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*The comments of this pre-app are preliminary in nature and subject to change based upon the submittal of additional or different information. The Planning Commission or City Council are the final decision making authority of the City, and are not bound by the comments made by the Staff as part of this pre-application.*

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**ASHLAND PLANNING DEPARTMENT  
PRE-APPLICATION CONFERENCE  
COMMENT SHEET**  
March 4, 2015

**SITE:** 120-123 Clear Creek Drive  
**APPLICANT:** John Fields  
**REQUEST:** Site Review, Conditional  
Use Permit(s), Solar Exception,

## **PLANNING STAFF COMMENTS**

This pre-application conference is intended to highlight significant issues of concern to staff and bring them to the applicant's attention prior to their preparing a formal application submittal.

**Summary:** Staff believes that the subdivision has come together quite well, and looks forward to seeing it develop further. We are generally supportive of the proposal, and look forward to the chance to review and discuss building designs once at least conceptual design drawings are prepared to identify any issues or concerns relative to the Basic, Detail and Large Scale Site Design Standards prior to the submittal of a formal land use application. The applicants should look closely at the possible wetland now identified on the southern parcels as it is likely to significantly affect their development.

### **General Comments**

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**Procedural Handling – Land Use Approval:** Within the Detail Site Review Zone, any buildings in excess of 10,000 square feet of gross floor area are required to be reviewed through a Type II procedure, with a public hearing and decision by the Planning Commission.

**Site Review:** The application is subject to the standards for Basic Site Review for Commercial Development, Detail Site Review, Large Scale Development, Parking Lot Landscaping and Screening Standards, and Street Tree Standards, all of which call for a high level of urban design. Without elevation drawings illustrating the proposed building designs at least conceptually, staff is unable to provide meaningful feedback relative to how the proposal relates to the bulk of the applicable standards (*i.e. building orientation and scale, sense of entry, fenestration, massing and scale, height, materials and colors, etc.*) or to identify issues or concerns with the proposal which is the intent of the pre-application process. A follow-up pre-application conference will be necessary once conceptual design drawings have been prepared, prior to submittal of a final application. (*The final application should consider the applicable criteria and standards including the amount, treatment and placement of required public space and the floor area ratio requirements.*)

**Public Space:** The final application will need to demonstrate that one square foot of plaza/public space is provided for every ten square feet of gross floor area, and that at least four of the six

requisite public space elements are to be provided. Planning Commissioners have indicated generally that more detail is needed on public space/plaza areas in plan submittals (and more effort in site design) to ensure that these spaces meet not only the quantitative area requirements and required elements but that qualitatively the spaces are well-designed and located to accommodate and encourage human use and enhance the site as it relates to the public realm.

**Frontage Improvements:** The Site Review application would need to address street frontage improvements for the full frontage of the property to city standards (i.e. current standard width sidewalks and park rows). These improvements would need to be installed prior to occupancy.

**Fire Department:** Please see the Fire Department comments at the end of this document. Division Chief Margueritte Hickman can provide any additional information on Fire Department requirements via phone at (541) 552-2229 or e-mail to [margueritte.hickman@ashland.or.us](mailto:margueritte.hickman@ashland.or.us) .

**Tree Preservation/Protection:** All planning actions are required to include a tree preservation/protection plan in accordance with chapter 18.4.5.030; this is intended to ensure that trees including street trees are protected during all site disturbance (*including demolition, construction, driveway/parking installation, staging of materials, etc.*) This plan must address all trees on the property over six-inches in diameter at breast height (d.b.h.) and all trees that are located on adjacent property within 15 feet of the property line as well.

**Tree Removal Permits (*if applicable*):** The removal of trees greater than six-inches in diameter at breast height within the E-1 zones will require Tree Removal Permits, and will need to address the approval criteria of AMC 18.5.7 which are further detailed in the application requirements at the end of this document.

**Utilities:** If the proposed work impacts any existing utilities, the applicants should contact the individual departments well in advance to coordinate work. Contact information for each department is provided with the departments' comments below. Site Review would require a demonstration that adequate public facilities can and will be provided; *for staff it will be important to consider the placement of vaults, transformers, and other utilities where they are outside the pedestrian corridor and least visible from the right-of-way.*

**Exterior Lighting:** Exterior light and glare associated with development can be a significant concern for neighbors; the applicants should carefully consider the selection and placement of fixtures and their shrouding to avoid the direct illumination of surrounding properties.

**Parking Lot Landscaping & Screening Standards.** The parking lot landscaping and screening standards in **LUO 18.4.3.080.E.6, E.7 and 18.4.4.F** require that minimum five-foot width landscape buffers be provided adjacent to property lines to buffer all parking and vehicular circulation areas. One parking lot tree must be provided for every seven parking spaces, and seven percent of the total parking and circulation area must be provided in landscaping according to the standards.

**Bicycle Parking:** In addition to automobile parking, one to two covered bicycle parking spaces are required for each residential unit and one bicycle parking space is required for every five required commercial automobile spaces (with one-half of these spaces to be covered). All bicycle parking must be designed according to the rack, dimension, and coverage standards of **LUO 18.4.3.070**. Bicycle parking must be located as close to the primary public entrance as the nearest automobile parking space. Please provide bike parking details in the application materials.

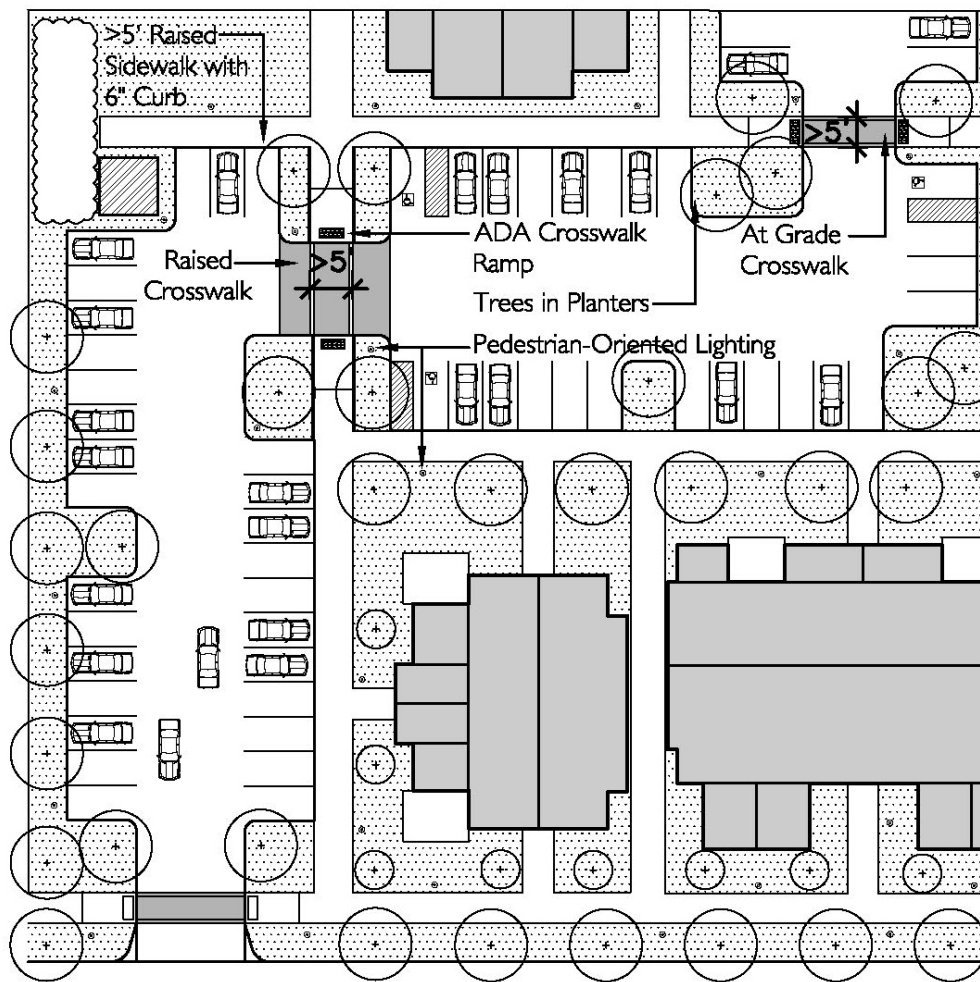
**Trash and Recycle Site** – An area of equal or greater size to the trash receptacle is required for recyclable materials and should be detailed on the Site Plan. Trash and recycling must be screened with a fence or masonry wall from five to eight feet in height

