

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
May 18, 2022**

SITE: 345 Clinton Street
APPLICANT: Gil Livni / Eric Bonetti
OWNER: Mace & Kahle
REQUEST: 15 lot PSO Subdivision;
Limited Use/Activity in WRPZ;

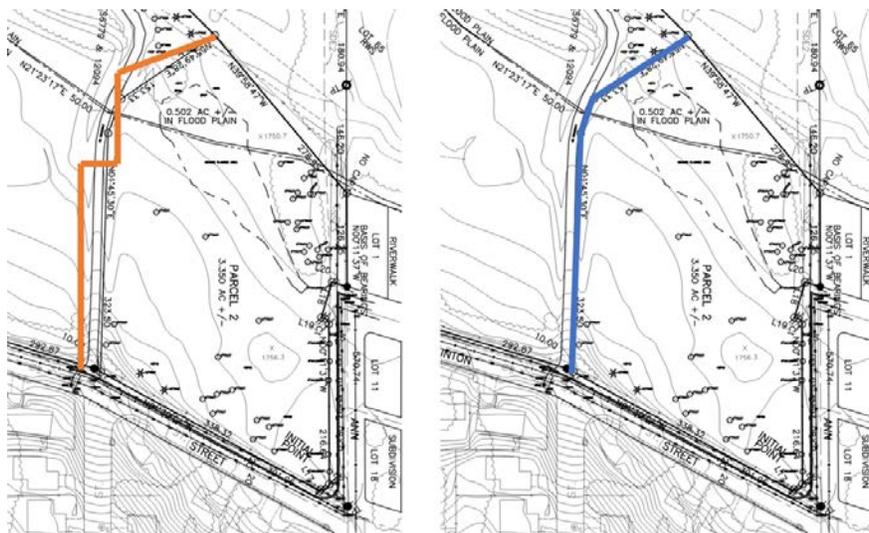
PLANNING STAFF COMMENTS:

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.

PA-T1-2020-00109 The findings upholding the original approval and denying the appeal were signed 10/13/2020 and was valid for a period of 18 months expiring 4/13/2022. On 11/15/2021 an application for an extension was received extending the approval for an additional 24 months past the initial expiration. Therefore, the approval is valid until 4/13/2024. It was approved with the following condition of approval:

That the partition plat shall be adjusted such that the north-south property line between parcel 1 and parcel 2 is shifted to allow a future extension of Phelps St. consistent with the standards for a neighborhood street and in alignment with Phelps St. to the south, and that the drive way accessing the larger parcel be relocated to meet minimum spacing requirements.

While it is possible to begin anew with an application for the entire 12 ac parcel that subdivision would be required to address frontage improvements along the entirety of Clinton Street. Therefore, staff is presuming that the partition that was approved will be recorded prior to application for outline plan approval. The proposed western edge of the project as shown on the tentative layout dated 4/11 would be acceptable as meeting the condition of approval regarding the alignment of Phelps St. as shown below.



The proposal would be required to utilize the Performance Standards Options chapter (AMC 18.3.9). Staff's main concerns are with regard to subdivision the proposed open space and wetland protection. The proposal indicates a desire to "mitigate the wetland" unfortunately our code does not allow for the wholesale mitigation of identified wetlands except for certain specific circumstances (developments of roads etc.).

The focus of a PSO application should be on the sensitive addition of new homes to the neighborhood, with thoughtful site planning which considers multi-modal connectivity, and lot lay-out and home designs that are compatible with the existing, established neighborhood while maintaining and protecting the site's significant natural features (i.e. wetlands, ponds, streams, trees, steeply sloped areas, rock outcroppings and floodplain corridor lands).

There is a two-step process for approval of a Performance Standard Subdivision: first, an application for Outline Plan approval and, secondly, a Final Plan approval. The initial Outline Plan approval request must be reviewed under a single "Type II" procedure through a hearing before the Planning Commission.

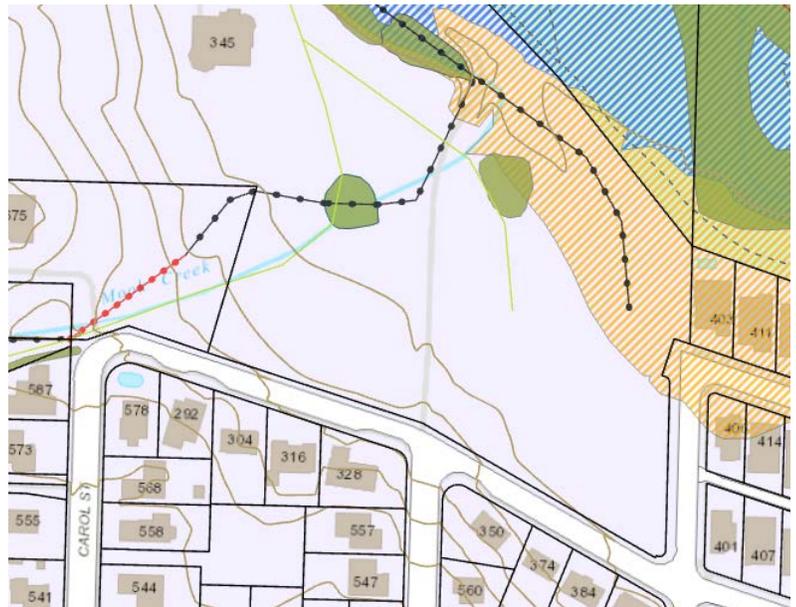
There are a number of issues that will need to be further explored before making a formal application here, including:

