
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.

**ASHLAND PLANNING DEPARTMENT
PRE-APPLICATION CONFERENCE
COMMENT SHEET**
September 7, 2022

SITE: 667 Clay Street
APPLICANT: Siskiyou School
REQUEST: CUP & Site Design Review

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. As new construction, this application will require commercial Site Design Review and will likely require Type II CUP review which includes a public hearing before the Planning Commission.

Generally: In R-1 zones, private schools from kindergarten up require Conditional Use Permit approval. Conditional Use Permits seek to ensure that there will be no greater adverse material impacts from the proposal on the surrounding area than would be encountered if the property were developed to its target use as envisioned with the underlying zoning and may impose conditions to mitigate these impacts. Key concerns to be considered in preparing an application would include an intensification of the impacts to the Clay Street neighborhood including traffic, parking, and the loss of residential units in a time of high residential demand.

Site Design Review: Establishment of a use other than a single-family residence on the property must meet Site Design Review approval criteria. Schools are considered in terms of the Site Review standards for commercial development (found on-line at: <https://ashland.municipal.codes/LandUse/18.4> and specifically <https://ashland.municipal.codes/LandUse/18.4.2.040>). The application would need to address the standards for orientation, scale, streetscape, landscaping, parking and circulation, noise and glare, while minimizing alterations to the the broader neighborhood character.

Pedestrian Circulation: Due to recent grant funding, Clay Street is likely to undergo street improvements within the year or so, including sidewalk installation (see attached page from the City of Ashland Capital Improvements Program 2022-2040 overview). The application should speak to how safe pedestrian circulation is planned for students, and can demonstrate some reliance on this future improvement. AMC 18.4.3.090 generally seeks a pedestrian circulation system which provides continuous walkways throughout the development which are safe, convenient, direct, and connect all primary buildings and adjacent streets.

Energy Usage: The Site Review criteria include a requirement that all developments provide

information on the method and type of energy proposed to be used for heating, cooling and lighting of the building, and the approximate annual amount of energy used per each source and the methods used to make the approximation. Please include this information as it relates to your proposal with the final application submittal; for any questions about energy usage, conservation programs, or potential financial or technical assistance with the project, please contact Dan Cunningham in Ashland's Conservation Division at 541-552-2063. Dan can also be reached via e-mail to dan.cunningham@ashland.or.us .

Conditional Use Permit (CUP): As noted above, CUP's seek to ensure that there will be no greater adverse material impacts from the proposal on the surrounding area than would be encountered if the property were developed to its target use as envisioned with the underlying zoning, and may impose conditions to mitigate these impacts. The target use for the R-1-5 zoning district is one dwelling unit per 5,000 square foot lot. The specific criteria considered in reviewing a CUP are as follows:

1. *That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.*
2. *That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the development, and adequate transportation can and will be provided to the subject property.*
3. *That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection 18.5.4.050.A.5, below. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.*
 - a. *Similarity in scale, bulk, and coverage.*
 - b. *Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.*
 - c. *Architectural compatibility with the impact area.*
 - d. *Air quality, including the generation of dust, odors, or other environmental pollutants.*
 - e. *Generation of noise, light, and glare.*
 - f. *The development of adjacent properties as envisioned in the Comprehensive Plan.*
 - g. *Other factors found to be relevant by the approval authority for review of the proposed use.*
4. *A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.*
5. *For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of this subsection, the target uses of each zone are as follows.*

The final application would need to make adverse material impacts such as noise, traffic and parking clear and demonstrate that they would be no greater than single family residential use of the property. Staff has some concern that expansion of the school use further down Clay Street would bring impacts greater than would be typical of residential use, the property likely sitting unused at

night, and the associated traffic and parking impacts. The final application should highlight how the development of the property with a school-building will not alter the neighborhood’s character due to the property’s location, current use, etc. The application can compare the intended use of a 12 child Kindergarten, with the use of a 16 child “Family Child Care Home” which is permitted outright in a single-family dwelling under state law.

Parking Requirements: The current parking requirements for schools are as follows:

- Vfkrrro#k urxjk #kqlru#k ljk #18#sdfhv#shu#f@vurp /#u# #sdfh#shu# 8#txduh#hnh# i#xedf# dvhnp eq #lund/# klfkhyhu#v#jundwhu#
- #
- Vfkrrro#k ljk #Vfkrrro#4 18#sdfhv#shu#f@vurp /#soxv#4#sdfh#shu#13#vwxghqw#kh#vfkrrro#lv# ghv#j#qhg#r #dffrp p rgdw# #ukh#htx#lhp hqw#ru#s#edf#lvhnp eq #lund/# klfkhyhu#v#jundwhu#

Parking & Traffic Impacts: Staff believes that traffic and parking impacts likely remain a concern for neighbors on Clay Street. Neighbors have previously expressed concern including that: off-street parking demand far exceeds supply forcing parents to park along Clay Street; that parking and traffic impacts associated with events frequently extend beyond the typical school day due to events; that Clay Street is already very narrow and frequent parent parking down both sides constricts it further creating traffic hazards; that parking frequently blocks driveways and fire hydrants down the street; that increased traffic has caused Clay Street to deteriorate, and that efforts to resolve these issues with the school have not been productive. An increase in intensity of the school use or its expansion would likely bring any unresolved neighborhood issues forward and any application submitted would need to strongly address parking and traffic and their impacts.