**Flexibility of Uses:** For staff, trying to have a building which can be either residential units/condos or hotel poses some difficulty – these uses are subject to differing criteria, standards and issues and don't lend themselves to flexibility at the level of new construction. Residential and hotel use are subject to differing approval procedures, criteria, standards and issues. Residential use (i.e. any occupancy that would allow stays greater than 30 days) requires more parking, and must demonstrate that no more than 35 percent of the ground floor is dedicated to residential use. A hotel use (i.e. any arrangement for a stay less than 30 days) would require less parking, and while a Conditional Use would not place any outright limits on use of the ground floor area, it would bring in considerations of compatibility with the neighborhood and the use of limited E-1 zoned lands for non-employment uses. Staff also questions whether once units are condo'ed and sold into individual ownership whether a hotel approval could continue given that the lots, while contiguous, would no longer be under one ownership. It would certainly be possible to craft an application that addressed these issues and provided the flexibility to transitions between residential, condo and/or hotel/motel use over time but it would take carefully planning and would need to be clearly detailed in the application.

**Hotel/Motel Question(s):** The definition of "Hotel/Motel" has been clarified and is now found in AMC 18.6.1 which reads, "*A building or portion thereof designed and used for occupancy of transient individuals for a period of less than 30 days, lodged with or without meals and which may include additional facilities and services, such as restaurants, meeting rooms, entertainment, personal services, and recreational facilities. (See ORS 446.310)*" Kitchens and entrance directly exterior are no longer considerations as they have been in the past. Hotel/Motel use remains subject to Conditional Use Permit approval, and would for staff bring considerations both of a hotel's compatibility with the neighborhood and with allowing Conditional Uses of the city's limited inventory of E-1 zoned lands at the expense of uses which generate the employment envisioned for this district. Staff would need to see a much more detailed application to make the determination, but given recent discussion at the Planning Commission and Council would generally find it difficult to support a request which did not include at least 65 percent of the ground floor in leasable space for permitted or special permitted uses other than residential.

**Parking:** The final application should make clear how the proposed uses and their required parking relate to the overall parking allocation of the subdivision, including details of where off-site parking is to be addressed (within 200 feet?) and how any existing or proposed parking management strategies such as mixed use and joint use credits are being applied (*i.e. the demand for spaces previously used for these credits continues to be materially off-set*).

**NEW Parking Lot Design Standards (LUO 18.3.080.B.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, are to 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*).



**Figure 18.4.3.080.B.4**  
**Dividing Parking Lots into Separate Areas**

**NEW Parking Design to Reduce Environmental Impacts (LUO 18.4.3.080.B.5).** Parking areas are to be designed to minimize the adverse environmental and microclimatic impacts of surface parking through design and material selection as illustrated in Figure 18.4.3.080.B.5. All parking areas of more than seven parking spaces are to meet the following standards.

- a. Use one or more of the following strategies for the surface parking area, or put 50 percent of parking underground. For parking lots with 50 or more spaces, the approval authority may approve a combination of strategies.
  - i. Use light colored paving materials with a high solar reflectance (Solar Reflective Index (SRI) of at least 29) to reduce heat absorption for a minimum of 50 percent of the parking area surface.
  - ii. Provide porous solid surfacing or an open grid pavement system that is at least 50 percent pervious for a minimum of 50 percent of the parking area surface.
  - iii. Provide at least 50 percent shade from tree canopy over the parking area surface within five years of project occupancy.
  - iv. Provide at least 50 percent shade from solar energy generating carports, canopies or trellis structures over the parking area surface.
- b. Design parking lots and other hard surface areas in a way that captures and treats runoff with landscaped medians and swales.

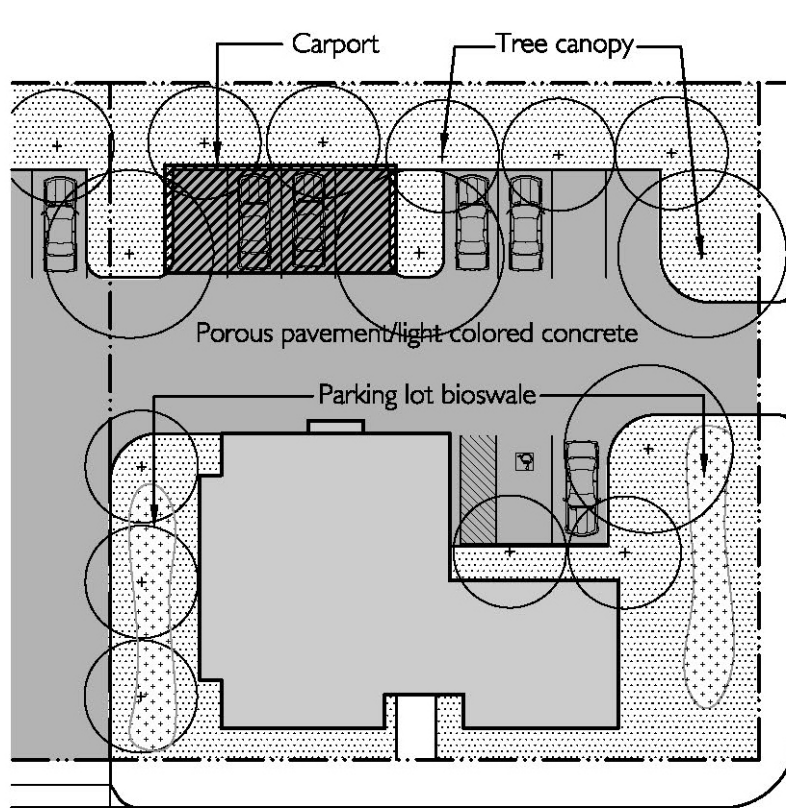


Figure 18.4.3.080.B.5  
 Parking Design to Reduce Environmental Impacts

**NEW Pedestrian Access and Circulation (LUO 18.4.3.090)** Development except single-family dwellings on individual lots and associated accessory structures, shall conform to the following standards for pedestrian access and circulation in order to **provide for safe, direct, and convenient 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.
  - d. "Primary entrance" for a residential building is the front door (i.e., facing the street). For multifamily buildings and mixed-use buildings where not all dwelling units have an individual exterior entrance, the "primary entrance" may be a lobby, courtyard, or breezeway serving as a common entrance for more than one dwelling.
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 off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections.
  - c. Install a protected raised walkway through parking areas of 50 or more spaces, and where pedestrians must traverse more than 150 feet of parking area, as measured as an average width or depth.

