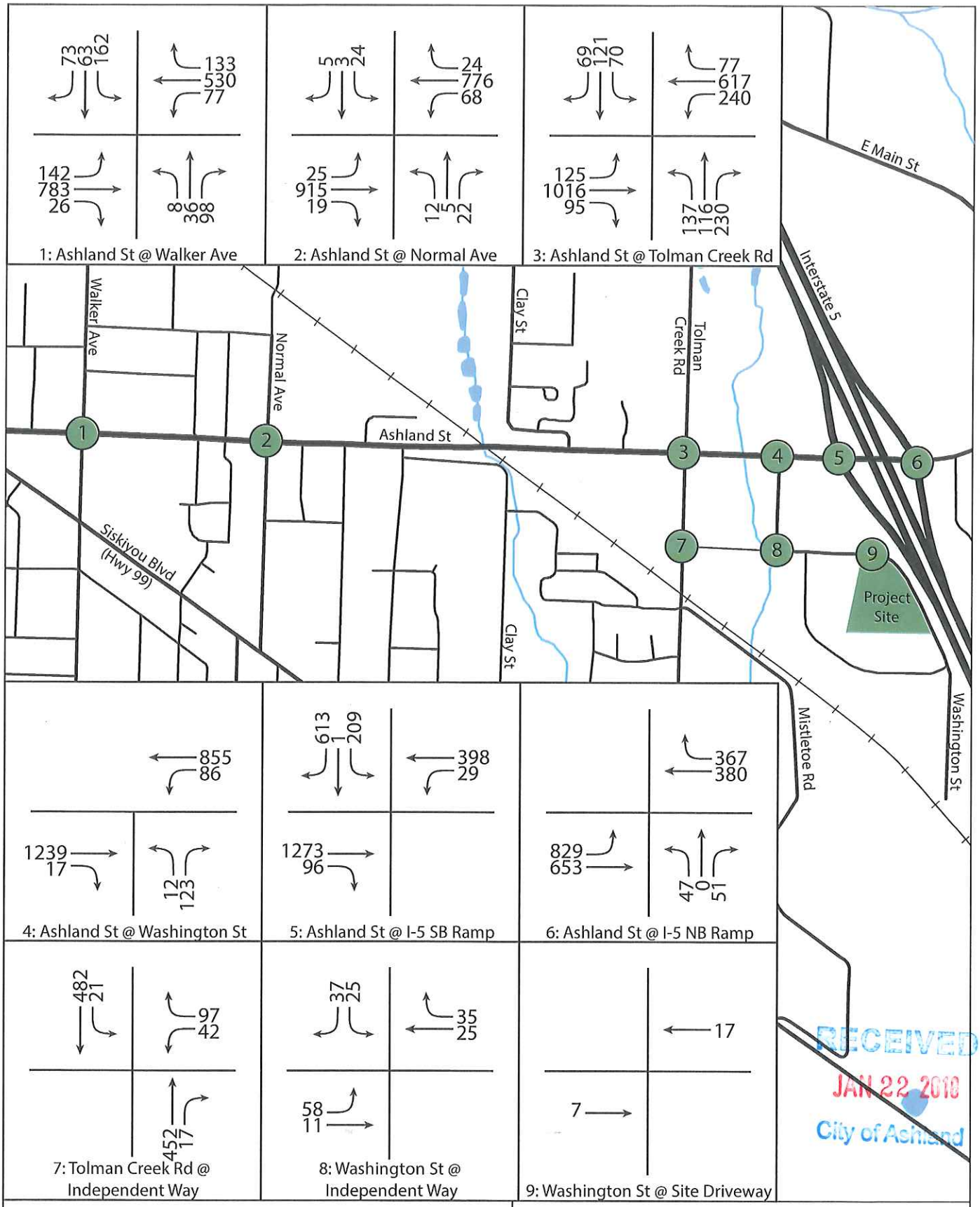
TABLE 14: INTERSECTION PERFORMANCE: YEAR 2034 PM PEAK HOUR

Intersection	Jurisdiction	Mobility Standard V/C, LOS	2034 Background	2034 with E-1 Zoning
Ashland Street @ I-5 Northbound Ramps	ODOT	0.85	**0.90**	**0.98**
Ashland Street @ I-5 Southbound Ramps	ODOT	0.85	**1.09**	**1.10**
Ashland Street @ Washington Street	ODOT	0.95	0.32*	0.57*
Ashland Street @ Tolman Creek Road	ODOT	0.95	0.90	0.91

Intersection	Jurisdiction	Mobility Standard V/C, LOS	2034 Background	2034 with E-1 Zoning
Ashland Street @ Normal Avenue	City	D	F*	F*
Ashland Street @ Walker Avenue	City	D	C	C
Tolman Creek @ Independent Way	City	D	C*	C*
Washington Street @ Independent Way	City	D	A*	B*
Washington Street @ Site Driveway	City	D	A*	A*

*results for stop controlled intersections are reported for the critical approach only.

As illustrated in Table 14 the intersections of Ashland Street at I-5 Northbound Ramps, Ashland Street at I-5 Southbound Ramps, and Ashland at Normal Avenue are projected to not meet mobility standards at the end of the planning horizon. With the "worst case" E-1 zoning, the intersections of Ashland Street at I-5 Northbound Ramps, Ashland Street at I-5 Ramps, and Ashland Street at Normal Avenue continue to not meet the mobility standard with the I-5 ramps operating worse than the background condition.



South Ashland Business Park, Ashland, Oregon

Figure 11: 2034 PM Peak Hour Background Traffic Volumes

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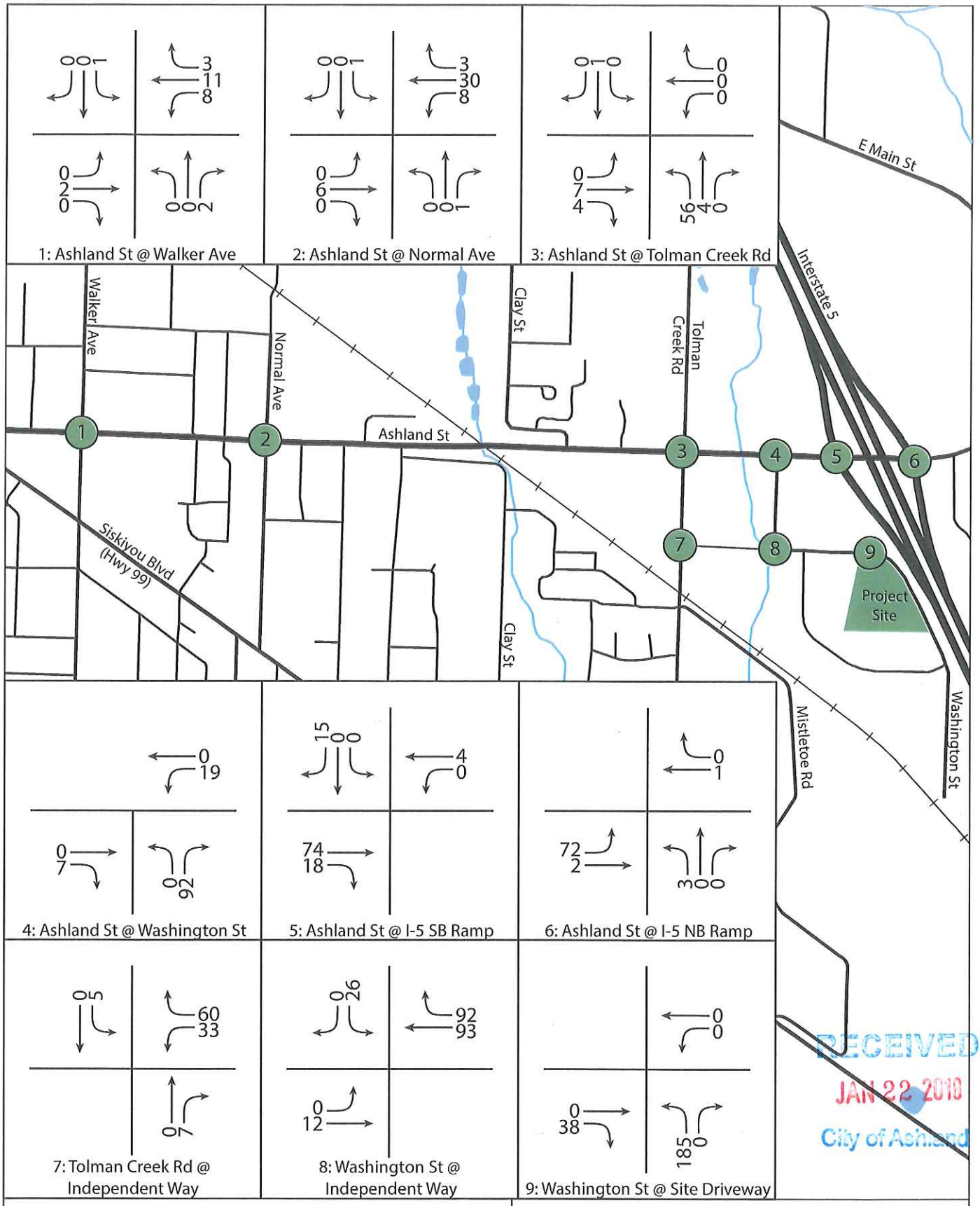

South Ashland Business Park, Ashland, Oregon

Figure 12: E-1 Zoning PM Peak Hour Development Trips

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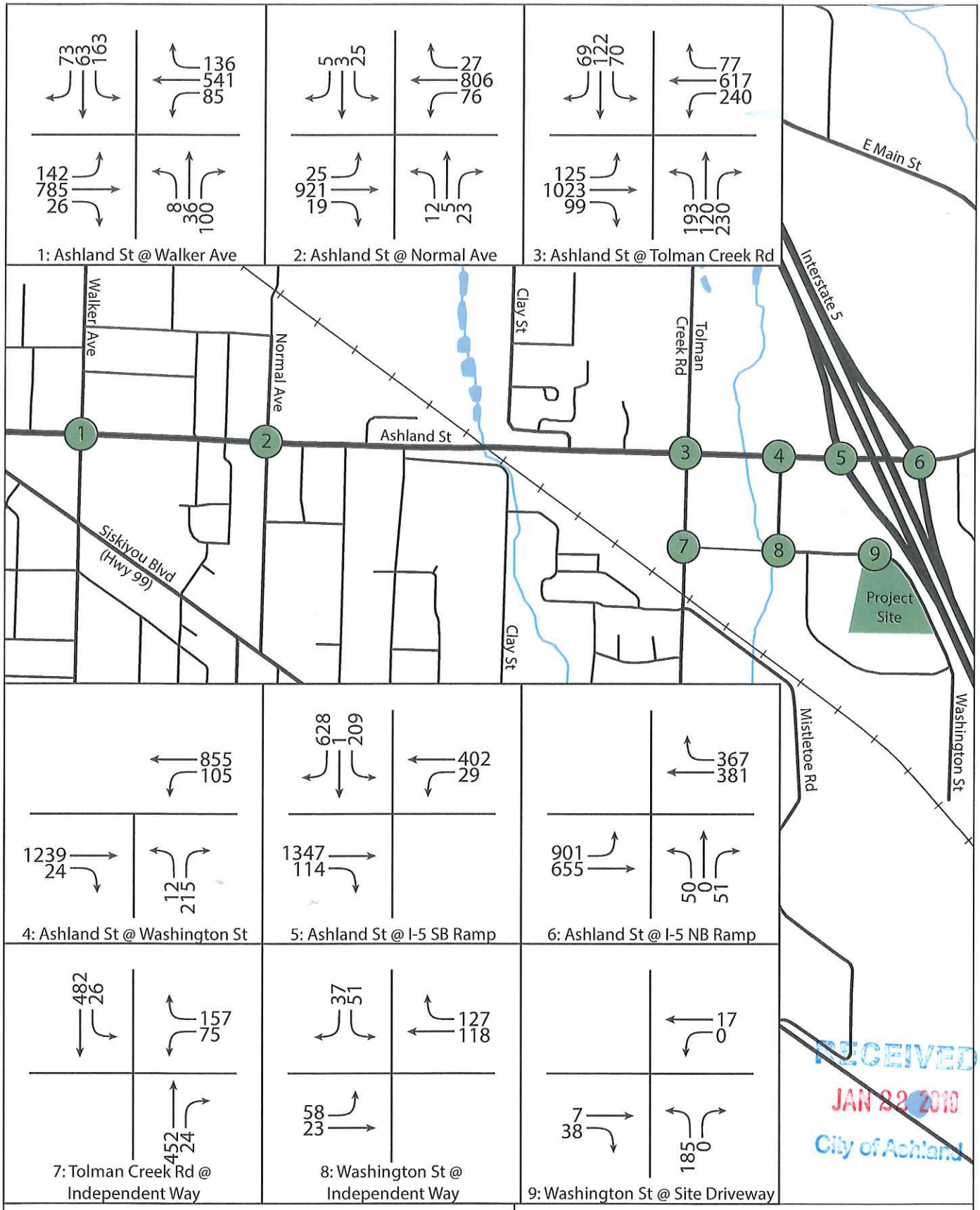

South Ashland Business Park, Ashland, Oregon

Figure 13: 2034 PM Peak Hour Build Traffic Volumes - E-1 Zoning

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8.0 TPR MITIGATION

To make findings of "no significant effect", the worst-case development scenario from the proposed zone change needs to not reduce the intersection performance to below mobility standards. In circumstances where an intersection does not meet the mobility standard prior to the zone change (2034 background conditions) the zone change needs to show "no further degradation" meaning that conditions with the zone change are to make the intersections no worse.

The following intersections do not meet the mobility standard for the year 2034 conditions with the proposed zone change:

- Ashland Street at I-5 Northbound Ramps
- Ashland Street at I-5 Southbound Ramps
- Ashland at Normal Avenue

Ashland Street at I-5 Northbound Ramps and I-5 Southbound Ramps: Ashland Street at the I-5 Northbound and Southbound ramp terminals are project to exceed the mobility standard with the worst-case development scenario. Both intersections are projected to not meet mobility standards in 2034 under the existing zoning. The interchange was recently updated to include signalized intersection improvements. The City of Ashland TSP identified that the interchange would need two eastbound through lanes at the southbound ramp signal to have enough capacity to meet mobility standards. However, the interchange was completed with one through lane. As demonstrated in Section 5, the southbound ramp terminal is projected to not meet mobility standards under 2034 background conditions. Improvements to the interchange would be costly and disproportional to the amount of impact the proposed zone change would have.

Action 1F.5 of the Oregon Highway Plan allows for the placement of a trip cap on a property in lieu of mitigation to meet the "avoid further degradation" requirement.

The applicant is proposing a trip cap equivalent to the proposed development trip generation. The proposal is a trip cap of 72,606 square feet of uses allowed within a business park and one apartment dwelling. Table 15 shows the trip generation for the proposed trip cap.

TABLE 15: TRIP CAP ADT TRIP GENERATION

			ADT Trip Generation	
ITE Land Use	**Size**	**Units**	**Rate**	**Trips**
770 – Business Park	72.61	KSF GFA	12.44	903
220 – Apartment	1	Dwelling Units	6.65	7
			Total	910

The PM peak hour trip generation for the trip cap would be equivalent to that calculated in Table 4 and illustrated in Figure 8. Figure 14 illustrates 2034 PM peak hour traffic volumes with the proposed trip cap.

The intersections were evaluated with the proposed trip cap. Table 16 illustrates the synchro analysis for the 2034 PM peak hour traffic volumes with the proposed trip cap. The SYNCHRO outputs are provided in Appendix L.

TABLE 16: INTERSECTION PERFORMANCE: YEAR 2034 PM PEAK HOUR

Intersection	Jurisdiction	Mobility Standard V/C, LOS	2034 Background	2034 with E-1 Zoning	2034 with Trip Cap
Ashland Street @ I-5 Northbound Ramps	ODOT	0.85	**0.90**	**0.98**	**0.90**
Ashland Street @ I-5 Southbound Ramps	ODOT	0.85	**1.09**	**1.10**	**1.09**
Ashland Street @ Washington Street	ODOT	0.95	0.32*	0.57*	0.43*
Ashland Street @ Tolman Creek Road	ODOT	0.95	0.90	0.92	0.91
Ashland Street @ Normal Avenue	City	D	**F***	**F***	N/A
Ashland Street @ Walker Avenue	City	D	C	C	N/A
Tolman Creek @ Independent Way	City	D	C*	C*	C*
Washington Street @ Independent Way	City	D	A*	B*	B*
Washington Street @ Site Driveway	City	D	A*	A*	A*

*results for stop controlled intersections are reported for the critical approach only.

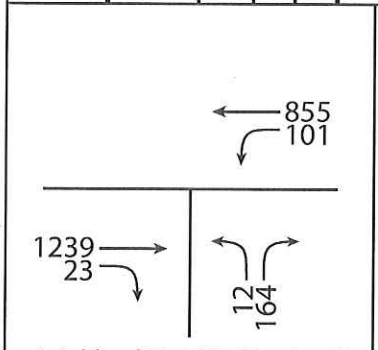
N/A= The intersections of Ashland Street at Normal Avenue and Ashland Street at Walker Avenue have less than 25 trips added under the proposed trip cap. Therefore, the impacts from the zone change are considered insignificant and the intersection evaluation is not required or performed.

With the proposed trip cap, all intersections operate better than the mobility standard, or no worse than the 2034 background conditions. Therefore, a trip cap of one apartment dwelling and 72,606 square feet of development consisting of uses allowed within a business park is shown to meet TPR compliance of no further degradation to the operation of an already failing intersection.

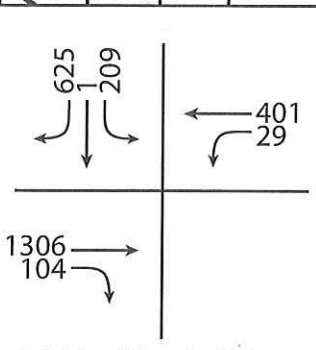
Additionally, Action 1F.5 of the Oregon Highway Plan (OHP) has made a determination that any development that creates a "small" increase in traffic is considered to not cause further degradation of an already failing facility. The OHP defines a small increase as less than 1,001 trips between existing and proposed zoning on a 5-lane Highway that has less than 25,000 AADT. The ODOT Trans GIS and Traffic Volume Tables indicate that Ashland Street has about 10,200 AADT. Therefore, if the development is to trigger no more than 1,001 ADT, TPR findings can be met to show nor further degradation to the ODOT intersections. The proposed trip cap would generate 910 ADT (as shown in Table 15). The proposed trip

cap meets OHP policy of "no further degradation" to intersections which do not meet the mobility standard in background conditions.

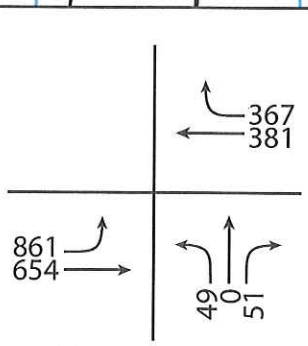
3: Ashland St @ Tolman Creek Rd



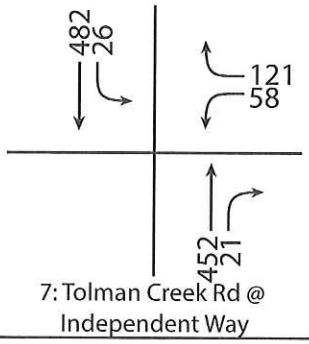
4: Ashland St @ Washington St



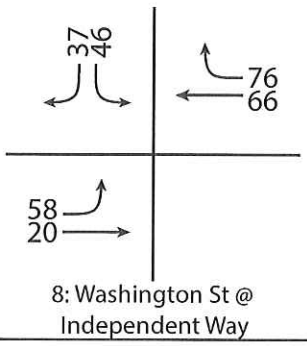
5: Ashland St @ I-5 SB Ramp



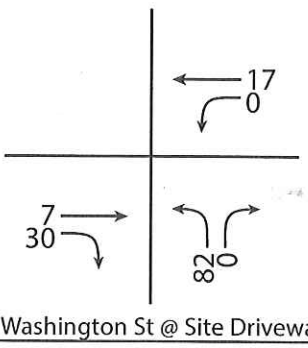
6: Ashland St @ I-5 NB Ramp



7: Tolman Creek Rd @ Independent Way



8: Washington St @ Independent Way



9: Washington St @ Site Driveway

South Ashland Business Park, Ashland, Oregon

Figure 14: 2034 PM Peak Hour Build Traffic Volumes - Trip Cap

SANDOWENGINEERING
160 Madison Street Suite A Eugene, Oregon 97402 - 541.513.3376 - sandowengineering.com

9.0 CONCLUSION

This report describes the traffic analysis and findings for the proposed of a zone change from Rural Residential to E-1 and the development of 72,606 square feet of business park. The analysis shows consistency with the City of Ashland and ODOT development criteria and the consistency with the Transportation Planning Rule (TPR); the Statewide Planning Rule Goal 12, OAR 660-12-0060.

The analysis evaluates the adjacent roadway network and intersections with the added traffic from the proposed rezoning. The following findings are based on the information and analysis contained within this report.

FINDINGS

The analysis concludes the following findings:

- All of the studied intersections will meet the mobility standards though the year 2023 with the proposed development of 72,606 sf of business park.
- The proposed E-1 zoning will generate more traffic than the existing Rural Residential zoning, triggering the need for a TPR analysis.
- The intersection of Ashland Street at I-5 Northbound Ramps, Ashland Street at the I-5 Southbound Ramps, and Ashland Street at Normal Avenue do not meet the applicable mobility standards for the year 2034 background conditions.
- The "worst-case" development potential under the proposed E-1 zoning will worsen the year 2034 intersection performance to not meet standards in lieu of expensive mitigation, the applicant is proposing a trip cap equal to the level of traffic generated by the proposed development scenario. Under the trip cap all intersections operate better than the mobility standards, or no worse than the 2034 background conditions, and no further mitigation is needed.

EXHIBIT 6

Tech Memo

CSA Planning, Ltd
4497 Brownridge, Suite 101
Medford, OR 97504
Telephone 541.779.0569
Fax 541.779.0114
Jay@CSAplanning.net

To: City of Ashland Planning Commission
City of Ashland Transportation Commission

Date: January 15, 2018

Subject: Washington Street Improvements Proposal

Over the last nine months, the South Ashland Business Park team has been coordinating with the City of Ashland on design solutions for improvements to Washington Street. Improvements to Washington Street were discussed at the Pre-Application as well as at a dedicated meeting September 21, 2017. On October 25th, CSA provided a memo summarizing the approach the land use application would take to address this issue. The proposed cross-section options at the end of this memo represent a minor refinement to the options from the October 25th memo.

At the outset of the project design, it was obvious that future construction of a standard Avenue Cross-Section could not be completed without large-scale filling of the possible wetland and/or significant encroachment of the roadway towards the I-5 on-ramp. At the narrowest spot, there is only approximately 45.5 feet between existing guardrail and the wetland; only 25.5 feet between the guardrail and the wetland buffer. The attached cross-sections prepared by Thornton Engineering depict the extent of the constraints at the narrowest point. As such, the Applicant undertook an analysis and developed potential design solutions to address this constraint and the outcome of this work is presented in this Technical Memorandum.

TSP, LDO AND TRANSPORTATION PLANNING ANALYSIS:

In general, Washington Street has some unique conditions that make it challenging to categorize in an urban street functional classification system schema. These challenges are examined, as follows:

- TSP Figure 2-5 shows ODOT with jurisdictional roadway responsibilities for all of Washington Street from Ashland Street all the way to Jefferson Street. CSA has not researched the maintenance responsibilities to verify the data on this map. However, Washington Street has all of the north-south frontage portion of the road is located within ODOT Interstate 5 right-of-way.

- TSP Figure 6-1 functionally classifies Washington Street as an Avenue. The existing cross-section of Washington Street is two lanes, has no bike lanes and does not have a curb and gutter in many sections. However, no improvement plans are identified in the TSP for Washington Street and the chances for developer funded improvements through redevelopment from the Jefferson Street intersection to Ashland Street appears low.

The Ashland TSP maps the City's street functional classifications in Figure 6-1. The functional classification information is found in LDO 18.4.6 - Public Facilities. This code section is where Street Classifications are described and where cross-sectional design standards are set forth. The below analysis examines the characteristics of Washington Street in relation to the purpose and design standards for an Avenue.

> 2. Avenue - Avenues provide concentrated pedestrian, bicycle, transit, and motor vehicle access from neighborhoods to neighborhood activity centers and boulevards. Avenues are similar to boulevards, but are designed on a smaller scale. Design should provide an environment where walking, bicycling, using transit, and driving are equally convenient and facilitates the avenue's use as a public space. A two-lane or three-lane configuration can be used depending on the number of trips generated by surrounding existing and future land uses. See Figure 18.4.6.040.G.2.

Street Function	Provide access from neighborhoods to neighborhood activity centers and boulevards.	
Connectivity	Connects neighborhoods to neighborhood activity centers and boulevards.	
Average Daily Traffic	3,000 - 10,000 motor vehicle trips per day	
Managed Speed	20 mph – 25 mph	
Right-of-Way Width	2-lane 59 ft – 86 ft 3-lane 70.5 ft – 97.5 ft	
Curb-to-Curb Width	2-lane 32 ft– 33 ft 3-lane 43.5 ft – 44.5 ft	
Motor Vehicle Lanes	2-lane 10 ft – 10.5 ft travel lanes 3-lane 10 ft – 10.5 ft travel lanes; one 11.5 ft median or center turn lane	
Bike Lanes	6 ft bike lanes; one on each side of the street moving in the same direction as motor vehicle traffic	
Parking	8 ft – 9 ft lanes; may be provided in 8 ft – 9 ft bays rather than as a continuous on-street lane	
Curb and Gutter	*required; 6 inch vertical curb*	
Parkrow	Residential	7 ft - 8 ft landscape parkrow; 8 ft on streets without on-street parking lanes
	Commercial	5 ft hardscape parkrow (i.e., street tree wells) on streets with on-street parking lanes 7 ft landscape parkrow on streets without on-street parking lanes or where street corridor includes landscape parkrow All plant street trees pursuant to section 18.4.4.030
Sidewalk	Residential	6 ft on both sides
	Commercial	8 ft – 10 ft on both sides

From a long-range planning connectivity and street function standpoint, classifying Washington Street as an Avenue is reasonable. Opportunities for east-west connectivity in this part of the City is very limited because the area is sandwiched between I-5 and the railroad and is further limited by two north-south creeks (Knoll Creek and Hamilton Creek). Overall, the area is pretty narrow and ranges from 400 to 1500 feet wide, but is almost a mile long from Crowson Road to Ashland Street. As such, at least one higher order street north-south make sense from a connectivity standpoint and Washington Street is the logical street to serve that purpose. Following the Independent Way completion, future connectivity to Crowson Road and a railroad crossing to the Croman Mill District would ultimately result in an appropriate Avenue functional classification from a connectivity standpoint. However, completion of all these connections is expected to be many years in the future.

From a traffic use and activity standpoint, Washington Street is much more like a local industrial street than an Avenue. There is no transit service on Washington Street and it would appear an unlikely area for cost-effective transit service expansion. Figures 4-1 and 4-2 in the TSP show this area has having some of the lowest travel demand for pedestrians and bicycling in the entire City. Existing vehicle traffic on the segment between the Jefferson Street intersections is approximately 345 ADT and Sandow Engineering expects ADT to only grow about 1,350 ADT or less by 2034[1].

[1] Even using the TSP volume projections on the most-utilized portion of Washington Street, the projected volumes grow to just approach 3,000 ADT. This travel volume is at the very bottom ADT range for an Avenue designation at the end of the planning horizon. Less utilized portions of

The low travel demand, for all modes, in this area is typical of isolated employment areas that are primarily industrial in nature with a limited amount of office and commercial uses mixed into the land use pattern.

We believe it is important that private development not be sited in manner that would impair future construction of the full planned cross-section if the ultimately planned connectivity were to require it[2]. However, because of the low levels of travel demand projected for this area, a number of the improvement elements typically required in the City's standard cross-section for an Avenue are unnecessary and do not make sense along the frontage of the project for the following transportation planning reasons:

1. There does not appear to be any need for the 3-lane section in this location because there will be very few driveways and low volumes overall. Center-turn lanes are needed where there are many driveways with high travel volumes to separate through traffic from traffic making left-turns into and out of driveways.

2. Travel volumes do not necessitate separate dedicated bike lanes now or in the near future. The TSP does not identify a project that would create bike lanes on the existing portion of Washington Street so it would be at least 20 years before bike lanes on the project frontage would connect to bike lanes on the rest of the system to create a connected network of bike lanes. However, staff has expressed their desire for bike lanes on this facility in accordance with a standard Avenue cross-section.

3. There is no need for a planter strip and sidewalk on the east side of the Washington Street along the project frontage. This section of Washington Street is adjacent to the I-5 right-of-way. No connectivity or driveways are reasonably possible along this frontage. All pedestrian activity centers and destinations will be located on the west side of Washington Street so no benefit would accrue from a sidewalk and planter strip on the east side of Washington Street.

The segment of Washington Street that fronts on the subject property is a segment where a parallel route exists for pedestrians and cyclists along Jefferson Street. The Jefferson Street road has sidewalks on both sides and when traveling between the Jefferson/Washington Intersection, the distance is very similar.

ENVIRONMENTAL CONSTRAINTS ANALYSIS:

In addition to transportation planning considerations, the project frontage is impacted by environmental constraints due to the presence of a wetland along the east frontage of the subject property (west side of Washington Street). The issues associated with this environmental constraint are depicted on the attached street cross sections prepared by Thornton Engineering. Options C and D demonstrate the challenges presented by the City's standard cross-section (even without a center turn lane and no parkrow and sidewalk on the east side). Option C shows the extent of wetland filling required in order to keep the new improvement west of the existing I-5 guardrail. Option D (a design option that is not proposed for construction and is for illustration purposes only) shows the extent of the grade problems with a standard cross-section sited to minimize any wetland impacts (the design still places part of the sidewalk in the wetland buffer). Option D has major constructability issues because it would result in a retaining wall on the order of approximately 8-10 feet adjacent to and directly above the I-5 on-ramp.

It is worth noting, that approximately 7 feet of the impact to the wetland protection zone is for a planter strip in Option C. Applicant's proposed cross-section Options A and B

Washington Street, such as adjacent to the project site, are expected to be far below 3,000 ADT even at the end of the planning period.

[2] If the sidewalk and planter strip are omitted from the east side where they are not needed, the rest of the standard cross-section would fit within the existing right-of-way, but different design options have different constructability and environmental implications, see attached drawings.

relocate the right-of-way green space behind the sidewalk for this road segment to retain as much wetland protection zone as practicable.

TRAFFIC AND ANALYSIS:

Sandow Engineering evaluated the capacity, safety, and multi-modal mobility issues associated with the three improvement options in this memo. Section 5 of the Transportation Impacts Analysis finds that any of the three improvement option cross-sections discussed in the next section will provide safe and adequate transportation facilities for the roadway users for current and future traffic scenarios.

PROPOSED CROSS-SECTION DESIGN AND FUNCTIONALITY DISCUSSION:

After several meetings and follow-up communications, the South Ashland Business Park team has developed three cross-section alternatives for the City's consideration. Selecting the preferred alternative is, ultimately, a policy issue for the City. The wetland and planned street improvements are all within the existing right-of-way. The environmental constraints of this section of Washington Street impact the City's ability to construct a full Avenue street section in this location with or without a private development project. The full Avenue street section (even without a parkrow and sidewalk on the east side) simply does not fit between the wetland protection zone and the I-5 guardrail.

After some months of working on this issue, three alternative cross-sections have been developed for the City's consideration. These cross-sections are identified as Options A, B and C on the attached plans prepared by Thornton Engineering. The benefits and trade-offs of each alternative are described below

Option A) Applicant will agree to construct the cross-section shown by Thornton Engineering on the attached plans for Option A. That cross-section would provide pedestrian and bike facilities in the form of a 10-foot multi-use path at the back of the sidewalk along Washington Street along with 10-foot travel lanes and sharrows for any on-street bike traffic. This design has the advantage of being a "complete street" at the time it is constructed. This is the only option that would not require any environmental permitting and minimal review by ODOT because it stays within the existing guardrail. Because of the indeterminate and potentially very long time-period before Washington Street connects anywhere to the South this design solution will provide a "complete street" for many years. The design does not preclude future widening for bike lanes because the 12 additional feet could be added in the future without a massive retaining wall on the I-5 side of the street - although some retaining wall and guardrail relocation would be required. This widening would not be expected to be cost-prohibitive in the future. This option does encroach on the wetland buffer but it is able to maintain approximately a third of it with a 3 to 1 slope which is very similar to the existing slope.

Option B) Option B is the City's standard cross-section with the parkrow removed and the centerline located to avoid wetland filling. Applicant will agree to construct the cross-section shown by Thornton Engineering on the attached plans for Option B from the guardrail west as a half-street improvement; two travel lanes, the southbound bike lane, and the west sidewalk[3]. The Option B cross-section does not encroach on the wetland but the wetland buffer must be graded at an approximately 1 to 1.5 slope to avoid wetland filling. Future widening for a bike lane on the east side of the street would not be expected to be cost prohibitive. Until the east bike lane (northbound) is added, the street will be incomplete, but will be adequate to serve local needs during the period.

[3] Applicant observes that this improvement is actually more than half a street and expects this improvement may be due additional SDC reimbursements for construction of more than a half street on an Avenue classified street.

Option C) Option C is the City's standard cross-section. It requires substantial wetland filling. Applicant will agree to construct the cross-section shown by Thornton Engineering on the Attached Plans of Option C to include both travel lanes and the other improvements west of the travel lanes. Construction would be dependent on the City of Ashland obtaining required environmental permits to fill the wetland and the City installing any required wetland mitigation. If Option C is the preferred option, the design work will need to be performed by the City, because they would be the entity undertaking the environmental permitting.

IMPROVEMENT TIMING AND SDC REIMBURSEMENT DISCUSSION:

Applicant requests the street improvement conditions of approval be required prior to occupancy of any building after the initial Phase 1. The Applicant believes there are a number of reasons why this timing makes sense for this project, as follows:

- This timing will allow the project to begin to cash flow and the existing street is adequate to handle the low volume of traffic associated with the Phase 1 development.
- The vast majority of the improvements are not even utilized by the majority of the project because the main project access is at the northwest corner of the site.
- Even once the City selects its preferred improvement option, there is a considerable amount of design work that will remain to optimize the alignment. It would be ideal if this work could be done at a more pedestrian pace which would be possible if this design work is being undertaken while the first phase is being tenanted.
- Washington Street is an Avenue. Construction of higher order streets are typically due some amount of SDCs reimbursement. The amount of SDC reimbursement may vary depending on the improvement option selected by the City. However, construction of Phase 1 and issuance of building permits of Phase 2 would cause some SDCs to be paid by the project before any reimbursements might be due from the City which is beneficial from the City's SDC cash-flow perspective.

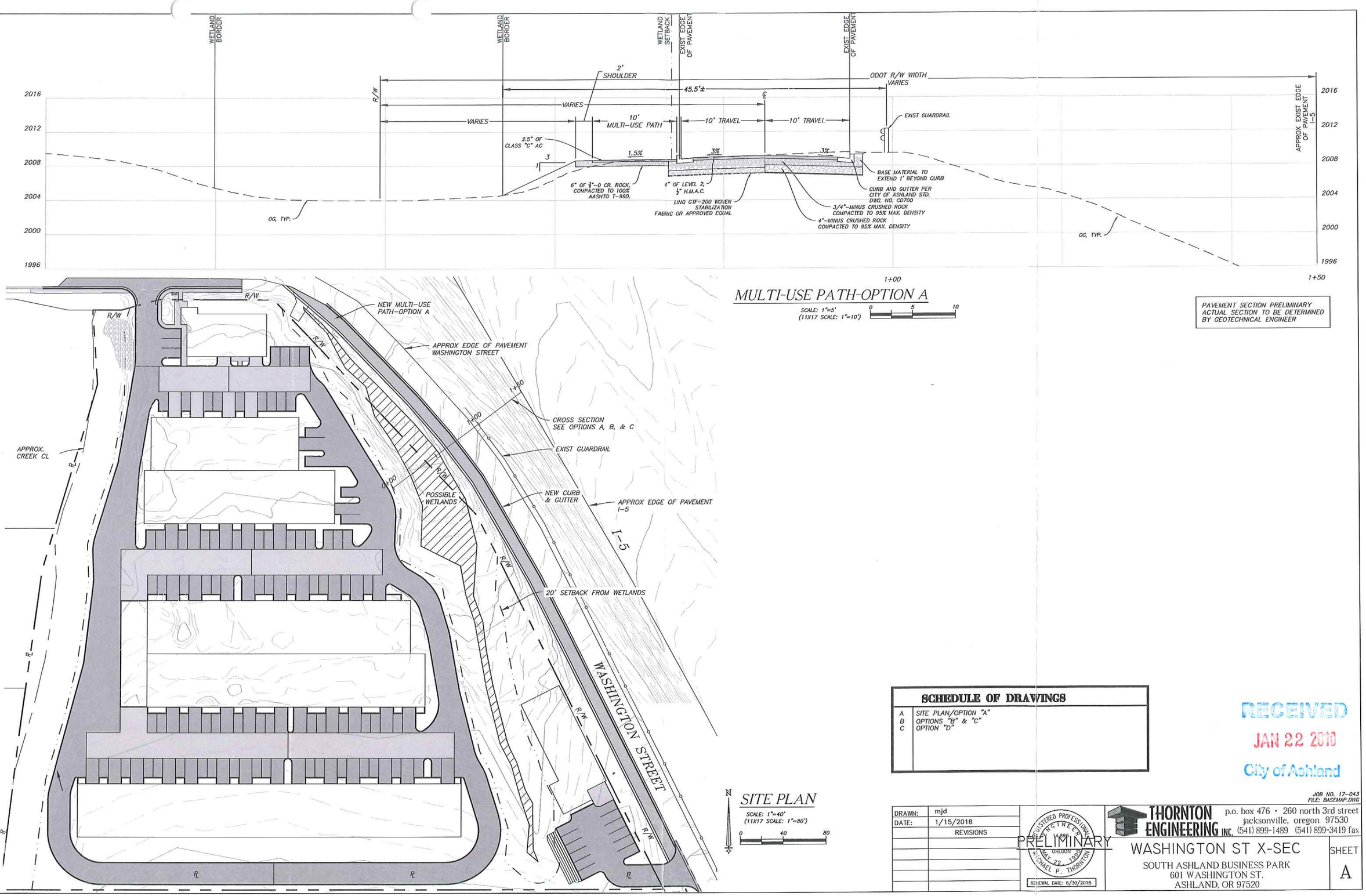
CONCLUSIONS:

In conclusion, any of the three cross-section options (A, B or C) offered by the Applicant can be found to comply with applicable City regulatory requirements. All three options will meet the City's transportation needs in the near term and in the long term. Option C may have a difficult time demonstrating compliance with State and Federal regulatory requirements. Applicant's objective is to construct its private project. The particular design option for Washington Street is less important to the Applicant than the City taking action to select a design option so the private project can proceed.

CSA Planning, Ltd.