- **Natural Features** – Natural features to be carefully considered in the planning of the site include the Bear Creek floodplain & WRPZ, the Mook/Clear Creek WRPZ, the identified wetlands' WRPZ, trees and any other natural features. With the wetland delineation completed the subdivision will be required to establish a building envelope for each lot outside the Water Resource Protection Zone
- **Open Space:** The open space will be required to have pedestrian access proposed. Additionally with a phased subdivision *50 percent of the value of the common open space shall be provided in the first phase and all common open space shall be provided when two-thirds of the units are finished.*
- **Street System & Required On-Street Parking** – The application should carefully consider the necessary street width needed to accommodate required on-street parking in an R-1 PSO subdivision, as well as required sidewalk installation and alley connectivity. Staff believe an Exception to allow curbside sidewalks may be appropriate in the steepest area of Clinton west of the existing driveway. Remaining sections should include standard park rows.
- **Neighborhood Character** – The application should consider the impacts to the Clinton Street streetscape and neighbors, and might look at limiting street-facing elevations along Clinton Street.

Once natural features, street system details on on-street parking, we would suggest a follow-up meeting with staff to review the proposal prior to submitting for outline plan.

Significant Natural Features: A key element of the Performance Standards Options subdivision chapter (AMC 18.3.9) is its intent to identify and preserve significant natural features. Specifically, the chapter notes, *"The existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the open space, common areas, and unbuildable areas."* The final application will need to clearly identify the significant natural features of the site and address their treatment in keeping with the requirements of the ordinance.

Bear Creek / Mook Creek Riparian Water Resource Protection Zone (WRPZ): Bear Creek is a fish-bearing (i.e. Riparian) stream, and there is a WRPZ extending 50 feet from the top of bank for the full extent of the stream corridor through the property. Mook Creek or Clear Creek is an intermittent or ephemeral stream, and there is a WRPZ extending 30 feet from the centerline for the full extent of the stream corridor through the property. The extent of the floodplain corridor on the subject property is shown on the provided plans, however staff believes that the boundary between the 100 year and 500 year floodplain is actually further to the north..



Wetland Water Resource Protection Zone (WRPZ): The provided wetland delineation shows a .4 acre wetlands. In addition to regulations set forth by the state and federal government and DSL they are also regulated by Ashland Land Use Ordinance in chapter 18.3.11 – Water Resources Protection Zones and protected along with other natural features through the Performance Standards Options chapter. All wetlands area preserved and protected as part of the development. Any restoration and enhancement of the wetland, or other allowed alteration, will require a Limited Activities/Uses Permit at detailed in AMC 18.3.11.060.

Wetland buffer: An average buffer width of **50 feet** may be utilized around the perimeter of a significant wetland upon submission of evidence and a detailed plan by a natural resources professional demonstrating that equal or better protection of the functions and values of the resource will be ensured, and that there will be an enhanced buffer treatment through the implementation and maintenance of a restoration and enhancement plan within the buffer area

Limited Activities and Uses included:

18.3.11.060.A.3.a. New Public Access and Utilities. The location and construction of public streets, bridges, trails, multi-use path connections, and utilities deemed necessary to maintain a functional system and upon finding that no other reasonable, alternate location outside the Water Resource Protection Zone exists.

Approval Standards for Land Divisions on Properties with Water Resources: Planning actions and procedures containing Water Resource Protection Zones and involving the division of land or property line adjustments shall comply with the following provisions and shall include the plan requirements in subsection 18.3.11.100.A.3.

- **Building Envelope Established.** Each lot shall contain a building envelope entirely outside the Water Resource Protection Zone of sufficient size to permit the establishment of the use and associated accessory uses.
- **Conservation Area.** Performance Standards Option Subdivision applications shall include the Water Resource Protection Zone in a Conservation Easement or other recorded development restriction which stipulates that the use or activity within the Water Resource Protection Zone shall be consistent with the provisions of the Water Resource Protection Zones Ordinance. The Planning Commission *may* require that the Water Resource Protection Zone be included in a separate tract of land managed by a homeowners' association or other common ownership entity responsible for preservation.