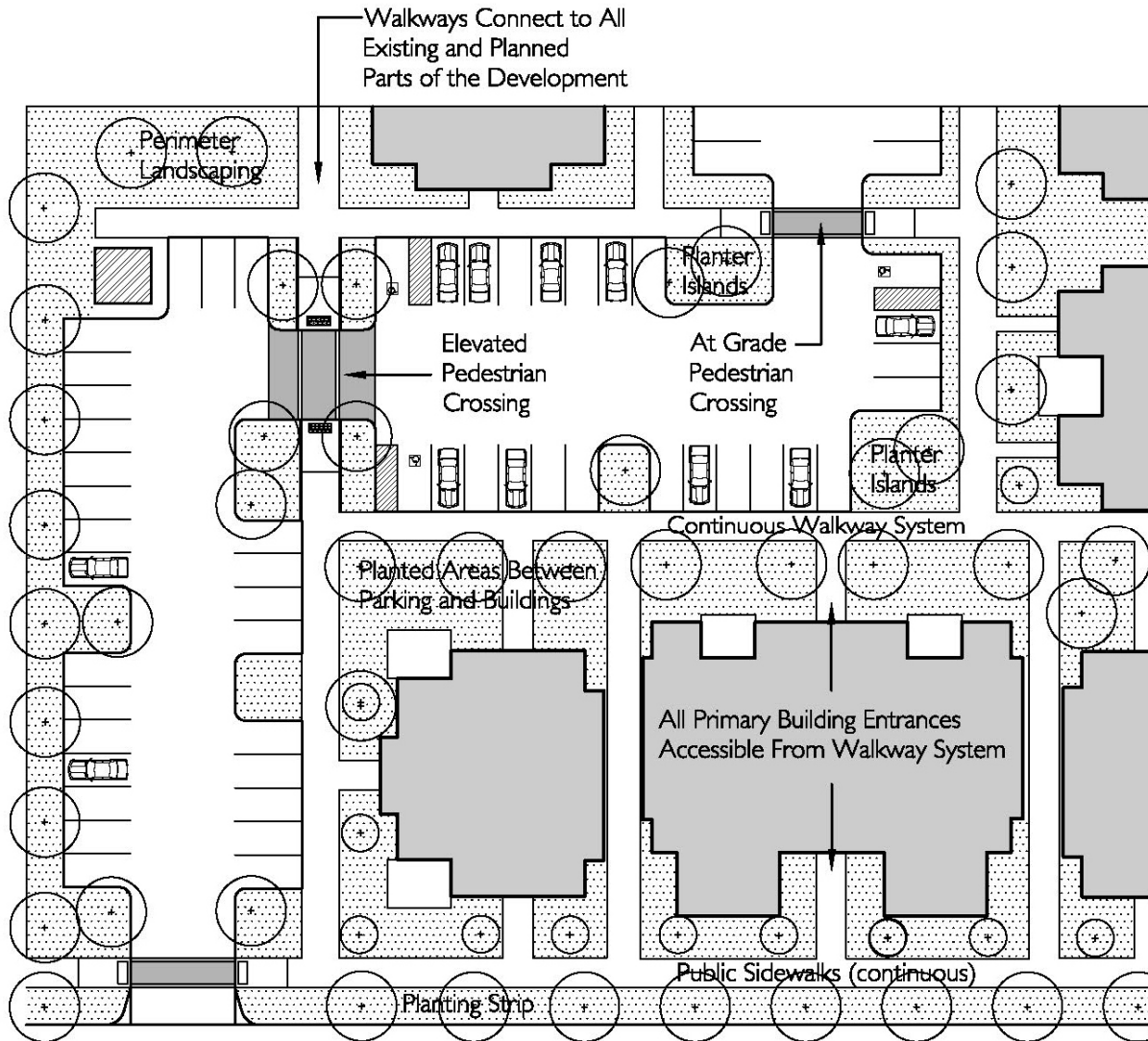


Figure 18.4.3.090.B.3.a  
 Pedestrian Access and Circulation



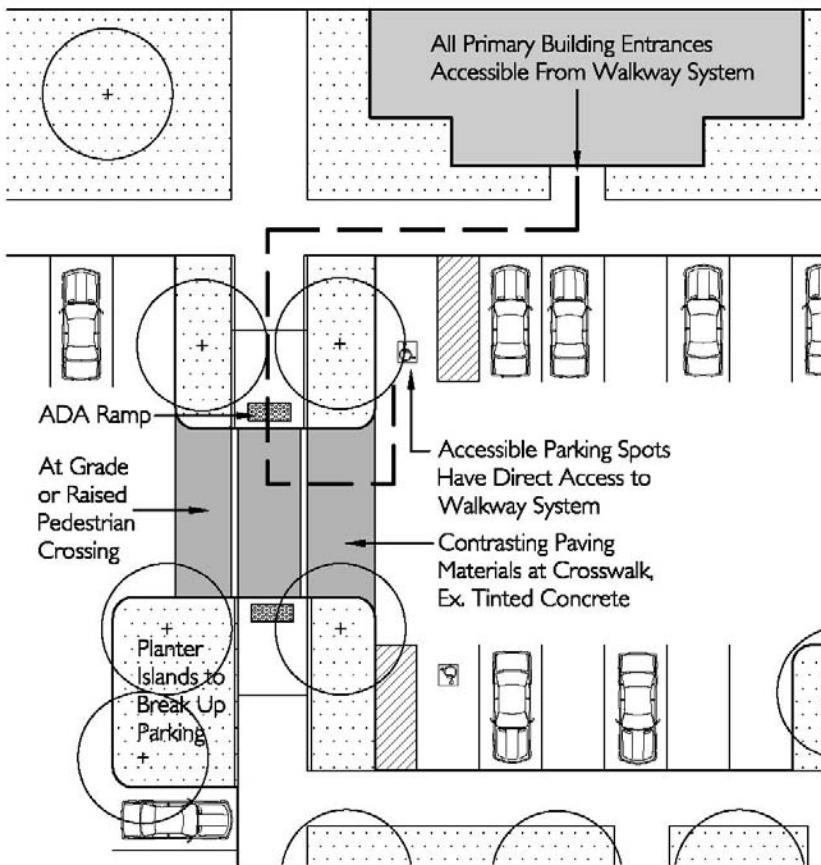


Figure 18.4.3.090.B.3.b  
Pedestrian Access and Circulation Detail

**In considering pedestrian connectivity, the application should address:**

**Pedestrian Path Adjacent to Wetland Area:** The pedestrian path on the west side of the wetlands was included in the subdivision Final Plan approval, and was to have been completed with the Kagyu Sukkha Choling building. Upon KSC completion, the path ended in the existing parking area east of the Natura building because there was inadequate space between the parking lot curbing and the wetland for further path installation without substantial fill and impact to the wetlands. A revised alternative route addressing pedestrian circulation from Hersey to Clear Creek drive in a manner generally consistent with the subdivision approval should be addressed in the current request (*i.e. a materially distinct crossing through the parking lot and connection to/extension of the Natura walkway to Clear Creek would be the simplest solution.*)

**Broader Pedestrian Connectivity:** In addition, the application should consider whether the path from Hersey to Clear Creek Drive can ultimately be extended to the west to Oak Street to connect

with the multi-use trail along the Creek at Ashland Christian Fellowship and on to the new Ashland Creek Park.