Jay Harland
President

cc: File



MULTI-USE PATH-OPTION A

SCALE: 1"=5' (11X17 SCALE: 1"=10')

PAVEMENT SECTION PRELIMINARY ACTUAL SECTION TO BE DETERMINED BY GEOTECHNICAL ENGINEER

SITE PLAN

SCALE: 1"=40' (11X17 SCALE: 1"=80')

SCHEDULE OF DRAWINGS

A	SITE PLAN/OPTION "A"
B	OPTIONS "B" & "C"
C	OPTION "D"

RECEIVED
JAN 22 2018
City of Ashland

JOB NO. 17-043
FILE: BASEMAP.DWG

DRAWN:	mjd
DATE:	1/15/2018
	REVISIONS

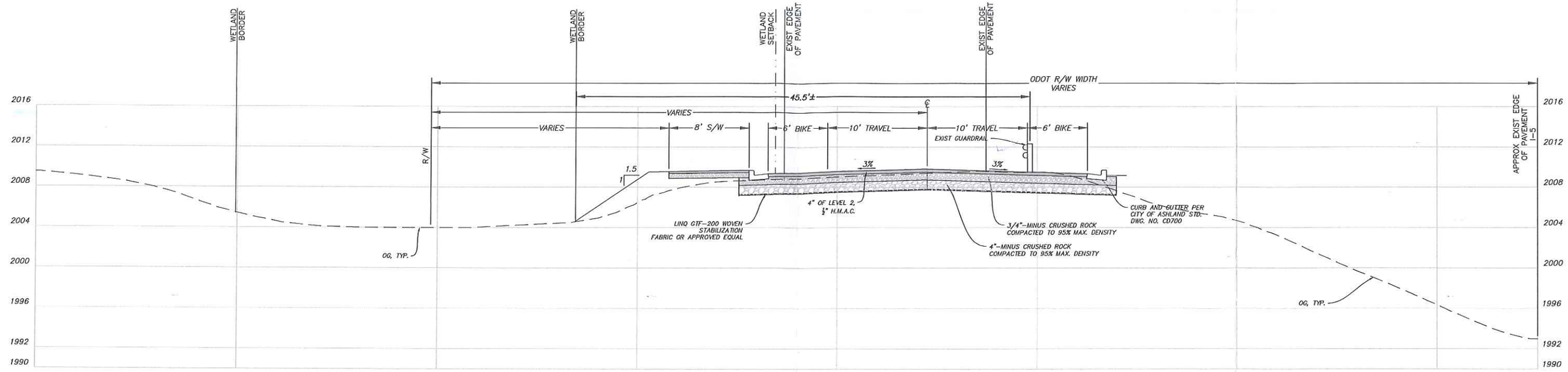
REGISTERED PROFESSIONAL ENGINEER OREGON MAY 22, 1985 MICHAEL P. THORNTON
RENEWAL DATE: 6/30/2018

PRELIMINARY

THORNTON ENGINEERING INC.
p.o. box 476 · 260 north 3rd street
jacksonville, oregon 97530
(541) 899-1489 (541) 899-3419 fax

WASHINGTON ST X-SEC
SOUTH ASHLAND BUSINESS PARK
601 WASHINGTON ST.
ASHLAND, OR 97520

SHEET A



XS-OPTION B

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(11X17 SCALE: 1"=10')
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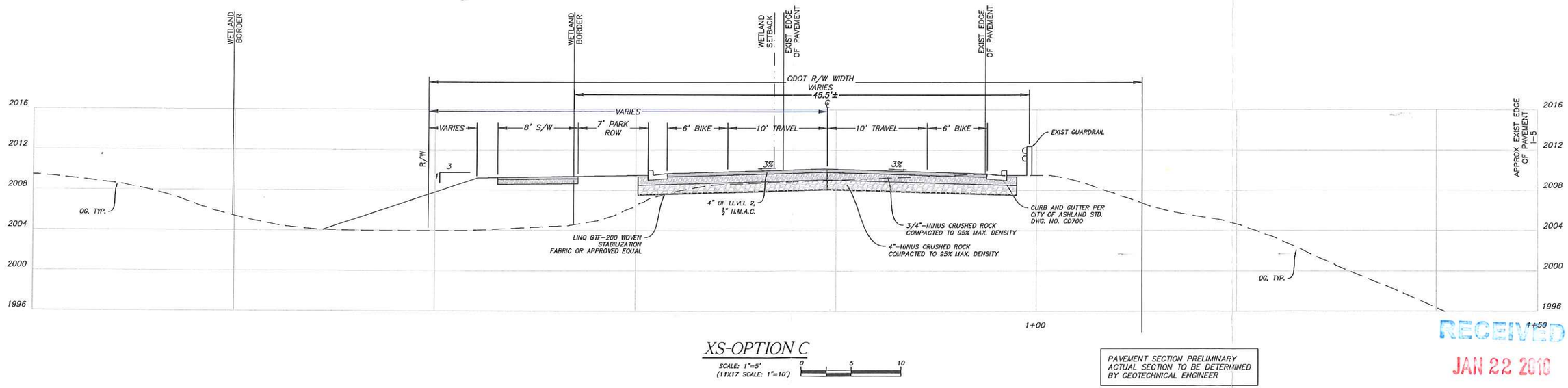

XS-OPTION C

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PAVEMENT SECTION PRELIMINARY
ACTUAL SECTION TO BE DETERMINED
BY GEOTECHNICAL ENGINEER

JOB NO. 17-043
FILE: BASEMAP.DWG

DRAWN:	mjd
DATE:	1/15/2018
	REVISIONS

REGISTERED PROFESSIONAL ENGINEER 14,898 OREGON MAY 22, 1998 MICHAEL P. THORNTON
RENEWAL DATE: 6/30/2018

PRELIMINARY

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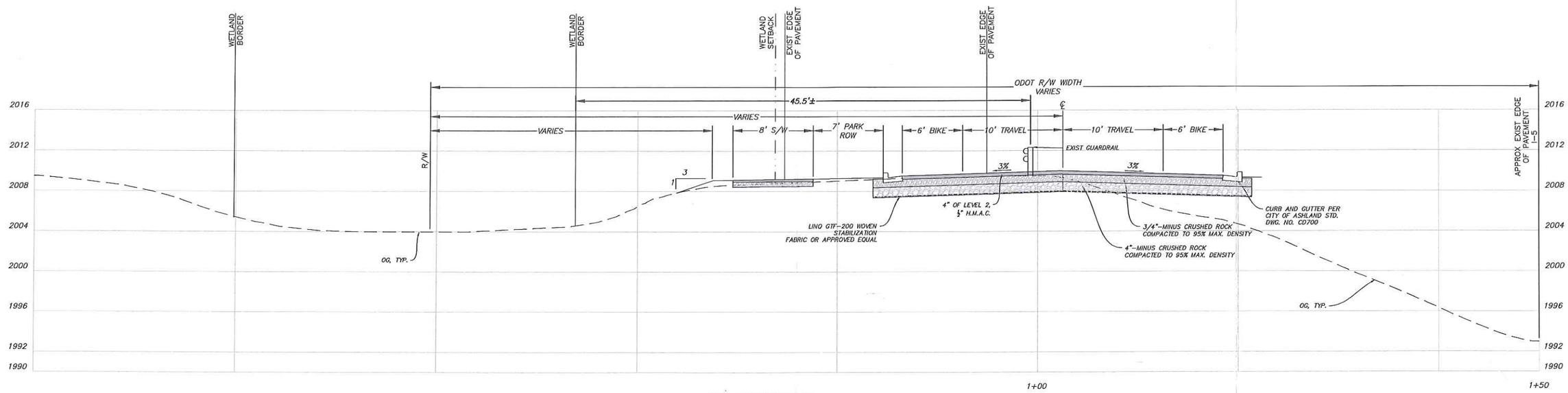
jacksonville, oregon 97530
(541) 899-1489 (541) 899-3419 fax

WASHINGTON ST X-SEC

SOUTH ASHLAND BUSINESS PARK
601 WASHINGTON ST.
ASHLAND, OR 97520

SHEET B



XS-OPTION D

SCALE: 1"=5'
(11X17 SCALE: 1"=10')
0 5 10

PAVEMENT SECTION PRELIMINARY
ACTUAL SECTION TO BE DETERMINED
BY GEOTECHNICAL ENGINEER

RECEIVED
JAN 22 2018
City of Ashland

JOB NO. 17-043
FILE: BASEMAP.DWG

DRAWN:	mjd
DATE:	1/15/2018
	REVISIONS

REGISTERED PROFESSIONAL ENGINEER 14,698 OREGON MAY 22, 1990 MICHAEL P. THORNTON
RENEWAL DATE: 6/30/2018

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WASHINGTON ST X-SEC
SOUTH ASHLAND BUSINESS PARK
601 WASHINGTON ST.
ASHLAND, OR 97520

SHEET C

EXHIBIT 7

THORNTON ENGINEERING INC.

January 11, 2018

South Ashland Business Park, LLC
860 O'Hare Parkway, Ste 100
Medford, Oregon 97504

Subject: South Ashland Business Park – Summary of Preliminary Utility Analysis

I have performed a preliminary analysis of the availability and adequacy of the following urban services and facilities required to serve the proposed South Ashland Business Park. Based on my preliminary research and analysis the stormwater management facilities, sanitary sewer facilities, and water service facilities are adequate in condition, capacity, and location to serve the proposed development of the subject area.

Storm Drainage Facilities

The proposed South Ashland Business Park will outfall into Knoll Creek, which runs through the proposed development property, and then goes under Washington Street. Knoll Creek eventually drains into Neil Creek. The proposed development will restrict the peak discharge of the site to pre-development peak discharge, therefore based on conversations with staff and presumptive methods, the Knoll Creek drainage is adequate to convey storm runoff from the site to Neil Creek during a 25-year frequency rainfall event.

The design of the stormwater system improvement facilities for the development will:

1. Comply with the standards in the current City of Ashland Stormwater Management Plan. The City of Ashland currently has a policy of requiring on site 25-year storm water detention for commercial and industrial developments. Prior to project development, a comprehensive hydrograph analysis of the entire drainage basin being served by the existing storm drain will be performed to determine the beneficial or detrimental impacts on site storm water detention will have on the existing storm drain.

2. Include on site storm drainage facilities to collect and transport storm runoff to Knoll Creek.

3. Include onsite infiltration to the greatest extent possible through a combination of provisions, such as minimizing impervious surface areas and providing landscape areas.

4. Use best management practices to treat the water quality storm as required by the City of Ashland.

5. Limit the rate of discharge to the site's predevelopment discharge for a 25-year frequency storm.

6. Employ comprehensive erosion and sediment control practices during construction.

Office (541) 899-1489 Fax (541) 899-3419 P.O. Box 476, 260 N. 3rd Street, Jacksonville, OR 97530

Sanitary Sewer

An existing 8-inch sanitary sewer currently lies in Washington Street. The existing sewer has adequate capacity to serve the proposed development.

The design of the project will include additional on site sanitary sewer facilities to collect and transport wastewater to the existing sewer.

Water

According to Steve Walker with the City of Ashland, there is an existing 8-inch water main in Washington Street, near the proposed project boundaries. He stated on January 5, 2018, that the existing 8" water main should be adequate for the proposed development. The design of the project will include four new water meters on the north side of the site to service Phases 1-3, and one new water meter on the east side of the site to service Phase 4.

Determination of Adequacy

The determination of adequacy with regard to condition, capacity, and location is based on:

1. A review of agency (City of Ashland) record drawings and inventory maps, as well as discussions with City of Ashland staff.
2. Several site visits to verify the condition, size, and location of the existing facilities.
3. Preliminary calculations performed by Thornton Engineering Inc. to determine the runoff, sewer flows and water demands for the proposed project.

Sincerely,

Thornton Engineering, Inc.

By: Mike Thornton
Jan 12 2018 2:30 PM

Michael P. Thornton, P.E.

REGISTERED PROFESSIONAL ENGINEER
14,896
OREGON
MAY 22, 1990
MICHAEL P. THORNTON
RENEWAL DATE: 6/30/2018

Mike Thornton
Jan 12 2018 2:30 PM

Office (541) 899-1489 Fax (541) 899-3419 P.O. Box 476, 260 N. 3rd Street, Jacksonville, OR 97530

EXHIBIT 8

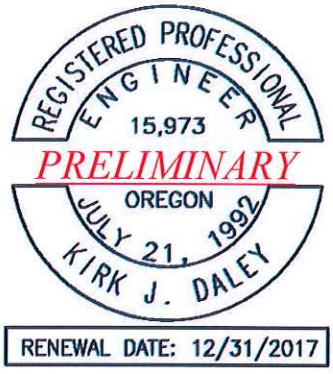
PRELIMINARY STORM WATER CALCULATIONS

FOR

SOUTH ASHLAND BUSINESS PARK

601 WASHINGTON STREET
ASHLAND, OR
39 1E 14AB TL 2800

PROJECT NO. 17-043
December 21, 2017



THORNTON ENGINEERING, INC.

FOR

SOUTH ASHLAND BUSINESS PARK, LLC

Purpose:

The purpose of these calculations is to substantiate the design of stormwater detention for a proposed commercial development located at 601 Washington St. in Ashland, Oregon (39 1E 14AB, taxlot 2800).

The 25 year pre-development peak flow was calculated to be **1.811 cfs** and the proposed 25 year post-development peak flow was calculated to be **1.794 cfs**. This meets the post-development peak flow ≤ pre-development peak flow criteria.

Storm water detention volume has been determined based on Hydraflow Hydrograph Extension for AutoCAD Civil 3D. The time of concentrations have been calculated based on the TR55 method built into the Extension. The proposed detention is two detention pipes located in the private driveway with a stormwater quality manhole. Phase 4, located in the southeast corner will route into a swale to be treated. The flow for Phase 4 will be mitigated by the detention and orifice in Phase 1.

Narrative:

25 Year Storm:
The analysis used post-development peak flow ≤ pre-development peak flow criteria. The total area is 5.39 acres, with 1.44 acres of the site undisturbed after the proposed development.

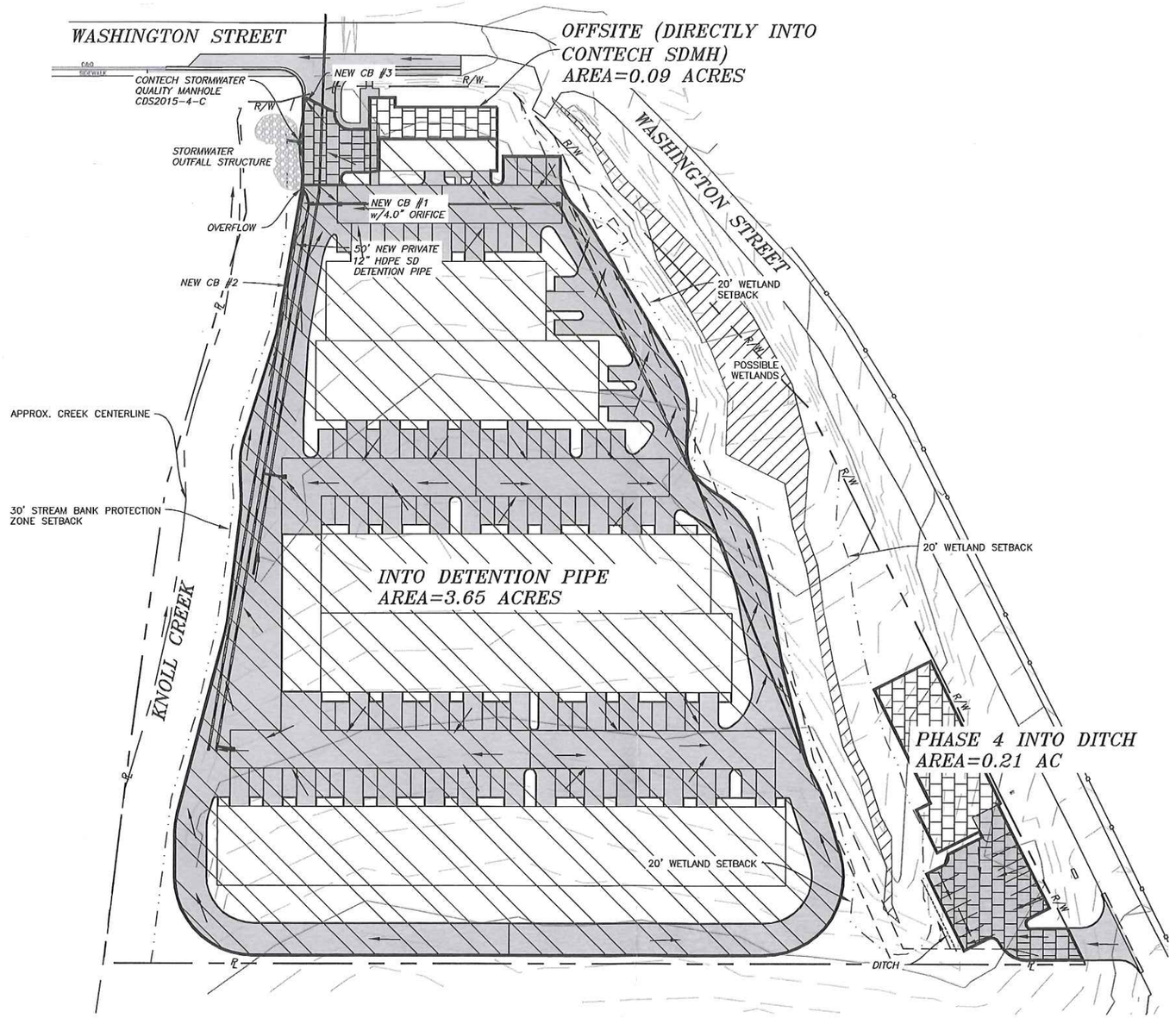
The pre-development peak flow for the total area was calculated at 1.811 cfs with a time of concentration of 47 min (Hydrograph No. 1). The post-development peak flow that flows off-site was calculated as 0.065 cfs with a time of concentration of 5 minutes (Hydrograph No. 2). The area that flows into the detention pipes has a post-developed peak flow of 2.804 cfs with a time of concentration of 9.40 minutes (Hydrography No. 3). Phase 4 (located in the southeast corner) will drain into a swale and outfall into existing wetlands, has a post-developed peak flow of 0.152 cfs with a time of concentration of 5 minutes (Hydrograph No. 4). The undisturbed area in the stream bank area has a peak flow of 0.514 cfs with a time of concentration of 38.60 minutes (Hydrograph No. 5). In order to make the post-development flow≤pre-development peak flow, the difference in flow is mitigated by an orifice located in Catch Basin #2. The detention pipes have a combined volume of 4,949 cuft with an orifice of diameter 5" with a post-development peak flow of 1.185 cfs (Hydrograph No. 6). The total post-development peak flow for the entire site is 1.794 cfs (Hydrograph No. 7).

1 Year Storm:
The water quality storm flow that will be going into the Contech CDS2015-4-C is 0.582 cfs (Hydrograph No. 6).

Contents:

1. Hydrology Map
2. Watershed Model Schematic
3. 25 Year Hydrographs
4. 1 Year Hydrographs
5. Pond Report
6. Time of Concentration Calcs

1. HYDROLOGY MAP



PRELIMINARY HYDROLOGY MAP

SCALE: 1"=80' 0 80 160

N

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City of Ashland

JOB NO. 17-043
FILE: BASEMAP.DWG

DRAWN:	mjd
DATE:	12/28/2017
	REVISIONS

REGISTERED PROFESSIONAL ENGINEER 14,896 OREGON JULY 22, 1994 MICHAEL P. THORNTON
PRELIMINARY
RENEWAL DATE: 6/30/2018

THORNTON ENGINEERING INC. p.o. box 476 • 260 north 3rd street jacksonville, oregon 97530 (541) 899-1489 (541) 899-3419 fax

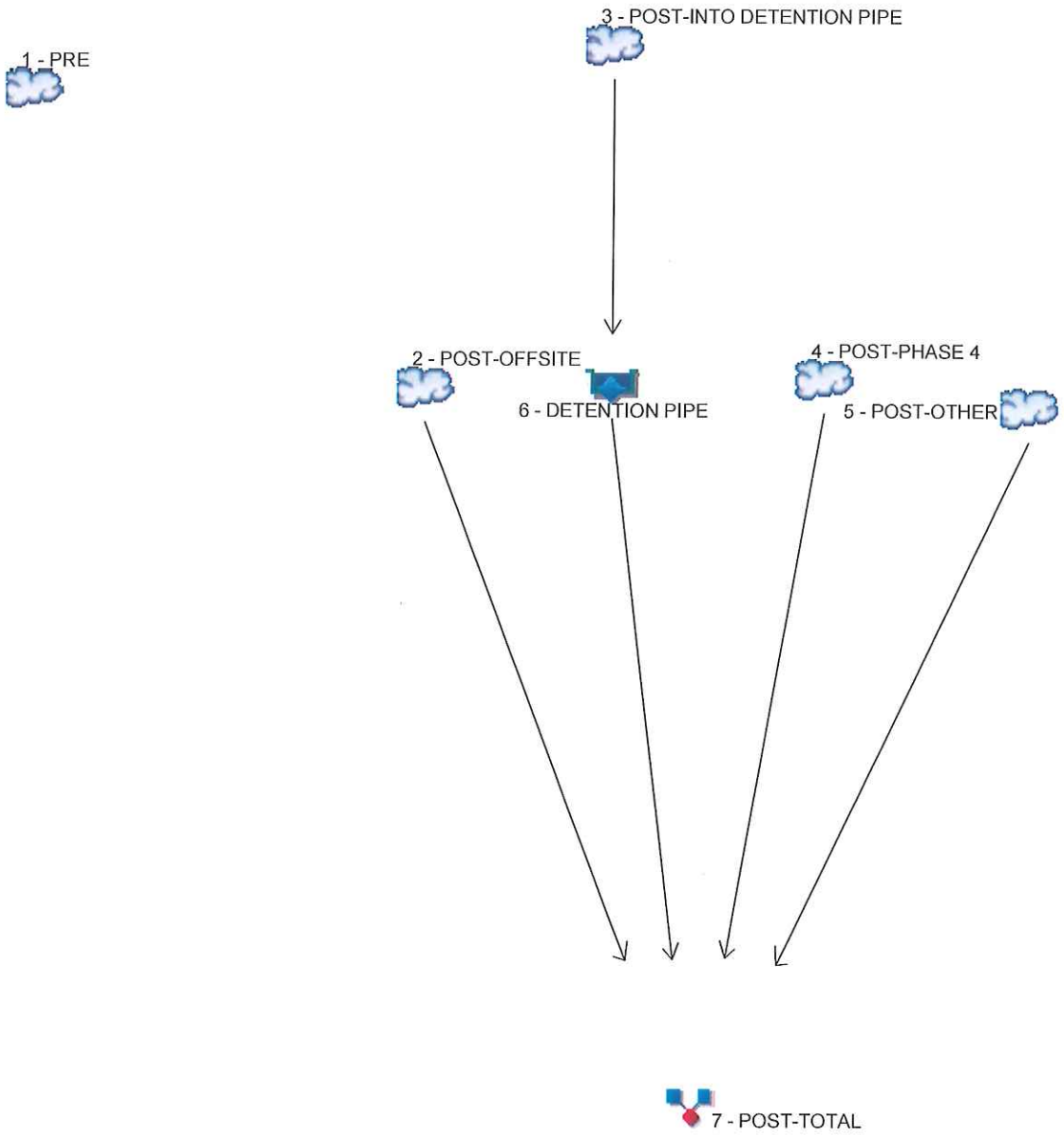
PRELIMINARY HYDROLOGY MAP
SOUTH ASHLAND BUSINESS PARK
601 WASHINGTON ST.
ASHLAND, OR 97520

SHEET H1

2. WATERSHED MODEL SCHEMATIC

Watershed Model Schematic

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4



3. 25 YEAR HYDROGRAPHS

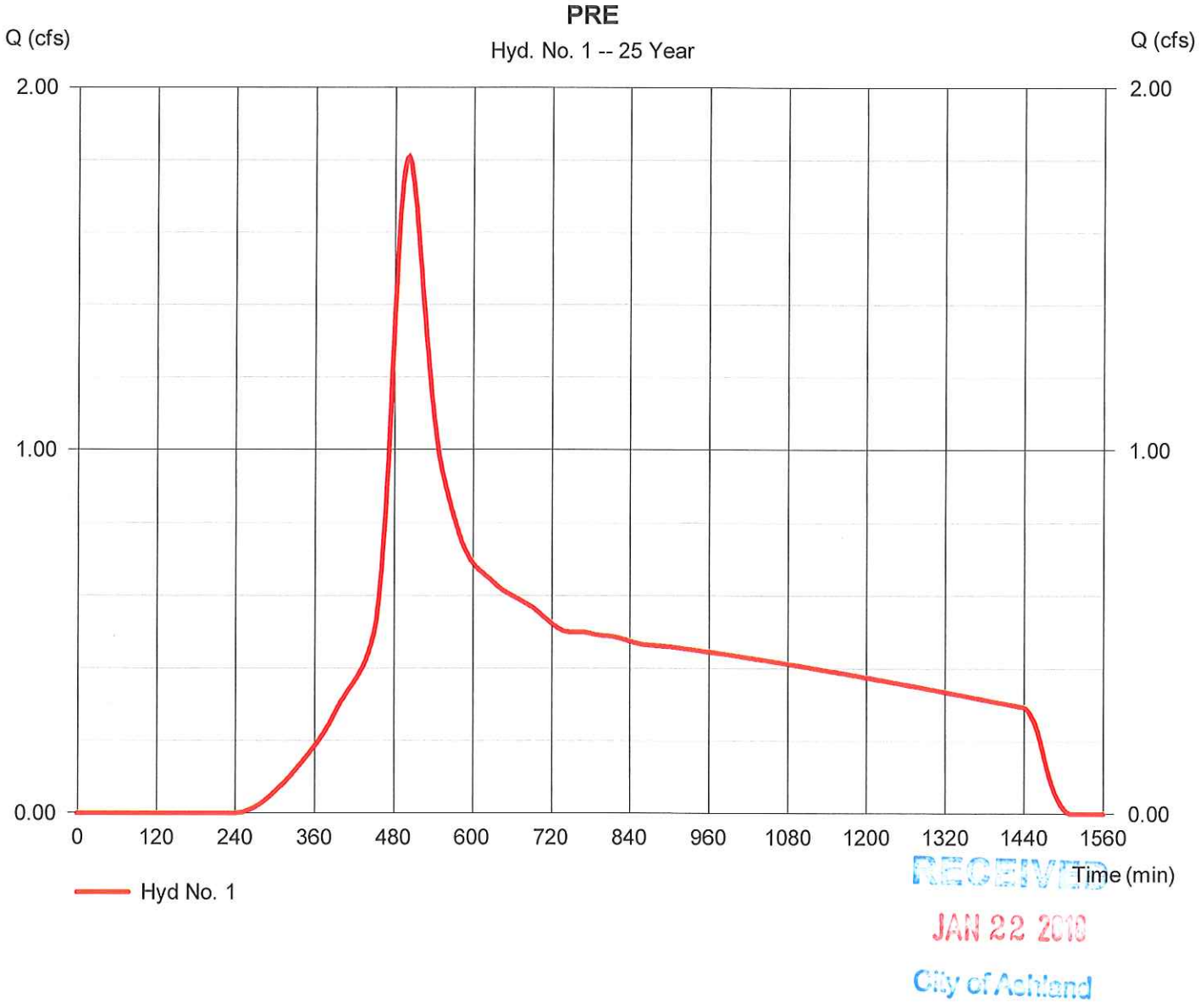
Hydrograph Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 — Thursday, 12 / 28 / 2017

Hyd. No. 1

PRE

Hydrograph type	= SCS Runoff	Peak discharge	= 1.811 cfs
Storm frequency	= 25 yrs	Time to peak	= 502 min
Time interval	= 2 min	Hyd. volume	= 34,911 cuft
Drainage area	= 5.390 ac	Curve number	= 85
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= TR55	Time of conc. (Tc)	= 47.00 min
Total precip.	= 3.25 in	Distribution	= Type IA
Storm duration	= 24 hrs	Shape factor	= 484



Hydrograph Report

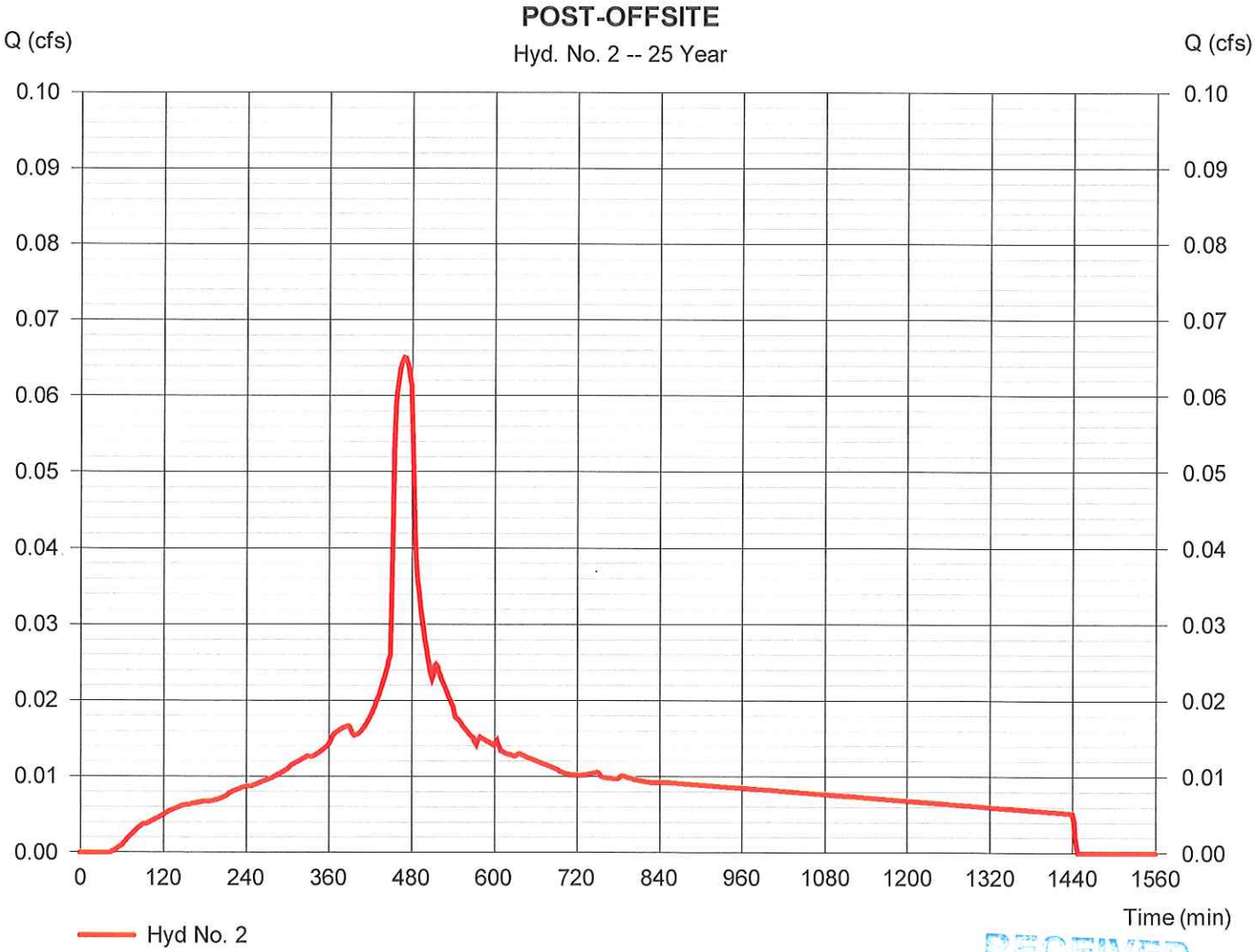
Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 — Thursday, 12 / 28 / 2017

Hyd. No. 2

POST-OFFSITE

Hydrograph type	= SCS Runoff	Peak discharge	= 0.065 cfs
Storm frequency	= 25 yrs	Time to peak	= 470 min
Time interval	= 2 min	Hyd. volume	= 924 cuft
Drainage area	= 0.090 ac	Curve number	= 98*
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 5.00 min
Total precip.	= 3.25 in	Distribution	= Type IA
Storm duration	= 24 hrs	Shape factor	= 484

* Composite (Area/CN) = [(3.740 x 98) + (1.650 x 85)] / 0.090



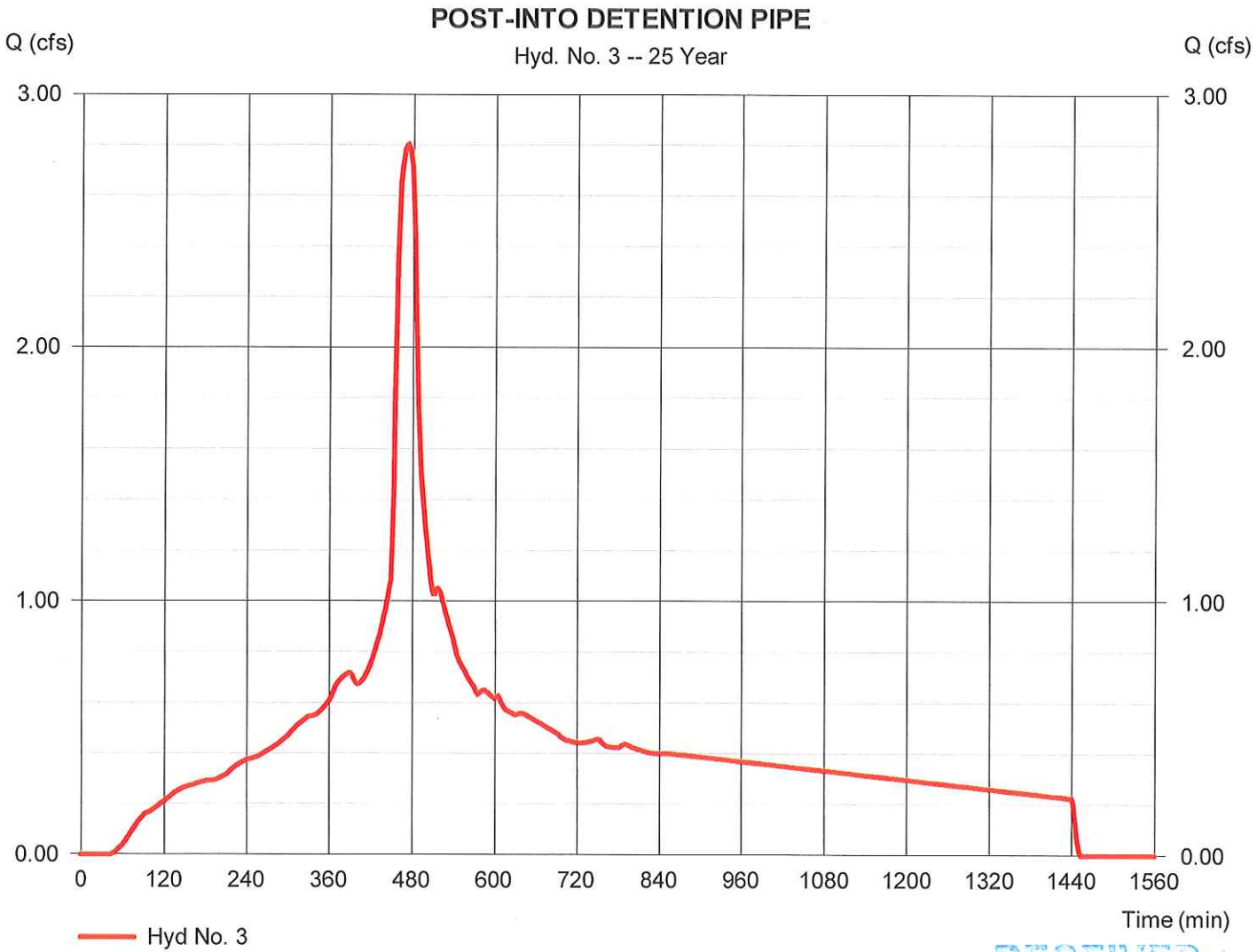
Hydrograph Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 — Thursday, 12 / 28 / 2017

Hyd. No. 3

POST-INTO DETENTION PIPE

Hydrograph type	= SCS Runoff	Peak discharge	= 2.804 cfs
Storm frequency	= 25 yrs	Time to peak	= 474 min
Time interval	= 2 min	Hyd. volume	= 39,978 cuft
Drainage area	= 3.650 ac	Curve number	= 98
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= TR55	Time of conc. (Tc)	= 9.40 min
Total precip.	= 3.25 in	Distribution	= Type IA
Storm duration	= 24 hrs	Shape factor	= 484



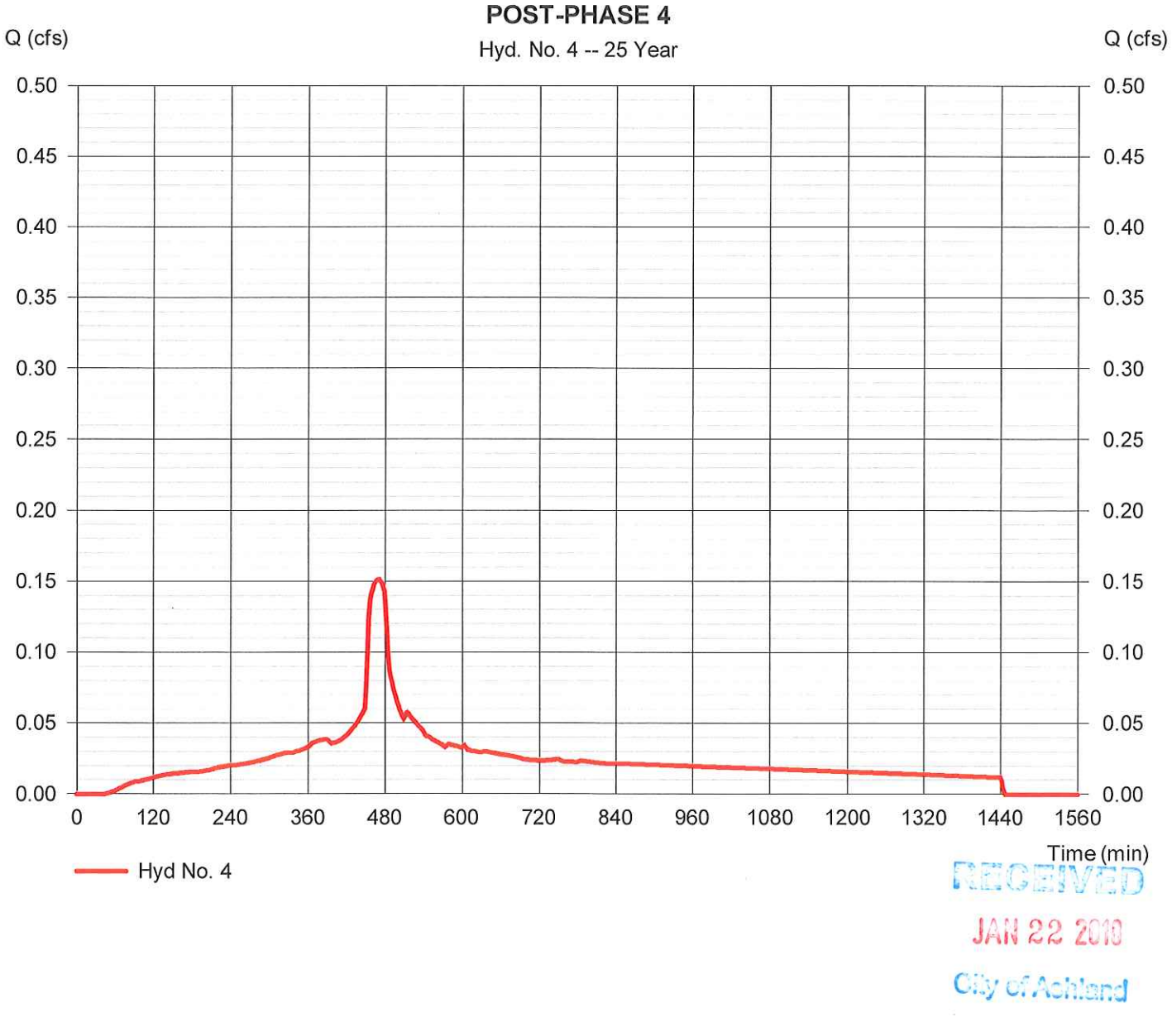
Hydrograph Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 — Thursday, 12 / 28 / 2017

