



**Residential Allowances in Commercial Zones:** In staff's assessment, because both hotel and residential are conditional uses here, the commercial/residential split would not directly apply.

**Adequate Capacity of Public Utilities:** The applicant is responsible for demonstrating that adequate water, sanitary sewer, storm sewer, and electricity services, and paved access/adequate transportation are available or can be extended to serve the proposed development. The Site Plan must show the location and size of the public utility lines that will serve the proposed parcels and detail all existing and proposed service locations. Plans will not be deemed complete without utility plans which have been developed in coordination with the utility departments, including an approved electric service plan. *The Electrical Department has questioned the electrical load associated with 140 new kitchens, and suggested that it would be advisable to contact them to discuss capacity and service requirements to support a substantial increase in electrical load over what was original designed.*

**Conditional Use Permit (CUP):** Conditional Use Permit approval would be required both to consider how the proposal changes the adverse material impact of the uses proposed on site as they relate to the CUP criteria given that hotel/motel use requires a CUP, and also in considering the conversion of hotel units to create new residential units within the Airport Overlay. In both cases, the application would need to respond to the Conditional Use Permit approval criteria in demonstrating that the adverse material impacts of the proposal were no greater than the target use of the zone. *(The target use of the C-1 zoning district and Detail Site Review Overlay would be general retail use developed at a 0.50 Floor Area Ratio.)* It will be important to provide clear, accurate and consistent detail through the final application submittal to articulate the final configuration of uses proposed (i.e. 212 apartments, 48 residential units as well as the conventions center, restaurant and administrative components as well as any office space to be leased privately).

### **Tree Preservation, Protection and Removal**

An inventory of all trees six-inches in diameter at breast height and greater on the property and within 15 feet of the property boundaries, including any street trees, is required with the application under AMC 18.4.5. The inventory must include detailed information including but not limited to species, diameter at breast height, condition, and drip line/protection area of each tree. The plan must clearly identify trees to be preserved and how they will be protected and show those trees to be removed, and address the tree removal permit requirements in AMC 18.5.7 for trees to be removed that require permits. *(If there is to be no site disturbance which would impact trees, including no staging of equipment or materials off-pavement, the application could make that clear.)*

### **Other**

**Neighborhood Outreach:** Staff always recommends applicants approach the affected neighbors to discuss proposals and try to address any concerns as early in the process as possible. Notices will be sent to owners of neighboring properties within a 200-foot radius, signs posted on the site and advertised in the local newspaper once an application is deemed complete. In many cases, it is better received if neighbors hear of the proposal from the applicants rather than by a formal notice from the city.

**Building Permits:** Once land use approval has been obtained, building permits would also need to be obtained and inspections approved prior to approval of a change in use/occupancy. As part of the

building permit review, systems development charges (SDCs) would be reviewed for the existing configuration versus the proposed configuration and any new charges or credit applied accordingly.

**Written Findings/Burden of Proof:** Applicants should be aware that written findings addressing the ordinance and all applicable criteria are required, and are heavily depended on in the decision making process 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.

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## OTHER DEPARTMENTS' COMMENTS

**FIRE DEPARTMENT:** *See comments at the end of this document.* Please contact the Fire Marshal, Chief Ralph Sartain of Ashland Fire & Rescue for any additional information at (541) 552-2229 or via e-mail to [ralph.sartain@ashland.or.us](mailto:ralph.sartain@ashland.or.us).

**BUILDING DEPARTMENT:** *A design professional will be required for this project, and a code analysis showing how the change of use meets code, will need to be provided. If the building is not sprinklered, then a more intense use (adding kitchens) would trigger a requirement for adding sprinklers and alarm systems. If the designer prefers, they can use the Existing Building Form to help guide the design. The Existing Building Code offers allowances in certain areas of the code, to where the entire building would not have to be brought up to the current adopted codes.* Based on the Electric Department comments, electric load calculations will also need to be provided. Please contact the Building Division for any additional information at (541) 488-5309.

**CONSERVATION DEPARTMENT:** For information on currently available Conservation programs, please contact the City of Ashland Conservation Division at (541) 488-5305 or e-mail [Dan.Cunningham@ashland.or.us](mailto:Dan.Cunningham@ashland.or.us).

**PUBLIC WORKS/ENGINEERING DEPARTMENT:** *With no proposed changes to anything inside the public right of way and no proposed changes to any public utilities, the Engineering Department has no comments at this time.* For any further Public Works/Engineering-related information, please contact Karl Johnson at (541) 552-2415 or via e-mail to: [karl.johnson@ashland.or.us](mailto:karl.johnson@ashland.or.us).