**Solar Access:** E-1 properties are subject to a “Standard B” solar access requirement, and any shadow cast beyond that of a 16 foot tall fence constructed on the north property line would require a Solar Setback Exception. The Planning Commission has historically been reluctant to approve exceptions to this standard for new construction where compliance can be achieved through thoughtful building and site design. (*Consideration of solar shadowing is limited to the shadow cast over what is considered to be the northern lot line or lines; the applicant should look closely at the line between the Kagyu Sukha Choling lot and 123 Clear Creek Drive to determine whether it meets the definition of a northern lot line in AMC 18.6.1 as it appears to be questionable to staff and may require detailed measurement. The shadow considered may ultimately be what is cast upon 108 Clear Creek Drive, and the code provides some allowances to shade parking lot areas.*)

**Neighborhood Outreach:** Staff always recommends that applicants approach the affected neighbors, particularly those who are likely to receive notice of an application, in order to make them aware of the proposal and to try to address any concerns that may arise as early in the process as possible. Notices are typically sent to neighboring property owners within a 200-foot radius of the perimeter subject property.

**Written Findings/Burden of Proof:** This pre-application conference is intended to highlight significant issues of concern to staff and bring them to the applicant’s attention prior to their preparing a formal application submittal. Applicants should be aware that written findings addressing the ordinance and applicable criteria are required, and are heavily depended on when granting approval for a planning action. In addition, the required plans are explained in writing below. The burden of proof is on the applicant(s) to ensure that all applicable criteria are addressed in writing and that all required plans, written findings, and other materials are submitted even if those items were not discussed in specific, itemized detail during this initial pre-application conference.

### **120 Clear Creek-Specific Comments**

**Possible Wetland:** The parcels on the south side of Clear Creek Drive, addressed as 120 Clear Creek, include a relatively large area identified as a “Possible Wetland” in both the Local Wetlands Inventory and the subsequently adopted Water Resources Map. A “possible wetland” designation means an area that appears to meet wetland criteria but is less than the half-acre size threshold established by the Oregon Department of State Lands (DSL) where the state would require its inclusion in the local inventory. The City nonetheless chose to include these smaller possible wetland areas in its inventory, and established “Possible Wetland” as a type of Wetland Protection Zone subject to regulation under the ordinance. For identified “Possible Wetlands”, the Wetland Protection Zone consists of all lands identified to have a wetland presence in a wetland delineation, plus all lands within 20 feet of the upland-wetland edge. The ordinance notes clearly that “Possible Wetlands” include all areas designated as such on the Water Resources Map and any unmapped

wetlands discovered on site, and requires that a wetland delineation prepared by a qualified wetland specialist be provided with land use applications. (Ashland's Water Resources Map identifies approximate locations and because this map is acknowledged to be approximate, more precise wetland boundaries can be mapped, staked and used for development review purposes once a delineation occurs, without requiring formal modification of the adopted maps.)

**Parking to Rear or One Side:** Basic Site Review Standards now include a requirement that parking be located to the rear of buildings or to one side (i.e. not both sides) as detailed in AMC 18.4.2.040.B.1.a. As proposed, parking is located to both sides of Building A along the south side of Clear Creek Drive. Staff would suggest that the applicants consider bringing Building B east to the street and shifting parking west to the rear corner to comply with this standard (*subject to wetland delineation*).

**Moved Barn/Fenced Area for Construction Staging & Storage:** Moving the barn prior to any land use or building permit approvals poses procedural complications in terms of 1) placing a new building on commercially zoned property without Site Review approval; 2) outdoor storage without Conditional Use Permit approval and without association to an approved/allowed use; and 3) having an accessory structure on a site which has no primary use or structure in place or approved. If it were clearly identified as part of the Demolition/Relocation and land use applications that the barn was to be temporarily relocated, and a fenced area constructed, for use in construction staging and storage for a limited duration during permitted construction with the approval of the Building Official this could likely be accommodated.

**Use of Fenced Area for Leased Vehicle Storage:** Staff believes it would be difficult to use the above-proposed fenced area as leased vehicle storage. Public parking facilities are not permitted in the E-1 zone and it would likely be difficult to make the determination that private, leased vehicle storage was not "similar in type, kind and function" to a parking facility. Outdoor storage requires Conditional Use Permit approval but is only allowed when associated with an approved use. Mini-Storage warehouses are also conditionally allowable, but staff believes this allowance intends to have storage within structures rather than leased outdoor ground for storage.

**Phasing of Development:** While staff would typically prefer to see phasing give priority to the development of buildings adjacent to the streetscape, with Site Review approval which demonstrates that the development of the property will ultimately comply with standards, phasing as proposed could be approved. This has typically required that a building pad be reserved in temporary landscaping to accommodate the later phase as with Les Schwab or the Meister property at Ashland Street and Walker, and has not normally allowed the future building pad to be used indefinitely as a parking area.

**Detail Site Review Flexibility for Service-Related Business:** Exceptions to the design standards require that, "*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.” While the exception criteria provide for consideration of the proposed use, staff believes that this is intended to provide for specific and limited design exception in response to unusual aspects of a proposed use and not a general lessening of the standards due to the general nature of the use. (I.e. A doctor’s office exam room might be allowed to have curtains closed during medical exams where the standards typically require that the ability for passers-by to see into the interior space be maintained at all times, but this would not mean that all medical uses are by nature exempt from fenestration requires and can simply construct blank walls with no windows adjacent to streets.)*

### **123 Clear Creek-Specific Comments**

**Bridge Over Easement; Relocation of Easement:** If the final design includes a bridge over the easement between the two building on 123 Clear Creek Drive, the applicants should verify with the affected utilities and the Building Division that a bridge connection over the easement as described will not pose unexpected complications (i.e. will the bridge allow necessary equipment access to utilities within the easement should repairs be necessary?; will shifting the easement displace utilities/require their relocation?).

**Demolition Permit:** If the proposal includes demolition or off-site relocation of any buildings more than 500 square feet in area, a Demolition/Relocation Review Permit from the Ashland Building Division will be required. A Demolition/Relocation Review permit is similar to the land use application, but involves a separate application with separate submittal requirements and fees and the potential for appeal\*. The application is processed through the Building Division, and Building Official Jeremy Payne could answer questions about this process at 541-488-5305 or via e-mail to [jeremy.payne@ashland.or.us](mailto:jeremy.payne@ashland.or.us).

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### **OTHER DEPARTMENTS’ COMMENTS:**

**BUILDING DEPT:** No comments received. Please contact Building Official Jeremy Payne in the Building Division for information relative to building code issues, excavation and building permits, inspection requirements and demolitions at 541-552-2073.

**CODE COMPLIANCE:** For any Land Use Code Compliance-related information, please contact Kevin Flynn in the Planning Department at 541-488-5305.

**CONSERVATION:** For information on Conservation Programs, including any currently available financial or technical assistance, please contact Dan Cunningham at 541-552-2063 or via e-mail to:

[dan.cunningham@ashland.or.us](mailto:dan.cunningham@ashland.or.us) . Water Conservation Analyst Julie Smitherman is a resource for low-water landscaping and irrigation information, and can be reached at 541-552-2062 or via e-mail to [Julie.smitherman@ashland.or.us](mailto:Julie.smitherman@ashland.or.us) .