Hyd. No. 4

POST-PHASE 4

Hydrograph type	= SCS Runoff	Peak discharge	= 0.152 cfs
Storm frequency	= 25 yrs	Time to peak	= 470 min
Time interval	= 2 min	Hyd. volume	= 2,156 cuft
Drainage area	= 0.210 ac	Curve number	= 98
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 5.00 min
Total precip.	= 3.25 in	Distribution	= Type IA
Storm duration	= 24 hrs	Shape factor	= 484



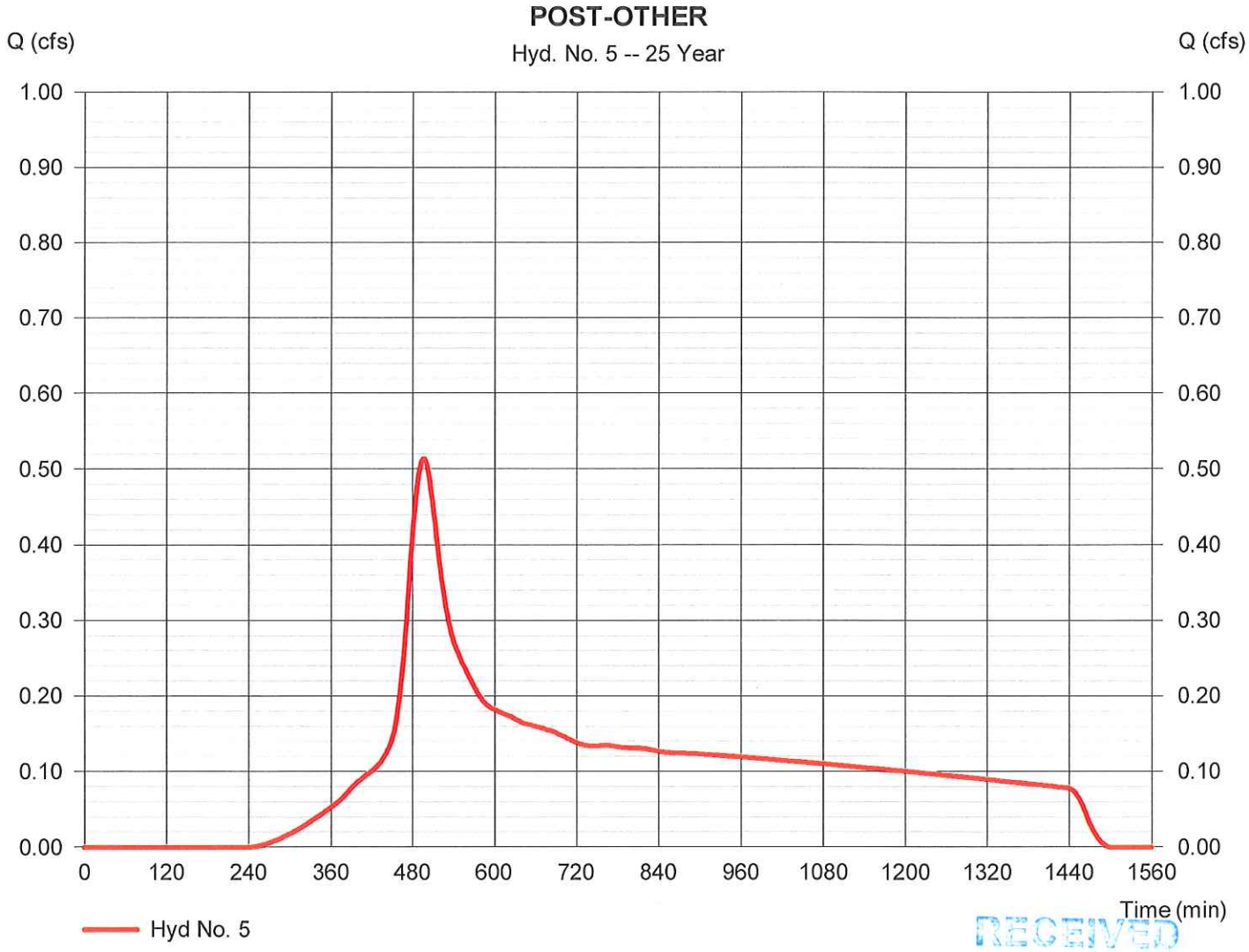
Hydrograph Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 — Thursday, 12 / 28 / 2017

Hyd. No. 5

POST-OTHER

Hydrograph type	= SCS Runoff	Peak discharge	= 0.514 cfs
Storm frequency	= 25 yrs	Time to peak	= 498 min
Time interval	= 2 min	Hyd. volume	= 9,411 cuft
Drainage area	= 1.440 ac	Curve number	= 85
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= TR55	Time of conc. (Tc)	= 38.60 min
Total precip.	= 3.25 in	Distribution	= Type IA
Storm duration	= 24 hrs	Shape factor	= 484



Hydrograph Report

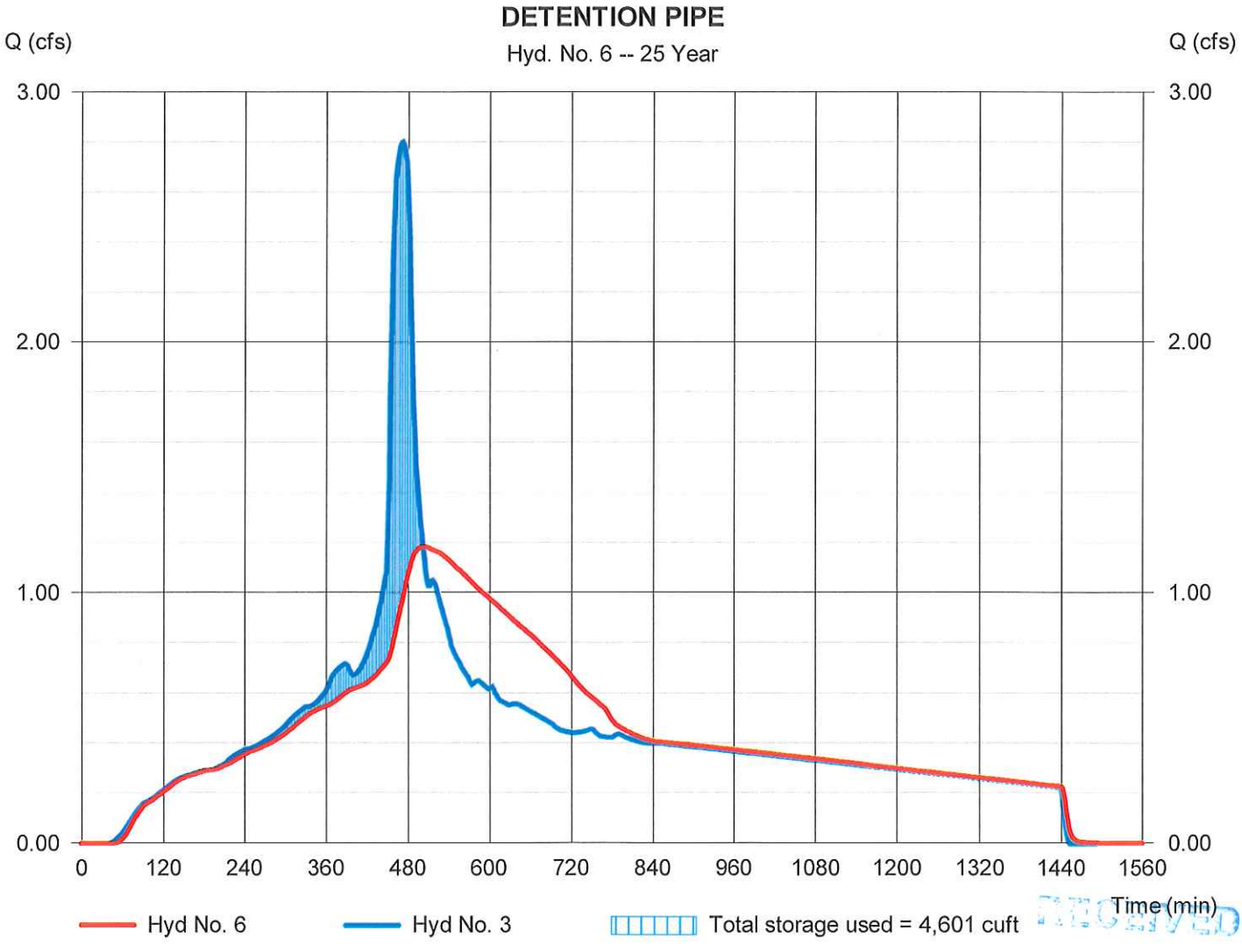
Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 — Thursday, 12 / 28 / 2017

Hyd. No. 6

DETENTION PIPE

Hydrograph type	= Reservoir	Peak discharge	= 1.185 cfs
Storm frequency	= 25 yrs	Time to peak	= 504 min
Time interval	= 2 min	Hyd. volume	= 39,976 cuft
Inflow hyd. No.	= 3 - POST-INTO DETENTION PIPE	Max. Elevation	= 1999.67 ft
Reservoir name	= 3' pipe	Max. Storage	= 4,601 cuft

Storage Indication method used.



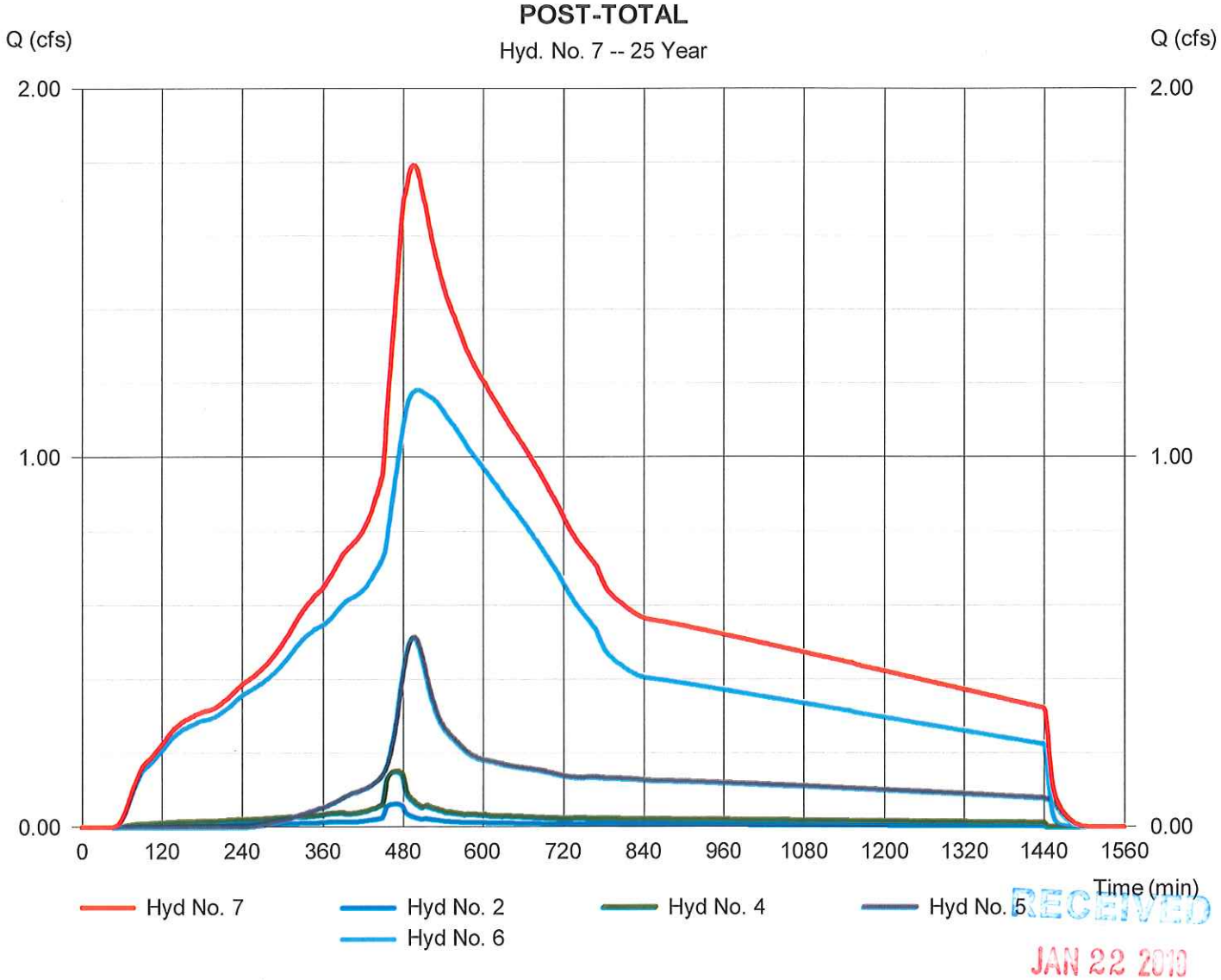
Hydrograph Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 — Thursday, 12 / 28 / 2017

Hyd. No. 7

POST-TOTAL

Hydrograph type	= Combine	Peak discharge	= 1.794 cfs
Storm frequency	= 25 yrs	Time to peak	= 496 min
Time interval	= 2 min	Hyd. volume	= 52,468 cuft
Inflow hyds.	= 2, 4, 5, 6	Contrib. drain. area	= 1.740 ac



4. 1 YEAR HYDROGRAPHS

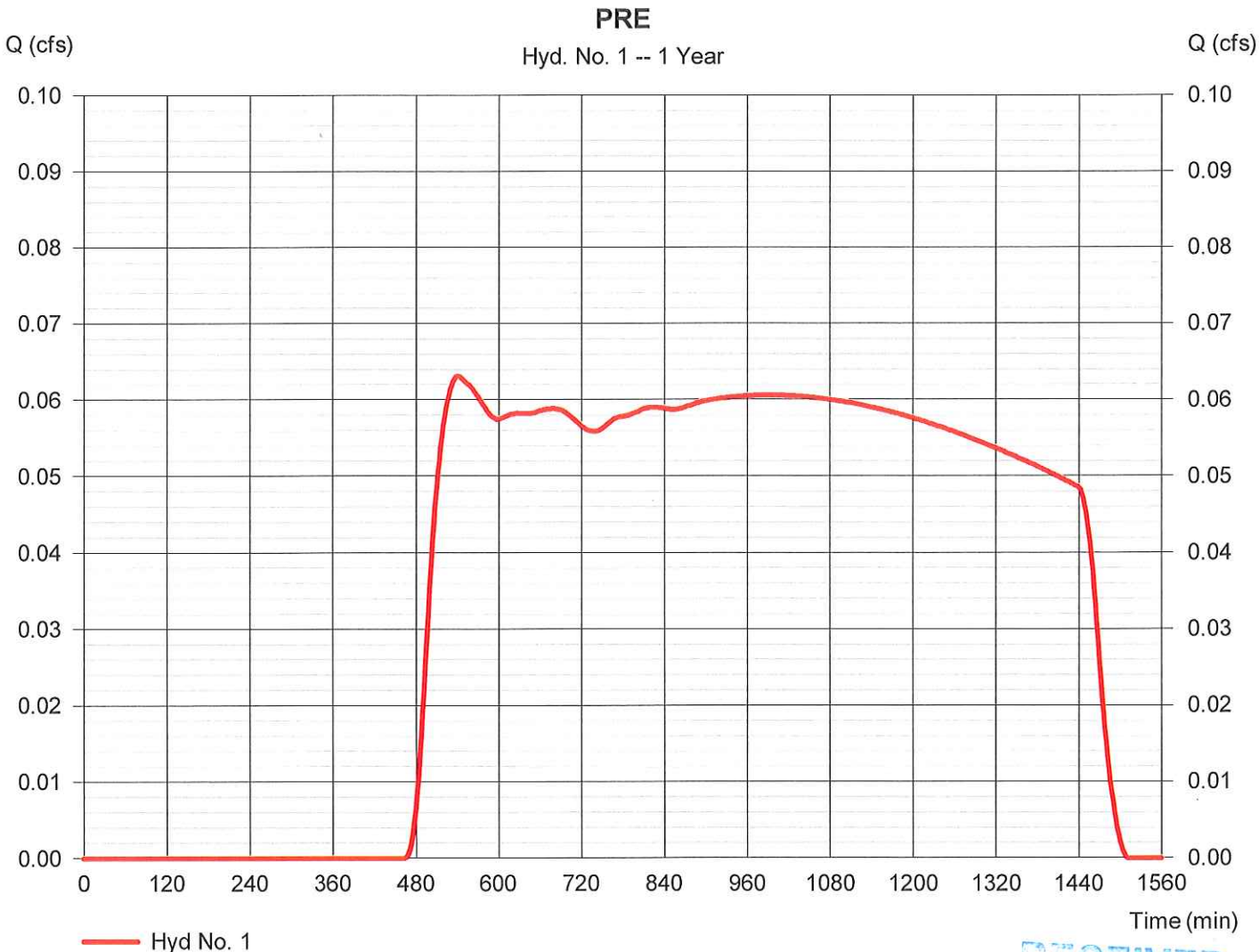
Hydrograph Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 — Thursday, 12 / 28 / 2017

Hyd. No. 1

PRE

Hydrograph type	= SCS Runoff	Peak discharge	= 0.063 cfs
Storm frequency	= 1 yrs	Time to peak	= 540 min
Time interval	= 2 min	Hyd. volume	= 3,366 cuft
Drainage area	= 5.390 ac	Curve number	= 85
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= TR55	Time of conc. (Tc)	= 47.00 min
Total precip.	= 1.00 in	Distribution	= Type IA
Storm duration	= 24 hrs	Shape factor	= 484



Hydrograph Report

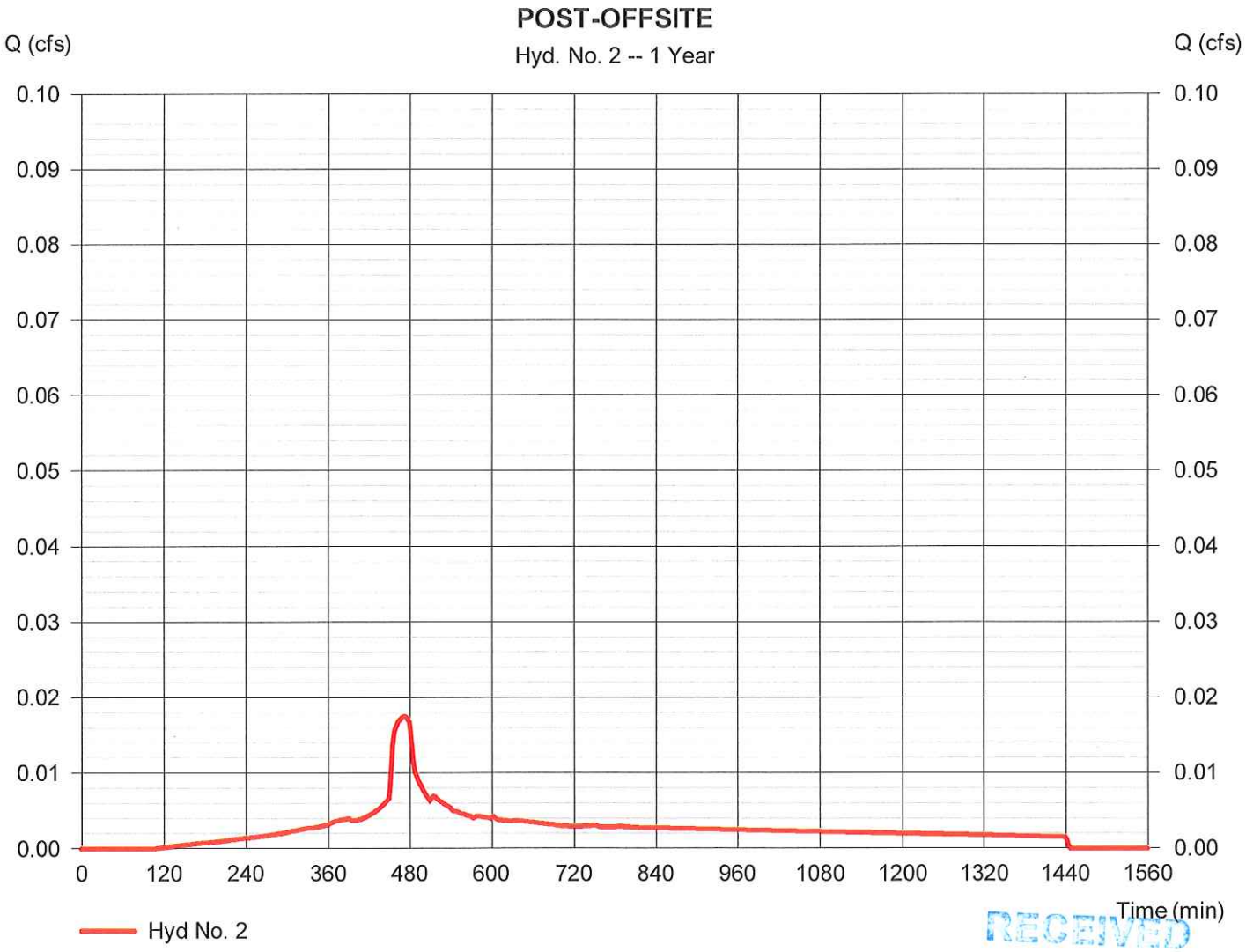
Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 — Thursday, 12 / 28 / 2017

Hyd. No. 2

POST-OFFSITE

Hydrograph type	= SCS Runoff	Peak discharge	= 0.018 cfs
Storm frequency	= 1 yrs	Time to peak	= 472 min
Time interval	= 2 min	Hyd. volume	= 242 cuft
Drainage area	= 0.090 ac	Curve number	= 98*
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 5.00 min
Total precip.	= 1.00 in	Distribution	= Type IA
Storm duration	= 24 hrs	Shape factor	= 484

* Composite (Area/CN) = [(3.740 x 98) + (1.650 x 85)] / 0.090



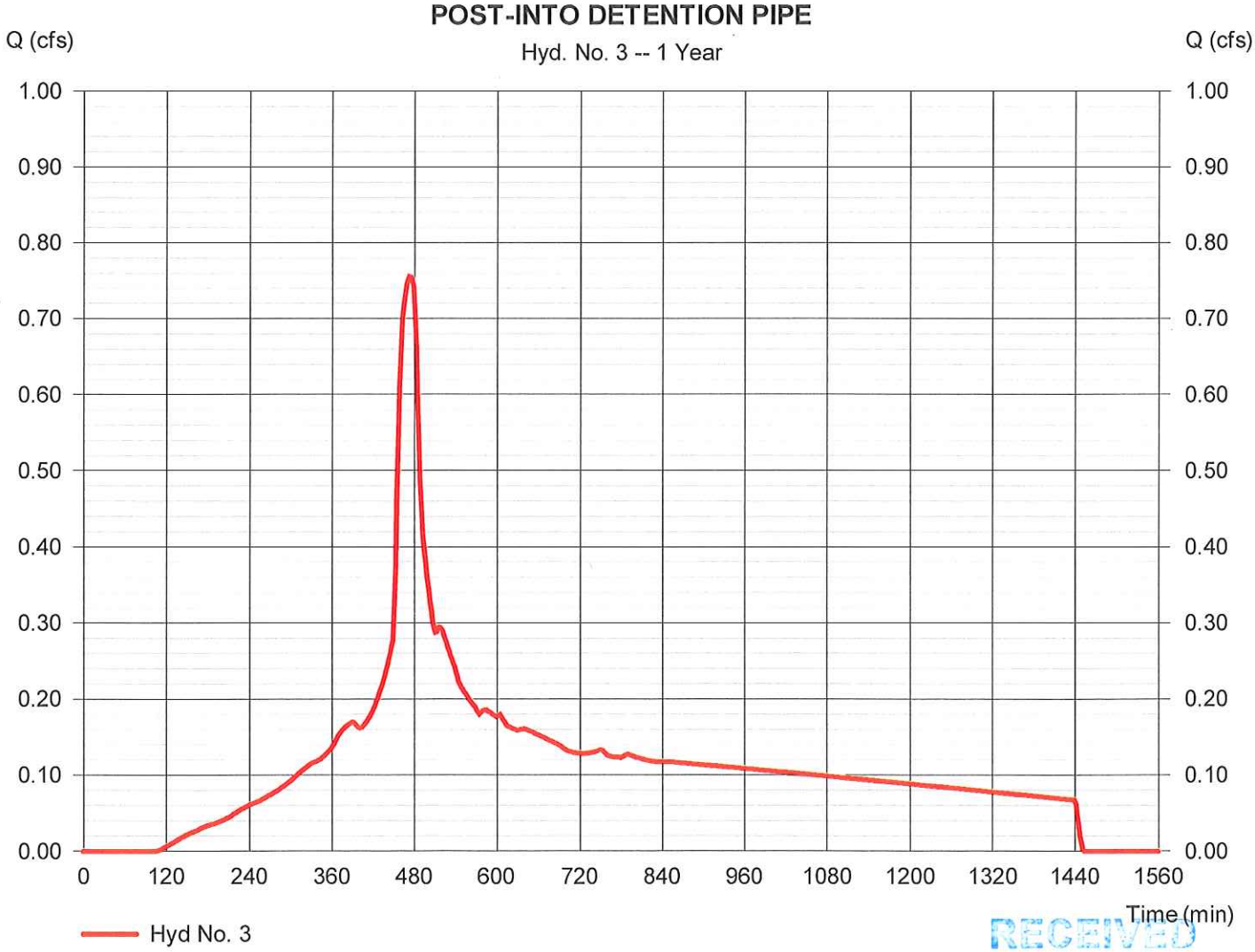
Hydrograph Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 — Thursday, 12 / 28 / 2017

Hyd. No. 3

POST-INTO DETENTION PIPE

Hydrograph type	= SCS Runoff	Peak discharge	= 0.756 cfs
Storm frequency	= 1 yrs	Time to peak	= 474 min
Time interval	= 2 min	Hyd. volume	= 10,479 cuft
Drainage area	= 3.650 ac	Curve number	= 98
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= TR55	Time of conc. (Tc)	= 9.40 min
Total precip.	= 1.00 in	Distribution	= Type IA
Storm duration	= 24 hrs	Shape factor	= 484



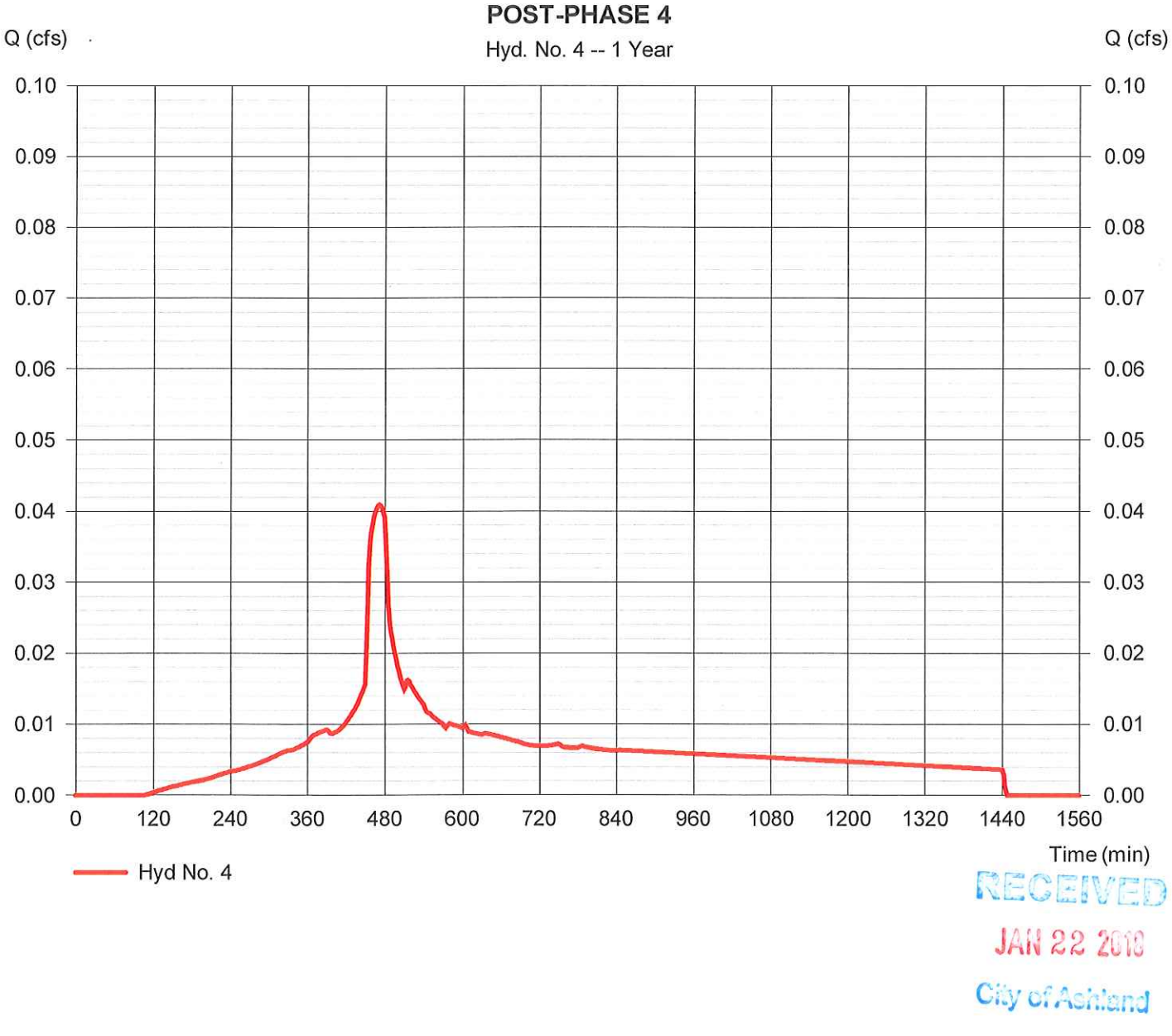
Hydrograph Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 — Thursday, 12 / 28 / 2017

Hyd. No. 4

POST-PHASE 4

Hydrograph type	= SCS Runoff	Peak discharge	= 0.041 cfs
Storm frequency	= 1 yrs	Time to peak	= 472 min
Time interval	= 2 min	Hyd. volume	= 565 cuft
Drainage area	= 0.210 ac	Curve number	= 98
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 5.00 min
Total precip.	= 1.00 in	Distribution	= Type IA
Storm duration	= 24 hrs	Shape factor	= 484



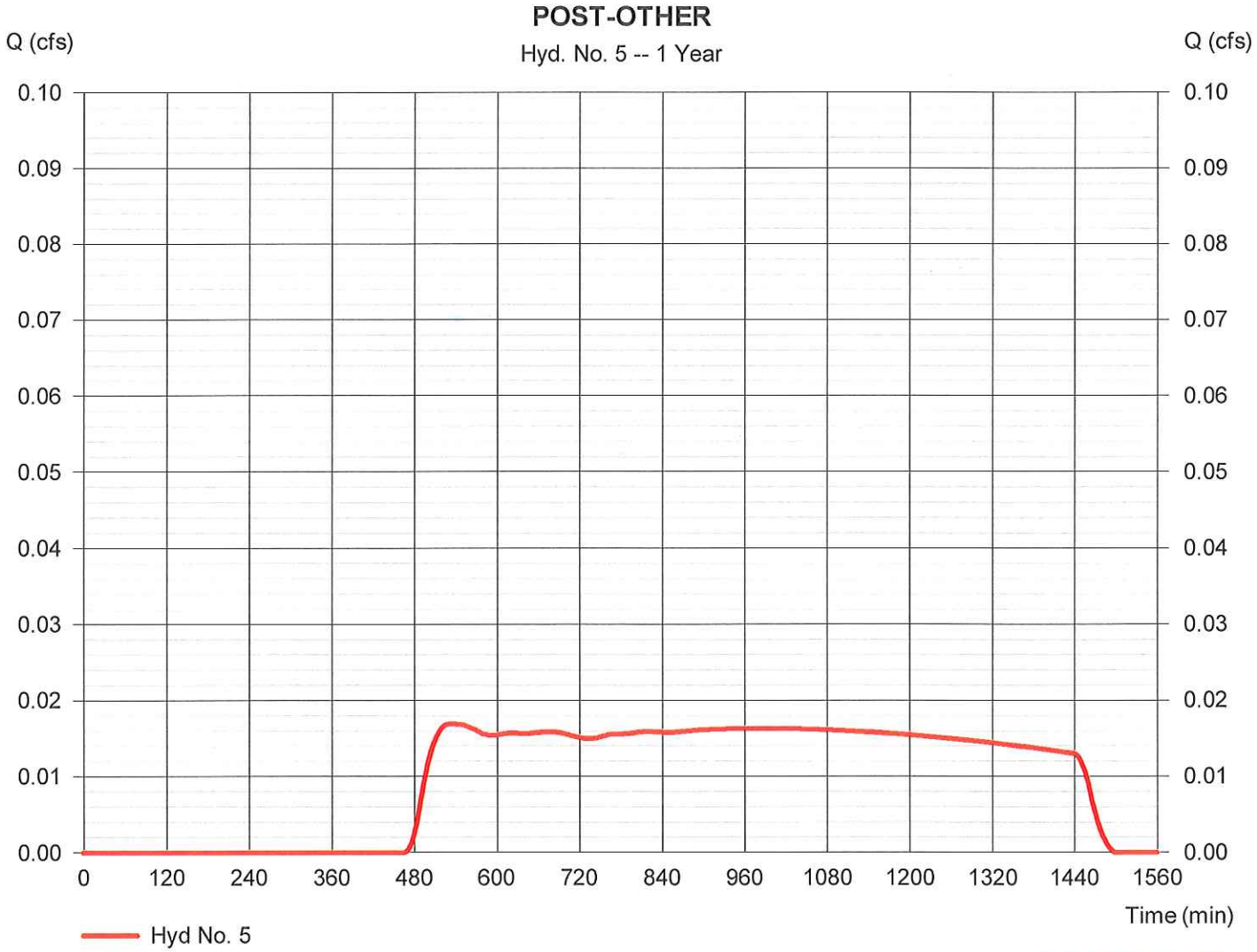
Hydrograph Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 — Thursday, 12 / 28 / 2017

Hyd. No. 5

POST-OTHER

Hydrograph type	= SCS Runoff	Peak discharge	= 0.017 cfs
Storm frequency	= 1 yrs	Time to peak	= 534 min
Time interval	= 2 min	Hyd. volume	= 907 cuft
Drainage area	= 1.440 ac	Curve number	= 85
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= TR55	Time of conc. (Tc)	= 38.60 min
Total precip.	= 1.00 in	Distribution	= Type IA
Storm duration	= 24 hrs	Shape factor	= 484



Hydrograph Report

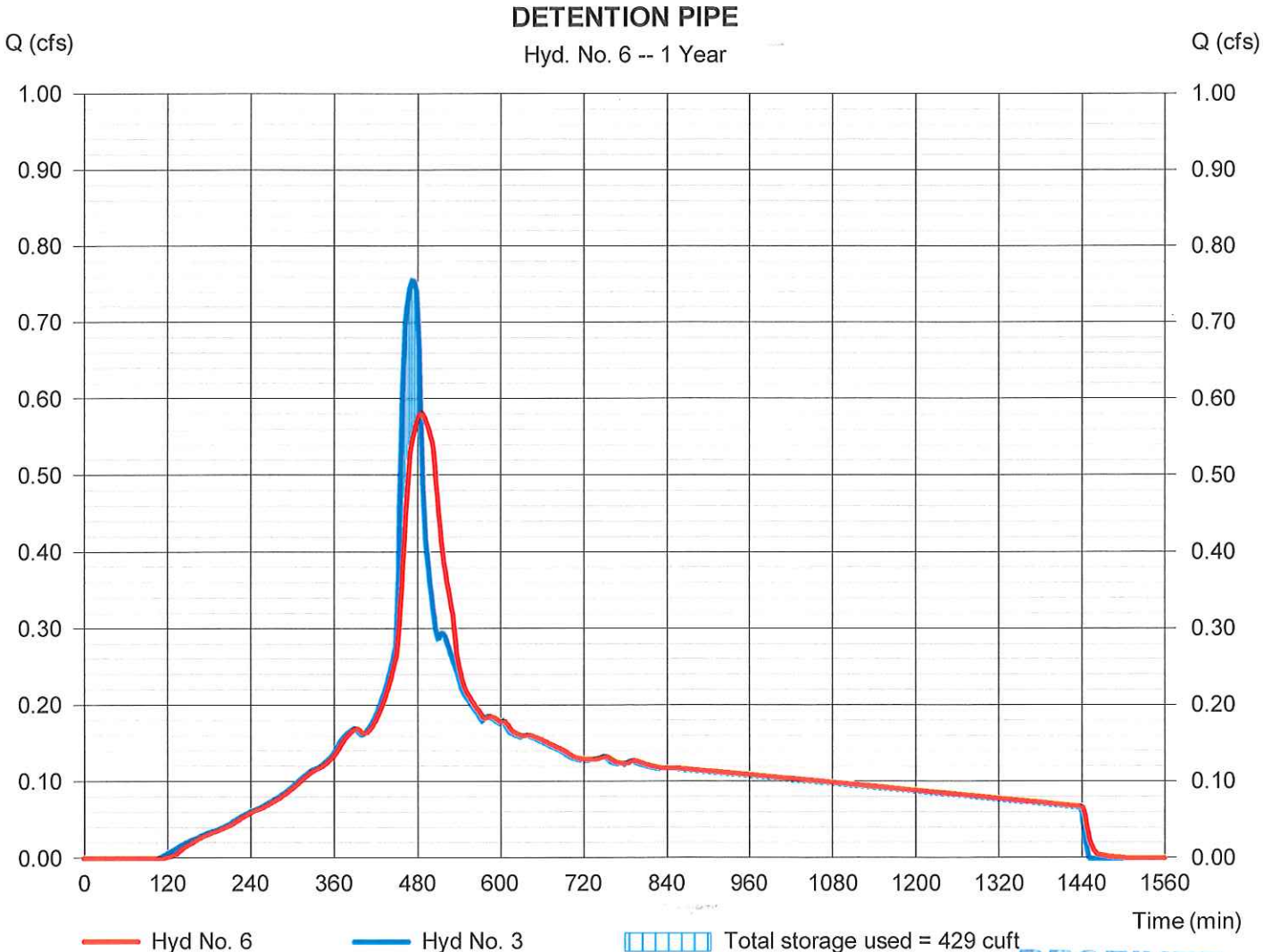
Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 — Thursday, 12 / 28 / 2017

Hyd. No. 6

DETENTION PIPE

Hydrograph type	= Reservoir	Peak discharge	= 0.582 cfs
Storm frequency	= 1 yrs	Time to peak	= 486 min
Time interval	= 2 min	Hyd. volume	= 10,478 cuft
Inflow hyd. No.	= 3 - POST-INTO DETENTION PIPE	Max. Elevation	= 1997.20 ft
Reservoir name	= 3' pipe	Max. Storage	= 429 cuft

Storage Indication method used.