Compliance with Conditions of Previous Approvals: The previous land use approval included conditions requiring, among other things: the dedication of a public pedestrian easement and installation of a path from the Cemetery Creek crossing through the site and out to Clay Street to provide a functional pedestrian connection with the Clay Street park; the payment by the applicants of the costs associated with future street improvements along Clay Street; measures to limit parking within the Clay Street right-of-way; and the implementation of a transportation demand management proposed by the applicants. The final application should make clear what requirements have been addressed, what requirements remain outstanding, and how any outstanding conditions of the previous approvals are to be addressed through the current request.

Signage: The final application submittal should include details of all existing and proposed signage to demonstrate compliance with the Sign Ordinance requirements. Generally, uses authorized in accordance with the Chapter on Conditional Use Permits are permitted very limited signage. Such signs are reviewed in conjunction with the issuance of the Conditional Use Permit.

Building Codes/Change in Occupancy: The construction of a structure with E (Education)

occupancy could trigger potentially substantial Building and Fire Code requirements which might include fire sprinklers, manual fire alarms; ADA upgrades including accessible route, entrance and ADA Bathroom; water closets sized for children; and wiring of the new construction with a conduit wiring system. The applicants would be well-served to consult a design professional and contact the Building Division to discuss these requirements as early in the process as possible.

Tree Preservation/Protection/Removal: A tree protection plan is required with all land use applications application to ensure that trees are protected during site disturbance including demolition, construction, driveway/parking installation, staging of materials, etc. This plan is required to address all trees on the property over six-inches in diameter at breast height (d.b.h.) and all trees that are located on adjacent properties within 15 feet of the property line as well, including any existing street trees. Specific requirements are detailed in AMC 18.4.5.030. Removal of “significant trees” would require a Tree Removal Permit as discussed in AMC 18.5.7. A condition of approval will be added to the Planning Action that upon installation of parkrow and sidewalk, that required street trees are planted pursuant to AMC subsection 18.4.4.030.E.

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 (see attached map).

Site Visits: Depending on local and statewide restrictions relative to COVID-19 at the time of the public hearing, staff may reach out as the application nears the hearing process to arrange site visits for the Planning Commission to familiarize themselves with the property.

Plan Submittals: Final application submittals are required to include scalable exterior elevation drawings of all sides of the proposed building(s) and plans indicating the materials, colors, textures, shapes and other design features of the building including all mechanical devices and utility installations. The plan should clearly indicate an access path or designated easement from the main campus to the proposed kindergarten location. The final application submittals should also include site plans, landscaping plans, and floor plans making clear what buildings and uses are proposed.

Written Findings/Burden of Proof: This pre-application conference is intended to highlight significant issues identified by 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.

ZONING INFORMATION

The subject property is zoned R-1-5 (Single-Family Residential). See the Unified Standards for Residential Zones at <https://ashland.municipal.codes/LandUse/18.2.5.030.A> for complete zoning information.

OTHER DEPARTMENTS' COMMENTS

BUILDING DEPT: No comments provided at this time. Please contact Steven Matiaco, Building Official in the Building Division to discuss permitting requirements, inspections and fees at 541-488-5305. For an estimate of Systems Development Charges (SDC), please contact april.lucas@ashland.or.us with a set of proposed plans.

ENGINEERING/PUBLIC WORKS/STREETS/TRANSPORTATION/STORMWATER: See comments under “Public Works Conditions of Approval” at the end of this document. Please contact Karl Johnson in the Engineering Division for any further information at (541) 488-5347 or e-mail karl.johnson@ashland.or.us .

ENERGY CONSERVATION: No comments submitted. For more information, please e-mail Dan Cunningham in Conservation at: cunningd@ashland.or.us or call (541) 552-2063.

FIRE DEPARTMENT: Please see comments at the end of this document. Please contact Fire Marshal Ralph Sartain of Ashland Fire at Rescue for Fire Codes-related information for this project at (541) 552-2229 or e-mail ralph.sartain@ashland.or.us .

WATER AND SEWER SERVICE: See comments under “Public Works Conditions of Approval” at the end of this document. Please contact Steve Walker of the Water Quality Division for service requirement and fee information at (541) 552-2326 or via e-mail to walkers@ashland.or.us .

ELECTRIC SERVICE: Please contact Rick Barton in the Electric Department for service requirements and fee information if additional electric services are required. Rich can be reached in the Electric Department at (541) 552-2082 or via e-mail to rick.barton@ashland.or.us.