## **PUBLIC WORKS & ENGINEERING (Utilities, Sewer, Stormwater, Transportation Streets):**

1. **Engineered Plans** - Where public improvements are required or proposed, the applicant's engineer shall submit design plans for approval of all public improvements identified on the approved plan or as specified in conditions of approval. All design plans must meet the City of Ashland Public Works Standards. Engineered construction plans and specifications shall be reviewed and signed by the Public Works Director, prior to construction. All public facilities within the development will be designed to the City of Ashland Engineering Design Standards for Public Improvements. The engineered plans shall also conform to the following:
  - a. If drawings are submitted to the City of Ashland digitally, they shall be compatible with the AutoCAD release being used by the City at that time or shall be true scale PDF drawings. All AutoCAD drawings shall be located and oriented within the Oregon State Plain Coordinate System (NAD83-89).
  - b. Drawings sizes shall comply with ANSI-defined standards for page width and height. Review drawings may be submitted in B size (11x17). Bidding and construction documents may also be printed at B size, however all final as-constructed drawings must be submitted to scale on D-size (24x36) Mylar. Digital files of the as-constructed drawings shall also be submitted. Drawings shall be drawn such that reduction of plans from full size (D sized) to half size (B sized) can be done to maintain a true scale on the half-sized plans.
2. **TIA (Transportation Impact Analysis) – The City of Ashland feels that this project may meet at least one of the thresholds at which a TIA is required. The applicant shall have a Registered Engineer submit evidence that a TIA should not be required.**
3. **Street Improvement** – No additional street improvements will be required at this time by the Public Works Department .
4. **Right of Way** – No additional right of way dedication will be required at this time by the Public Works Department.
5. **Sanitary Sewer - The property is currently served by an 8-in sanitary sewer main in Clear Creek Drive.** Applicant shall confirm with City of Ashland Wastewater Department that no additional improvements will be required at this time and supply City of Ashland Engineering Department with verification of this confirmation.
6. **Water - The property is currently served by an 8-in water main in Clear Creek Drive.** Applicant shall confirm with City of Ashland Water Department that no additional improvements will be required at this time and supply City of Ashland Engineering Department with verification of this confirmation. Service & Connection Fees will be required for any new water services installed as part of this project.

7. **Storm Drainage - The property is currently served by a 12-in storm sewer main in Clear Creek Drive.** Applicant shall confirm with City of Ashland Wastewater & Street Departments that no additional improvements will be required at this time and supply City of Ashland Engineering Department with verification of this confirmation. City of Ashland Engineering Department must review an engineered storm drainage plan.

### **City of Ashland Engineering Standards**

#### **Appendix 2.05: Stormwater Facility Design Requirements**

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

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

1. *Submit drainage design calculations per current Engineering Design Standards for Public Improvements.*
2. *Conveyance for drainages less than 300 acres shall be sized to carry the ODOT Zone 5, 25 year event.*
3. *Culverts with flows greater than 50 CFS shall be sized to carry the ODOT Zone 5, 50 year event.*
4. *Stormwater Quality & Erosion Control conforms to the Rogue Valley Stormwater Quality Design Manual (RVSQDM)*
5. *Low Impact Development (LID) Best Management Practices (BMP) are required when NRCS soil type A or B is present that is sloped at 5% or less, (exceptions: existing impervious areas or roadway developments, which may use any type of stormwater facility that meets the performance standards outlined in Chapter 2 of the RVSQDM).*
6. *Future Peak Stormwater flows and volumes shall not exceed the pre-development peak flow. The default value for pre-development peak flow shall be 0.25 CFS per acre.*
7. *Detention volume shall be sized for the 25 year, 24 hour peak flow and volume.*
8. *An overflow spillway shall be provided to convey the 25 year peak flow for systems receiving up to 50 CFS, and 100 year peak flow for systems receiving more than 50 CFS.*
9. *Structural Water Quality Best Management Practices (BMPs) shall be sized for the 2 year, 24 hr flow and volume.*
10. *Water Quality BMPs shall provide at least 80% removal of bacteria and TSS (75 microns and larger).*

11. *All ground disturbances exceeding 1,000 SF shall implement an Erosion and Sediment Control Plan (ESCP).*
  12. *All ESCP BMPs shall prevent sediment from leaving the site for storms up to the 10 year 24 Hr storm.*
  13. *An Operation and Maintenance Plan for all storm water facilities shall be submitted for approval together with plans prepared by a professional engineer licensed in the State of Oregon. The plans shall specify that storm water facilities must be inspected under the direction of a licensed engineer and maintained in accordance with the annual inspection report findings that are submitted to the regulating agency annually by the owner of the stormwater facility.*
  14. *A signed and recorded Declaration of Covenants for Operation and Maintenance of Stormwater Facilities (for multi-owner developments) or an Operation and Maintenance Agreement (for single-owner developments) shall be submitted with the plans. The above documents shall allow city staff to enter private property to inspect stormwater facilities and ensure proper maintenance. Subdivisions may include the O&M Plan and Covenants in the "CCR"s in lieu of recording them separately.*
  15. *Avoid the use of rip rap, concrete or hardscaping in open channel drainages and riparian areas to the maximum extent practicable through the use of USACE "SLOPES" or other approved "natural" approaches.*
  16. *Existing wetlands, natural drainage ways, and open spaces shall be preserved from development to provide their natural flow attenuation, retention, or detention of runoff by providing a buffer.*
  17. *The grading plan shall indicate the direction of flow of all surface flows, including those on to and off of adjoining properties. Site grading shall be designed to provide positive drainage away from all buildings and structures except those designed to withstand flooding in accordance with the building code standards for flood-proofing. Freeboard shall be specified on the grading plan per AMC 15.10.*
  18. *Bridges, Culverts & other flow limiting structures in or near riparian areas shall be permitted in accordance with the agency's requirements in AMC 18.62 and 18.63. Removal/fill permits shall be submitted with the plans.*
  19. *Pollution, track out, and sediment dumping into stormwater is strictly prohibited per AMC 9.08.060.*
  20. *Drainage from automotive use areas shall be limited to oil concentrations of 10 mg/l by an approved means.*
  21. *Trash storage areas shall be covered or provide additional stormwater treatment by an approved means.*
8. **Erosion & Sediment Control** – Erosion and Sediment control measures that meet the minimum standards set forth by the City of Ashland Public Works/Engineering Standard Drawing CD282 must be in place before any construction related to the project begins.

9. **Driveway Access** – No additional improvements/requirements will be requested at this time by the Public Works Department, but the applicant proposed improvements must be reviewed and permitted by the City of Ashland Engineering Department.
10. **Permits** – Any construction within the public right of way will require a Public Works permit and before any work in the right of way commences all necessary permits **MUST** be obtained
11. **As-Builts** - Where public improvements are required or completed, the developer shall submit to the City of Ashland, reproducible as-built drawings and an electronic file of all public improvements constructed during and in conjunction with this project. Field changes made during construction shall be drafted to the drawings in the same manner as the original plans with clear indication of all modifications (strike out old with new added beside). As-built drawings shall be submitted prior to final acceptance of the construction, initiating the one-year maintenance period.
12. **Addresses** – Any new addresses must be assigned by City of Ashland Engineering Department.

Please contact Karl Johnson, EIT/Assistant Engineer, of the Public Works/Engineering Division for any further information at 541-488-5347 or e-mail [karl.johnson@ashland.or.us](mailto:karl.johnson@ashland.or.us).