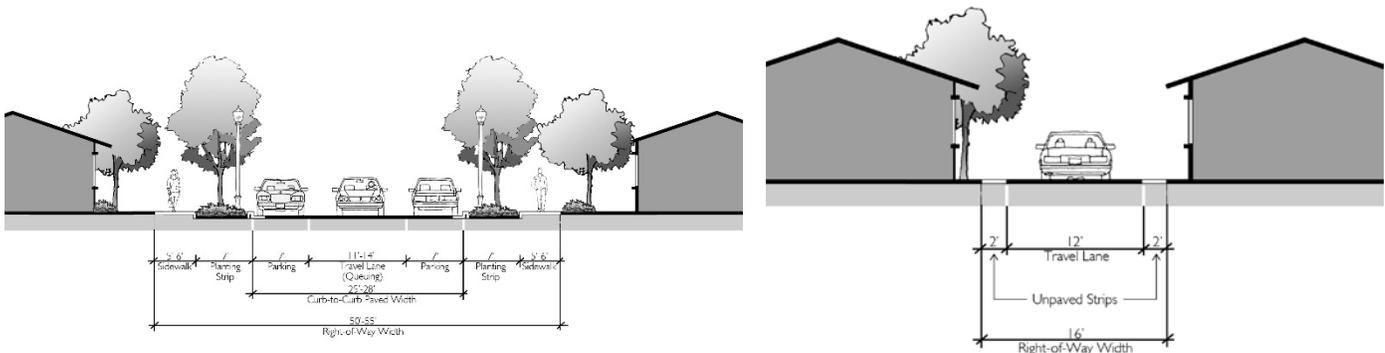
- **Management Plan.** Long term conservation, management, and maintenance of the Water Resource Protection Zone consistent with the requirements of this chapter shall be ensured through preparation and recordation of a management plan as described in **AMC 18.3.11.110.C**.
- **Mitigation Requirements.** The approval authority *may* require a mitigation plan in accordance with the requirements of **AMC 18.3.11.110** “Mitigation Requirements” to mitigate impacts resulting from a land division.
- **Exemptions for a Public Purpose.** An exemption to the requirements described above shall be granted for lots created for public park purposes, or privately-owned tracts created for the sole purpose of conserving in perpetuity the natural functions and values of the lands contained within the Water Resource Protection Zone.

Density Transfer: Applicants should be aware that the land use ordinance provides for some measure of density transfer from unbuildable lands (see **AMC 18.3.10.120** which provides for up to two times the density when transferred from severe constraints or regulated floodplain lands) and water resource protection zones (see **AMC 18.3.11.090.C** which provides for up to 1½ times the normal density when transferred from a WRPZ).

Tree Protection and Preservation: For all planning actions, 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 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 those to be removed, and address the tree removal permit requirements in AMC 18.5.7 for significant trees to be removed. Within the Performance Standards Options Chapter, trees receive significant additional consideration. Trees should be identified and carefully considered in the site planning and thoroughly addressed in the application materials.

Open Space Required: The Performance Standards Options chapter (AMC 18.3.9) requires that developments with a base density of ten or more units provide at least eight percent of the parent property as Open Space. The final application would need to respond to this requirement in terms of the parent property and portion proposed for current development – i.e. identify likely phases and how open space requirements are to be addressed for each. The application will need to make clear how the proposed lots relate to the open space areas and preserved natural features.

Street/Sidewalk Improvements: Clinton Street, Ann Street and Briscoe Place are considered under Ashland’s Transportation System Plan (TSP) to be residential Neighborhood Street. Applicants are typically required to install full street improvements including curb, gutter, paving, parking, storm drains, park row planting strips, sidewalks, and bike lanes (where applicable). Any variation from the standard required improvements would require an Exception to the Street Standards. The standard required cross-sections are shown below.



Controlled Access Standards: Controlled access standards require a driveway separation of 24 feet along residential neighborhood streets. The application will need to demonstrate compliance with this standard through the careful placement of driveways. Driveway placement should also be carefully considered to minimize conflict points and provide for required on-street parking.

On-Street Parking Requirement: As detailed in AMC 18.3.9.060, in addition to required off-street parking, Performance Standards subdivisions in R-1 zones are required to provide at least one on-street parking space per dwelling unit. These on-street parking spaces shall be immediately adjacent to the public right-of-way on publicly or association-owned land and be directly accessible from public right-of-way streets. On-street parking spaces shall be located within 200 feet of the dwelling that it is intended to serve, and the application should detail street improvements, driveway placement, etc. to accommodate required parking.

Adequate Capacity of Public Utilities: The applicant is responsible for determining if water, sanitary sewers, storm sewer, electricity and transportation are available or can be extended to serve the proposed development. The Site Plan must show the location and size of the public facilities that will serve the proposed parcels and detail service locations for each proposed lot.