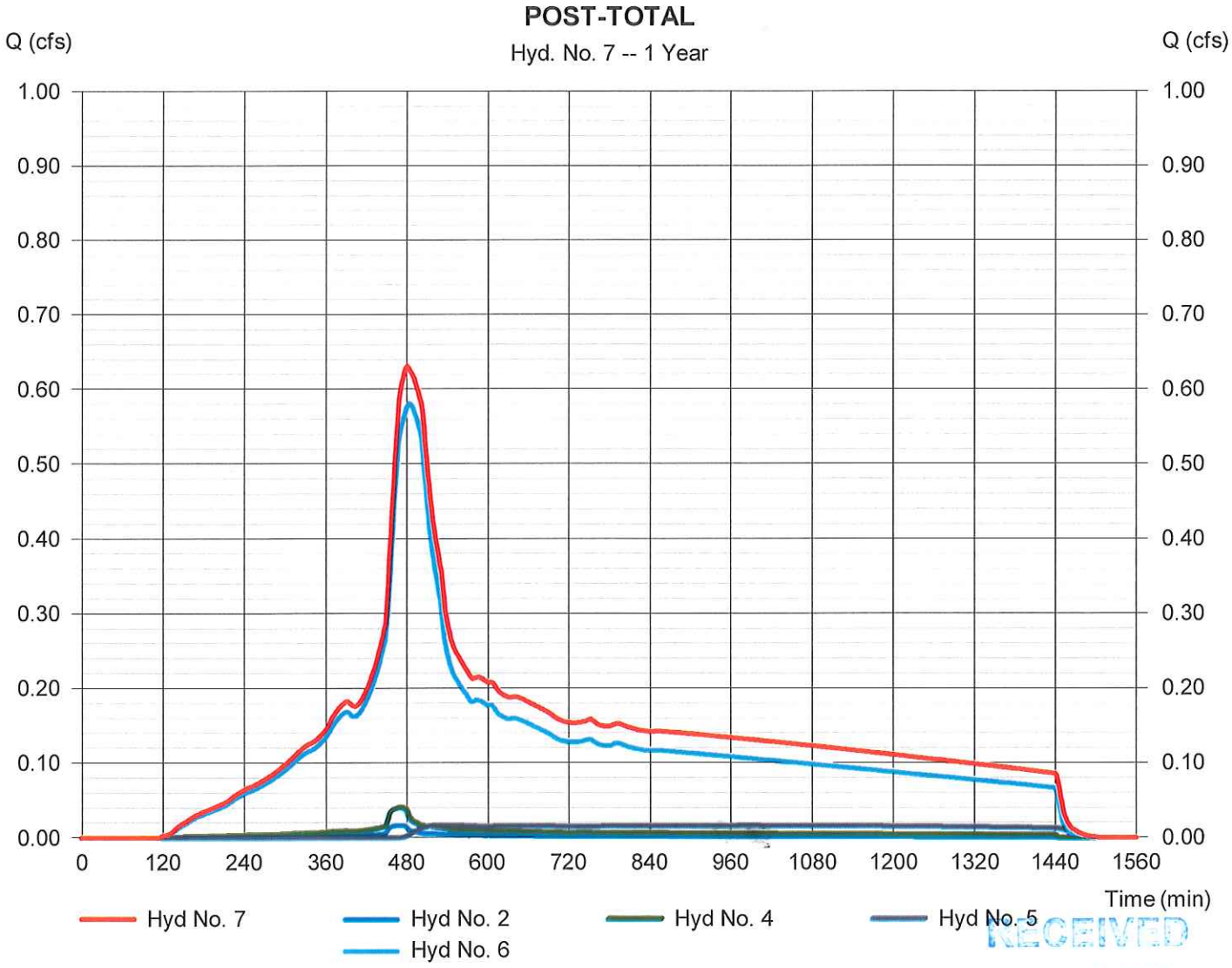
Hydrograph Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 — Thursday, 12 / 28 / 2017

Hyd. No. 7

POST-TOTAL

Hydrograph type	= Combine	Peak discharge	= 0.631 cfs
Storm frequency	= 1 yrs	Time to peak	= 482 min
Time interval	= 2 min	Hyd. volume	= 12,193 cuft
Inflow hyds.	= 2, 4, 5, 6	Contrib. drain. area	= 1.740 ac



5. POND REPORT

Pond Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4 — Thursday, 12 / 28 / 2017

Pond No. 3 - 3' pipe

Pond Data

UG Chambers - Invert elev. = 1996.20 ft , Rise x Span = 3.00 x 3.00 ft , Barrel Len = 350.00 ft , No. Barrels = 2 , Slope = 0.40% , Headers = No

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	1996.20	n/a	0	0
0.44	1996.64	n/a	75	75
0.88	1997.08	n/a	208	283
1.32	1997.52	n/a	559	842
1.76	1997.96	n/a	761	1,603
2.20	1998.40	n/a	872	2,475
2.64	1998.84	n/a	874	3,349
3.08	1999.28	n/a	759	4,108
3.52	1999.72	n/a	559	4,667
3.96	2000.16	n/a	207	4,874
4.40	2000.60	n/a	75	4,949

Culvert / Orifice Structures

	[A]	[B]	[C]	[PrfRsr]
Rise (in)	= 5.00	0.00	0.00	0.00
Span (in)	= 5.00	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 1996.20	0.00	0.00	0.00
Length (ft)	= 0.00	0.00	0.00	0.00
Slope (%)	= 0.00	0.00	0.00	n/a
N-Value	= .013	.013	.013	n/a
Orifice Coeff.	= 0.60	0.60	0.60	0.60
Multi-Stage	= n/a	No	No	No

Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 0.00	0.00	0.00	0.00
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	3.33	3.33	3.33
Weir Type	= ---	---	---	---
Multi-Stage	= No	No	No	No

Exfil.(in/hr) = 0.000 (by Contour)

TW Elev. (ft) = 0.00

Note: Culvert/Orifice outflows are analyzed under inlet (ic) and outlet (oc) control. Weir risers checked for orifice conditions (ic) and submergence (s).

Stage / Storage / Discharge Table

Stage ft	Storage cuft	Elevation ft	Clv A cfs	Clv B cfs	Clv C cfs	PrfRsr cfs	Wr A cfs	Wr B cfs	Wr C cfs	Wr D cfs	Exfil cfs	User cfs	Total cfs
0.00	0	1996.20	0.00	---	---	---	---	---	---	---	---	---	0.000
0.44	75	1996.64	0.32 ic	---	---	---	---	---	---	---	---	---	0.316
0.88	283	1997.08	0.54 ic	---	---	---	---	---	---	---	---	---	0.538
1.32	842	1997.52	0.69 ic	---	---	---	---	---	---	---	---	---	0.692
1.76	1,603	1997.96	0.82 ic	---	---	---	---	---	---	---	---	---	0.818
2.20	2,475	1998.40	0.93 ic	---	---	---	---	---	---	---	---	---	0.926
2.64	3,349	1998.84	1.02 ic	---	---	---	---	---	---	---	---	---	1.024
3.08	4,108	1999.28	1.11 ic	---	---	---	---	---	---	---	---	---	1.112
3.52	4,667	1999.72	1.19 ic	---	---	---	---	---	---	---	---	---	1.195
3.96	4,874	2000.16	1.27 ic	---	---	---	---	---	---	---	---	---	1.272
4.40	4,949	2000.60	1.34 ic	---	---	---	---	---	---	---	---	---	1.344

6. TIME OF CONCENTRATION CALCS

TR55 Tc Worksheet

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4

Hyd. No. 1

PRE

Description	A		B		C		Totals
Sheet Flow							
Manning's n-value	= 0.300		0.011		0.011		
Flow length (ft)	= 300.0		0.0		0.0		
Two-year 24-hr precip. (in)	= 2.00		2.00		0.00		
Land slope (%)	= 3.00		3.00		0.00		
Travel Time (min)	**= 44.19**	**+**	**0.00**	**+**	**0.00**	**=**	**44.19**
Shallow Concentrated Flow							
Flow length (ft)	= 375.00		0.00		0.00		
Watercourse slope (%)	= 1.87		0.00		0.00		
Surface description	= Unpaved		Paved		Paved		
Average velocity (ft/s)	=2.21		0.00		0.00		
Travel Time (min)	**= 2.83**	**+**	**0.00**	**+**	**0.00**	**=**	**2.83**
Channel Flow							
X sectional flow area (sqft)	= 0.00		0.00		0.00		
Wetted perimeter (ft)	= 0.00		0.00		0.00		
Channel slope (%)	= 0.00		0.00		0.00		
Manning's n-value	= 0.015		0.015		0.015		
Velocity (ft/s)	=0.00						
			0.00				
					0.00		
Flow length (ft)	({0})0.0		0.0		0.0		
Travel Time (min)	**= 0.00**	**+**	**0.00**	**+**	**0.00**	**=**	**0.00**
Total Travel Time, Tc							**47.00 min**

TR55 Tc Worksheet

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4

Hyd. No. 3

POST-INTO DETENTION PIPE

Description	A		B		C		Totals
Sheet Flow							
Manning's n-value	= 0.011		0.011		0.011		
Flow length (ft)	= 300.0		0.0		0.0		
Two-year 24-hr precip. (in)	= 2.00		0.00		0.00		
Land slope (%)	= 2.00		0.00		0.00		
Travel Time (min)	**= 3.69**	**+**	**0.00**	**+**	**0.00**	**=**	**3.69**
Shallow Concentrated Flow							
Flow length (ft)	= 350.00		350.00		0.00		
Watercourse slope (%)	= 0.50		3.00		0.00		
Surface description	= Paved		Paved		Paved		
Average velocity (ft/s)	=1.44		3.52		0.00		
Travel Time (min)	**= 4.06**	**+**	**1.66**	**+**	**0.00**	**=**	**5.71**
Channel Flow							
X sectional flow area (sqft)	= 0.00		0.00		0.00		
Wetted perimeter (ft)	= 0.00		0.00		0.00		
Channel slope (%)	= 0.00		0.00		0.00		
Manning's n-value	= 0.015		0.015		0.015		
Velocity (ft/s)	=0.00						
			0.00				
					0.00		
Flow length (ft)	({0})0.0		0.0		0.0		
Travel Time (min)	**= 0.00**	**+**	**0.00**	**+**	**0.00**	**=**	**0.00**
Total Travel Time, Tc							**9.40 min**

TR55 Tc Worksheet

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2015 by Autodesk, Inc. v10.4

Hyd. No. 5

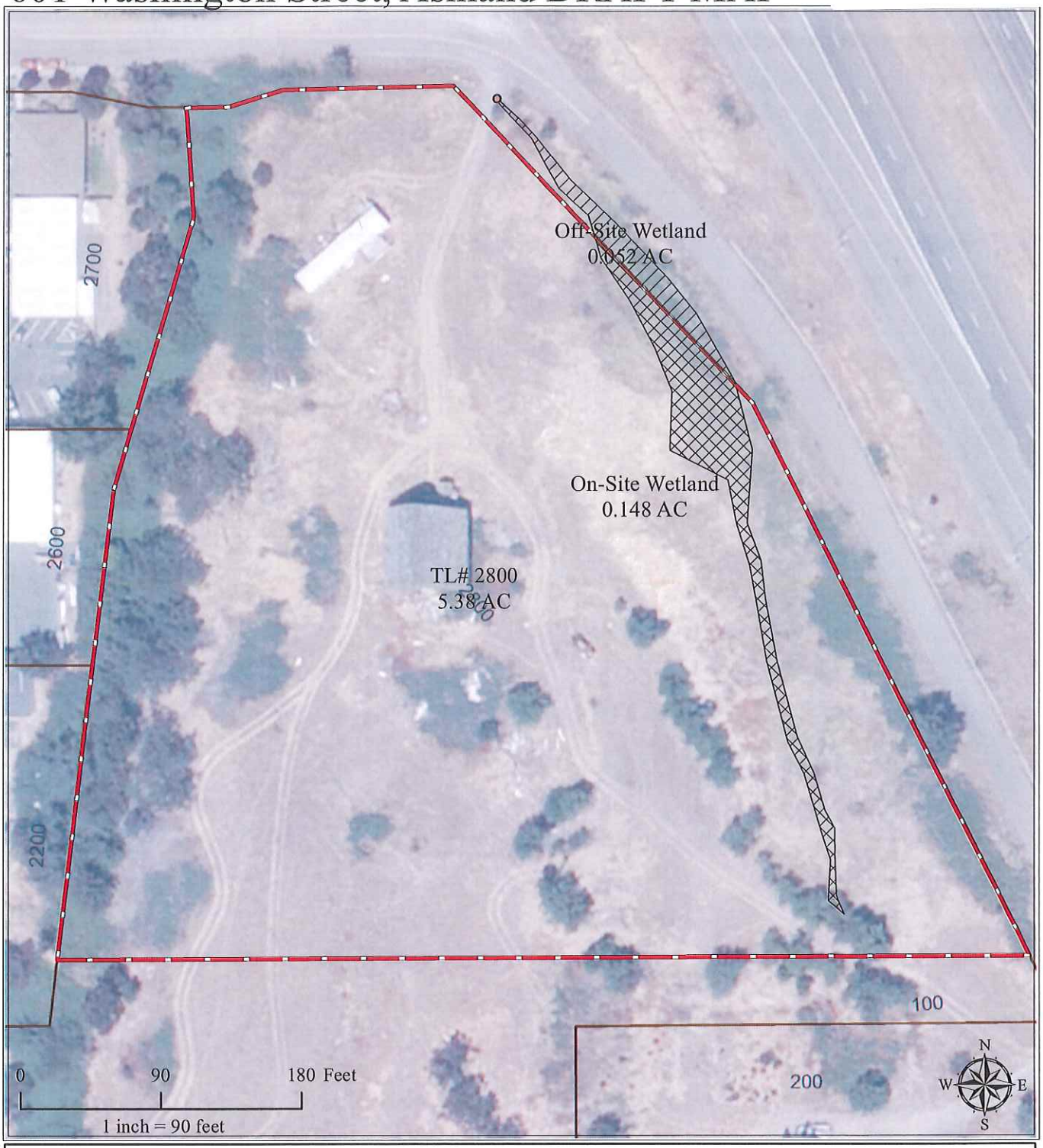
POST-OTHER

Description	A		B		C		Totals
Sheet Flow							
Manning's n-value	= 0.300		0.011		0.011		
Flow length (ft)	= 300.0		0.0		0.0		
Two-year 24-hr precip. (in)	= 2.00		0.00		0.00		
Land slope (%)	= 5.00		0.00		0.00		
Travel Time (min)	**= 36.02**	**+**	**0.00**	**+**	**0.00**	**=**	**36.02**
Shallow Concentrated Flow							
Flow length (ft)	= 500.00		0.00		0.00		
Watercourse slope (%)	= 4.00		0.00		0.00		
Surface description	= Unpaved		Paved		Paved		
Average velocity (ft/s)	=3.23		0.00		0.00		
Travel Time (min)	**= 2.58**	**+**	**0.00**	**+**	**0.00**	**=**	**2.58**
Channel Flow							
X sectional flow area (sqft)	= 0.00		0.00		0.00		
Wetted perimeter (ft)	= 0.00		0.00		0.00		
Channel slope (%)	= 0.00		0.00		0.00		
Manning's n-value	= 0.015		0.015		0.015		
Velocity (ft/s)	=0.00						
			0.00				
					0.00		
Flow length (ft)	({0})0.0		0.0		0.0		
Travel Time (min)	**= 0.00**	**+**	**0.00**	**+**	**0.00**	**=**	**0.00**

Total Travel Time, Tc ..... 38.60 min

EXHIBIT 9

601 Washington Street, Ashland DRAFT MAP



T39S R1E Section 14AB
TL# 2800
Ashland, Jackson County, Oregon
November 2016
S&A# 2478
DRAFT MAP

Culvert
Wetland
Study Area
Off-Site Wetland

Data plots and wetland boundaries delineated by Schott & Associates, Inc. utilizing a Trimble Geo XT hand-held unit to a +/- 3 foot accuracy.
Tax Lot Boundaries provided by Jackson County.
Data files and maps are to be used for informational purposes only and may not be suitable for legal, engineering or surveying purposes.
Coordinate System: NAD 1983 UTM Zone 10N

SCHOTT & ASSOCIATES, Inc.

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JAN 22 2019
City of Ashland

galbraith AND ASSOCIATES

EXHIBIT 10

TREE PROTECTION/REMOVAL PLAN NARRATIVE

Prepared by John Galbraith Certified Arborist #PN-5845A

Landscape Architect

Galbraith & Associates, Inc.

South Ashland Business Park

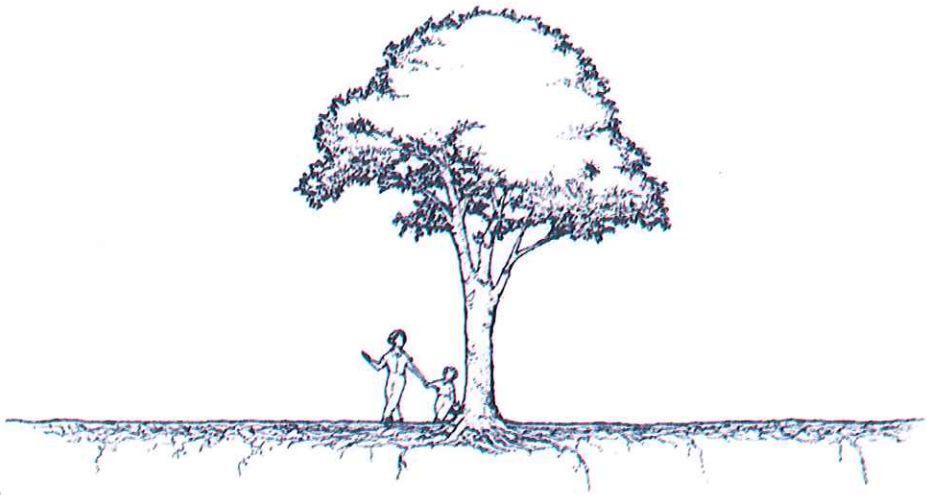
January, 2018

TREE PROTECTION GENERAL CONSIDERATIONS

Contrary to popular belief, the root systems of mature trees do not have deep tap roots. Instead most tree roots grow in the top 12 – 18" from the soil surface and are horizontally oriented, extending far beyond the tree's dripline or canopy. See tree and root section drawing Figure 1.

A rule of thumb is that a healthy tree may tolerate removal of approximately one third of its roots, and "A healthy, vigorous tree may withstand removal of up to 50 percent of its roots without dying."[1] If roots on one side of a tree are severed, it may become unstable and a hazard. Old and mature trees are less tolerant of construction impacts than younger, more vigorous trees, and trees in a grove or forest stands are best retained in those groups.

Because of the maturity and relative poor to fair health of the oak grove on site, the size of the trees protection zones, as shown on the Tree Protection Plan, are calculated by measuring the each tree's diameter 4.5 feet above the ground. Each diameter of trunk was measured in inches and for each inch, 1.5 feet was allowed for a critical root radius. Example: if a tree's diameter is 10 inches, its critical root radius is 15 feet.



318 S. Grape St. Medford, OR 97501 • Tel 541.770.7964 Fax 541.770.5164 • email: contact@galbraithla.com
Landscape Architect's License OR-254, CA-2980 | Certified Arborist #PN-5845A

TREE PROTECTION SITE RECOMMENDATIONS

GENERAL:

18.4.5.030 Tree Protection

See Tree Preservation notes on the Protection Plan (hereinafter called 'Plan') for requirements affecting all retained trees. See Plan for tree numbers, locations, recommendations and Tree Protection Zone outlines for specific retention trees.

SPECIAL NOTE:

While tree #'s **3, 5, 8, 10 – 14, 16, 17, 19, 20, and 22** are located within the Oak Knoll Riparian Buffer and will be protected, we have also included trees **15, 18**, and **21** to be part of that fenced protection area. On the master plan, they are located within the conceptual driveway. This part of the driveway will not be constructed with the first phase of construction and the desire is to protect them during this phase from any grading that may be needed and re-address their status later as the project grows with future phases.

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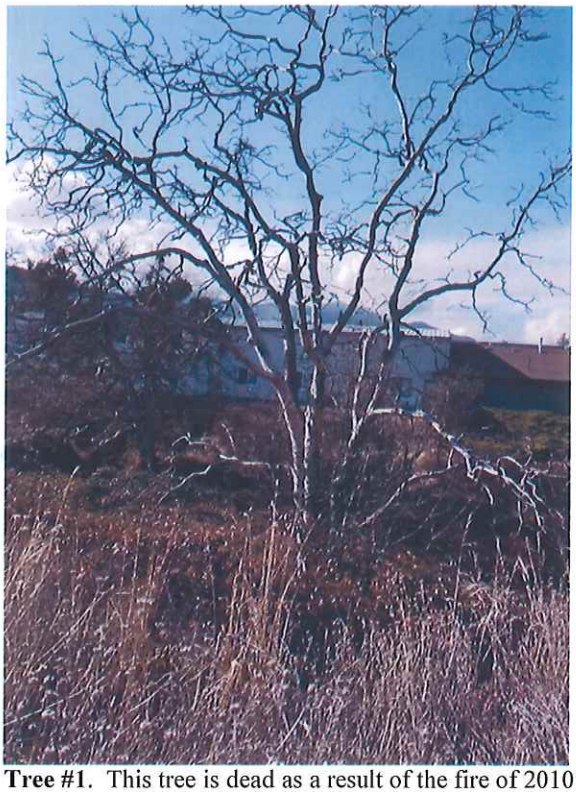
TREE REMOVAL AND MITIGATION NARRATIVE

In August 2010 a fire severely damaged or killed the oaks mentioned below.
Tree # **1** is dead and should be removed
Tree #'s **4, 6,** 7 and **9** are in poor condition and are in the area of development. After careful analysis it is our opinion that they be removed and replaced with the same species of trees (Quercus garryana) along the future driveway near the riparian area of the creek. It is our professional opinion that all of these trees will be hazardous if the development were built around them. Most have severe dieback as a result of fire. Large limbs have died, large areas of cambium layers have been destroyed and one tree also has erosion under the root flare. We've included photos as evidence of these conditions.

View of the site burning in 2010 from across the freeway at the Holiday Inn Express

Burning barn on site during 2010 fire



Tree #1. This tree is dead as a result of the fire of 2010

Tree #4 Severe dieback from fire. Cambium damage, epicormic growth at base of dieback. Branches are too large for proper compartmentalization

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Tree #6 Most of the tree's living part is on the back side of the tree away from where it was exposed to the fire. The majority of the tree is dead and it should be removed in its entirety.

Tree #7 These two trees have severe fire damage with epicormic growth Emerging from the base of dead branches. The cambium layer on the fire side is damaged. There is an embedded fence in the tree on the left.

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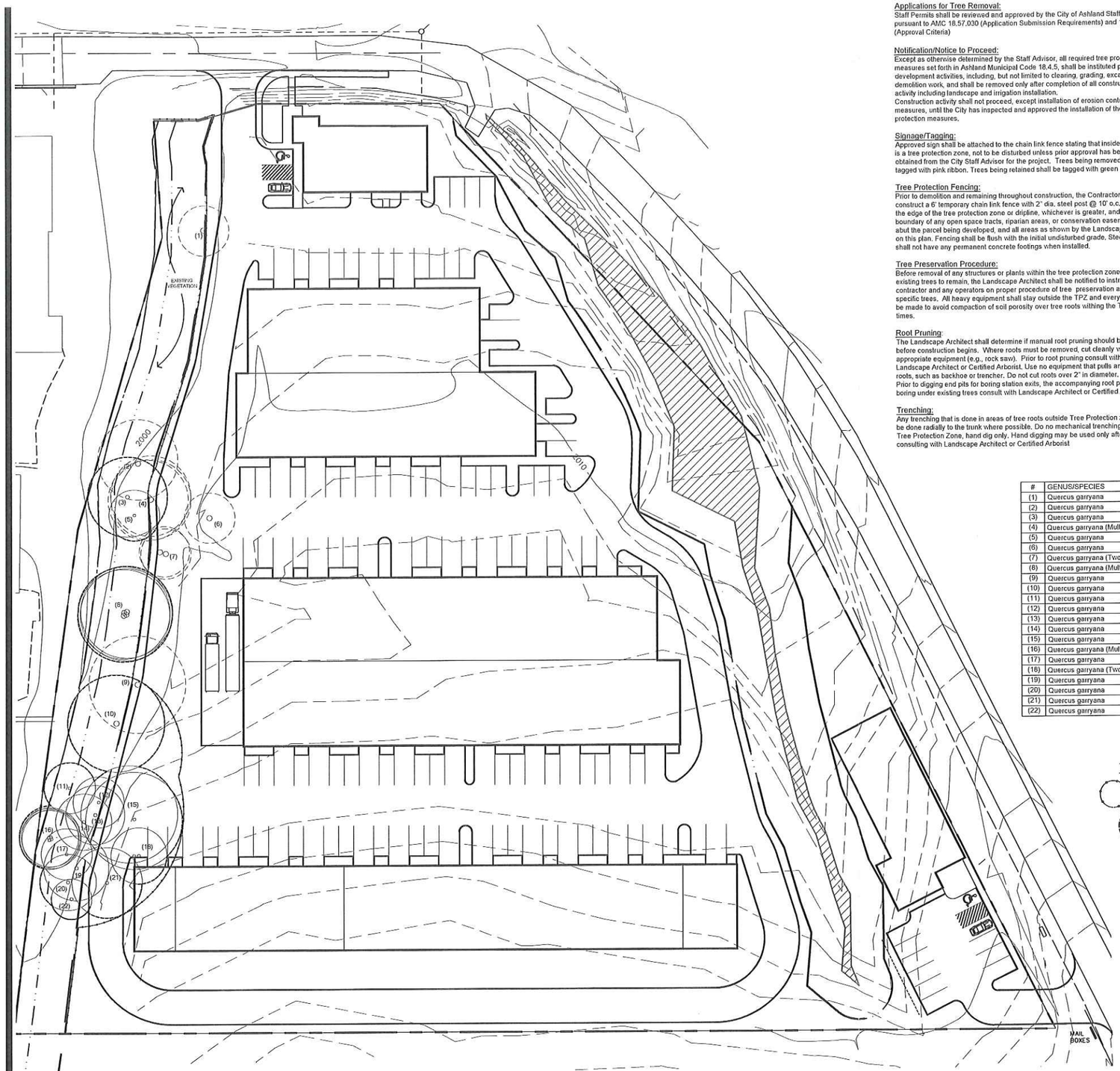
Tree #9 This tree is severely burned and the cambium layer is nonexistent on this side of the tree. Erosion has washed the soil from beneath the root flare.



TREE PRESERVATION NOTES

Developer/Contact: Galbraith & Associates, (541) 770-7964

Applications for Tree Removal:
Staff Permits shall be reviewed and approved by the City of Ashland Staff Advisor pursuant to AMC 18.57.030 (Application Submission Requirements) and 18.5.7.040 (Approval Criteria)

Notification/Notice to Proceed:
Except as otherwise determined by the Staff Advisor, all required tree protection measures set forth in Ashland Municipal Code 18.4.5, shall be instituted prior to any development activities, including, but not limited to clearing, grading, excavation or demolition work, and shall be removed only after completion of all construction activity including landscape and irrigation installation.
Construction activity shall not proceed, except installation of erosion control measures, until the City has inspected and approved the installation of the tree protection measures.

Signage/Tagging:
Approved sign shall be attached to the chain link fence stating that inside the fencing is a tree protection zone, not to be disturbed unless prior approval has been obtained from the City Staff Advisor for the project. Trees being removed shall be tagged with pink ribbon. Trees being retained shall be tagged with green ribbon.

Tree Protection Fencing:
Prior to demolition and remaining throughout construction, the Contractor shall construct a 6' temporary chain link fence with 2" dia. steel post @ 10' o.c. max. at the edge of the tree protection zone or dripline, whichever is greater, and at the boundary of any open space tracts, riparian areas, or conservation easements that abut the parcel being developed, and all areas as shown by the Landscape Architect on this plan. Fencing shall be flush with the initial undisturbed grade. Steel posts shall not have any permanent concrete footings when installed.

Tree Preservation Procedure:
Before removal of any structures or plants within the tree protection zone (TPZ) of existing trees to remain, the Landscape Architect shall be notified to instruct the contractor and any operators on proper procedure of tree preservation around specific trees. All heavy equipment shall stay outside the TPZ and every effort shall be made to avoid compaction of soil porosity over tree roots withing the TPZ at all times.

Root Pruning:
The Landscape Architect shall determine if manual root pruning should be done before construction begins. Where roots must be removed, cut cleanly with appropriate equipment (e.g., rock saw). Prior to root pruning consult with Landscape Architect or Certified Arborist. Use no equipment that pulls and shatters roots, such as backhoe or trencher. Do not cut roots over 2" in diameter.
Prior to digging end pits for boring station exits, the accompanying root pruning, and boring under existing trees consult with Landscape Architect or Certified Arborist.

Trenching:
Any trenching that is done in areas of tree roots outside Tree Protection zone should be done radially to the trunk where possible. Do no mechanical trenching within the Tree Protection Zone, hand dig only. Hand digging may be used only after consulting with Landscape Architect or Certified Arborist

Pruning of trees:
Do no pruning of any trees immediately prior to, during, or immediately after construction impact. Perform only that pruning which is unavoidable due to conflicts with the proposed development. Prior to pruning consult with Landscape Architect or ISA Certified Arborist

Grade Changes:
No grade changes may occur within the drip line of existing trees to remain, unless previously approved on plans.

Construction / Storage Around Trees / Dumping / Parking:
No construction activity shall occur within the tree protection zone, including, but not limited to dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles.
No excavation, trenching, grading, root pruning, or other activity shall occur in the tree protection zone unless approved by the Staff Advisor.

Chemical Material Disposal :
The tree protection zone shall remain free of chemically injurious materials and liquids such as paints, thinners, cleaning solutions, petroleum products, and concrete or dry wall excess, construction debris, or run-off.

Repairing of Trees:
Any tree damaged by construction operations or removed without City of Jacksonville written approval shall be replaced in kind with a size that is suitable to the City. The offending contractor shall be responsible for the cost of the replaced tree.

Tree Mitigation:
The applicant will provide mitigation for the removal of the trees indicated on this plan in accordance with City of Ashland Municipal Code 18.5.7.050. Replace any destroyed trees that have a 6" or greater DBH with a 1½" cliper healthy and well-branched deciduous tree or a 5-6 foot tall evergreen tree for each tree removed. Placement of additional trees are to be determined by the Landscape Architect on site. Species is to be determined by the Landscape Architect.

Maintenance Watering:
Watering Method: Hand watering systems, recommended for trees that are part of a development project that must be watered to insure tree survival during the course of construction until automatic irrigation is installed.

Amount: Unless otherwise specified, the volume of water applied at each irrigation should be in the range of 10 gallons per inch of trunk diameter when measured at 54- inches above natural grade. The final decision of whether to water or not should be based on accurate soil probe samples that are taken from the root ball.

Performance Security:
The City may require the Permitee to post with the City a bond, or other suitable collateral as determined by the City Administrator, ensuring the stisfactory completeion of the tree protection plan. Suitable collateral may be in the form of letters of credit, certificates of deposit, cash bond, or bonds issued by an insurance company legally doing business in the State of Oregon.

(Watering recommendations based on City of Palo Alto Tree Technical Manual)

#	GENUS/SPECIES	COMMON	DBH	TPZ	HEALTH, HAZARD CONDITION	RECOMMENDATIONS
(1)	Quercus garryana	Oak		None	Dead	Remove
(2)	Quercus garryana	Oak	14"	None	75% of the tree is dead, some cambium layer exists, struct. unsound	Remove
(3)	Quercus garryana	Oak	16"	24' Radius	Poor, large branch dieback, 1/2 cambium missing	Retain and protect
(4)	Quercus garryana (Multi-trunk)	Oak	(1)9",(2)14"	None	Severe die back of large braches, excessive epicormic growth	Remove
(5)	Quercus garryana	Oak	10"	15' Radius	Poor, bark is peeling away from dead cambium layer, heavy dieback	Retain and protect
(6)	Quercus garryana	Oak	8"	None	Dead	Remove
(7)	Quercus garryana (Two Trees)	Oak	(1)10",(1)13"	None	Excessive die back, cambium has wire embedded, epicormic growth	Remove
(8)	Quercus garryana (Multi-trunk)	Oak	(2)16",(1)14",(1)24"	36' Radius	Poor, excessive die back, mistletoe, epicormic growth, low vigor	Retain and protect
(9)	Quercus garryana	Oak	22"	None	Poor, 1/2 cambium layer, soil eroded under root flare, included bark	Remove
(10)	Quercus garryana	Oak	26"	39' Radius	Fair, part of grove	Retain and protect
(11)	Quercus garryana	Oak	10"	15' Radius	Fair, part of grove	Retain and protect
(12)	Quercus garryana	Oak	10"	15' Radius	Fair, part of grove	Retain and protect
(13)	Quercus garryana	Oak	12"	18' Radius	Fair, part of gove	Retain and protect
(14)	Quercus garryana	Oak	11"	16.5' Radius	Fair, part of grove	Retain and protect
(15)	Quercus garryana	Oak	21"	25' Radius	Fair	Retain and protect
(16)	Quercus garryana (Multi-trunk)	Oak	(4) 12"	18' Radius	Fair part of grove	Retain and protect
(17)	Quercus garryana	Oak	10"	15' Radius	Fair, part of grove	Retain and protect
(18)	Quercus garryana (Two Trees)	Oak	(1) 17",(1) 18"	27' Radius	Fair, one tree has a bulging trunk 5' above ground	Retain and protect
(19)	Quercus garryana	Oak	13"	19.5' Radius	Fair, part of grove	Retain and protect
(20)	Quercus garryana	Oak	11"	16.5' Radius	Fair, part of grove	Retain and protect
(21)	Quercus garryana	Oak	14"	21' Radius	Fair, wound 3' from ground, included bark, poor compartmentalization	Retain and protect
(22)	Quercus garryana	Oak	8"	12' Radius	Fair, part of grove	Retain and protect

TREE PRESERVATION LEGEND

TREE PROTECTIVE FENCING

TREE PROTECTION ZONE (TPZ)
SEE RESTRICTIONS THIS SHEET

EXISTING TREE TO REMAIN

EXISTING TREE TO BE REMOVED

NORTH
SCALE: 1"=30'-0"
0 30' 60'

galbraith AND ASSOCIATES
LANDSCAPE ARCHITECTURE & SITE PLANNING
318 S. GRAPE STREET
MEDFORD, OR 97501
PH. 541.770.7964
FAX 541.770.5164
OREGON LICENSE No. 254 (CA., 2989)

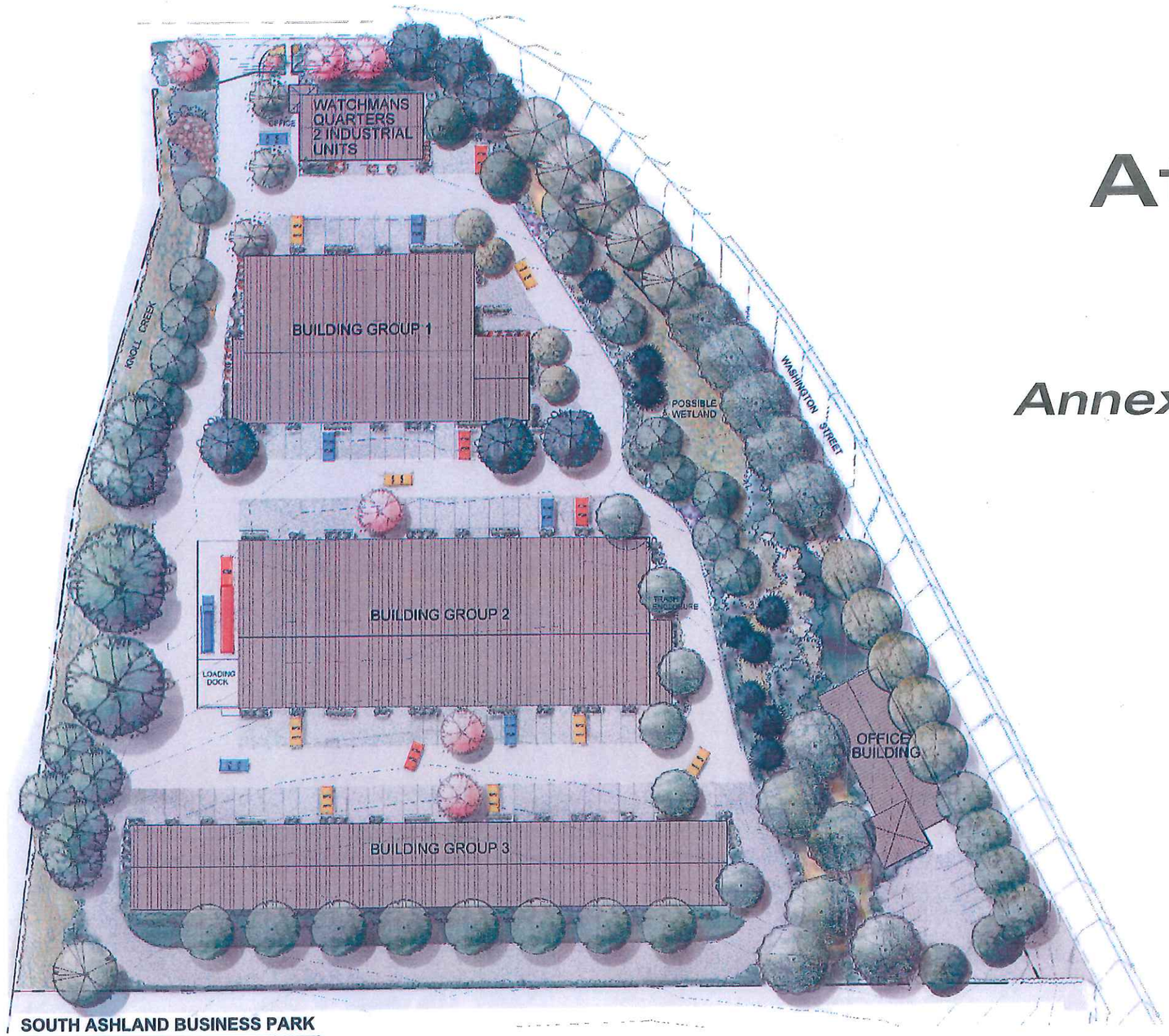
REGISTERED 254
JOHN L. GALBRAITH
OREGON
04/07/09
LANDSCAPE ARCHITECT

South Ashland Business Park
Ashland, OR

REVISIONS :
1 -
2 -

JOB NO.:	2032
ISSUE DATE:	01.08.18
DRAWN BY:	MM
REVIEWED BY:	JG
JOB STATUS:	

L1



SOUTH ASHLAND BUSINESS PARK

galbraith

Volume 2

Atlas of Maps & Plans

Annexation, Zone Change & Site Review

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City of Ashland

Prepared For:
South Ashland Business Park, LLC

By:
CSA Planning, Ltd.

January 2018

Atlas Table of Contents

South Ashland Business Park

Atlas Section 1

Maps

Current Comprehensive Land Use Plan Map

SOUTH ASHLAND BUSINESS PARK ANNEXATION, ZONE CHANGE & SITE REVIEW

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N
W E
S

MFR
SFR
Employment
Commercial
Airport
Industrial

ASHLAND ST
E MAIN ST
CLAY ST
MCCALL DR
YMCA WY
WASHINGTON ST
EXIT 14 NB ON ASHLAND
EXIT 14 NB OFF ASHLAND
EXIT 14 SB ON ASHLAND
CLOVER LN
INTERSTATE 5 NB
INTERSTATE 5 SB
SUTTON PL
SPRING CREEK DR
OAK KNOLL DR
OAK HILL CR
WEDGEWOOD LN
FAIRWAY CT
ACORN CR
TWIN PINES CR
E PEBBLE BEACH DR
CLAY CREEK WY
TAKELMA WY
CREEK RD
MISTLETOE RD
E JEFFERSON AV

Legend

- Subject Property
- Tax Lots

City of Ashland

Comprehensive Plan

- Commercial
- Employment
- Industrial
- Single Family Residential
- Multi-Family Residential
- High Density Residential
- Airport

400 200 0 400 Feet

SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

Proposed Zoning Map on Aerial Photo

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FOR ASSESSMENT AND TAXATION ONLY

N.W.1/4, N.E.1/4, SEC.14, T.39S., R.1E., W.M.
JACKSON COUNTY
1" = 100'

39 1E 14AB
ASHLAND

SEE MAP 39 1E 11D

1/4 COR.

GREENSPRINGS HIGHWAY

APPROX. 1/16 COR.

WASHINGTON STREET

INTERSTATE HIGHWAY NO. 5

SEE MAP

39 1E 14 AB

DETAIL MAP 1

5-1

5-8

ASHLAND BUSINESS PARK

JEFFERSON AVENUE

SUBJECT

APPROX. 1/4 COR.