**FIRE DEPARTMENT:** Fire Department comments have been included at the end of this document. Please contact Division Chief & Fire Marshal Margueritte Hickman for information on Fire Code requirements as they relate to this project. She may be contacted at (541) 552-2229 or via e-mail to [hickmanm@ashland.or.us](mailto:hickmanm@ashland.or.us).

**WATER DISTRIBUTION:** “Water Dept. crews will excavate and install in the city right of way all water services up to the meter on domestic and commercial water lines. The water department will also only install a stub out to be used for fire systems where the double detector check assembly complete with a Badger brand cubic foot bypass meter should be placed in a vault external to the building. The vault and the DCDA device housed in it are the responsibility of the property owner and should be placed at the property line. Fees for these installations are paid to the water department and are based on a time and materials quote to the developer or contractor after line sizes and meter locations are finalized. Meter sizes and fire line diameters will need to be provided to the water department prior to or at the time of a quote being requested. Please Contact Steve Walker at [541-552-2326](tel:541-552-2326) or ([walkers@ashland.or.us](mailto:walkers@ashland.or.us)) with any questions regarding water utilities.”

**ELECTRIC SERVICE:** The applicants are advised to contact Dave Tygerson with the Electric Department at 541-552-2389 for service needs, requirements and fee information. Prior to submitting a land use application, the applicants will need to arrange an on-site meeting with Dave Tygerson of the Electric Department to develop a revised electric service plan. Dave will provide a plan detailing the Electric Department-required facilities to serve the project; this approved plan will need to be incorporated into the final submittals for the project, and submittals will not be deemed complete without an Electric Department-approved plan. Please allow the necessary extra time for scheduling an on-site meeting and the subsequent preparation of a service plan.



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## **UNDERLYING ZONE PROVISIONS (18.2.6.030)**

**Zoning:** E-1, with the Residential and Detail Site Review Overlays

**Maximum Building Height:** 40 feet.

**Standard Yard Requirements:** 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.

**Solar Access.** E-1 properties are subject to a Standard B solar access requirement.

**Lot Coverage:** There is no underlying minimum lot area, width or depth, or maximum lot coverage; or minimum front, side or rear yard, except as required to comply with the special district and overlay zone provisions of part 18.3 or the site development and design standards of part 18.4 which, among other things, call for no more than 85 percent lot coverage. All areas other than natural landscaping which allow the normal infiltration of water into the soil are considered coverage. Please identify all existing and proposed lot coverage on site plan and in text.

**Landscaping Requirements:** 15 percent. Parking areas shall meet the standards of chapters 18.4.3 Parking, Access, and Circulation, and 18.4.4 Landscaping, Lighting, and Screening.

**Trees:** Submittal requirements shall include items noted in chapter 18.4.5.030 for Tree Protection, which are also listed below. If trees are to be removed, the applicant is required to request their removal as required in chapter 18.5.7 with the application submittals.

**Parking, Access & Circulation:** As detailed in 18.4.3.

**Signage:** As detailed in 18.4.7.080. A separate sign permit application is required should any modifications to existing signage be proposed.

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## **PROCEDURAL HANDLING**

**Procedure:** Site Design Review is required for new buildings in the E-1 zone, and because the proposal involves a building more than 10,000 square feet within the Detail Site Review Zone it is subject to a Type II procedure.

**Application Requirements:** As detailed in chapter 18.5.1.060, Type II applications shall include the required application materials detailed below. Type II decisions are made through a quasi-judicial public hearing before the Planning Commission, following public notice. Type II decisions provide an opportunity for appeal to the City Council.

**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.

**A. Application Requirements.**

- 1. Application Form and Fee.** Applications for Type II review shall be made on forms provided by the Staff Advisor. One or more property owners of the property for which the planning action is requested, and their authorized agent, as applicable, must sign the application. The required application fee must accompany the application for it to be considered complete.
- 2. Submittal Information.** The application shall include all of the following information.
  - a. The information requested on the application form.
  - b. Plans and exhibits required for the specific approvals sought.
  - c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail.
  - d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.
  - e. The required fee.

**PLAN & EXHIBIT REQUIREMENTS:** *Two (2) copies of the plans below on paper no larger than 11"x 17". Note: These copies may be used for the Planning Commission packet and for the notices mailed to neighbors - please submit clear, readable, reproducible copies.*

**Two (2) Copies of the plans required for Site Review as required in chapter 18.5.2.040.** The following information is required for Site Design Review application submittal, except where the Staff Advisor determines that some information is not pertinent and therefore is not required.

- 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. Site Design Review Information.** In addition to the general information required for Site Design Review, the applicant shall provide the following information.

1. **Basic Plan Information.** Plans and drawings shall include the project name, date, north arrow, scale, and names and addresses of all persons listed as owners of the subject property on the most recently recorded deed. The scale of site and landscaping plans shall be at least one inch equals 50 feet or larger, and of building elevations one inch equals ten feet or larger.
  
2. **Site Analysis Map.** The site analysis map shall contain the following information.
  - a. Vicinity map.
  - b. The property boundaries, dimensions, and area of the site shall be identified.
  - c. Topographic contour lines at 5-foot intervals or less, except where the Staff Advisor determines that larger intervals will be adequate for steeper slopes.
  - e. Zone designation of the and adjacent to the proposed development, including lands subject to overlay zones including but not limited to lands subject to Detail Site Review, Downtown Design Standards, Historic District, Pedestrian Place, Physical and Environmental Constraints, and Water Resource Protection Zones overlays (see part 18.3 Special Districts and Overlays).
  - f. The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjoining the site.
  - g. The location and size of all public and private utilities, on and adjacent to the subject site, including:
    - i. Water lines;
    - ii. Sewer lines, manholes and cleanouts;
    - iii. Storm drainage and catch basins; and
    - iv. Fire hydrants.
  - h. Site features, including existing structures, pavement, drainage ways, rock outcroppings, areas having unique views, and streams, wetlands, drainage ways, canals and ditches.
  - i. The location, size, and species of trees six inches DBH or greater, including trees located on the subject site and trees located off-site that have drip lines extending into the subject site.
  
3. **Proposed Site Plan.** The site plan shall contain the following information.
  - a. The proposed development site, including boundaries, dimensions, and gross area.
  - b. Features identified on the existing site analysis maps that are proposed to remain on the site.

- c. Features identified on the existing site map, if any, which are proposed to be removed or modified by the development.
- d. The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements.
- e. The location and dimensions of all existing and proposed structures, utilities, pavement, and other improvements, including:
  - i. Connection to the City water system and meter locations;
  - ii. Connection to the City sewer system;
  - iii. Connection to the City electric utility system and meter locations;
  - iv. New and/or replaced fire hydrants and vault locations;
  - v. The proposed method of drainage of the site; and
  - vi. The opportunity-to-recycle site and solid waste receptacle, including proposed screening.
- f. Location of drainage ways and public utility easements in and adjacent to the proposed development.
- g. Setback dimensions for all existing and proposed structures.
- h. The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access.
- i. The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls), including accessible parking by building code.
- j. Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails.
- k. Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements.
- l. Location of outdoor lighting.
- m. Location of mail boxes, if known.
- n. Locations of bus stops and other public or private transportation facilities.
- o. Locations, sizes, and types of signs.