OREGON DEPARTMENT OF TRANSPORTATION (ODOT): No comments provided. For any further ODOT-related information, please contact ODOT Southwestern Region Development Review Planner Micah Horowitz at 541-774-6331 or via e-mail to micah.horowitz@odot.state.or.us.

ROGUE VALLEY TRANSPORTATION DISTRICT (RVTD): No comments submitted. For further RVTD-related information, please contact RVTD Senior Planner Paige Townsend at (541) 608-2429 e-mail p.townsend@rvtd.org .

TALENT IRRIGATION DISTRICT (TID): No comments provided. For further TID-related information please contact: Talent Irrigation District, PO Box 467, 104 West Valley View Road, Talent OR 97540, Phone: 541-535-1529, Fax: 541-535-4108, Email: tid@talentid.org , Website: www.talentid.org

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PROCEDURE

Conditional Use Permits for new buildings are subject to a “Type II” application procedure which requires a decision by the Planning Commission through a public hearing, and has the potential for an on-the-record appeal to Council. This procedure is further detailed here:

[https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/Flowchart_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)

APPLICATION REQUIREMENTS

Submittal Information.

The application is required to include all of the following information.

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.
https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/Zoning_Permit_Application_FY21-22.pdf.
2. **Submittal Information.** The application shall contain all of the following information.
 - a. The information requested on the application form.
 - b. Maps and/or plans, as applicable, addressing the appropriate criteria and standards in sufficient detail for review and decision.
 - c. A written statement 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.
 - f. Other information the Staff Advisor deems necessary to provide a complete application (including a Traffic Impact Analysis).

The Ashland Land Use Ordinance, which is Chapter 18 of the Municipal Code, is available online in its entirety at: <https://ashland.municipal.codes/LandUse>

APPLICATION MATERIALS: The application is required to include drawings of the proposed improvements (i.e. the plan requirements) as well as written findings addressing the applicable approval criteria in narrative form in accordance with the Ashland Land Use Ordinance (i.e. the narrative submittal requirements). The following section includes the requirements for plans and written submittals 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.

Written Statements

Please provide written statements explaining how the application meets the approval criteria from the sections of the Ashland Municipal Code listed below. These written statements provide the Staff Advisor, Planning Commission and Council with the basis for approval of the application:

- **Site Design Review:** **AMC 18.5.2.050**
- **Conditional Use Permit:** **AMC 18.5.4.050**
- **Tree Removal Permits(s):** **AMC 18.5.7.040**

Plans & Exhibits Required

Please provide exhibits (plans, drawings and required submittal materials) addressing the submittal requirements from the sections of the Ashland Municipal Code listed below. These exhibits are used for the Planning Commission packets and for notices that are mailed to neighbors. Please provide electronic copies formatted to print to a standard architect or engineer’ scale on paper no larger than 11-inches by 17-inches:

- **Site Design Review:** **AMC 18.5.2.040**
- **Conditional Use Permit:** **AMC 18.5.4.040**
- **Tree Inventory/Tree Protection Plan:** **AMC 18.4.5.030**
- **Tree Removal Permit (if applicable):** **AMC 18.5.7.030**

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NEXT APPLICATION DEADLINE:	First Friday of each month for following month’s PC
PLANNING COMMISSION (PC) HEARING:	Second Tuesday of each month (7:00 p.m.)
TREE COMMISSION MEETING:	Thursday before Planning Commission (6:00 p.m.)

PLANNING APPLICATION FEES

(See also

https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/2021-07-01_PlanningFees.pdf)

Type I Commercial Site Design Review	\$1.120.25 + ½% valuation
Type II Conditional Use Permit	\$2.247.50
Exceptions	\$ 0
Tree Removal Permits(s)	\$ 0

NOTES:

The total fee will be the total for the combined component applications in the final application submittal.

- APPLICATIONS WILL NOT BE ACCEPTED WITHOUT A COMPLETE APPLICATION FORM SIGNED BY THE APPLICANT(S) AND PROPERTY OWNER(S), ALL REQUIRED MATERIALS AND FULL PAYMENT.
- ALL APPLICATIONS RECEIVED ARE REVIEWED BY STAFF, AND MUST BE FOUND TO BE COMPLETE BEFORE BEING PROCESSED OR SCHEDULED AT A PLANNING COMMISSION MEETING.
- APPLICATIONS ARE REVIEWED FOR COMPLETENESS WITHIN 30 DAYS FROM APPLICATION DATE IN ACCORDANCE WITH ORS 227.178.
- THE FIRST 15 COMPLETE APPLICATIONS SUBMITTED ARE PROCESSED AT THE NEXT AVAILABLE PLANNING COMMISSION MEETING.

For further information, please contact:

September 7, 2022

Date

Johanna Tuthill, *Associate Planner*

City of Ashland, Department of Community Development

Phone: 541-552-2045 or e-mail: johanna.tuthill@ashland.or.us