APPROX. 1/16 COR.

SEE MAP 39 1E 14AC

39 1E 14AB
ASHLAND
NEW MAP OCTOBER 17, 2016
REV AUGUST 23, 2016

CANCELLED TAX LOT NUMBERS
1960

SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

Jackson County Assessor Plat Map 39S 1E 14AB

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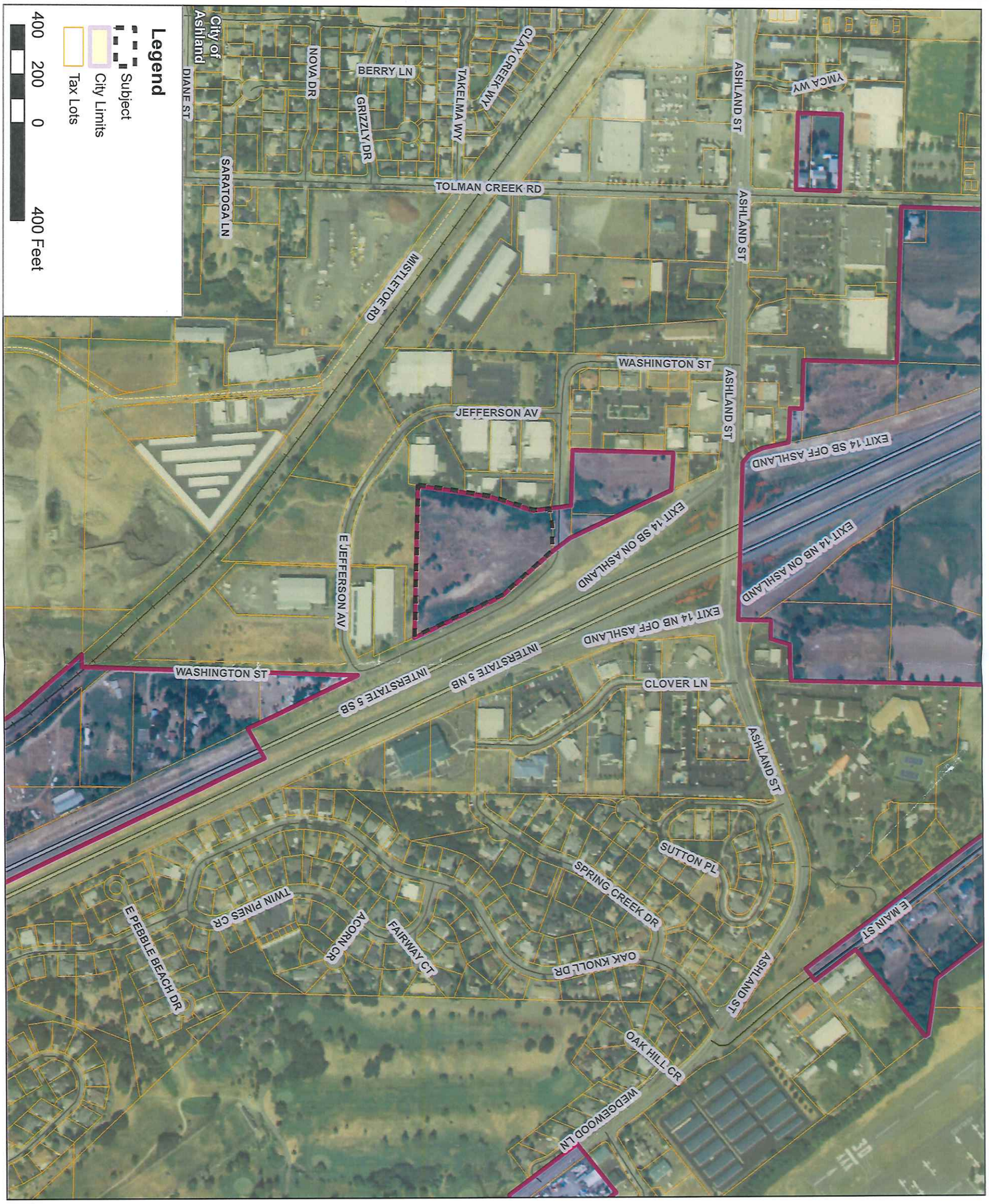


SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

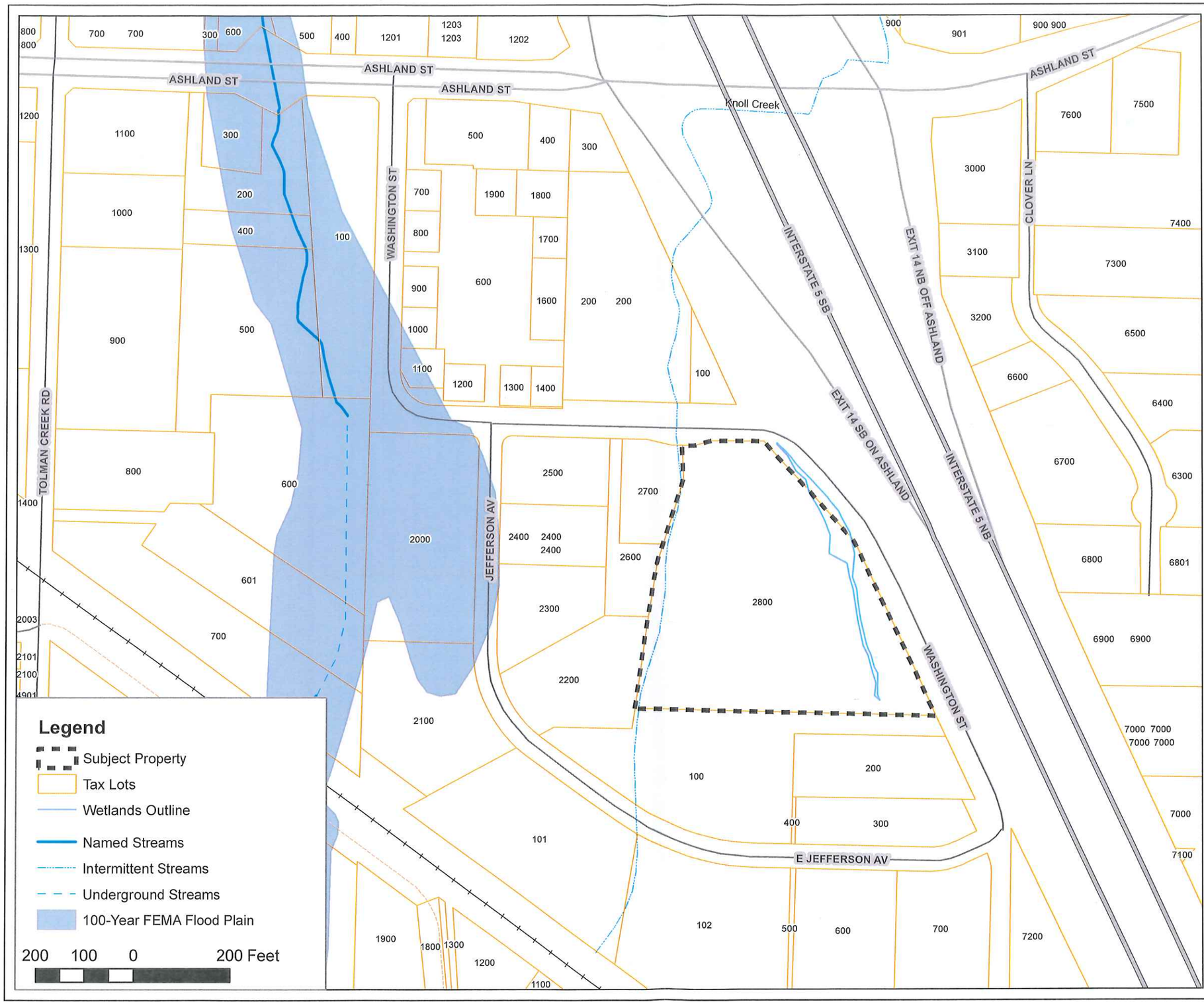
City of Ashland City Limits Map

Jan 2018

SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

Hydrological Map

Atlas Page 1.6



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SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

Photo Key Map

Atlas Page 1.7

WASHINGTON ST
JEFFERSON AV
INTERSTATE 5 SB
EXIT 14 SB ON ASHLAND
EXIT 14 NB OFF ASHLAND
INTERSTATE 5 NB
CLOVER LN
WASHINGTON ST
E JEFFERSON AV

Legend

- Subject
- Tax Lots
- # Photo Location & Direction

150 75 0 150 Feet

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SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

Site Photos

Atlas Page 1.7a

1 Looking Southwest towards neighboring property from Washington Street.

2 Looking Southwest towards neighboring property from Washington Street.

3 Looking North from Washington Street. Shows area between Interstate 5 Southbound and Washington Street.

4 Looking West across subject property from Washington Street. Shows potential wetland.

5 Looking North from Washington Street. Shows grade change between Interstate 5 Southbound and Washington Street.

6 Looking Southeast from Washington Street. Shows grade change between Interstate 5 Southbound and Washington Street.

CSA

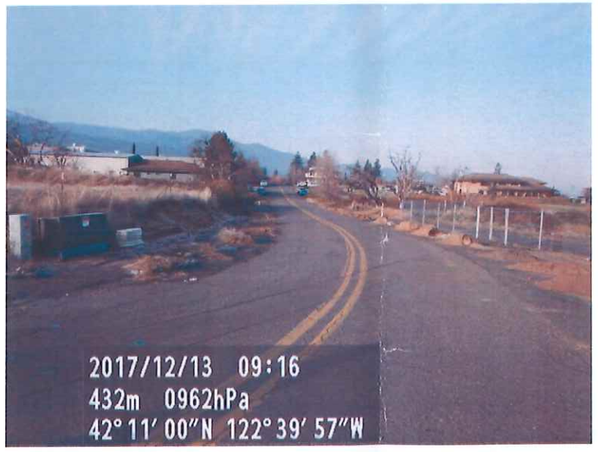
Image Date: December 13,2017

7 Looking East from Washington Street. Shows grade change between Interstate 5 Southbound and Washington Street.

8 Looking North from Washington Street towards Interstate 5.

9 Looking West from Washington Street. Shows potential wetland.

10 Looking North from Washington Street.



11 Looking West from Washington Street.

12 Looking Southeast from Northeast corner of subject property. Shows potential wetland.

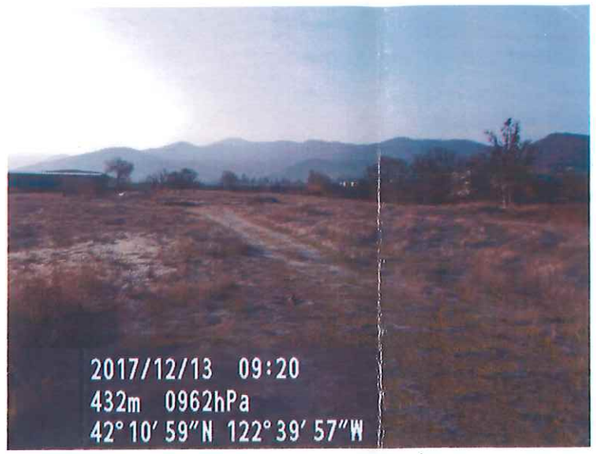
SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

Site Photos

Atlas Page 1.7b

Image Date: December 13,2017

13 Looking Southwest from Northwest corner of subject property. Shows old stream bed.



14 Looking South across subject property.

15 Looking South across subject property.

16 Looking Southwest towards neighboring property.

17 Looking Northeast across subject property.

18 Looking West across subject property.

SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

Site Photos

Atlas Page 1.7c

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Image Date: December 13,2017

SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

Topographic Survey

Atlas Page 1.8

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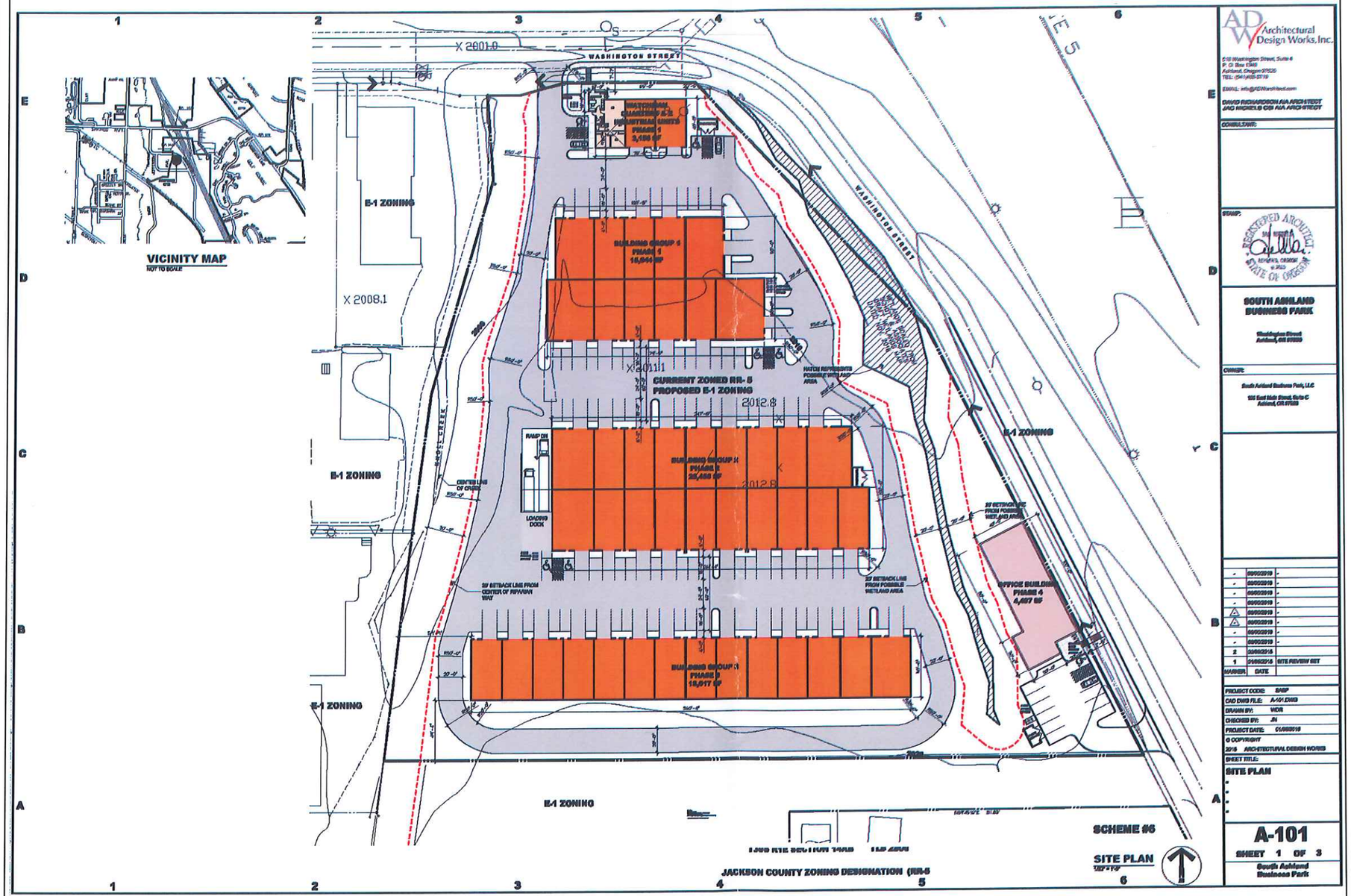
Jan 2018

South Ashland Business Park

Atlas Section 2

Design Plans



Architectural Design Works, Inc.
510 Washington Street, Suite 6
P. O. Box 1940
Ashland, Oregon 97520
TEL: (541)488-5719
EMAIL: info@ADWarchitect.com
DAVID RICHARDSON AIA ARCHITECT
JAC NICHOLS CB AIA ARCHITECT

CONSULTANTS:

STAMP:

REGISTERED ARCHITECT
JACQUELINE C. NICHOLS
OREGON, 2003
STATE OF OREGON

SOUTH ASHLAND BUSINESS PARK
Washington Street
Ashland, OR 97520

OWNER:
South Ashland Business Park, LLC
100 East Main Street, Suite C
Ashland, OR 97520

-	00/00/2018	-
-	00/00/2018	-
-	00/00/2018	-
-	00/00/2018	-
-	00/00/2018	-
3	00/00/2018	-
-	00/00/2018	-
-	00/00/2018	-
2	00/00/2018	-
1	01/22/2018	SITE REVIEW SET
MARK	DATE	

PROJECT CODE: SABP
CAD DWG FILE: A-101.DWG
DRAWN BY: WDR
CHECKED BY: JN
PROJECT DATE: 01/22/2018
© COPYRIGHT
2018 ARCHITECTURAL DESIGN WORKS
SHEET TITLE:
SITE PLAN

A-101
SHEET 1 OF 3
South Ashland Business Park

SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

A-101 - Site Plan

Atlas Page 2.1

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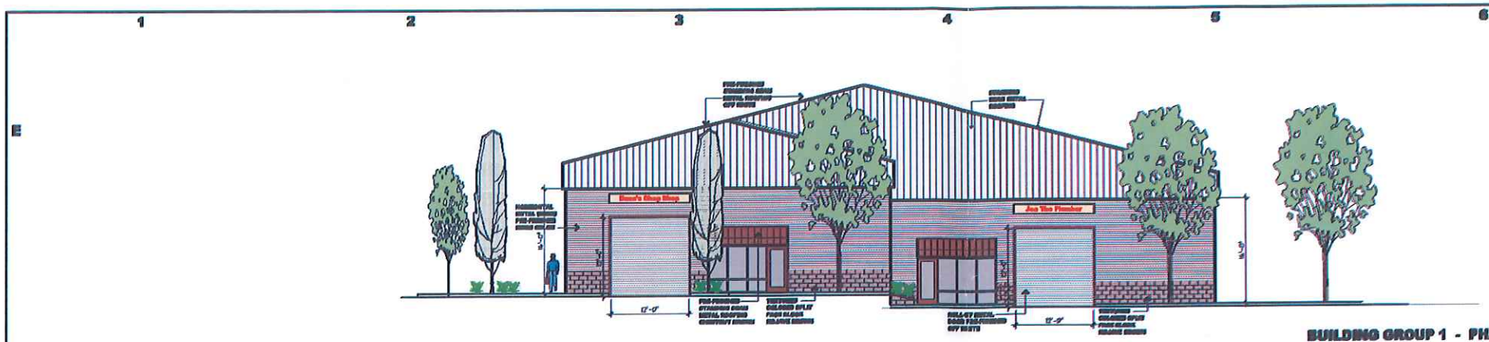
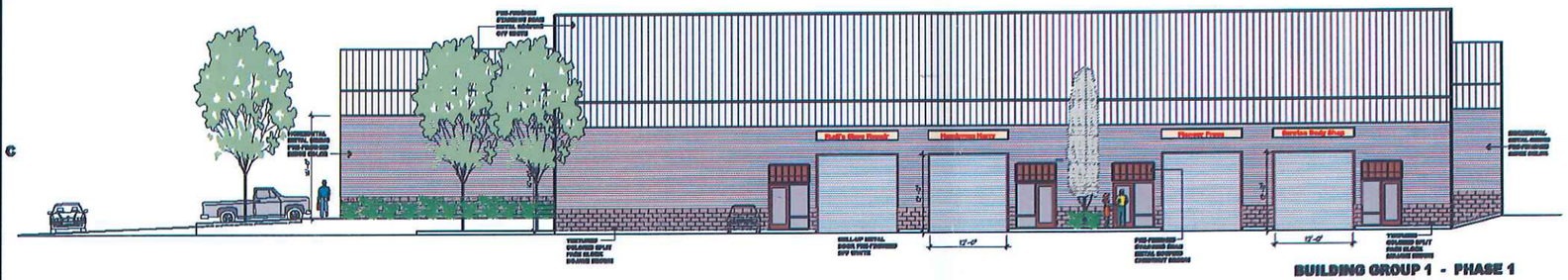


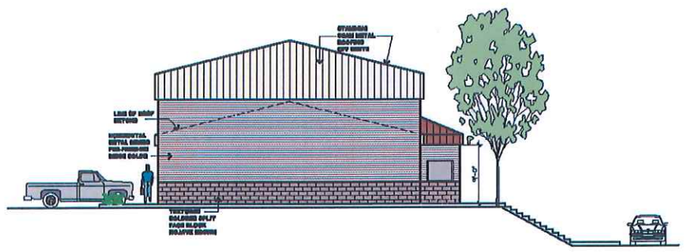
BUILDING GROUP 1 - PHASE 1

EAST ELEVATON



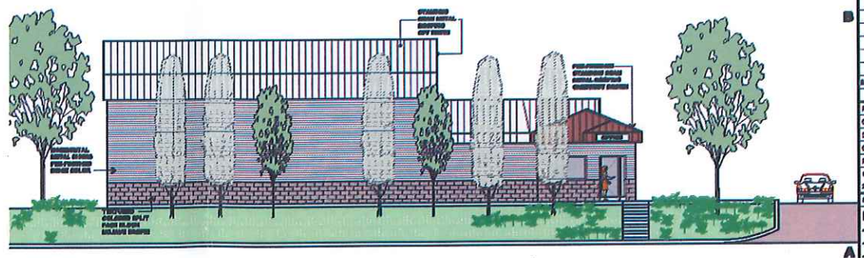
BUILDING GROUP 1 - PHASE 1

SOUTH ELEVATON



WATCHMAN QUARTERS. & 2 INDUSTRIAL UNITS - PHASE 1

EAST ELEVATON



WATCHMAN QUARTERS & 2 INDUSTRIAL UNITS - PHASE 1

SOUTH ELEVATON

AD/W Architectural Design Works, Inc.

510 Washington Street, Suite 4
P. O. Box 1348
Ashland, Oregon 97520
TEL: (541) 488-0719

EMAIL: info@ADWarchitecture.com

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JAC NICHOLS CSI AIA ARCHITECT

CONSULTANTS:

STAMP:

REGISTERED ARCHITECT
JACQUELINE C. NICHOLS
OREGON
JULY 19, 2005
STATE OF OREGON

SOUTH ASHLAND BUSINESS PARK

Washington Street
Ashland, OR 97520

OWNER:

South Ashland Business Park, LLC
125 East Main Street, Suite C
Ashland, OR 97520

-	09/08/2016	-
-	09/08/2016	-
-	09/08/2016	-
-	09/08/2016	-
4	09/08/2016	-
3	09/08/2016	-
-	09/08/2016	-
-	09/08/2016	-
2	09/08/2016	-
1	01/05/2016	SITE REVIEW SET
NUMBER	DATE	

PROJECT CODE: SABP
CAD DWG FILE: A-101.DWG
DRAWN BY: WDS
CHECKED BY: JN
PROJECT DATE: 01/05/2016

SHEET TITLE:

EXTERIOR ELEVATIONS

A-201
SHEET 2 OF 3

South Ashland Business Park

SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

A-201 - Exterior Elevations

Atlas Page 2.2

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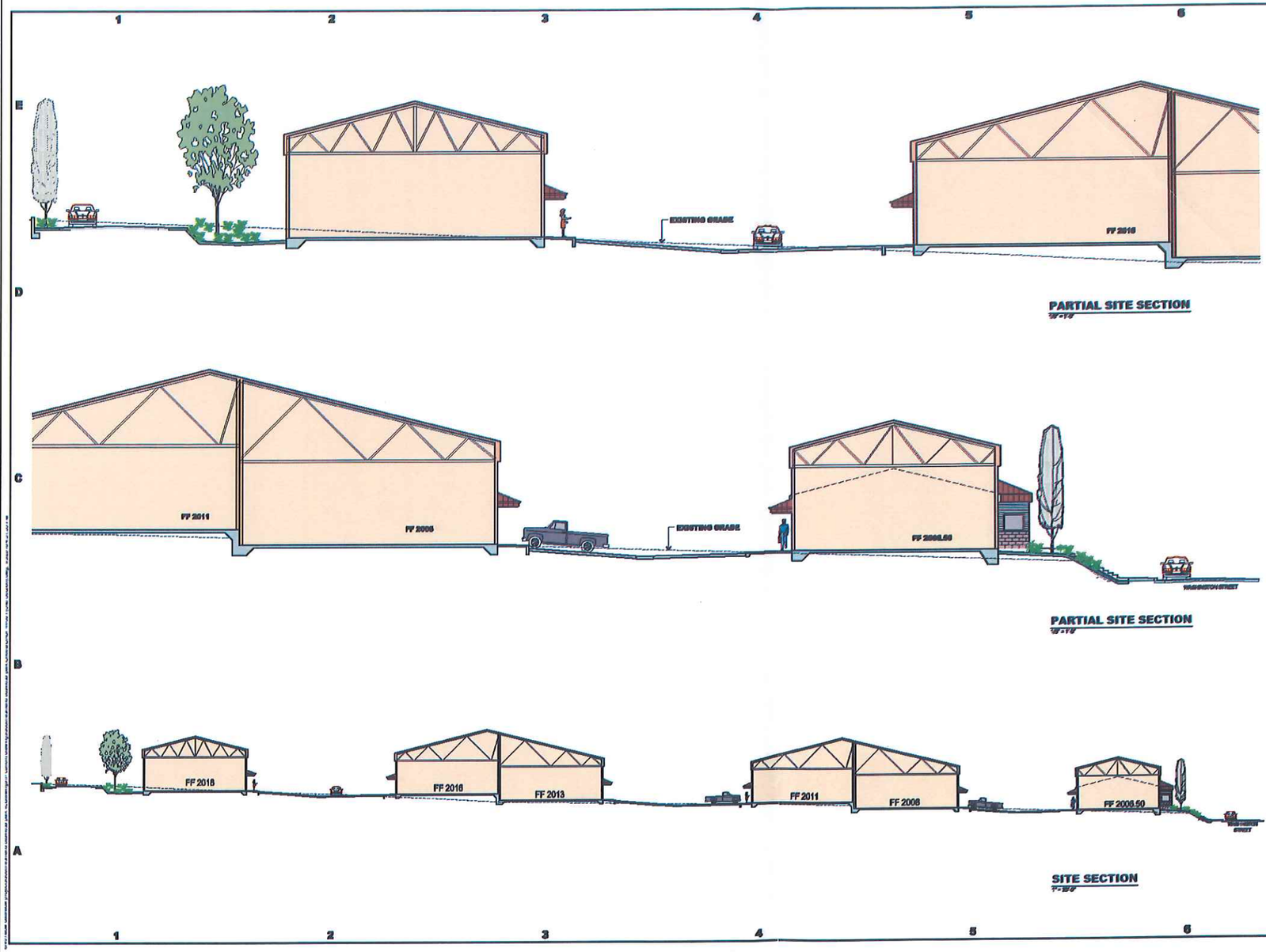

Architectural Design Works, Inc.

510 Washington Street, Suite 4
P. O. Box 1240
Ashland, Oregon 97520
TEL: (541) 488-5719

EMAIL: info@ADWarchitect.com

DAVID RICHARDSON AIA ARCHITECT
JAC NICHOLS CSI AIA ARCHITECT

CONSULTANTS:

STAMP:

REGISTERED ARCHITECT
JAC NICHOLS
ASHLAND, OREGON
STATE OF OREGON

SOUTH ASHLAND BUSINESS PARK

Washington Street
Ashland, OR 97520

OWNER:

South Ashland Business Park, LLC
120 East Main Street, Suite C
Ashland, OR 97520

MARK	DATE	
-	00/00/2018	-
-	00/00/2018	-
-	00/00/2018	-
-	00/00/2018	-
A	00/00/2018	-
A	00/00/2018	-
-	00/00/2018	-
-	00/00/2018	-
2	00/00/2018	
1	01/22/2018	SITE REVIEW SET

PROJECT CODE: CSI#####
CAD DWG FILE: A-101.DWG
DRAWN BY: WDR
CHECKED BY: JN
PROJECT DATE: 00/00/2018
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SHEET TITLE:
SITE SECTIONS

A-301
SHEET 3 OF 3
South Ashland Business Park

SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

A-301 Site Sections

Atlas Page 2.3

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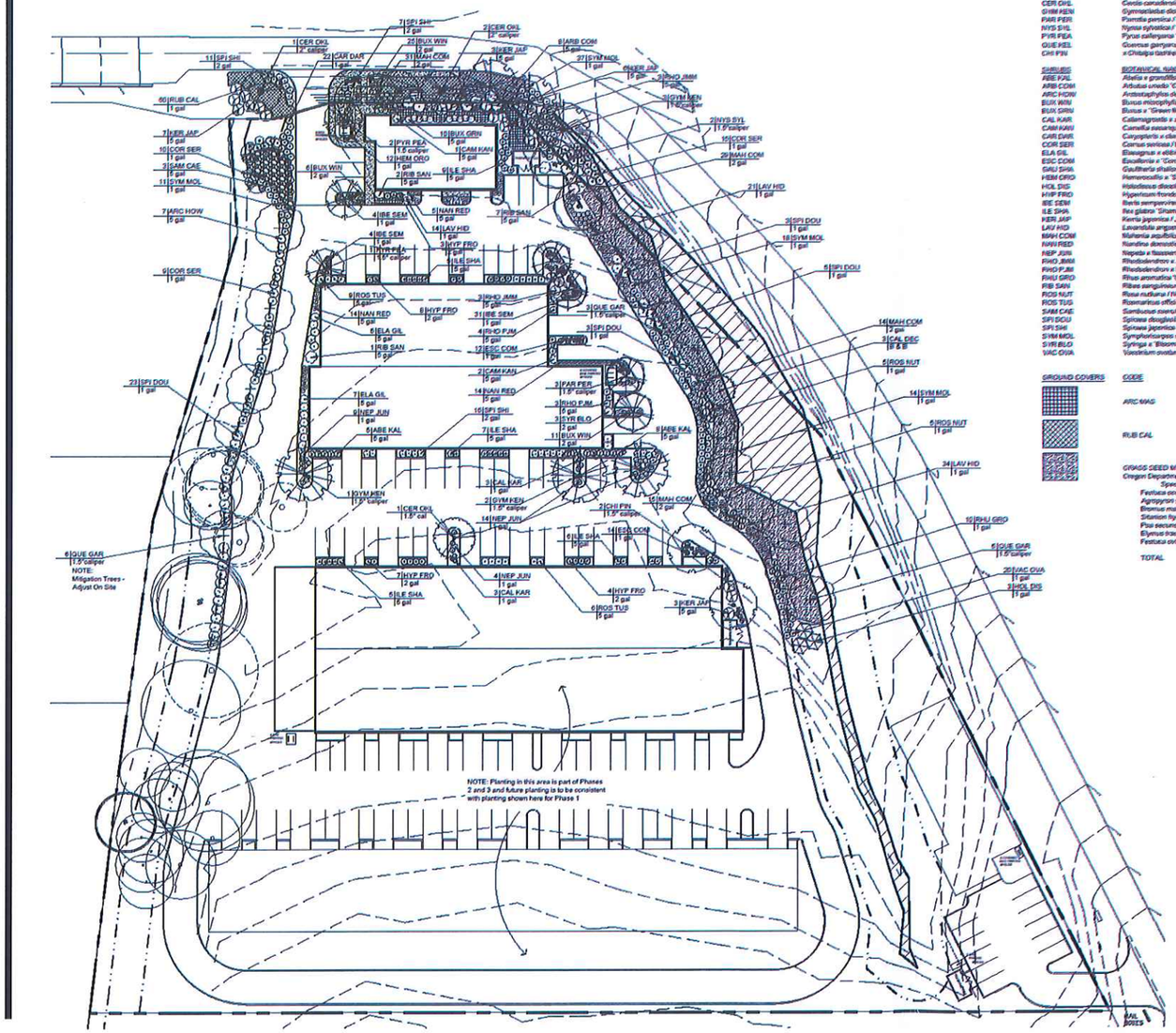

PLANT SCHEDULE

TREES	BOTANICAL NAME / COMMON NAME	
CAL DEC	Calocedrus decurrens / Incense Cedar	5-6'
CER OKL	Cercis canadensis 'Oklahoma' / Oklahoma Redbud	1.5"Cal
GYM KEN	Gymnocladus dioica / Kentucky Coffee Tree	1.5"Cal
PAR FER	Parrotia persica / Persian Parrotia	1.5"Cal
NYS SYL	Nyssa sylvatica / Tupelo	1.5"Cal
PYR FEA	Pyrus calleryana 'Redspire' / Redspire Callery Pear	1.5"Cal
QUE KEL	Quercus garryana / Oregon White Oak	1.5"Cal
CHI PIN	x Chitalpa tashkentensis 'Pink Dawn' / Pink Dawn Chitalpa	1.5"Cal

SHRUBS	BOTANICAL NAME / COMMON NAME	SIZE
ABE PAL	Abelia x grandiflora 'Kaleidoscope' / Glossy Abelia	5 gal
ARB COM	Arbutus unedo 'Compacta' / Dwarf Strawberry Tree	5 gal
ARC HOW	Arctostaphylos densiflora 'Howard McMinn' / Howard McMinn Manzanita	5 gal
BUX WIN	Buxus microphylla japonica 'Winter Gem' / Winter Gem Boxwood	2 gal
BUX GRN	Buxus x 'Green Mountain' / Boxwood	5 gal
CAL KAR	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass	1 gal
CAM KAN	Camellia sasanqua 'Kanjiro' / Kanjiro Camellia	5 gal
CAR DAR	Caryopteris x clandonensis 'Dark Knight' / Blue Mist Shrub	1 gal
COR SER	Cornus sericea / Red Twig Dogwood	1 gal
ELA GIL	Elaeagnus x ebbingei 'Gilt Edge' / Ebbing Silverberry	5 gal
ESC COM	Escallonia x 'Compacta' / Compact Escallonia	1 gal
GAU SHA	Gaultheria shallon / Salal	1 gal
HEM ORO	Hemerocallis x 'Stella de Oro' / Stella de Oro Daylily	1 gal
HOL DIS	Holodiscus discolor / Ocean spray	1 gal
HYP FRO	Hypericum frondosum 'Sunburst' / Sunburst Hypericum	2 gal
IBE SEM	Iberis sempervirens 'Purity' / Candytuft	1 gal
ILE SHA	Ilex glabra 'Shamrock' / Inkberry	5 gal
KER JAP	Kerria japonica / Japanese Kerria	5 gal
LAV HID	Lavandula angustifolia 'Hidcote' / Hidcote Lavender	1 gal
MAH COM	Mahonia aquifolium 'Compacta' / Compact Oregon Grape	2 gal
NAN RED	Nandina domestica 'Moyers Red' / Moyers Red Heavenly Bamboo	5 gal
NEP JUN	Nepeta x faassenii 'Junior Walker' / Junior Walker Catmint	1 gal
RHO JMM	Rhododendron x 'Jean Marie de Montague' / Jean Marie Rhododendron	5 gal
RHO PJM	Rhododendron x P.J.M. / P.J.M. Rhododendron	5 gal
RHU GRO	Rhus aromatica 'Gro-Low'	5 gal
RIB SAN	Ribes sanguineum / Red Flowering Currant	5 gal
ROS NUT	Rosa nutkana / Nootka Rose	5 gal
ROS TUS	Rosmarinus officinalis 'Tuscan Blue' / Tuscan Blue Rosemary	5 gal
SAM CAE	Sambucus coerulea / Blue Elderberry	5 gal
SPI DOU	Spiraea douglasii / Western Spiraea	2 gal
SPI SHI	Spiraea japonica 'Shirobana' / Shirobana Spiraea	2 gal
SYM MOL	Symphoricarpos mollis / Creeping Snowberry	1 gal
SYR ELG	Syringa x 'Bloomerang' / Lilac	2 gal
VAC OVA	Vaccinium ovatum / Evergreen Huckleberry	1 gal

GROUND COVERS	CODE	BOTANICAL NAME / COMMON NAME	CONT	SPACING
	ARC MAS	Arctostaphylos uva-ursi 'Massachusetts' / Massachusetts Manzanita	1 gal	36" o.c.
	RUB CAL	Rubus calycinoides / Green Carpet Raspberry	1 gal	36" o.c.

GRASS SEED MIXTURE:
Oregon Department of Transportation Native Grass Seed Mixture for Maintenance Use (Jackson & Josephine Counties)

Species	Seeding Rate (lbs /acre)
Festuca occidentalis (Western Fescue)	5.42
Agropyron spicatum (Bluebunch Wheatgrass)	3.62
Bromus marginatus (Mountain Brome)	5.43
Sitanion hystrix (Squirreltail Grass)	1.40
Poa secunda (Sandberg Bluegrass)	0.47
Elymus trachycaulus (Slender Wheatgrass)	1.90
Festuca ovina (Sheep Fescue)	9.78
TOTAL	13.82 lbs. PLS/acre

galbraith AND ASSOCIATES
LANDSCAPE ARCHITECTURE
& SITE PLANNING
338 S. GRAPE STREET
MEDFORD, OR 97501
PH. 541.770.7994
FAX. 541.770.5564
OREGON LICENSE No. 234 (5-2018)

REGISTERED
234
JOHN L. GALBRAITH
OREGON
04-07-78
LANDSCAPE ARCHITECT

South Ashland Business Park
Ashland, OR

REVISIONS :

Planting Plan

JOB NO.: 2002
ISSUE DATE: 01.11.18
DRAWN BY: MH
REVIEWED BY: JG
JOB STATUS:

L1

NORTH
SCALE: 1"=30'-0"
0 30' 60'

SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

L1 - Planting Plan

Atlas Page 2.4

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South Ashland Business Park

Atlas Section 3

Technical Plans

SOUTH ASHLAND BUSINESS PARK
A PROPOSED COMMERCIAL DEVELOPMENT
GRADING/DRAINAGE PLAN
LOCATED IN:
39 1E 14AB TL 2800
ASHLAND, JACKSON COUNTY, OREGON

CONTACTS

OWNER
SOUTH ASHLAND BUSINESS PARK
660 O'HARE PARKWAY, SUITE 100
MEDFORD, OR 97504

ARCHITECT
ARCHITECTURE DESIGN WORKS
518 WASHINGTON ST, SUITE 4
PO BOX 1348
ASHLAND, OR 97520
(541) 488-0719

STREETS/STORM/SANITARY
CITY OF ASHLAND
20 E. MAIN ST.
ASHLAND, OR 97520
(541) 488-5305

CIVIL ENGINEER
THORNTON ENGINEERING, INC.
P.O. BOX 476
260 N. 3RD STREET
JACKSONVILLE, OR 97530
(541) 899-1489

POWER
ASHLAND ELECTRIC DEPARTMENT
90 N. MOUNTAIN AVENUE
ASHLAND, OREGON 97520
488-5357

WATER
ASHLAND WATER DEPARTMENT
20 E. MAIN ST.
ASHLAND, OR 97020
(541) 488-5353

TELEPHONE
CENTURYLINK
132 W. 4TH STREET
MEDFORD, OREGON 97501
(541) 776-8288

GAS
AVISTA UTILITIES
583 BUSINESS PARK DRIVE
MEDFORD, OREGON 97504
(541) 858-4739

CABLE
CHARTER COMMUNICATIONS
928 SOUTH GRAPE ST.
MEDFORD, OREGON 97501
(541) 282-8672

SURVEYOR
L.J. FRIAR & ASSOCIATES P.C.
P.O. BOX 1947
PHOENIX, OR 97535
(541) 772-2782

DATA
ASHLAND FIBER NETWORK (AFN)
90 N. MOUNTAIN AVE.
ASHLAND, OR 97520
(541) 552-2317

ABBREVIATIONS & SYMBOLS

A.C.	ASPHALTIC CONCRETE	MAX	MAXIMUM
B.C.	BACK OF CURB	MIN	MINIMUM
B.C.R.	BEGINNING OF CURB RETURN	M.H.	MANHOLE
C.I.	CURB INLET	℄	PROPERTY LINE
℄	CENTER LINE	PUE	PUBLIC UTILITY EASEMENT
CONC	CONCRETE	R/W	RIGHT-OF-WAY
D/W	DRIVEWAY	SS	SANITARY SEWER
E.C.R.	END OF CURB RETURN	SSL	SANITARY SEWER LATERAL
EL	ELEVATION	S/W	SIDEWALK
EXIST	EXISTING	STD	STANDARD
GG	ORIGINAL GRADE	SD	STORM DRAIN
FG	FINISH GRADE	TC	TOP OF CURB
FH	FIRE HYDRANT	UON	UNLESS OTHERWISE NOTED
INV	INVERT OF PIPE	WM	WATER METER
L/S	LANDSCAPING	WV	WATER VALVE

PERMIT NOTE

Owner and contractor responsible for obtaining all applicable permits from jurisdictions including but not limited to:
-City of Ashland Building/Public Works

SURVEY NOTES

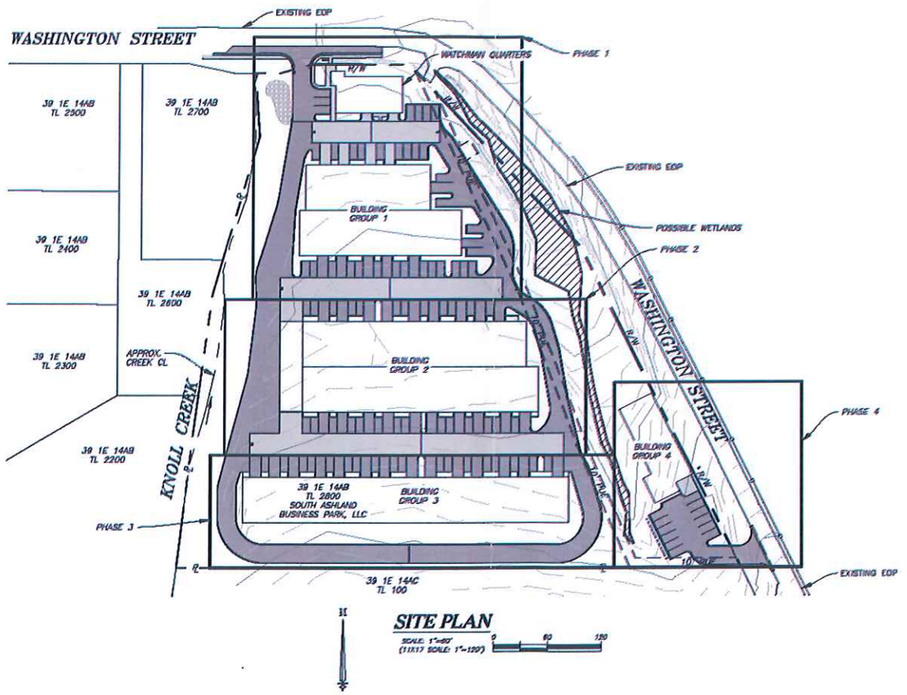
SURVEY DATA PROVIDED BY L.J. FRIAR & ASSOCIATES, DATED 10/11/2017.