**4. Architectural drawings.** Architectural drawings, as applicable.

- a. Exterior elevations of all proposed buildings, drawn to a scale of one inch equals ten feet or greater; such plans shall indicate the material, color, texture, shape, and design features of the building, and include mechanical devices not fully enclosed in

the building.

- b. Exterior elevations of other proposed structures, including fences, retaining walls, accessory buildings, and similar structures.
- c. The elevations and locations of all proposed signs for the development.
- d. For non-residential developments proposed on properties located in a Historic District, section drawings including exterior walls, windows, projections, and other features, as applicable, and drawings of architectural details (e.g., column width, cornice and base, relief and projection, etc.) drawn to a scale  $\frac{3}{4}$  of an inch equals one foot or larger.

**5. Preliminary Grading and Drainage Plan.** A preliminary grading and drainage plan prepared by an engineer shall be submitted with the application for Site Design Review where a development site is  $\frac{1}{2}$  of an acre or larger as deemed necessary by the Staff Advisor. The preliminary grading plan shall show the location and extent to which grading will take place, indicating general changes to contour lines, slope ratios, slope stabilization proposals, and location and height of retaining walls, if proposed, and temporary and permanent erosion control measures. Surface water detention and treatment plans may also be required, in accordance with chapter 18.4.6 Public Facilities.

**6. Erosion Control Plan.** An erosion control plan addressing temporary and permanent erosion control measures, which shall include plantings where cuts or fills (including berms), swales, storm water detention facilities, and similar grading is proposed. Erosion control plans in Hillside Lands shall also conform to section 18.3.10.090 Development Standards for Hillside Lands.

**7. Landscape and Irrigation Plans.**

- a. Landscape and irrigations plans shall include the following information.
  - i. The location, size, and species of the existing and proposed plant materials, and any other pertinent features of the proposed landscaping and plantings.
  - ii. A tree protection and removal plan consistent with chapter 18.4.5 for sites with trees that are to be retained, protected, and removed.
  - iii. At time of building permit submittals, an irrigation plan including a layout of irrigation facilities.
- b. When water conserving landscaping is required pursuant to section 18.4.4.030, the landscape plan shall contain the following additional information.
  - i. Information from proposed site plan.
  - ii. Landscape contact person, including address and telephone number.

- iii. Identification of cut and fill areas.
  - iv. Location of underground utilities and all transformer and utility meter locations.
  - v. Slopes exceeding ten percent and grade changes in root zones of plants to be retained on site.
  - vi. Inventory of existing plant materials on site identifying that will remain and will be removed.
  - vii. Composite plant list including quantity, size, botanical name, common name, variety, and spacing requirements of all proposed plant material.
  - viii. Mulch areas labeled according to material and depth.
  - ix. Shrub and tree planting and staking detail.
  - x. Root barrier design, installation specifications, and details.
  - xii. Design and installation specifications of any proposed tree grates.
- c. When water conserving landscaping is required pursuant to section 18.4.4.030, the irrigation plan included with the building permit submittals shall contain the following additional information.
- i. Information from proposed site plan.
  - ii. Irrigation contact person, including address and telephone number.
  - iii. For lots with a landscaped area greater than 5,000 square feet, a grading plan and topographic map showing contour intervals of five feet or less.
  - iv. Identification of water source and point of connection including static and operating pressure.
  - v. If Talent Irrigation District (TID) is used, list the size and type of filtration method.
  - vi. Area of irrigated space in square feet.
  - vii. Size, type, brand, and location of backflow device, as well as make, model, precipitation rate, and location of sprinkler heads.
  - viii. Layout of drip system showing type of emitter and its outputs, as well as type of filtration used.
  - ix. Piping description including size schedule or class, type of mounting used between piping and sprinkler heard, depth of proposed trenching, and provisions for winterization.
  - x. Size, type, brand, and location of control valves ad sprinkler controllers.

- xi. Size, type, depth, and location of materials for under paving sleeves.
- xii. Type and location of pressure regulator.
- xiii. Type and location of rain sensor.
- xiv. Monthly irrigation schedule for the plant establishment period (6 – 12 months) and for the first year thereafter.
- xv. Water schedule for each zone from the plan.

**8. Narrative.** Letter or narrative report documenting compliance with the applicable approval criteria contained in section 18.5.2.050. Specifically, the narrative shall contain the following.

- a. For commercial and industrial developments:
  - i. The square footage contained in the area proposed to be developed.
  - ii. The percentage of the lot covered by structures.
  - iii. The percentage of the lot covered by other impervious surfaces.
  - iv. The total number of parking spaces.
  - v. The total square footage of all landscaped areas.
- b. For residential developments:
  - i. The total square footage in the development.
  - ii. The number of dwelling units in the development (include the units by the number of bedrooms in each unit, e.g., ten one-bedroom, 25 two-bedroom, etc).
  - iii. Percentage of lot coverage by structures; streets, roads, or drives; public use areas, common area/private recreation areas, landscaping, and parking areas.

**Two (2) Copies of the materials required for a Conditional Use Permit as detailed in chapter 18.5.4.040.** An application for a Conditional Use 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 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.

**Two (2) Copies of a Tree Protection Plan as required in chapter 18.4.5.030.** A tree protection plan shall be approved by the Staff Advisor concurrent with applications for Type I, Type II, and Type III planning actions. If tree removal is proposed, a Tree Removal Permit pursuant to chapter 18.5.7 may be required.

**B. Tree Protection Plan Submission Requirements.** In order to obtain approval of a tree protection plan; an applicant shall submit a plan to the City, which clearly depicts all trees to be preserved and/or removed on the site. The plan must be drawn to scale and include the following.

1. Location, species, and diameter of each tree on site and within 15 feet of the site.
2. Location of the drip line of each tree.
3. An inventory of the health and hazard of each tree on site, and recommendations for treatment for each tree.
4. Location of existing and proposed roads, water, sanitary and storm sewer, irrigation, and other utility lines/facilities and easements.
5. Location of dry wells, drain lines and soakage trenches.
6. Location of proposed and existing structures.
7. Grade change or cut and fill during or after construction.
8. Existing and proposed impervious surfaces.



9. Identification of a contact person and/or arborist who will be responsible for implementing and maintaining the approved tree protection plan.
10. Location and type of tree protection measures to be installed per section 18.4.5.030.C.

**C. Tree Protection Measures Required.**

1. Chain link fencing, a minimum of six feet tall with steel posts placed no farther than ten feet apart, shall be installed 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.
2. The fencing shall be flush with the initial undisturbed grade.
3. Approved signs shall be attached to the chain link fencing stating that inside the fencing is a tree protection zone, not to be disturbed unless prior approval has been obtained from the Staff Advisor for the project.
4. 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.
5. The tree protection zone shall remain free of chemically injurious materials and liquids such as paints, thinners, cleaning solutions, petroleum products, concrete or dry wall excess, and construction debris or run-off.
6. No excavation, trenching, grading, root pruning, or other activity shall occur within the tree protection zone unless approved by the Staff Advisor.
7. Except as otherwise determined by the Staff Advisor, all required tree protection measures set forth in this section 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 landscaping and irrigation installation.

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

**Two (2) Copies of the plans required for a Tree Removal Permit as required in chapter 18.5.7.030.** 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.

**Relevant Criteria and Standards:** Applicants are advised that in addition to required plans, written findings addressing how the ordinance criteria are satisfied in narrative format are required. The applicable criteria are included below. The Ashland Land Use Ordinance in its entirety may be accessed on-line at:

[http://www.ashland.or.us/SIB/files/AMC\\_Chpt\\_18\\_current.pdf](http://www.ashland.or.us/SIB/files/AMC_Chpt_18_current.pdf).