**ELECTRIC DEPARTMENT:** The Electric Department has questioned whether electrical load calculations have been completed recently, and they have indicated that 140 new kitchens may substantially increase the electrical needs versus the system as originally designed. The applicant will need to contact Rick Barton in the Electric Department at (541) 552-2082 to discuss project details, service requirements and fees. An approved electric service plan is required to be included in the final application submittal for the application to be deemed complete. Rick can arrange an on-site meeting to assess service requirements and will prepare a schematic service plan to be incorporated into the applicants' civil drawings. Please allow additional time for scheduling an on-site meeting with Rick Barton, subsequent preparation of a schematic plan, and incorporation of this plan into your submittals. *Applications will not be deemed complete without an approved electric service plan.*

**WATER AND SEWER SERVICE:** *If the project requires additional water services or upgrades to existing services the Ashland Water Department will excavate and install in the city right of way all water services up to and including the meter on domestic and commercial water lines. If a fire line is required, the Water Department will only install a stub-out to the location where the double check detector assembly (DCDA) or reduced pressure detector assembly (RPDA) complete with a Badger®-brand cubic foot bypass meter should be placed in a vault external to the building. The vault and the DCDA or RPDA device housed in it are the responsibility of the property owner and should be placed at the property line (outside of the pedestrian corridor). Fees for these installations are paid to the Water Department and are based on a time and materials quote to the developer or contractor. Meter sizes and fire line diameters will need to be provided to the Water Department at the time of a quote being requested. The Ashland Water Department is also requiring new projects to comply with all current cross connection rules and regulations, this may require backflow prevention devices to be placed at the potential hazard or just behind the meter or connection for premises isolation depending on the degree of hazard, type of intended use of the facility or even the geographical location of the building or facility. Please Contact Steve Walker prior to the design of water connections to the City system at 541-552-2326 or e-mail: [steve.walker@ashland.or.us](mailto:steve.walker@ashland.or.us) to discuss the intended use of the facility and property regarding meter and hydrant placement and also potential cross connection hazards associated with the project.*

**TALENT IRRIGATION DISTRICT (TID):** The Talent Irrigation District (TID) has previously indicated they have no concerns with the proposal. For any additional TID-related information, please e-mail the district offices at [tid@talentid.org](mailto:tid@talentid.org) .

**OREGON DEPARTMENT OF TRANSPORTATION (ODOT):** Please find prior ODOT comments below, which were for a project likely to trigger work within the right-of-way:

1. The applicant will be required to obtain an ODOT Miscellaneous/Utility Permit prior to any disturbance within the State right-of-way. Please have them contact Julee Scruggs at [Julee.Y.SCRUGGS@odot.state.or.us](mailto:Julee.Y.SCRUGGS@odot.state.or.us) or 541.864.8811 to discuss.
2. The proposed modifications do not trigger the need for a traffic study under ODOT evaluation criteria as this is not a zone change (TPR) or under Division 51 standards. This does not preclude the City from determining that a traffic or analysis is warranted under municipal code or other City evaluation criteria. We would be glad to provide scoping comments at the City's request.
3. ODOT recommends that the City require frontage improvements consistent with standards identified in the adopted TSP. We would note the eastern portion of the site does not have improved sidewalks, which may complicate pedestrian connectivity should the parcel to east develop in the future.
4. This proposal is within the scope of the Exit 14 IAMP, and we suggest the City reference the Plan for Access Management recommendations at <https://www.ashland.or.us/Files/Exit%2014%20Managment%20Plan%20Complete.pdf> .

For any further ODOT-related information, please contact: Micah Horowitz, AICP; ODOT Region 3 | Development Review Planner; 100 Antelope Road, White City, OR 97503; p: 541.774.6331 | c: 541.603.8431; e: [micah.horowitz@odot.state.or.us](mailto:micah.horowitz@odot.state.or.us).

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## ZONING DISTRICT REQUIREMENTS

**See Table 18.2.6.030 – Standards for Non-Residential Zones**

**Zoning:** C-1 (Commercial Zoning District). Detail Site Review Overlay. Airport Overlay.

**Parking, Access and Internal Circulation:** Per the requirements in AMC 18.4.3.

**Landscaping Requirements:** 15 percent of the lot area. Seven percent of parking and circulation areas. Size- and species-specific landscaping & irrigation plan required for park rows and open space at time of formal application. Avoid using lawn. Provide irrigation system. Include street trees, one per 30 feet of street frontage.

**Lot Coverage:** There is no maximum coverage, however landscaping requirements above must be met...

**Standard Setbacks:**

- 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.
- 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.
- See also section [18.2.4.030](#) Arterial Street Setback.