VERTICAL DATUM
CITY OF ASHLAND DATUM (NGVD29/58) BASED ON CITY BM #84. BRASS CAP IN SW CORNER WEDGEWOOD & HWY 66. ELEV. 1921.349'

BASIS OF BEARINGS
SURVEY NO. 9745.

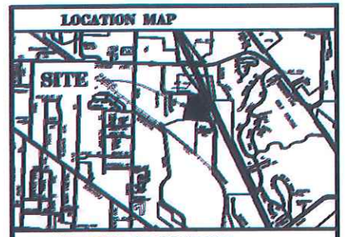
UNIT OF MEASUREMENT=FEET

DATE	CURRENT SET	PLAN SET DESCRIPTION
12/28/17	X	PRELIM. PLANS – AGENCY REVIEW
		BID SET
		REVISED BID SET



CALL FOR UTILITY LOCATE 48 HOURS PRIOR TO EXCAVATION – 1-800-332-2344

LOCATION MAP



SCHEDULE OF DRAWINGS

GENERAL NOTES

1. All workmanship and materials shall conform to the provisions of the 2015 Standard Specifications for Public Works Construction published by the Oregon Chapter of APWA, and the current amendments of the City of Ashland.
2. The Contractor shall determine the location of all utilities necessary to complete the work. The Engineer does not guarantee the accuracy of the location or depth of the utilities shown on the plans. The Contractor shall pothole existing utilities and notify Engineer of any discrepancies with these plans.
3. The Contractor and subcontractors shall be pre-qualified with the City of Ashland prior to any construction within City right-of-way.
4. The Contractor shall submit a traffic control plan and secure approval of the plan from the City at least (5) working days prior to starting work.
5. The Contractor shall not perform work without the Agency inspections where inspections are required by the specifications.
6. Requests by the contractor for changes to the plans must be approved by the consulting engineer and the Agency's engineer before the changes are implemented.
7. When performing excavation, the contractor shall comply with the provisions of ORS 757.541 to 757.571, which include requirements that the contractor hand-expose (pothole) underground facilities and use reasonable care to avoid damaging them.
8. The Engineer does not either expressly or by implication seek to establish or delineate the property and right-of-way boundaries. The Engineer has included the boundaries on the drawing to orient the location of the work only. The Engineer has drawn centerline and existing property line locations based on a boundary & topographic survey provided by L.J. Friar & Associates, PC. The Contractor shall contract a surveyor to establish horizontal and vertical control for the project.
9. Granular materials shall be obtained from a source approved by the City of Ashland. The contractor shall notify the City Engineer of the material source prior to any granular material placement and shall not change material source without approval.
10. All concrete shall be 3300 psi @ 28 days unless otherwise specified.
11. The private storm drain & s.s. lines shall be PVC conforming to ASTM D-3034, SDR 35. All joints shall be watertight.
12. Public storm drain lines shall be HDPE (ADS N-12 or equivalent) unless otherwise noted on the plans. All joints shall be watertight.
13. Public sanitary sewer lines shall be PVC conforming to ASTM D-3034, SDR 35. All joints shall be watertight.
14. Pipe lengths and slopes shown on the plans are based on the distance from center of manhole or structure (or face of curb for curb inlets).
15. The Contractor shall contact the respective Utility Companies to coordinate relocation or reconstruction of any utilities.
16. The Contractor shall notify the following 48 hours prior to starting the work:
City of Ashland Engineering Department 541-488-5347
Oregon Utility Notification Center 1-800-332-2344
Thornton Engineering 541-899-1489
17. Placement or storage of spoils from the sewer line trenches is not permitted on hard surface streets within public right-of-way. Spoils stored in other than right-of-way areas shall be covered to prevent erosion.
18. The Contractor shall be responsible to clean and/or maintain existing public streets of soil or other debris deposited by construction operations and repair all streets damaged by construction operations in a timely manner to avoid inconveniences or hazards to the public.
19. If "soft" or weak subgrade materials are encountered they shall be removed and replaced with compacted aggregate sub-base material, as necessary to achieve a compacted and stable subgrade. If significant subgrade areas are "soft" contact the geotechnical engineer to review the situation for additional design considerations.
20. Thornton Engineering, Inc. is not providing consulting services regarding subsurface soil and groundwater conditions for this project. Applied Geotechnical Engineering & Geologic Consulting, Inc. has been retained for this purpose. The contractor shall stop work and contact the owner and the geotechnical engineer immediately if groundwater is encountered, or if unusually soft or unstable soil conditions exist on the site.
21. Contractor shall obtain any necessary building permits prior to construction or verify that the owner has done so.
22. Sanitary sewer laterals shall be marked in the field by a 2x4 post painted white. Storm drain laterals shall be marked in the field by a 2x4 post painted green.
23. Sanitary sewer lateral locations shall be permanently marked by a letter 'S' stamped in the top of curb.
24. City to chlorinate and test waterlines. No chlorination fees required by Contractor. Contractor is to provide gas.
25. City to install water laterals and air release valves. Contractor shall provide assemblies, backfill and surfacing.
26. A minimum 6-inch separation shall be maintained between all water, storm drain and sanitary sewer main crossings. Any crossings with less than 6-inch separation shall require a concrete separation as approved by PWD. All water and SS crossings shall conform to OAR Chapter 333 (18" as required).

JOB NO. 17-013
FILE: SASHMP.DWG

DRAWN:	mjd
DATE:	12/28/2017
	REVISIONS

REGISTERED PROFESSIONAL ENGINEER 14,888 OREGON MICHAEL P. THORNTON RENEWAL DATE: 6/30/2018

PRELIMINARY

THORNTON ENGINEERING INC. p.o. box 476 • 260 north 3rd street jacksonville, oregon 97530 (541) 899-1489 (541) 899-3419 fax

PRELIMINARY COVER SHEET
SOUTH ASHLAND BUSINESS PARK
601 W ASHINGTON ST.
ASHLAND, OR 97520

SHEET C1

SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

C1- Civil Cover Sheet

Atlas Page 3.1

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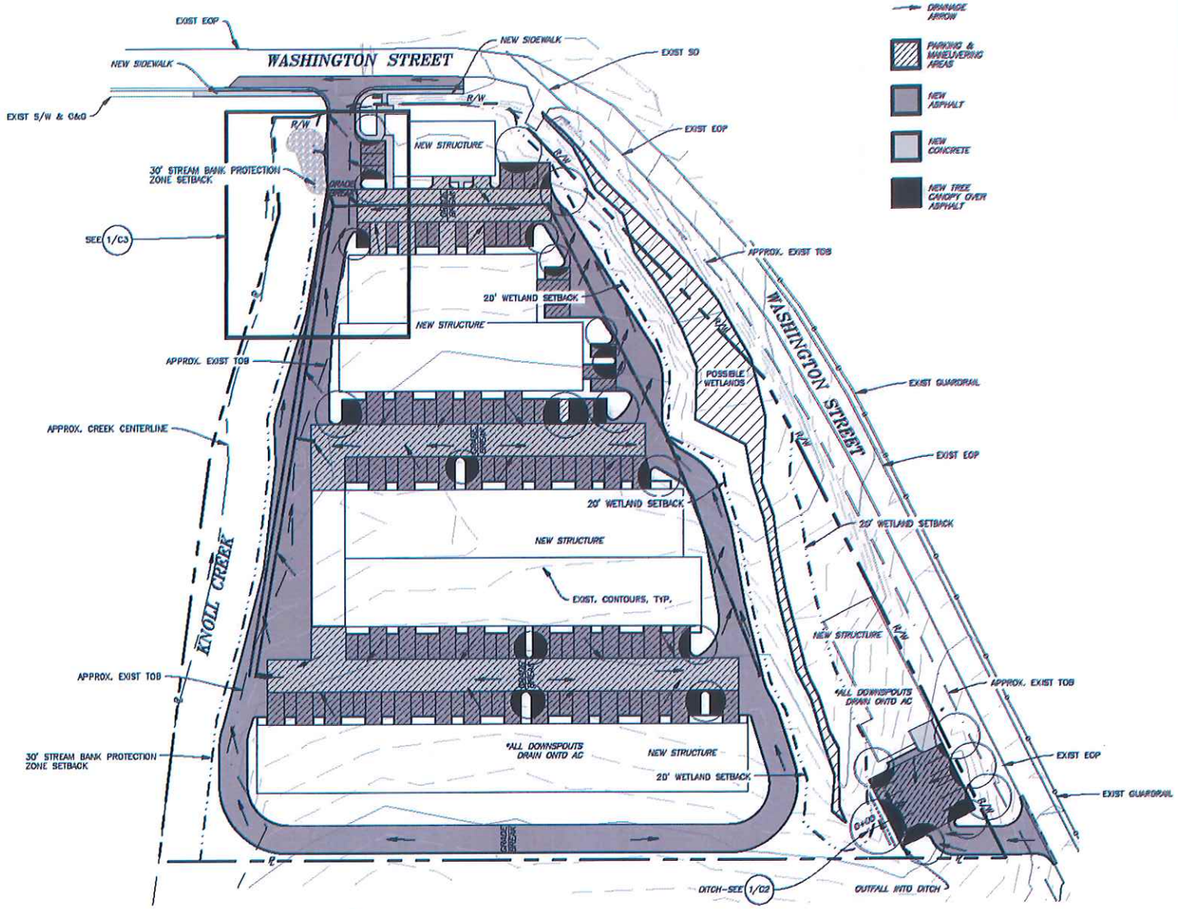


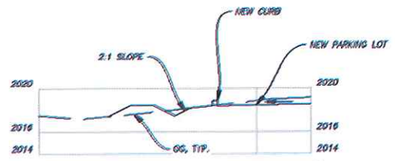
PRELIMINARY GRADING PLAN
SCALE: 1"=40'

LEGEND

- DRAINAGE ARROW
- PARKING & MANEUVERING AREAS
- NEW ASPHALT
- NEW CONCRETE
- NEW TREE CANOPY OVER ASPHALT

PARKING AREA CODE	
DESCRIPTION	AREA (sqft)
TOTAL PARKING & MANEUVERING AREA	47,738 (100%)
CONCRETE	20,212 (42%)
TREE CANOPY	3,878 (8%)
TOTAL SHADE/CONCRETE	24,090 (50%)

*NOTE: TREE CANOPY BASED ON PRELIMINARY LANDSCAPE PLAN PREPARED BY GALBRAITH & ASSOC., INC



1/C2 DITCH CROSS SECTION
SCALE: 1"=10'

DRAWN:	mjd
DATE:	12/28/2017
	REVISIONS

PRELIMINARY
RENEWAL DATE: 6/30/2018

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PRELIMINARY GRADING PLAN
SOUTH ASHLAND BUSINESS PARK
601 WASHINGTON ST.
ASHLAND, OR 97520

SHEET C2

JOB NO. 17-043
FILE: BASEMAP.DWG

SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

C2 - Preliminary Grading Plan

Atlas Page 3.2

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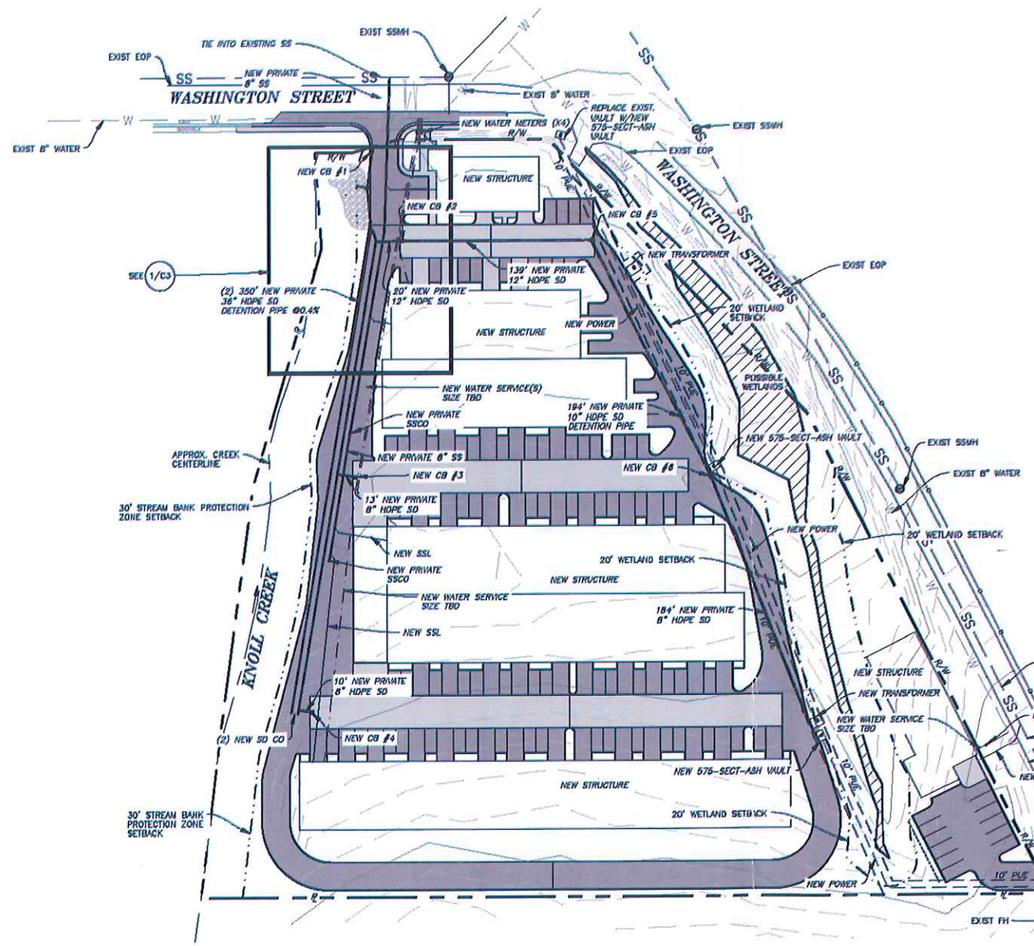

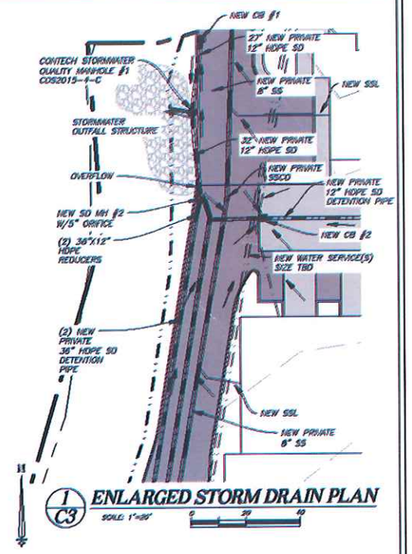

1/C3 ENLARGED STORM DRAIN PLAN
SCALE: 1"=20'

PRELIMINARY UTILITY PLAN
SCALE: 1"=40'

DRAWN:	mjd
DATE:	12/28/2017
	REVISIONS

REGISTERED PROFESSIONAL ENGINEER 11466 PRELIMINARY OREGON JULY 22, 1994 MICHAEL P. THORNTON RENEWAL DATE: 6/30/2018

THORNTON ENGINEERING INC. p.o. box 476 • 260 north 3rd street jacksonville, oregon 97530 (541) 899-1499 (541) 899-3419 fax

PRELIMINARY UTILITY PLAN
SOUTH ASHLAND BUSINESS PARK
601 WASHINGTON ST.
ASHLAND, OR 97520

SHEET C3

JOB NO. 17-043
FILE: BASMAP.DWG

SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

C3 - Preliminary Utilities Plan

Atlas Page 3.3

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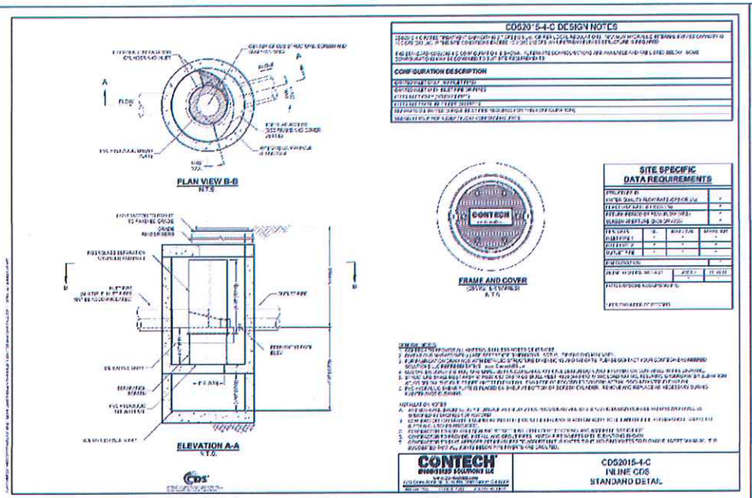
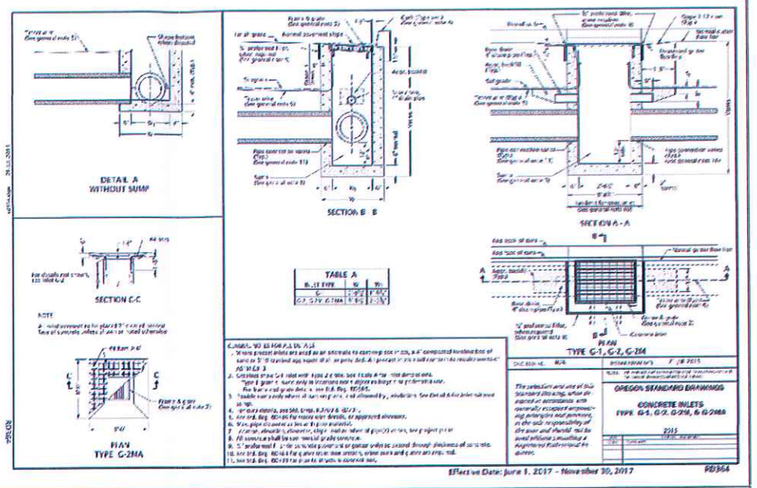
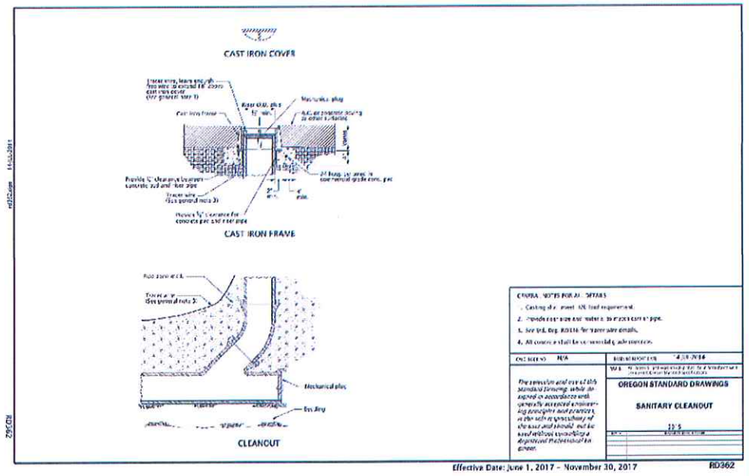
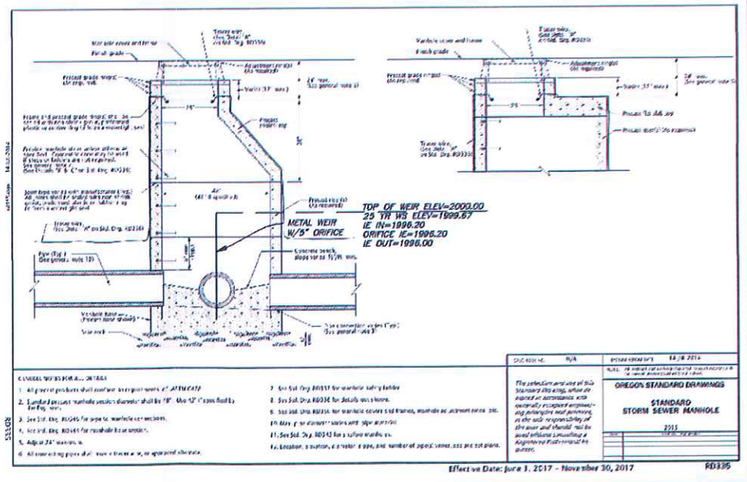
City of Ashland

Jan 2018









DRAWN:	mjd
DATE:	12/28/2017
	REVISIONS

REGISTERED PROFESSIONAL ENGINEER — OREGON — JULY 22, 2005 — MICHAEL P. THORNTON — PRELIMINARY — RENEWAL DATE: 6/30/2018

THORNTON ENGINEERING INC. p.o. box 476 • 260 north 3rd street jacksonville, oregon 97530 (541) 899-1480 (541) 899-8419 fax

DETAILS
SOUTH ASHLAND BUSINESS PARK
601 WASHINGTON ST.
ASHLAND, OR 97520

SHEET C4

JOB NO. 17-043
FILE: BASEMAP.DWG

SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

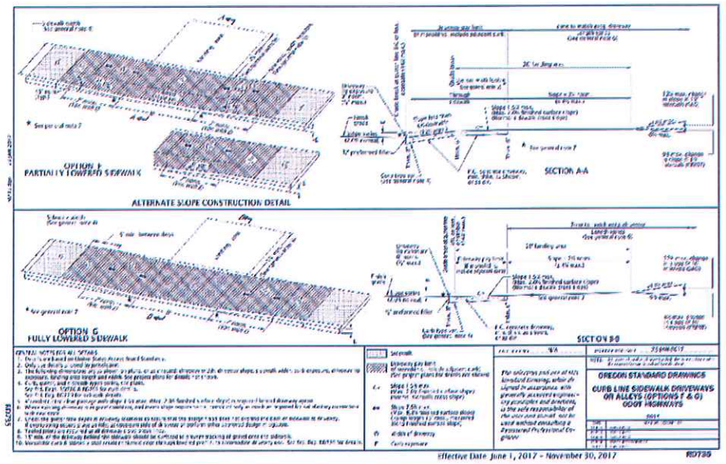
C4 - Details

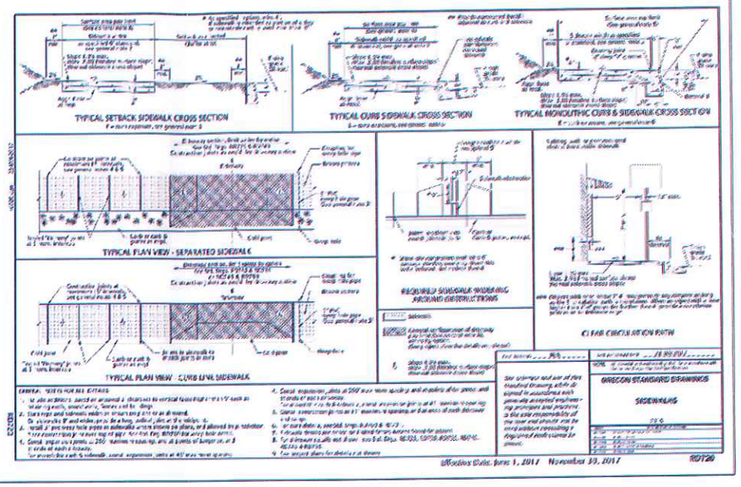
Atlas Page 3.4

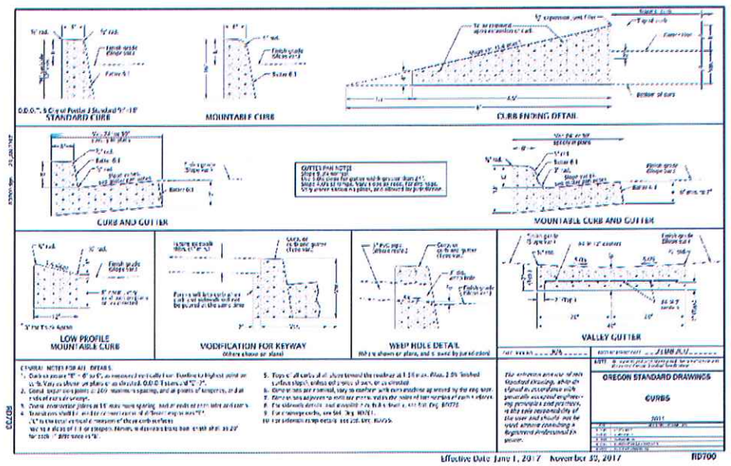
RECEIVED
JAN 22 2018
City of Ashland

CSA

Jan 2018







DRAWN:	mjd
DATE:	12/28/2017
REVISIONS	

PRELIMINARY
RENEWAL DATE: 6/30/2018

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DETAILS
SOUTH ASHLAND BUSINESS PARK
601 WASHINGTON ST.
ASHLAND, OR 97520

SHEET C5

SOUTH ASHLAND BUSINESS PARK
ANNEXATION, ZONE CHANGE & SITE REVIEW

C5 - Details

Atlas Page 3.5

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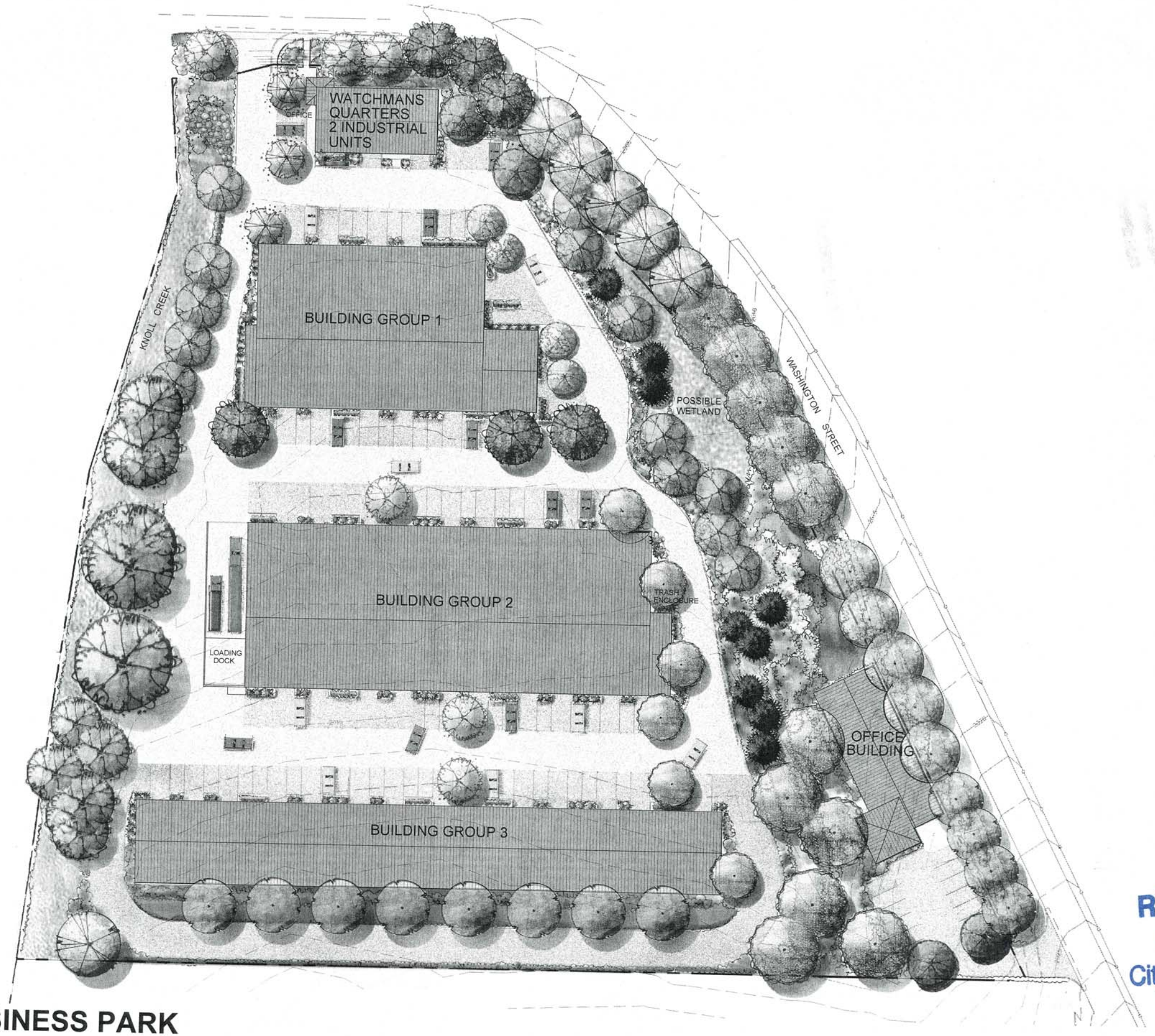
CSA

Jan 2018



RECEIVED
MAR 02 2018
City of Ashland

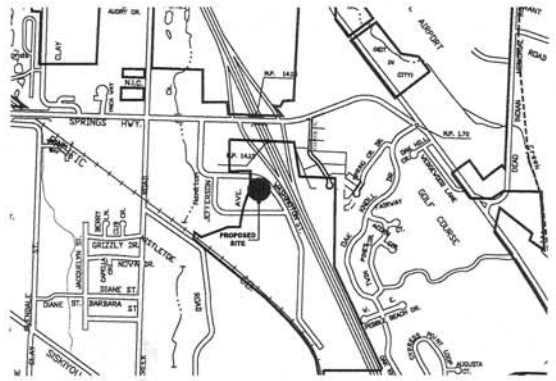
SOUTH ASHLAND BUSINESS PARK

galbraith AND ASSOCIATES

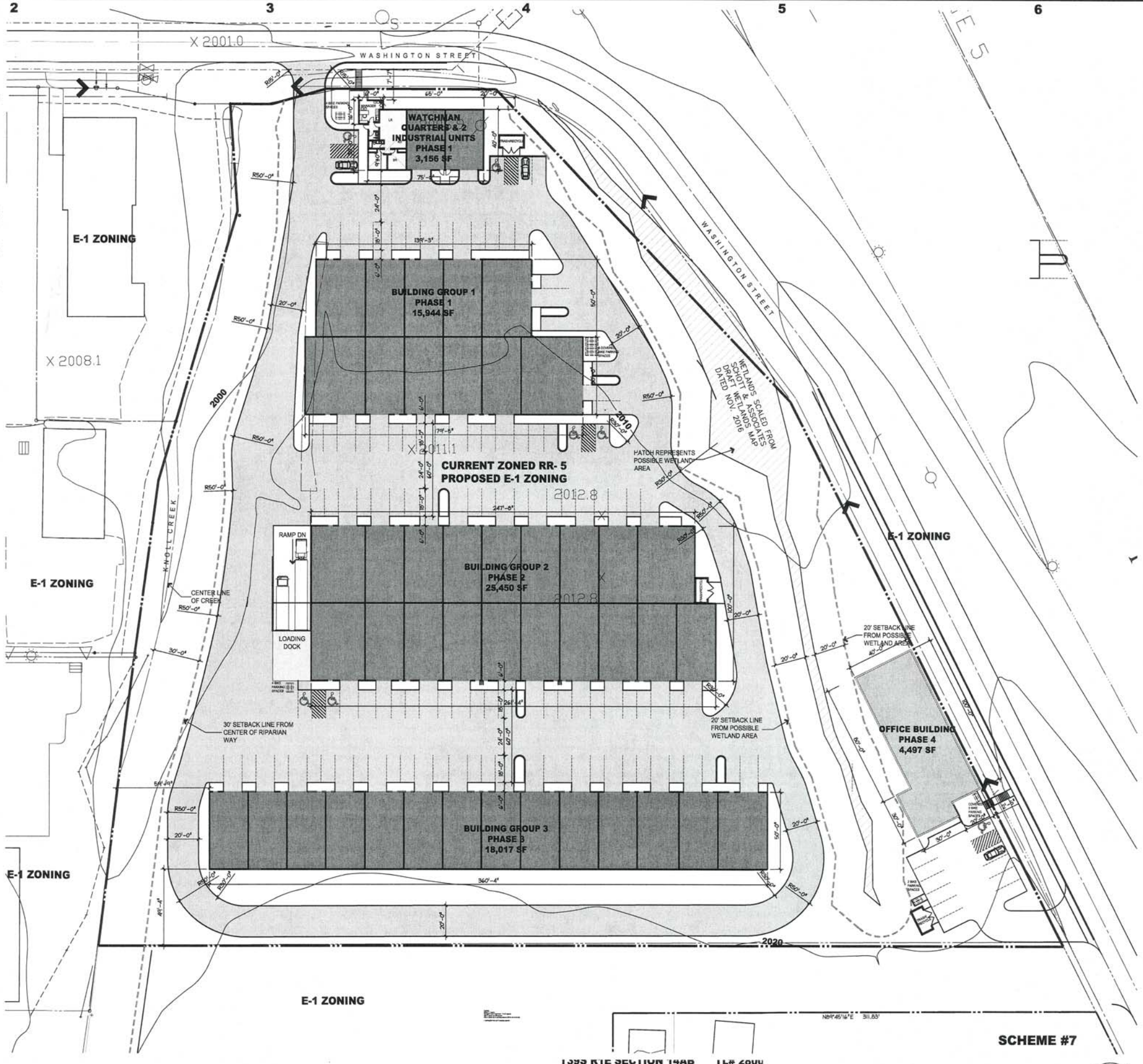
NORTH

Scale: 1" = 30'

January 2018



VICINITY MAP
NOT TO SCALE



SCHEME #7

SITE PLAN
1/32" = 1'-0"

ADW Architectural Design Works,

518 Washington Street, Suite 4
P. O. Box 1348
Ashland, Oregon 97520
TEL: (541)488-0719

EMAIL: info@ADWarchitect.com

DAVID RICHARDSON AIA ARCHITEC
JAC NICKELS CSI AIA ARCHITEC

CONSULTANT:

STAMP:
REGISTERED ARCHITECT JAC NICKELS ASHLAND, OREGON #2515 STATE OF OREGON

SOUTH ASHLAND BUSINESS PARK

Washington Street
Ashland, OR 97520

OWNER:

South Ashland Business Park, LLC

100 East Main Street, Suite C
Ashland, OR 97520

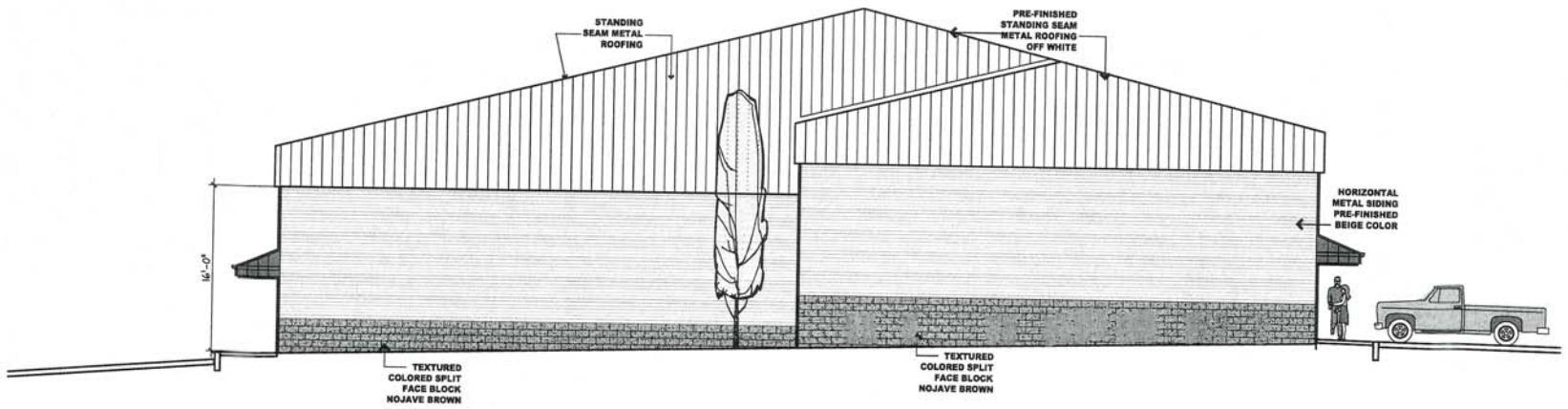
MARKER	DATE	
-	00/00/2018	-
-	00/00/2018	-
-	00/00/2018	-
-	00/00/2018	-
△	00/00/2018	-
△	00/00/2018	-
-	00/00/2018	-
-	00/00/2018	-
2	00/00/2018	
1	01/05/2018	SITE REVIEW SET

PROJECT CODE:	SABP
CAD DWG FILE:	A-101.DWG
DRAWN BY:	WDR
CHECKED BY:	JN
PROJECT DATE:	01/05/2018

SHEET TITLE:

SITE PLAN

A-101
SHEET 1 OF 4
South Ashland Business Park



BUILDING GROUP 1 - PHASE 1

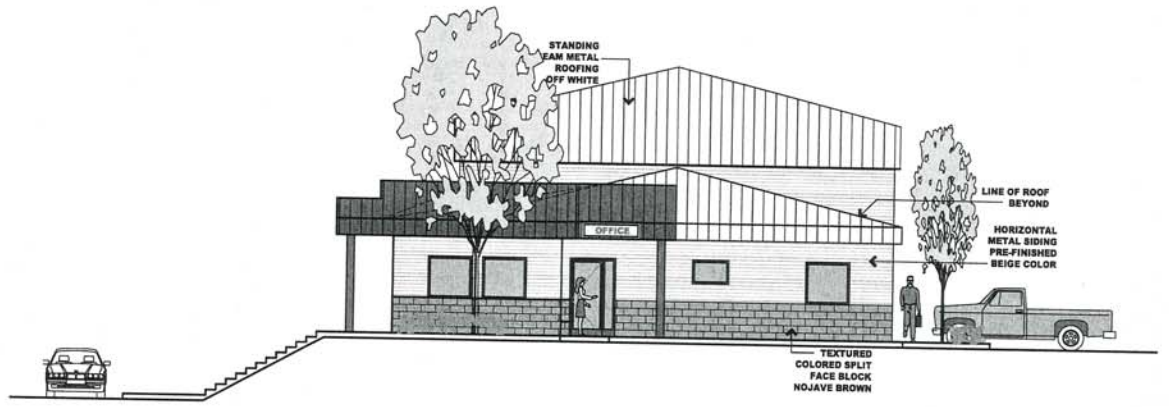
WEST ELEVATON

1/8" = 1'-0"

WATCHMAN QUARTERS & 2 INDUSTRIAL UNITS - PHASE 1

SOUTH ELEVATON

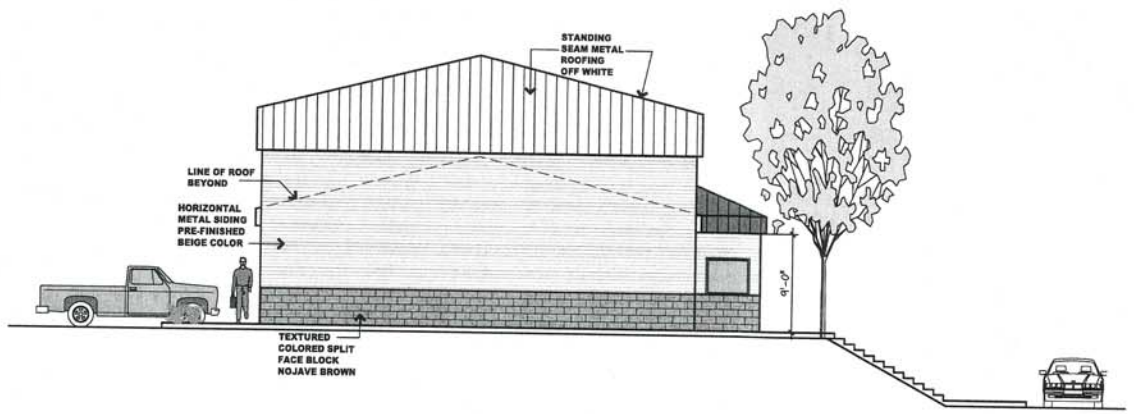
1/8" = 1'-0"



WATCHMAN QUARTERS & 2 INDUSTRIAL UNITS - PHASE 1

WEST ELEVATON

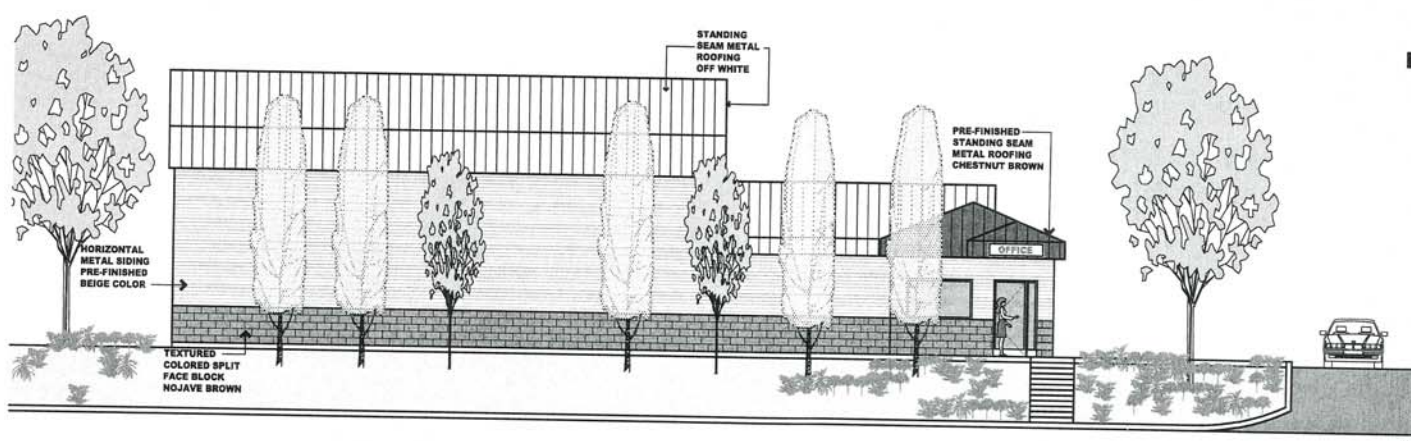
1/8" = 1'-0"



WATCHMAN QUARTERS. & 2 INDUSTRIAL UNITS - PHASE 1

EAST ELEVATON

1/8" = 1'-0"



WATCHMAN QUARTERS & 2 INDUSTRIAL UNITS - PHASE 1

NORTH ELEVATON

1/8" = 1'-0"

ADW Architectural Design Works, Inc.
518 Washington Street, Suite 4
P. O. Box 1348
Ashland, Oregon 97520
TEL: (541)488-0719
EMAIL: info@ADWarchitect.com
DAVID RICHARDSON AIA ARCHITECT
JAC NICKELS CSI AIA ARCHITECT

CONSULTANT:

STAMP:

REGISTERED ARCHITECT JAC NICKELS ASHLAND, OREGON 2015 STATE OF OREGON

SOUTH ASHLAND BUSINESS PARK

Washington Street
Ashland, OR 97520

OWNER:

South Ashland Business Park, LLC
100 East Main Street, Suite C
Ashland, OR 97520

MARKER	DATE	
-	00/00/2018	-
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3	00/00/2018	-
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-	00/00/2018	-
2	00/00/2018	
1	01/05/2018	SITE REVIEW SET

PROJECT CODE:	SABP
CAD DWG FILE:	A-101.DWG
DRAWN BY:	WDR
CHECKED BY:	JN
PROJECT DATE:	01/05/2018

SHEET TITLE:

EXTERIOR ELEVATIONS WATCHMAN QUARTERS & 2 INDUSTRIAL UNITS PHASE 1 GROUP 1 PHASE 1 WEST

A-201

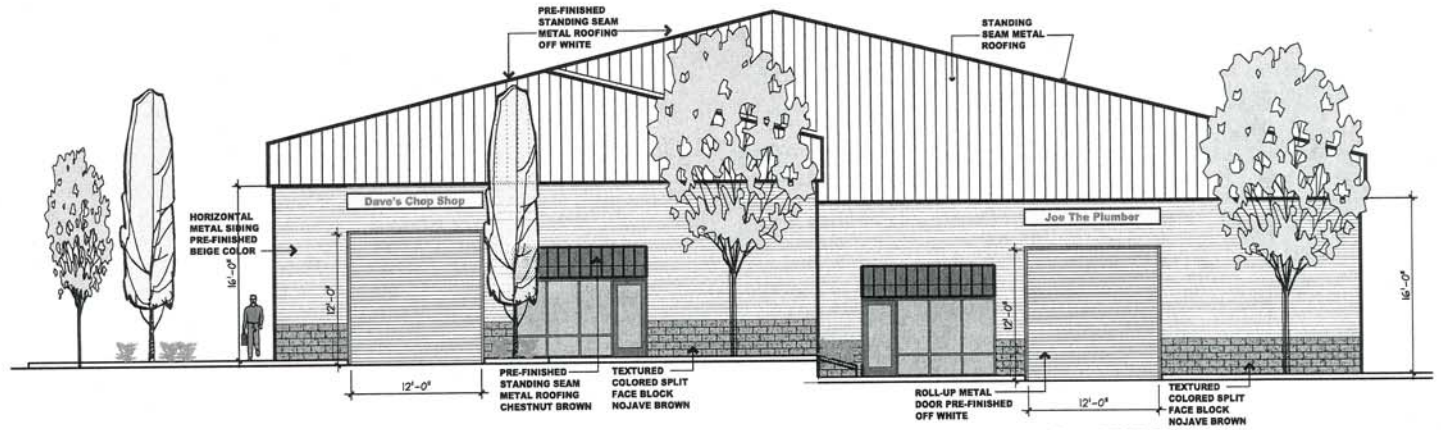
SHEET 2 OF 4

South Ashland Business Park

BUILDING GROUP 1 - PHASE 1

SOUTH ELEVATON

1/8" = 1'-0"



BUILDING GROUP 1 - PHASE 1

EAST ELEVATON

1/8" = 1'-0"

BUILDING GROUP 1 - PHASE 1

NORTH ELEVATON

1/8" = 1'-0"

ADW Architectural Design Works,

518 Washington Street, Suite 4
P. O. Box 1348
Ashland, Oregon 97520
TEL. (541)488-0719

EMAIL: info@ADWarchitect.com

DAVID RICHARDSON AIA ARCHITEC
JAC NICKELS CSI AIA ARCHITEC

CONSULTANT:

STAMP:

REGISTERED ARCHITECT JAC NICKELS ASHLAND, OREGON #3615 STATE OF OREGON

SOUTH ASHLAND BUSINESS PARK

Washington Street
Ashland, OR 97520

OWNER:

South Ashland Business Park, LLC

100 East Main Street, Suite C
Ashland, OR 97520

-	00/00/2018	-
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-	00/00/2018	-
-	00/00/2018	-
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△	00/00/2018	-
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2	00/00/2018	
1	01/05/2018	SITE REVIEW SE
MARKER	DATE	

PROJECT CODE:	SABP
CAD DWG FILE:	A-202 (EL2).DWG
DRAWN BY:	WDR
CHECKED BY:	JN
PROJECT DATE:	01/05/2018

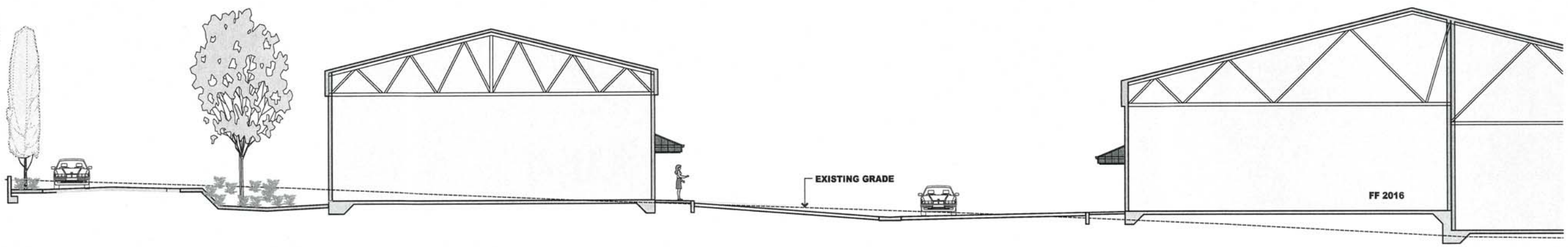
SHEET TITLE:

EXTERIOR ELEVATIO
BUILDING GROUP 1
PHASE 1
-
-

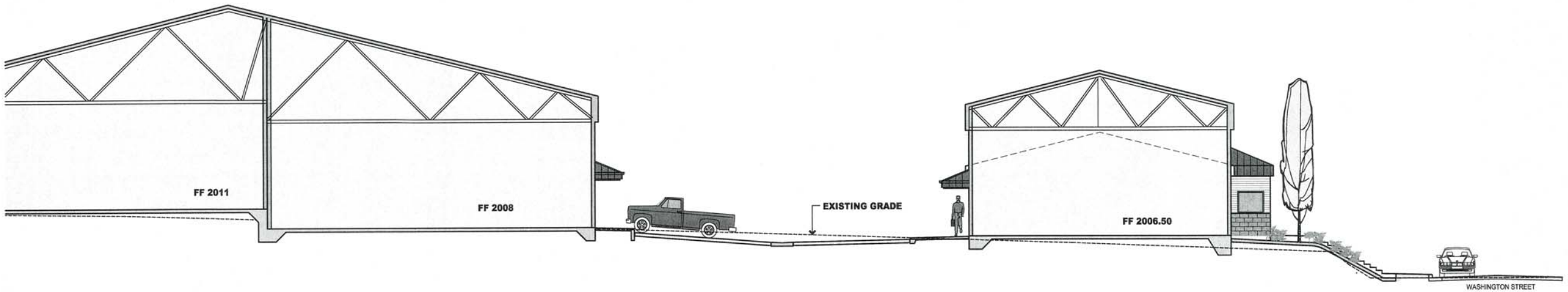
A-202

SHEET 3 OF

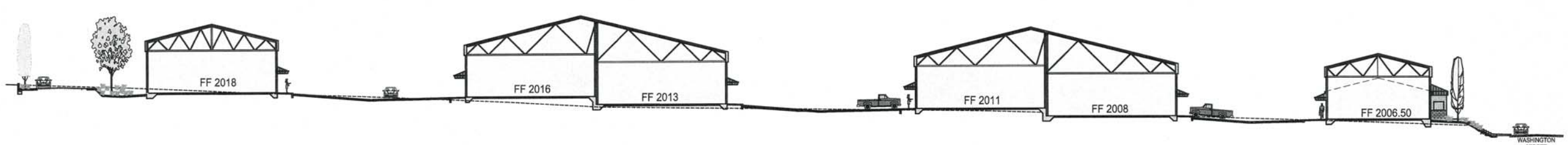
South Ashland Business Park



PARTIAL SITE SECTION
1/8" = 1'-0"



PARTIAL SITE SECTION
1/8" = 1'-0"



SITE SECTION
1" = 20'-0"

AD Architectu
Design Wor

518 Washington Street, Suite 4
P. O. Box 1348
Ashland, Oregon 97520
TEL: (541)488-0719

EMAIL: info@ADWarchitect.com

DAVID RICHARDSON AIA ARCH
JAC NICKELS CSI AIA ARCHI

CONSULTANT:

STAMP:

REGISTERED ARCHI
JAC NICKELS
ASHLAND, OREGON
2515
STATE OF OREGO

SOUTH ASHLAN
BUSINESS PAR

Washington Street
Ashland, OR 97520

OWNER:

South Ashland Business Park, I

100 East Main Street, Suite
Ashland, OR 97520

MARKER	DATE	
1	01/05/2018	SITE REVIEW
2	00/00/2018	
-	00/00/2018	-
-	00/00/2018	-
-	00/00/2018	-
-	00/00/2018	-
△	00/00/2018	-
△	00/00/2018	-
-	00/00/2018	-
-	00/00/2018	-

PROJECT CODE:	SABP
CAD DWG FILE:	A-101.DWG
DRAWN BY:	WDR
CHECKED BY:	JN
PROJECT DATE:	01/05/2018

SHEET TITLE:

SITE SECTIONS

A-301

SHEET 4 OF

South Ashland
Business Park

SOUTH ASHLAND BUSINESS PARK
A PROPOSED COMMERCIAL DEVELOPMENT
GRADING/DRAINAGE PLAN
LOCATED IN:
39 1E 14AB TL 2800
ASHLAND, JACKSON COUNTY, OREGON

CONTACTS

OWNER
SOUTH ASHLAND BUSINESS PARK
860 O'HARE PARKWAY, SUITE 100
MEDFORD, OR 97504

ARCHITECT
ARCHITECTURE DESIGN WORKS
518 WASHINGTON ST, SUITE 4
PO BOX 1348
ASHLAND, OR 97520
(541) 488-0719

STREETS/STORM/SANITARY
CITY OF ASHLAND
20 E. MAIN ST.
ASHLAND, OR 97520
(541) 488-5305

CIVIL ENGINEER
THORNTON ENGINEERING, INC.
P.O. BOX 476
260 N. 3RD STREET
JACKSONVILLE, OR 97530
(541) 899-1489

POWER
ASHLAND ELECTRIC DEPARTMENT
90 N. MOUNTAIN AVENUE
ASHLAND, OREGON 97520
488-5357

WATER
ASHLAND WATER DEPARTMENT
20 E. MAIN ST.
ASHLAND, OR 97520
(541) 488-5353

TELEPHONE
CENTURYLINK
132 W. 4TH STREET
MEDFORD, OREGON 97501
(541) 776-8268

GAS
AVISTA UTILITIES
580 BUSINESS PARK DRIVE
MEDFORD, OREGON 97504
(541) 858-4739

CABLE
CHARTER COMMUNICATIONS
926 SOUTH GRAPE ST.
MEDFORD, OREGON 97501
(541) 282-8672

SURVEYOR
L.J. FRIAR & ASSOCIATES P.C.
P.O. BOX 1947
PHOENIX, OR 97535
(541) 772-2782

DATA
ASHLAND FIBER NETWORK (AFN)
90 N. MOUNTAIN AVE.
ASHLAND, OR 97520
(541) 552-2317

ABBREVIATIONS & SYMBOLS

A.C.	ASPHALTIC CONCRETE	MAX	MAXIMUM
B.C.	BACK OF CURB	MIN	MINIMUM
B.C.R.	BEGINNING OF CURB RETURN	M.H.	MANHOLE
C.I.	CURB INLET	℄	PROPERTY LINE
℄	CENTER LINE	PUE	PUBLIC UTILITY EASEMENT
CONC	CONCRETE	R/W	RIGHT-OF-WAY
D/W	DRIVEWAY	SS	SANITARY SEWER
E.C.R.	END OF CURB RETURN	SSL	SANITARY SEWER LATERAL
EL	ELEVATION	S/W	SIDEWALK
EXIST	EXISTING	STD	STANDARD
OG	ORIGINAL GRADE	SD	STORM DRAIN
FG	FINISH GRADE	TC	TOP OF CURB
FH	FIRE HYDRANT	UON	UNLESS OTHERWISE NOTED
INV	INVERT OF PIPE	WM	WATER METER
L/S	LANDSCAPING	WV	WATER VALVE

PERMIT NOTE

Owner and contractor responsible for obtaining all applicable permits from jurisdictions including but not limited to:
-City of Ashland Building/Public Works

SURVEY NOTES

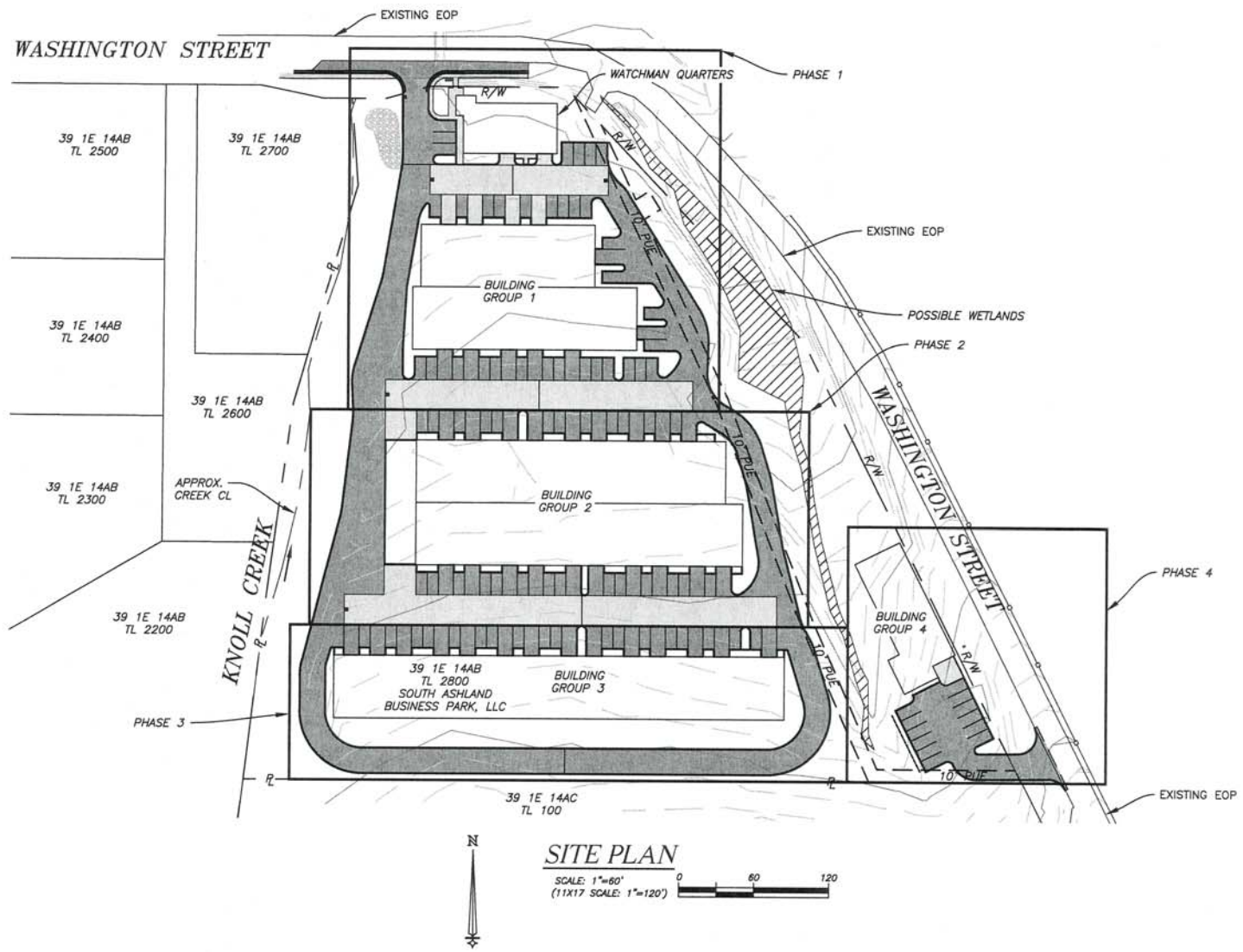
SURVEY DATA PROVIDED BY L.J. FRIAR & ASSOCIATES, DATED 10/11/2017.

VERTICAL DATUM
CITY OF ASHLAND DATUM (NGVD29/56) BASED ON CITY BM #84. BRASS CAP IN SW CORNER WEDGEWOOD & HWY 66. ELEV. 1921.349'

BASIS OF BEARINGS
SURVEY NO. 9745.

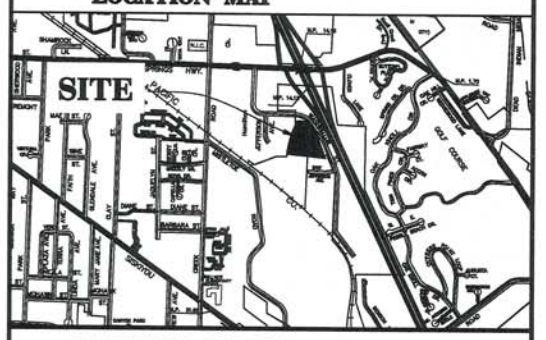
UNIT OF MEASUREMENT=FEET

DATE	CURRENT SET	PLAN SET DESCRIPTION
12/28/17	X	PRELIM. PLANS - AGENCY REVIEW
		BID SET
		REVISED BID SET



SITE PLAN
SCALE: 1"=60' (11X17 SCALE: 1"=120')
0 60 120

LOCATION MAP



SCHEDULE OF DRAWINGS

GENERAL NOTES

1. All workmanship and materials shall conform to the provisions of the 2015 Standard Specifications for Public Works Construction published by the Oregon Chapter of APWA, and the current amendments of the City of Ashland.
2. The Contractor shall determine the location of all utilities necessary to complete the work. The Engineer does not guarantee the accuracy of the location or depth of the utilities shown on the plans. The Contractor shall pothole existing utilities and notify Engineer of any discrepancies with these plans.
3. The Contractor and subcontractors shall be pre-qualified with the City of Ashland prior to any construction within City right-of-way.
4. The Contractor shall submit a traffic control plan and secure approval of the plan from the City at least (5) working days prior to starting work.
5. The Contractor shall not perform work without the Agency inspections where inspections are required by the specifications.
6. Requests by the contractor for changes to the plans must be approved by the consulting engineer and the Agency's engineer before the changes are implemented.
7. When performing excavations, the contractor shall comply with the provisions of ORS 757.541 to 757.571, which include requirements that the contractor hand-expose (pothole) underground facilities and use reasonable care to avoid damaging them.
8. The Engineer does not either expressly or by implication seek to establish or delineate the property and right-of-way boundaries. The Engineer has included the boundaries on the drawing to orient the location of the work only. The Engineer has drawn centerline and existing property line locations based on a boundary & topographic survey provided by L.J. Friar & Associates, PC. The Contractor shall contact a surveyor to establish horizontal and vertical control for the project.
9. Granular materials shall be obtained from a source approved by the City of Ashland. The contractor shall notify the City Engineer of the material source prior to any granular material placement and shall not change material source without approval.
10. All concrete shall be 3300 psi @ 28 days unless otherwise specified.
11. The private storm drain & s.s. lines shall be PVC conforming to ASTM D-3034, SDR 35. All joints shall be watertight.
12. Public storm drain lines shall be HDPE (ADS N-12 or equivalent) unless otherwise noted on the plans. All joints shall be watertight.
13. Public sanitary sewer lines shall be PVC conforming to ASTM D-3034, SDR 35. All joints shall be watertight.
14. Pipe lengths and slopes shown on the plans are based on the distance from center of manhole or structure (or face of curb for curb inlets).
15. The Contractor shall contact the respective Utility Companies to coordinate relocation or reconstruction of any utilities.
16. The Contractor shall notify the following 48 hours prior to starting the work:
    City of Ashland Engineering Department 541-488-5347
    Oregon Utility Notification Center 1-800-332-2344
    Thornton Engineering 541-899-1489
17. Placement or storage of spoils from the sewer line trenches is not permitted on hard surface streets within public right-of-way. Spoils stored in other than right-of-way areas shall be covered to prevent erosion.
18. The Contractor shall be responsible to clean and/or maintain existing public streets of soil or other debris deposited by construction operations and repair all streets damaged by construction operations in a timely manner to avoid inconveniences or hazards to the public.
19. If "soft" or weak subgrade materials are encountered they shall be removed and replaced with compacted aggregate sub-base material, as necessary to achieve a compacted and stable subgrade. If significant subgrade areas are "soft" contact the geotechnical engineer to review the situation for additional design considerations.
20. Thornton Engineering, Inc. is not providing consulting services regarding subsurface soil and groundwater conditions for this project. Applied Geotechnical Engineering & Geologic Consulting, Inc. has been retained for this purpose. The contractor shall stop work and contact the owner and the geotechnical engineer immediately if groundwater is encountered, or if unusually soft or unstable soil conditions exist on the site.
21. Contractor shall obtain any necessary building permits prior to construction or verify that the owner has done so.
22. Sanitary sewer laterals shall be marked in the field by a 2x4 post painted white. Storm drain laterals shall be marked in the field by a 2x4 post painted green.
23. Sanitary sewer lateral locations shall be permanently marked by a letter 'S' stamped in the top of curb.
24. City to chlorinate and test waterlines. No chlorination tees required by Contractor. Contractor is to provide pig.
25. City to install water laterals and air release valves. Contractor shall provide excavation, backfill and surfacing.
26. A minimum 6-inch separation shall be maintained between all water, storm drain and sanitary sewer main crossings. Any crossings with less than 6-inch separation shall require a concrete separation as approved by PWD. All water and SS crossings shall conform to OAR Chapter 333 (18" as required).

CALL FOR UTILITY LOCATE 48 HOURS PRIOR TO EXCAVATION - 1-800-332-2344

JOB NO. 17-043
FILE: BASEMAP.DWG

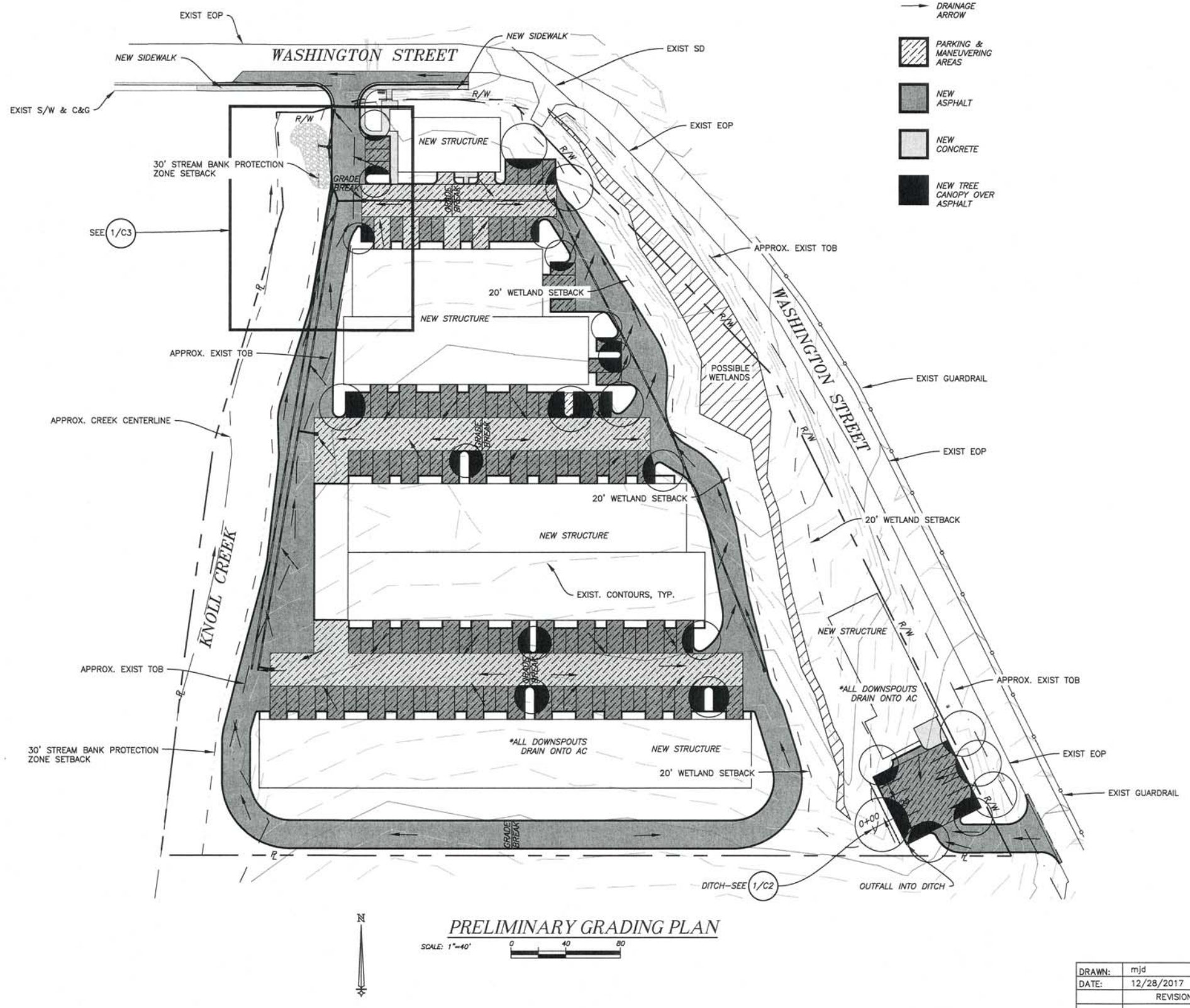
DRAWN:	mjd
DATE:	12/28/2017
	REVISIONS

REGISTERED PROFESSIONAL ENGINEER
14,896
PRELIMINARY
OREGON
MAY 22, 1980
MICHAEL P. THORNTON
RENEWAL DATE: 6/30/2018

THORNTON ENGINEERING INC.
p.o. box 476 • 260 north 3rd street
jacksonville, oregon 97530
(541) 899-1489 (541) 899-3419 fax

PRELIMINARY COVER SHEET
SOUTH ASHLAND BUSINESS PARK
601 WASHINGTON ST.
ASHLAND, OR 97520

SHEET C1



LEGEND

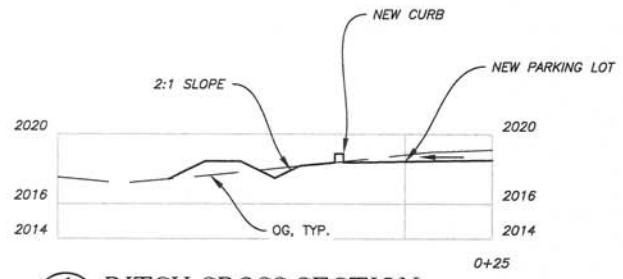
- DRAINAGE ARROW
- PARKING & MANEUVERING AREAS
- NEW ASPHALT
- NEW CONCRETE
- NEW TREE CANOPY OVER ASPHALT

PRELIMINARY GRADING PLAN

SCALE: 1"=40' 0 40 80

PARKING AREA CODE	
DESCRIPTION	AREA (sqft)
TOTAL PARKING & MANEUVERING AREA	47,738 (100%)
CONCRETE	20,212 (42%)
TREE CANOPY	3,878 (8%)
TOTAL SHADE/CONCRETE	24,090 (50%)

*NOTE: TREE CANOPY BASED ON PRELIMINARY LANDSCAPE PLAN PREPARED BY GALBRAITH & ASSOC., INC



1/C2 DITCH CROSS SECTION
SCALE: 1"=10' 0 10 20

JOB NO. 17-043
FILE: BASEMAP.DWG

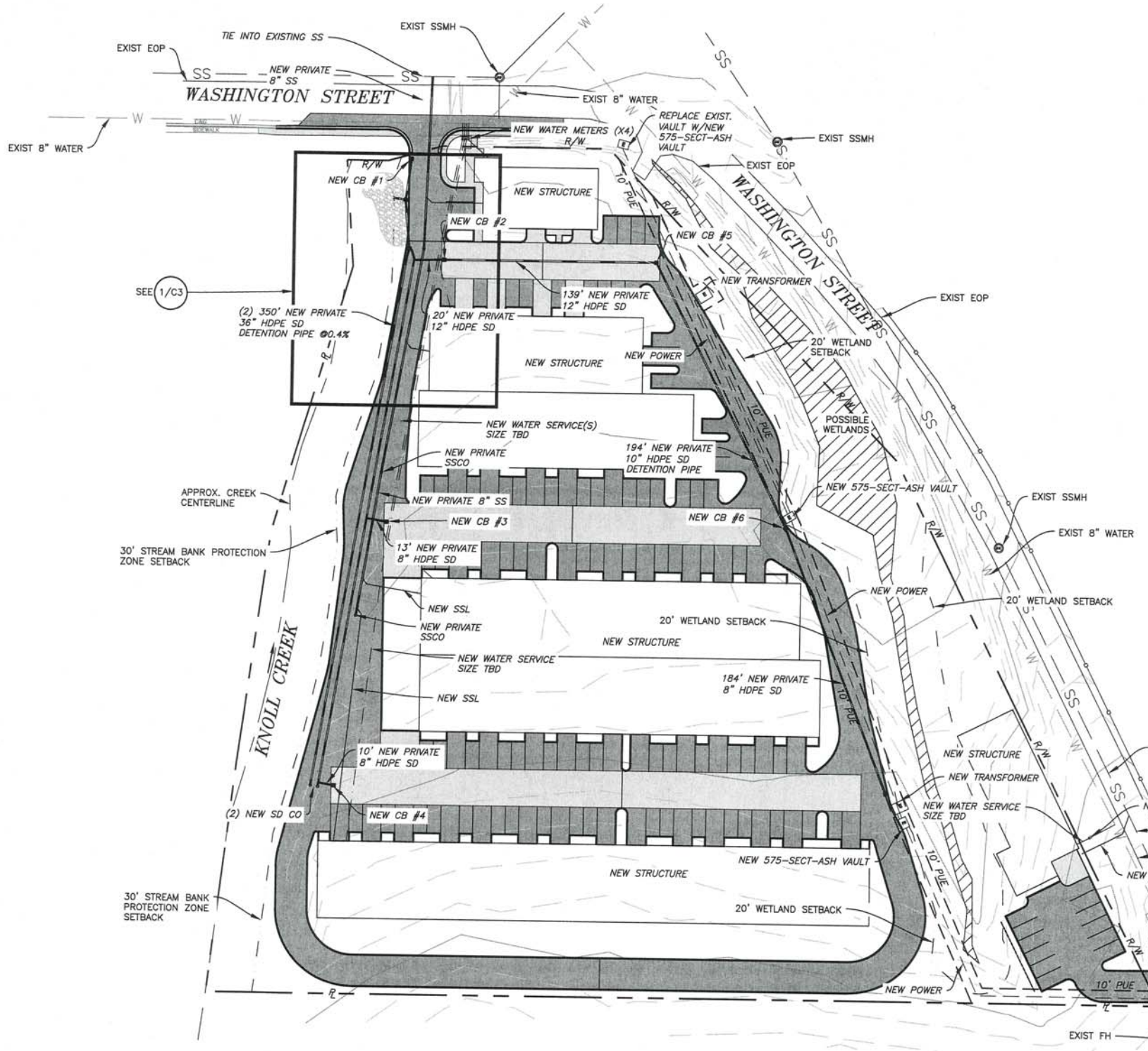
DRAWN:	mjd
DATE:	12/28/2017
	REVISIONS

REGISTERED PROFESSIONAL ENGINEER 14,896 OREGON MAY 23, 1980 MICHAEL P. THORNTON
PRELIMINARY
RENEWAL DATE: 6/30/2018

THORNTON ENGINEERING INC.
p.o. box 476 • 260 north 3rd street
jacksonville, oregon 97530
(541) 899-1489 (541) 899-3419 fax

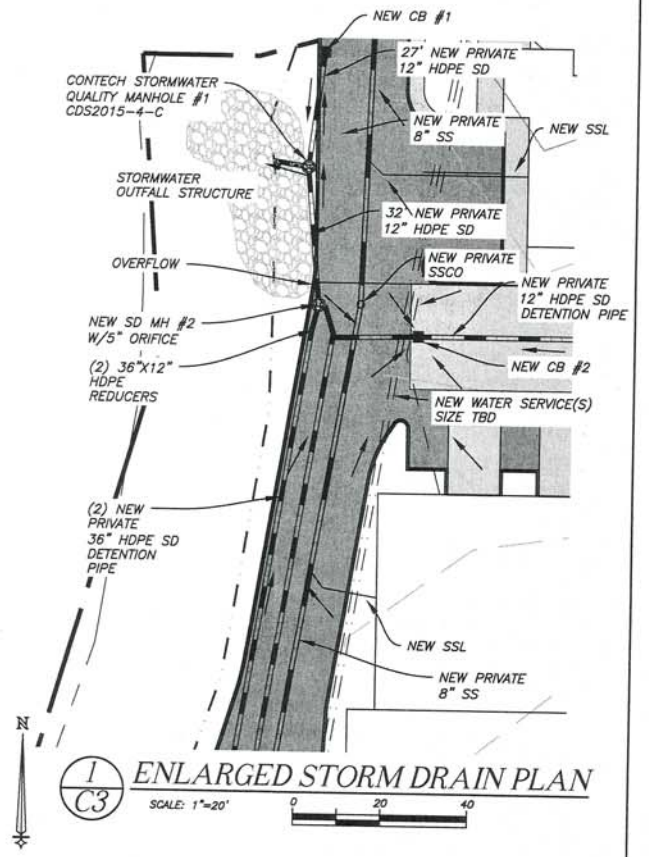
PRELIMINARY GRADING PLAN
SOUTH ASHLAND BUSINESS PARK
601 WASHINGTON ST.
ASHLAND, OR 97520

SHEET C2



PRELIMINARY UTILITY PLAN

SCALE: 1"=40' 0 40 80



1/C3 ENLARGED STORM DRAIN PLAN

SCALE: 1"=20' 0 20 40

DRAWN:	mjd
DATE:	12/28/2017
	REVISIONS

REGISTERED PROFESSIONAL ENGINEER 14,896 PRELIMINARY OREGON MAY 22, 1980 MICHAEL P. THORNTON
RENEWAL DATE: 6/30/2018

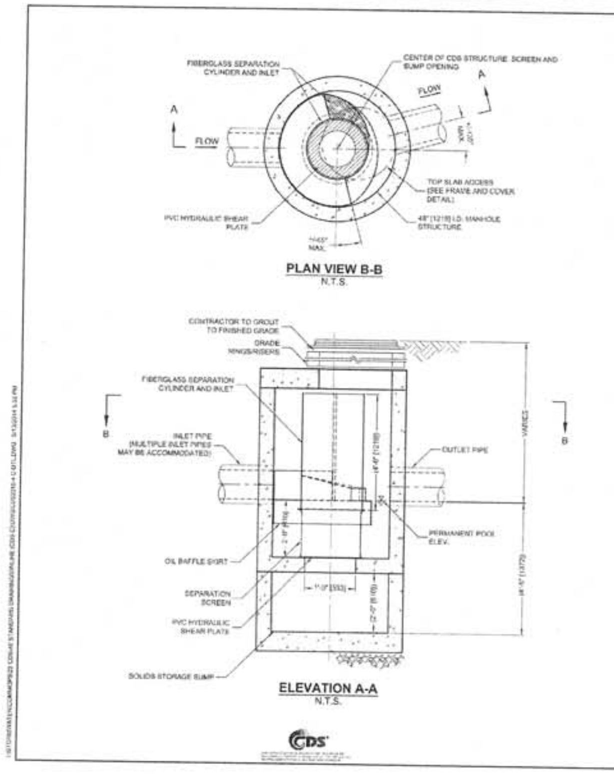
JOB NO. 17-043
FILE: BASEMAP.DWG

THORNTON ENGINEERING INC.
p.o. box 476 • 260 north 3rd street
jacksonville, oregon 97530
(541) 899-1489 (541) 899-3419 fax

PRELIMINARY UTILITY PLAN

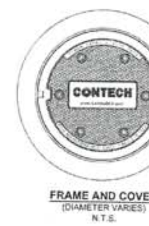
SOUTH ASHLAND BUSINESS PARK
601 WASHINGTON ST.
ASHLAND, OR 97520

SHEET C3



CDS2015-4-C DESIGN NOTES

CONFIGURATION DESCRIPTION

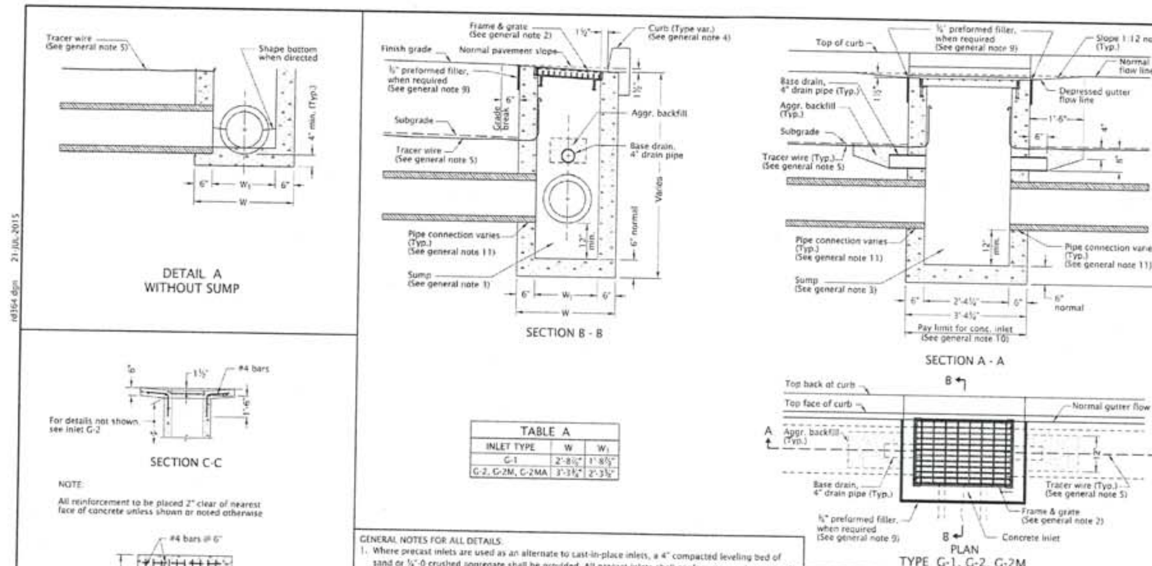


FRAME AND COVER
(DIAMETER VARIES)
N.T.S.