**Two (2) copies of written findings addressing the following criteria from chapter 18.5.2.050 for Site Design Review.** 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 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.

**Two (2) Copies of written findings addressing the approval criteria for a Conditional Use Permit as detailed in chapter 18.5.4.050.A.** 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.

**Two (2) copies of materials required for a Solar Setback Exception as required in AMC 18.4.8.020.**

**C. Exceptions and Variances.** Requests to depart from section 18.4.8.030 Solar Setbacks are subject to 18.4.8.020.C.1 Exception to the Solar Setback, below. Deviations from the standards in section 18.4.8.050 Solar Orientation Standards are subject to subsection 18.5.2.050.E Exception to the Site Development and Design Standards.

- 1. Solar Setback Exception. The approval authority through a Type I review pursuant to section 18.5.1.050 may approve exceptions to the standards in 18.4.8.030 Solar Setbacks if the requirements in subsection a, below, are met and the circumstances in subsection b, below, are found to exist.
  - a. That the owner or owners of all property to be shaded sign, and record with the County Clerk on the affected properties' deed, a release form supplied by the City containing all of the following information.
    - i. The signatures of all owners or registered leaseholders holding an interest in the property in question.
    - ii. A statement that the waiver applies only to the specific building or buildings to which the waiver is granted.
    - iii. A statement that the solar access guaranteed by this section is waived for that particular structure and the City is held harmless for any damages resulting from the waiver.
    - iv. A description and drawing of the shading which would occur.
  - b. The approval authority finds all of the following criteria are met.
    - i. The exception does not preclude the reasonable use of solar energy (i.e., passive and active solar energy systems) on the site by future habitable buildings.
    - ii. The exception does not diminish any substantial solar access which benefits a passive or active solar energy system used by a habitable

structure on an adjacent lot.

- iii. There are unique or unusual circumstances that apply to this site which do not typically apply elsewhere.

**Two (2) copies of written findings addressing the following criteria from chapter 18.5.7.040.B.2. for Tree Removal Permit to remove a tree that is not a hazard.**

**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.

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.



**NEXT APPLICATION DEADLINE:** First Friday of each month  
**PLANNING COMMISSION MEETING:** Second Tuesday of the following month

<b>FEES:</b>	Site Review, Type II (each)	\$ 2,032 + ½ % of valuation
	Exception	\$ 0
	Conditional Use Permit, Type II (each)	\$2,032
	Tree Removal (if applicable)	\$ 0

**NOTES:** Applications are accepted on a first come-first served basis. All applications received are reviewed by staff, and must be found to be complete before being scheduled at a Planning Commission meeting. Applications will not be accepted without a complete application form signed by the applicant(s) and property owner(s), all required materials and full payment.

Applications are reviewed for completeness 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.

**For further information, please contact:** March 4<sup>th</sup>, 2015  
Derek Severson, *Associate Planner* Date  
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# Ashland Fire & Rescue

## Pre-Application Comments

Project: 123 Clear Creek Drive Date: 2/5/15  
Description:  
Applicant: John Fields Contact: Margueritte Hickman  
552-2229  
Phone: Permit Number: PL-2015-00148

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Fire department comments are based upon the 2014 Oregon Fire Code as adopted by the Ashland Municipal Code:

The following comments are based on a mixed use commercial building with residential or hotel/motel configuration.

**Addressing** - Building numbers or addresses must be at least 4 inches tall, be of a color that is in contrast to its background, and shall be plainly visible and legible from the street fronting the property. Additional directional signage may be necessary to guide emergency responders down a driveway, path or through a gate. All premises identification, street signs and building numbers, must be in place with temporary signs when construction begins and permanent signage prior to issuance of any occupancy. OFC 505

**Fire Apparatus Access Approach** – The angle of approach at the point where the public road transitions to the private fire apparatus access road must meet the City of Ashland Engineering Department specifications. OFC 503.2.8

**Fire Apparatus Access – Shared Access Easement** – If a fire apparatus access road crosses onto or over another property owners parcel, an easement must be obtained to provide access for fire apparatus. Easement language needs to include wording that indicates that the shared access easement may not be modified, removed, or obstructed in any way without prior written approval from Ashland Fire and Rescue.

**Fire Apparatus Access - Commercial** - If the furthest point on the structures is greater than 150' from the street, the entire length of the private drive or street must meet fire apparatus access. . Fire apparatus access shall have a 20 foot wide driving surface, must support 60,000 pounds, have a maximum slope of 15 percent, and have vertical clearance of 13' 6". Inside turning radius is at least 20 feet and outside turning radius is at least 40 feet and must be indicated on site plans submitted for building permits. Fire apparatus access is required to be signed as "No Parking-Fire Lane". Final plat needs to indicate that the private drive is fire apparatus access and must state that it can not be modified without approval of Ashland Fire & Rescue.



**Firefighter Access Pathway** – An approved footpath around the structure is required so that all exterior portions of the structure can be reached with the fire hose. Any changes in elevation greater than two feet in height (such as retaining walls) require stairs. The stairs shall be an all-weather surface, and meet the requirements as specified in the Oregon Structural Specialty Code. OFC 503.1.1

**Fire Flow** – Fire flow is determined by table B105.1 in Appendix B of the Oregon Fire Code. An increase or reduction as referenced by this code section may be required or allowed. Square footage of a structure for the purpose of determining fire flow includes all areas under the roof including garages, covered decks, basements and storage areas. A fire flow reduction of up to 75% can be allowed with the installation of a fire sprinkler system.

**Fire Hydrants Clearance** - Hydrants must have 3 feet of clearance extending from the center nut of the hydrant all the way around. Fences, landscaping and other items may not obstruct the hydrant from clear view. Hydrants must be shown on site plan when submitting for building permits.

**Fire Department Connection (FDC)** – The FDC is required to be a 2 ½” Siamese female connection installed 18” to 48” above finished grade. A single 2 ½” NST female swivel connection with rocker lugs and cap is acceptable if hydraulic calculations are provided that indicate a single 2 ½ “ line will adequately serve the system.

**Fire Extinguishers** – Provide a 2A10BC fire extinguisher within 75 feet of travel distance. The fire extinguisher shall be mounted on the wall at approximately 48 inches above the floor.

**Key Box** – A Knox Box is required for commercial buildings with fire sprinkler or fire alarms systems. The Knox Box must be a 3200 series or larger and may be either surface mounted or recessed into a wall. The installation location of the Knox Box will be determined by Ashland Fire & Rescue. The Knox Box is required to be installed in accordance with the manufacturer’s instructions. The Knox Box order form must be obtained from Ashland Fire & Rescue.

**Vegetation** – Ashland Fire & Rescue recommends the planting and maintenance of fire resistive vegetation throughout the city of Ashland. Here’s how you can create a [www.ashlandfirewise.org](http://www.ashlandfirewise.org) landscape.

**Final determination of fire hydrant distance, fire flow, and fire apparatus access requirements will be based upon plans submitted for Building Permit review. Changes from plans submitted with this application can result in further requirements. Any future construction must meet fire code requirements in effect at that time. The fire department contact for this project is Fire Marshal Margueritte Hickman. She may be contacted at (541) 552-2229 or hickmanm@ashland.or.us.**