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**APPLICATION SUBMITTAL REQUIREMENTS**

**Application Requirements:** Conversion of existing hotel units to apartments could be processed as a Type I administrative decision, subject to appeal.

**Type I (Administrative Decision Process):**

[https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/F  
lowchart\\_Type\\_I\\_FY21-22\(1\).pdf](https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/Flowchart_Type_I_FY21-22(1).pdf)

**Type II (Quasi-Judicial Hearing Process):**

[https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/F  
lowchart\\_Type\\_II\\_FY21-22\(1\).pdf](https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/Flowchart_Type_II_FY21-22(1).pdf)

The application is required to include clear, legible, scalable drawings of the proposal (i.e. plan requirements) as well as written findings addressing the applicable approval criteria in accordance with the Ashland Land Use Ordinance (ALUO), Chapter 18 of the Ashland Municipal Code. The following sections include the requirements for plans and approval criteria which are applicable to the proposal as described in the pre-application submittals. When more than one planning approval is required for the proposal, multiple sections of the ALUO may apply. 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. All submittals must also include:

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 (see [https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/Zoning\\_Permit\\_Application\\_FY21-22.pdf](https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/Zoning_Permit_Application_FY21-22.pdf)).
  - 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.

The Ashland Land Use Ordinance in its entirety may be accessed on-line at: <https://ashland.municipal.codes/LandUse> .

**PLAN & EXHIBIT REQUIREMENTS:** *Electronic copies of the materials below formatted to print to scale on paper no larger than 11"x 17". Note: These copies may be used for the Planning Commission packets and for the notices mailed to neighbors - please submit clear, readable, reproducible copies.*

- **Two (2) Copies of the materials required for a Site Design Review approval as detailed in chapter 18.5.2.040.**
- **Two (2) Copies of the materials required for a Conditional Use Permit approval as detailed in chapter 18.5.4.040.**
- **Two (2) Copies of a Tree Protection Plan as required chapter 18.4.5.030.**
- **Two (2) Copies of the plans required for a Tree Removal Permit as required in chapter 18.5.7.030 (if applicable to the final proposal).**

**RELEVANT CRITERIA AND STANDARDS:** Applicants are advised that in addition to required plans, electronic copies of written findings addressing how the ordinance criteria are satisfied in narrative format are required. The applicable criteria are included below.

- **Two (2) Copies of written findings addressing the following criteria for Site Design Review approval detailed in chapter 18.5.2.050.**
- **Two (2) copies of written findings addressing the following criteria from chapter AMC 18.5.4.050 for Conditional Use Permit approval.**
- **Two (2) copies of written findings addressing the following criteria from chapter 18.5.7.040.B.2. for Tree Removal Permit (if applicable to the final proposal).**

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**NEXT APPLICATION DEADLINE:** First Friday of each month  
**TREE COMMISSION MEETINGS:** Thursday before Planning Commission at 6:00 p.m.

**PLANNING COMMISSION MEETING:** Second Tuesday of each month at 7:00 p.m.  
**FEES:** (As applicable to the final proposal's details)

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|--|---------------------------|
| <input type="checkbox"/> <b>Site Design Review &amp; Conditional Use Permit (Type I)</b> | \$1,120.25 + ½ % of value |
| • Modify Approved Hotel/Motel  |                           |
| • Residential in Airport Overlay   |                           |
| <input type="checkbox"/> Exceptions ( <i>if applicable</i> )                             | \$0                       |
| <input type="checkbox"/> Tree Removal Permits  | \$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 processed or 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 in accordance with ORS 227.178, and the first **COMPLETE** applications submitted are processed at the next *available* Planning Commission meeting.

**For further information, please contact:**

Derek Severson, *Senior Planner*

Phone: 541-552-2040/ E-mail: [derek.severson@ashland.or.us](mailto:derek.severson@ashland.or.us)

### **Airport Overlay Clarification**

The zoning map overlay (that includes the runway approach area) is the authoritative overlay area. As such a residential use could only be permitted through a CUP per AMC 18.3.7.030 within the overlay area.



The purpose of the overlay is:

*The Airport Overlay is intended to be applied to properties that lie within close proximity to the Ashland Airport where aircraft are likely to be flying at relatively low elevations. Further, the zone is intended to prevent the establishment of airspace obstructions in such areas through height restrictions and other land use controls. Application of the overlay zone does not alter the requirements of the parent zone except as specifically provided herein.*

The zoning map, pictured above, is also the figure included in the adopted Airport Masterplan.