SITE SPECIFIC DATA REQUIREMENTS

CONTECH ENGINEERED SOLUTIONS LLC

CDS2015-4-C
INLINE CDS
STANDARD DETAIL



NOTE:
All reinforcement to be placed 2" clear of nearest face of concrete unless shown or noted otherwise.

TABLE A		
INLET TYPE	W	W1
G-1	2'-8½"	1'-8½"
G-2, G-2M, G-2MA	3'-3½"	2'-3½"

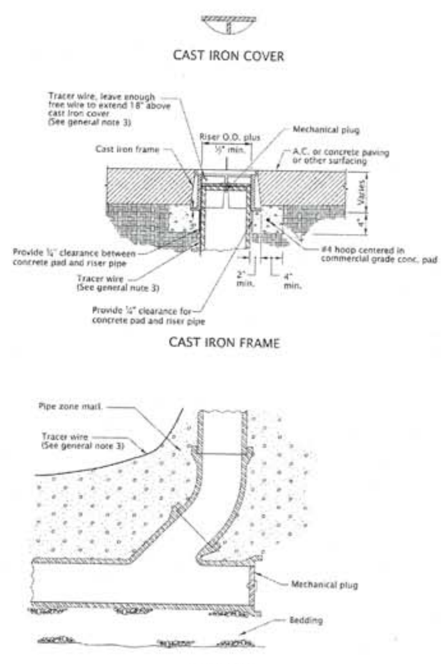
GENERAL NOTES FOR ALL DETAILS:

1. Where precast inlets are used as an alternate to cast-in-place inlets, a 4" compacted leveling bed of sand or ¾"-0 crushed aggregate shall be provided. All precast inlets shall conform to requirements of ASTM C913.
2. Graphics show G-1 inlet with Type 2 grate. See Table A for inlet dimensions. Type 1 grate allowed only in locations not subject to bicycle or pedestrian use. For frame and grate details, see Std. Drg. RD365.
3. Provide sump only where shown on plans, and allowed by jurisdiction. See Detail A for inlet without sump.
4. For curb details, see Std. Drgs. RD700 & RD701.
5. See Std. Drg. RD336 for tracer wire details, or approved alternate.
6. Max. pipe diameter varies with pipe material.
7. Location, elevation, diameter, slope, and number of pipe(s) varies, see project plans.
8. All concrete shall be commercial grade concrete.
9. ½" preformed filler (in concrete pavement or gutter only) to extend through thickness of concrete.
10. See Std. Drg. RD363 for gutter transition section, when curb and gutter are required.
11. See Std. Drg. RD339 for pipe to structure connections.

The selection and use of this Standard Drawing, while designed in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a Registered Professional Engineer.

OREGON STANDARD DRAWINGS
CONCRETE INLETS
TYPE G-1, G-2, G-2M, & G-2MA
2015

Effective Date: June 1, 2017 - November 30, 2017 RD364



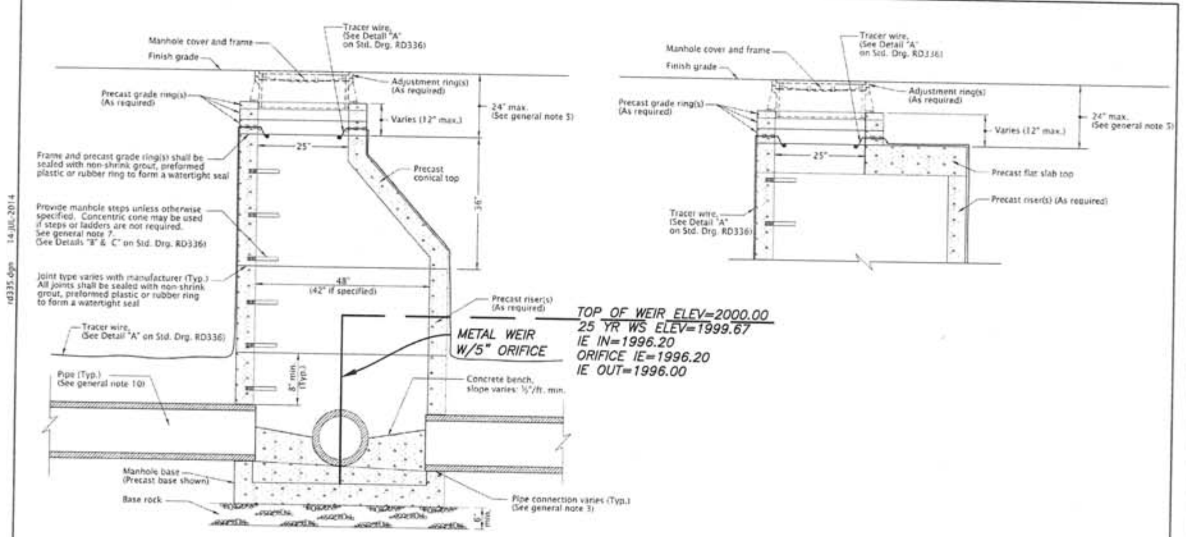
GENERAL NOTES FOR ALL DETAILS:

1. Casting shall meet H20 load requirement.
2. Provide riser size and material to match carrier pipe.
3. See Std. Drg. RD336 for tracer wire details.
4. All concrete shall be commercial grade concrete.

The selection and use of this Standard Drawing, while designed in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a Registered Professional Engineer.

OREGON STANDARD DRAWINGS
SANITARY CLEANOUT
2015

Effective Date: June 1, 2017 - November 30, 2017 RD362



GENERAL NOTES FOR ALL DETAILS:

1. All precast products shall conform to requirements of ASTM C478.
2. Standard precast manhole section diameter shall be 48". Use 42" if specified by the Engineer.
3. See Std. Drg. RD345 for pipe to manhole connections.
4. See Std. Drg. RD344 for manhole base section.
5. Adjust 24" maximum.
6. All connecting pipes shall have a tracer wire, or approved alternate.
7. See Std. Drg. RD337 for manhole safety ladder.
8. See Std. Drg. RD336 for details not shown.
9. See Std. Drg. RD356 for manhole covers and frames, manhole adjustment rings, etc.
10. Max. pipe diameter varies with pipe material.
11. See Std. Drg. RD342 for shallow manholes.
12. Location, elevation, diameter, slope, and number of pipe(s) varies, see project plans.

The selection and use of this Standard Drawing, while designed in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a Registered Professional Engineer.

OREGON STANDARD DRAWINGS
STANDARD
STORM SEWER MANHOLE
2015

Effective Date: June 1, 2017 - November 30, 2017 RD335

DRAWN:	mjd
DATE:	12/28/2017
	REVISIONS

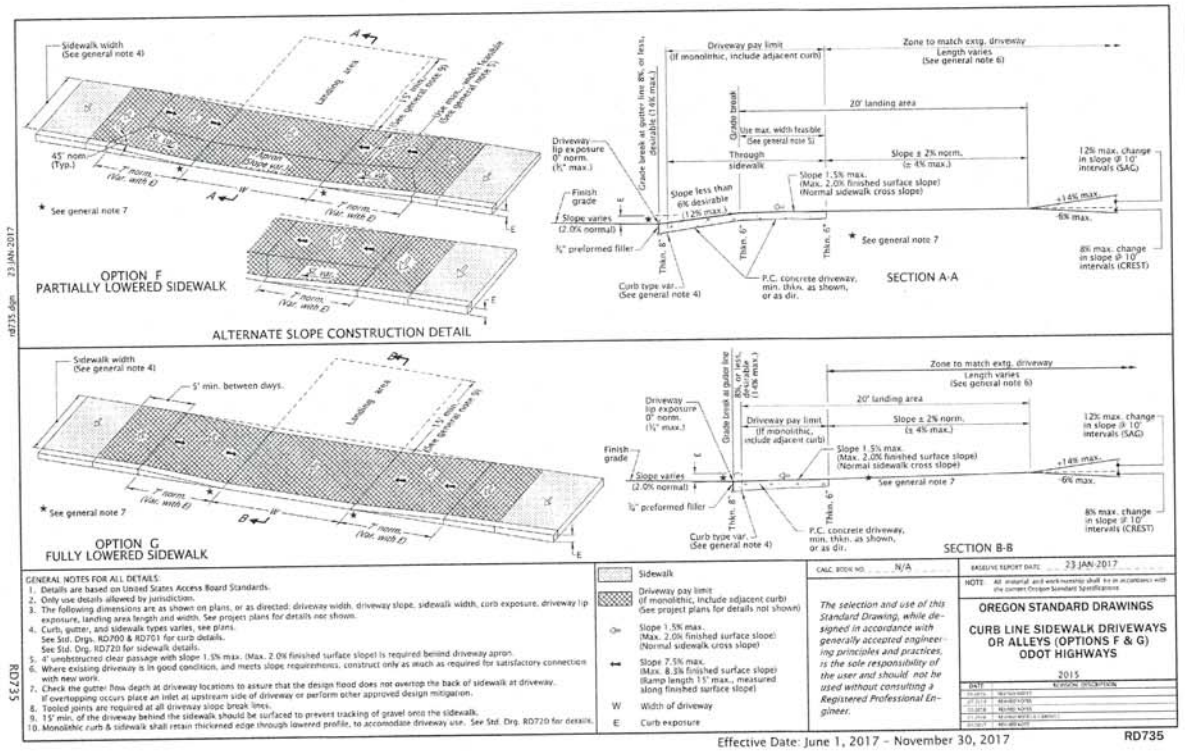
PRELIMINARY — REGISTERED PROFESSIONAL ENGINEER 14,896 OREGON MICHAEL P. THORNTON — RENEWAL DATE: 6/30/2018

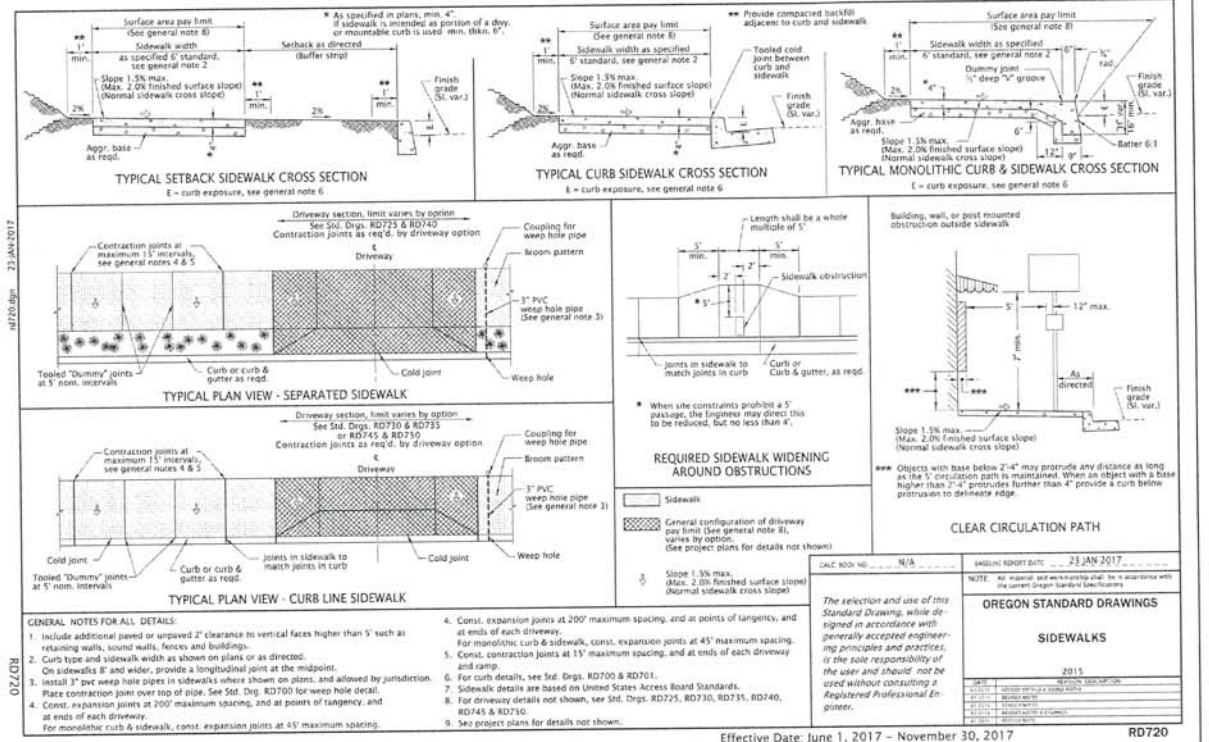
JOB NO. 17-043
FILE: BASEMAP.DWG

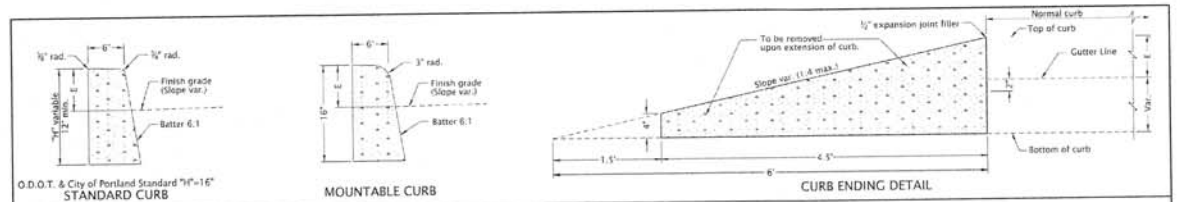
THORNTON ENGINEERING INC. p.o. box 476 · 260 north 3rd street jacksonville, oregon 97530 (541) 899-1489 (541) 899-3419 fax

DETAILS
SOUTH ASHLAND BUSINESS PARK
601 WASHINGTON ST.
ASHLAND, OR 97520

SHEET C4







JOB NO. 17-043
FILE: BASEMAP.DWG

DRAWN:	mjd
DATE:	12/28/2017
	REVISIONS

REGISTERED PROFESSIONAL ENGINEER
14,896
PRELIMINARY
OREGON
MAY 22, 1980
MICHAEL P. THORNTON
RENEWAL DATE: 6/30/2018

THORNTON ENGINEERING INC.
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jacksonville, oregon 97530
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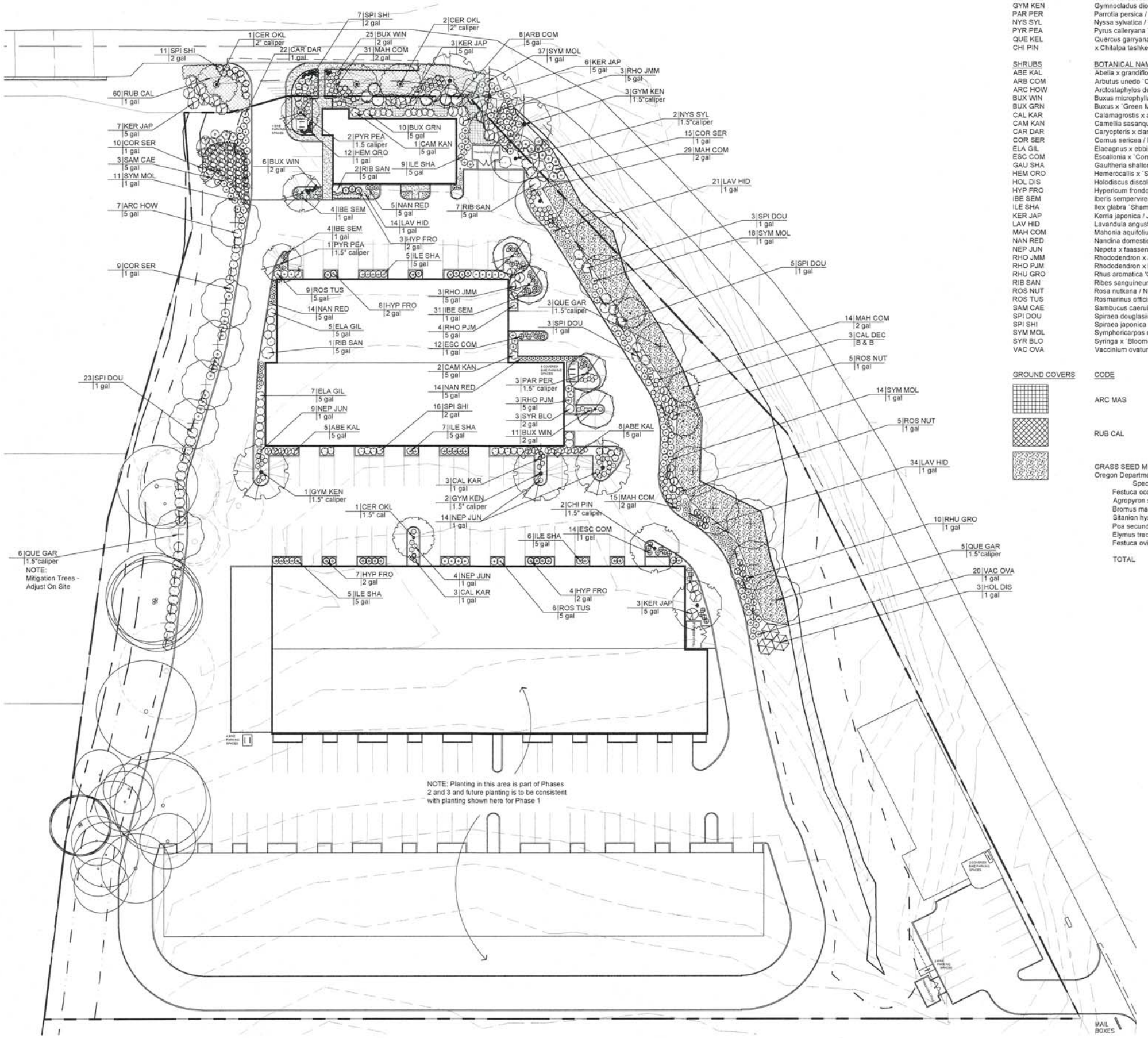
C5



PLANT SCHEDULE

TREES	BOTANICAL NAME / COMMON NAME	
CAL DEC	Calocedrus decurrens / Incense Cedar	5-6'
CER OKL	Cercis canadensis 'Oklahoma' / Oklahoma Redbud	1.5"Cal
GYM KEN	Gymnocladus dioica / Kentucky Coffee Tree	1.5"Cal
PAR PER	Parrotia persica / Persian Parrotia	1.5"Cal
NYS SYL	Nyssa sylvatica / Tupelo	1.5"Cal
PYR PEA	Pyrus calleryana 'Redspire' / Redspire Callery Pear	1.5"Cal
QUE KEL	Quercus garryana / Oregon White Oak	1.5"Cal
CHI PIN	x Chitalpa tashkentensis 'Pink Dawn' / Pink Dawn Chitalpa	1.5"Cal

SHRUBS	BOTANICAL NAME / COMMON NAME	SIZE
ABE KAL	Abelia x grandiflora 'Kaleidoscope' / Glossy Abelia	5 gal
ARB COM	Arbutus unedo 'Compacta' / Dwarf Strawberry Tree	5 gal
ARC HOW	Arctostaphylos densiflora 'Howard McMinn' / Howard McMinn Manzanita	5 gal
BUX WIN	Buxus microphylla japonica 'Winter Gem' / Winter Gem Boxwood	2 gal
BUX GRN	Buxus x 'Green Mountain' / Boxwood	5 gal
CAL KAR	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass	1 gal
CAM KAN	Camellia sasanqua 'Kanjiro' / Kanjiro Camellia	5 gal
CAR DAR	Caryopteris x clandonensis 'Dark Knight' / Blue Mist Shrub	1 gal
COR SER	Cornus sericea / Red Twig Dogwood	1 gal
ELA GIL	Elaeagnus x ebbingei 'Gilt Edge' / Ebbing Silverberry	5 gal
ESC COM	Escallonia x 'Compacta' / Compact Escallonia	1 gal
GAU SHA	Gaultheria shallon / Salal	1 gal
HEM ORO	Hemerocallis x 'Stella de Oro' / Stella de Oro Daylily	1 gal
HOL DIS	Holodiscus discolor / Ocean-spray	1 gal
HYP FRO	Hypericum frondosum 'Sunburst' / Sunburst Hypericum	2 gal
IBE SEM	Iberis sempervirens 'Purity' / Candytuft	1 gal
ILE SHA	Ilex glabra 'Shamrock' / Inkberry	5 gal
KER JAP	Kerria japonica / Japanese Kerria	5 gal
LAV HID	Lavandula angustifolia 'Hidcote' / Hidcote Lavender	1 gal
MAH COM	Mahonia aquifolium 'Compacta' / Compact Oregon Grape	2 gal
NAN RED	Nandina domestica 'Moyers Red' / Moyers Red Heavenly Bamboo	5 gal
NEP JUN	Nepeta x faassenii 'Junior Walker' / Junior Walker Catmint	1 gal
RHO JMM	Rhododendron x Jean Marie deMontegue / Jean Marie Rhododendron	5 gal
RHO PJM	Rhododendron x PJM / PJM Rhododendron	5 gal
RHU GRO	Rhus aromatica 'Gro-Low'	5 gal
RIB SAN	Ribes sanguineum / Red Flowering Currant	5 gal
ROS NUT	Rosa nutkana / Nootka Rose	1 gal
ROS TUS	Rosmarinus officinalis 'Tuscan Blue' / Tuscan Blue Rosemary	5 gal
SAM CAE	Sambucus caerulea / Blue Elderberry	5 gal
SPI DOU	Spiraea douglasii / Western Spirea	1 gal
SPI SHI	Spiraea japonica 'Shirobana' / Shirobana Spirea	2 gal
SYM MOL	Symphoricarpos mollis / Creeping Snowberry	1 gal
SYR BLO	Syringa x 'Bloomerang' / Lilac	2 gal
VAC OVA	Vaccinium ovatum / Evergreen Huckleberry	1 gal

GROUND COVERS	CODE	BOTANICAL NAME / COMMON NAME	CONT	SPACING
	ARC MAS	Arctostaphylos uva-ursi 'Massachusetts' / Massachusetts Manzanita	1 gal	36" o.c.
	RUB CAL	Rubus calycinoides / Green Carpet Raspberry	1 gal	36" o.c.
		GRASS SEED MIXTURE:		

Oregon Department of Transportation Native Grass Seed Mixture for Maintenance Use (Jackson & Josephine Counties)

Species	Seeding Rate (lbs./acre)
Festuca occidentalis (Western Fescue)	0.42
Agropyron spicatum (Bluebunch Wheatgrass)	3.62
Bromus marginatus (Mountain Brome)	5.43
Sitanion hystrix (Squirrel-tail Grass)	1.40
Poa secunda (Sandberg Bluegrass)	0.47
Elymus trachycaulus (Slender Wheatgrass)	1.80
Festuca ovina (Sheep Fescue)	0.78
TOTAL	13.92 lbs. PLS/acre

galbraith AND ASSOCIATES
LANDSCAPE ARCHITECTURE & SITE PLANNING
318 S. GRAPE STREET
MEDFORD, OR 97501
PH. 541.770.7964
FAX 541.770.5164
OREGON LICENSE No. 254 (CA., 2980)

REGISTERED 254 JOHN L. GALBRAITH OREGON 047 07/ 89 LANDSCAPE ARCHITECT

NORTH
SCALE: 1"=30'-0"
0 30' 60'

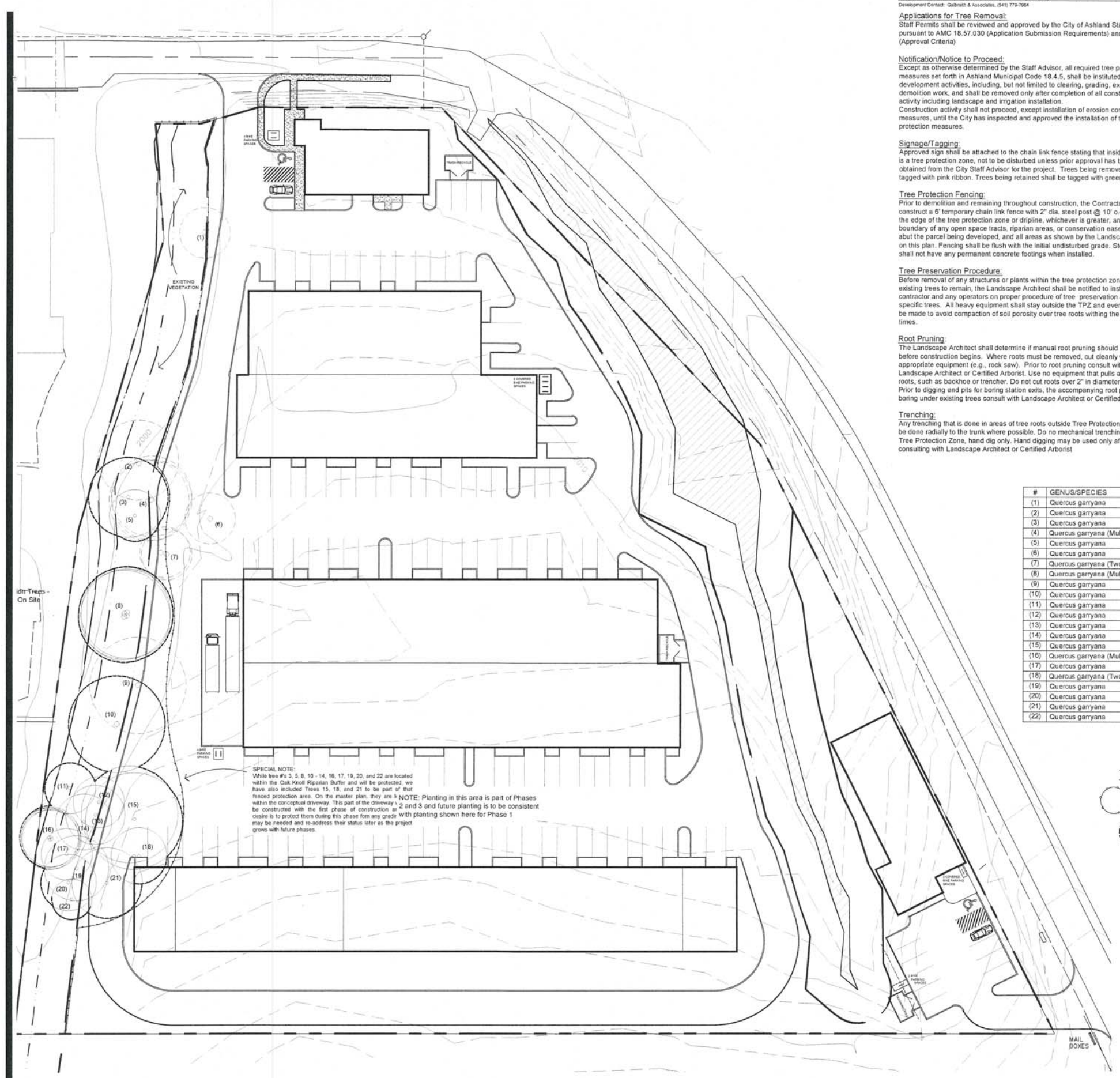
South Ashland Business Park
Ashland, OR

REVISIONS :
1 -
2 -

Planting Plan

JOB NO.: 2032
ISSUE DATE: 01.11.18
DRAWN BY: MM
REVIEWED BY: JG
JOB STATUS:

L1



TREE PRESERVATION NOTES

Development Contact: Galbraith & Associates, (541) 770-7964

Applications for Tree Removal:
Staff Permits shall be reviewed and approved by the City of Ashland Staff Advisor pursuant to AMC 18.57.030 (Application Submission Requirements) and 18.5.7.040 (Approval Criteria)

Notification/Notice to Proceed:
Except as otherwise determined by the Staff Advisor, all required tree protection measures set forth in Ashland Municipal Code 18.4.5, shall be instituted prior to any development activities, including, but not limited to clearing, grading, excavation or demolition work, and shall be removed only after completion of all construction activity including landscape and irrigation installation.
Construction activity shall not proceed, except installation of erosion control measures, until the City has inspected and approved the installation of the tree protection measures.

Signage/Tagging:
Approved sign shall be attached to the chain link fence stating that inside the fencing is a tree protection zone, not to be disturbed unless prior approval has been obtained from the City Staff Advisor for the project. Trees being removed shall be tagged with pink ribbon. Trees being retained shall be tagged with green ribbon.

Tree Protection Fencing:
Prior to demolition and remaining throughout construction, the Contractor shall construct a 6' temporary chain link fence with 2" dia. steel post @ 10' o.c. max. at the edge of the tree protection zone or dripline, whichever is greater, and at the boundary of any open space tracts, riparian areas, or conservation easements that abut the parcel being developed, and all areas as shown by the Landscape Architect on this plan. Fencing shall be flush with the initial undisturbed grade. Steel posts shall not have any permanent concrete footings when installed.

Tree Preservation Procedure:
Before removal of any structures or plants within the tree protection zone (TPZ) of existing trees to remain, the Landscape Architect shall be notified to instruct the contractor and any operators on proper procedure of tree preservation around specific trees. All heavy equipment shall stay outside the TPZ and every effort shall be made to avoid compaction of soil porosity over tree roots withing the TPZ at all times.

Root Pruning:
The Landscape Architect shall determine if manual root pruning should be done before construction begins. Where roots must be removed, cut cleanly with appropriate equipment (e.g., rock saw). Prior to root pruning consult with Landscape Architect or Certified Arborist. Use no equipment that pulls and shatters roots, such as backhoe or trencher. Do not cut roots over 2" in diameter.
Prior to digging end pits for boring station exits, the accompanying root pruning, and boring under existing trees consult with Landscape Architect or Certified Arborist.

Trenching:
Any trenching that is done in areas of tree roots outside Tree Protection zone should be done radially to the trunk where possible. Do no mechanical trenching within the Tree Protection Zone, hand dig only. Hand digging may be used only after consulting with Landscape Architect or Certified Arborist

Pruning of trees:
Do no pruning of any trees immediately prior to, during, or immediately after construction impact. Perform only that pruning which is unavoidable due to conflicts with the proposed development. Prior to pruning consult with Landscape Architect or ISA Certified Arborist

Grade Changes:
No grade changes may occur within the drip line of existing trees to remain, unless previously approved on plans.

Construction / Storage Around Trees / Dumping / Parking:
No construction activity shall occur within the tree protection zone, including, but not limited to dumping or storage of materials such as building supplies, soil, waste items, equipment, or parked vehicles.
No excavation, trenching, grading, root pruning, or other activity shall occur in the tree protection zone unless approved by the Staff Advisor.

Chemical Material Disposal :
The tree protection zone shall remain free of chemically injurious materials and liquids such as paints, thinners, cleaning solutions, petroleum products, and concrete or dry wall excess, construction debris, or run-off.

Repairing of Trees:
Any tree damaged by construction operations or removed without City of Jacksonville written approval shall be replaced in kind with a size that is suitable to the City. The offending contractor shall be responsible for the cost of the replaced tree.

Tree Mitigation:
The applicant will provide mitigation for the removal of the trees indicated on this plan in accordance with City of Ashland Municipal Code 18.5.7.050. Replace any destroyed trees that have a 6" or greater DBH with a 1 ½" cliper healthy and well-branched deciduous tree or a 5-6 foot tall evergreen tree for each tree removed. Placement of additional trees are to be determined by the Landscape Architect on site. Species is to be determined by the Landscape Architect.

Maintenance Watering:
Watering Method: Hand watering systems, recommended for trees that are part of a development project that must be watered to insure tree survival during the course of construction until automatic irrigation is installed.

Amount: Unless otherwise specified, the volume of water applied at each irrigation should be in the range of 10 gallons per inch of trunk diameter when measured at 54- inches above natural grade. The final decision of whether to water or not should be based on accurate soil probe samples that are taken from the root ball.

Performance Security:
The City may require the Permitee to post with the City a bond, or other suitable collateral as determined by the City Administrator, ensuring the stisfactory completeion of the tree protection plan. Suitable collateral may be in the form of letters of credit, certificates of deposit, cash bond, or bonds issued by an insurance company legally doing business in the State of Oregon.

(Watering recommendations based on City of Palo Alto Tree Technical Manual)

#	GENUS/SPECIES	COMMON	DBH	TPZ	HEALTH, HAZARD CONDITION	RECOMMENDATIONS
(1)	Quercus garryana	Oak		None	Dead	Remove
(2)	Quercus garryana	Oak	14"	None	75% of the tree is dead, some cambium layer exists, struct. unsound	Remove
(3)	Quercus garryana	Oak	16"	24' Radius	Poor, large branch dieback, 1/2 cambium missing	Retain and protect
(4)	Quercus garryana (Multi-trunk)	Oak	(1)9",(2)14"	None	Severe die back of large braches, excessive epicormic growth	Remove
(5)	Quercus garryana	Oak	10"	15' Radius	Poor, bark is peeling away from dead cambium layer, heavy dieback	Retain and protect
(6)	Quercus garryana	Oak	8"	None	Dead	Remove
(7)	Quercus garryana (Two Trees)	Oak	(1)10",(1)13"	None	Excessive die back, cambium has wire embedded, epicormic growth	Remove
(8)	Quercus garryana (Multi-trunk)	Oak	(2)16",(1)14",(1)24"	36' Radius	Poor, excessive die back, mistletoe, epicormic growth, low vigor	Retain and protect
(9)	Quercus garryana	Oak	22"	None	Poor,1/2 cambium layer, soil eroded under root flare, included bark	Remove
(10)	Quercus garryana	Oak	26"	39' Radius	Fair, part of grove	Retain and protect
(11)	Quercus garryana	Oak	10"	15' Radius	Fair, part of grove	Retain and protect
(12)	Quercus garryana	Oak	10"	15' Radius	Fair, part of grove	Retain and protect
(13)	Quercus garryana	Oak	12"	18' Radius	Fair, part of gove	Retain and protect
(14)	Quercus garryana	Oak	11"	16.5' Radius	Fair, part of grove	Retain and protect
(15)	Quercus garryana	Oak	21"	25' Radius	Fair	Retain and protect
(16)	Quercus garryana (Multi-trunk)	Oak	(4) 12"	18' Radius	Fair part of grove	Retain and protect
(17)	Quercus garryana	Oak	10"	15' Radius	Fair, part of grove	Retain and protect
(18)	Quercus garryana (Two Trees)	Oak	(1) 17",(1) 18"	27' Radius	Fair, one tree has a bulging trunk 5' above ground	Retain and protect
(19)	Quercus garryana	Oak	13"	19.5' Radius	Fair, part of grove	Retain and protect
(20)	Quercus garryana	Oak	11"	16.5' Radius	Fair, part of grove	Retain and protect
(21)	Quercus garryana	Oak	14"	21' Radius	Fair, wound 3' from ground, included bark, poor compartmentalization	Retain and protect
(22)	Quercus garryana	Oak	8"	12' Radius	Fair, part of grove	Retain and protect

TREE PRESERVATION LEGEND

- TREE PROTECTIVE FENCING
- TREE PROTECTION ZONE (TPZ) SEE RESTRICTIONS THIS SHEET
- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED

NORTH
SCALE: 1"=30'-0"
0 30' 60'

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REGISTERED 254 JOHN L. GALBRAITH OREGON 04/07/88 LANDSCAPE ARCHITECT

South Ashland Business Park
Ashland, OR

REVISIONS :
1 -
2 -

Tree Protection Plan

JOB NO.: 2032
ISSUE DATE: 01.11.18
DRAWN BY: MM
REVIEWED BY: JG
JOB STATUS:

TP1