Storm Drainage: The applicants will want to carefully address storm drainage in the application submittal including providing preliminary engineering design for storm drainage which addresses on-site detention and a system design that insures that post development peak flows will not exceed pre-development levels, which plans for a 25-year storm event, and which addresses the potential for flooding. Applicants should also be aware that D.E.Q. requirements which include holding pre-construction conferences and incorporating low impact development best management practices into each project involving more than 5,000 square feet of disturbance

Solar Setback and Envelopes: The final application will need to identify building envelopes and provide elevation drawings for proposed buildings, taking into consideration height limitations and solar access requirements. The application will have to demonstrate that a twenty-one foot high structure is able to meet to meet Solar Setback Standard A that has a setback which does not exceed fifty percent of the lot's north-south lot dimension in accordance with AMC 18.4.8 or propose solar envelopes complying with Standard A.

Site Visit: Given the scope of the property and constraints to easy access, it will likely be helpful to arrange a Planning Commission Site Visit prior to a Planning Commission hearing.

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 if neighbors hear of the proposal from the applicants rather than by a formal notice from the city.

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.

OTHER DEPARTMENTS' COMMENTS

BUILDING: No comments at this time. Please contact the Building Division for any building codes-related questions at 541-488-5305.

CONSERVATION: For more information on available water conservation programs, including any available appliance rebates or assistance with landscaping and irrigation system requirements, please contact Water Conservation Specialist Julie Smitherman of Conservation Division at 541-552-2062 or via e-mail to julie.smitherman@ashland.or.us . For information on any financial or technical assistance available for the construction of Earth Advantage/Energy Star buildings, please contact Conservation Analyst/Inspector Dan Cunningham at 541-552-2063 or via e-mail to dan.cunningham@ashland.or.us

ENGINEERING: No comments at this time. Please contact Karl Johnson of the Engineering Division for any Public Works/Engineering information at 541-552-2415 or via e-mail to karl.johnson@ashland.or.us .

FIRE: Ralph Sartain of the Fire Department provided written comments. See attached. Ralph is available at 541-552-2229 or via e-mail to ralph.sartain@ashland.or.us.

WATER AND SEWER SERVICE: Please Contact Steve Walker at 541-552-2326 or (walkers@ashland.or.us) to discuss the intended use of the facility or property and any potential cross connection hazards associated with it or for any questions regarding water connections.”

ELECTRIC SERVICE: Please contact the Electric Department for service and meter location requirements and fee information at (541) 552-2389 or via e-mail to tygersod@ashland.or.us . Dave will arrange an on-site meeting, and develop a preliminary electrical service plan for the site. Please allow additional time to accommodate scheduling of this on-site meeting and preparing the preliminary plan. Submittals will not be deemed complete without a preliminary approved plan from the Electric Department.

ZONING DISTRICT REQUIREMENTS

Zoning: R-1-5 Single Family Residential

Landscaping Requirements: 50 percent of the lot area. Size- and species-specific landscaping & irrigation plan required for parkrows and open space at time of formal application. Avoid using lawn. Provide irrigation system. Include street trees, one per 30 feet of street frontage.

Parking, Access and Internal Circulation: Residential dwellings require one off-street parking space per studio or one-bedroom unit less than 500 square feet; 1½ spaces per one-bedroom unit greater than 500 square feet; 1¾ spaces for two-bedroom units; and two spaces for units with three or more bedrooms as further detailed in AMC 18.4.3. Drives in excess of 50 feet in length are considered to be “flag drives” and subject to all the development standards thereof – see AMC

Lot Coverage: A maximum of 50 percent of the lot may be covered with building footprints, driveways, parking spaces and other lot coverage. Compliance with lot coverage standards should be demonstrated in the application.

Setbacks: Front yards shall be a minimum of 15 feet, excluding garages which require a 20-foot front setback. Unenclosed porches shall be permitted with a minimum setback of eight feet. Side yards require six feet; the side yard of a corner lot abutting a public street shall have a ten-foot setback; rear yard, ten feet plus ten feet for each story in excess of one story. In addition, the setbacks must comply with Chapter 18.4.8 which provides for Solar Access.

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APPLICATION SUBMITTAL REQUIREMENTS

Application Requirements: Applications for Outline Plan subdivision approval are processed as a “Type II” procedure which requires a quasi-judicial decision through a public hearing at the Planning Commission. The Planning Commission is subject to on-the-record appeal to the City Council.

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.
 - 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 packets and for the notices mailed to neighbors - please submit clear, readable, reproducible copies.*

Two (2) Copies of the materials required for a Performance Standard Subdivision Outline Plan approval as detailed in chapter 18.3.9.040. Application Submission Requirements. The following information is required for a Performance Standards Subdivision Outline Plan application submittal.

- a. A topographic map showing contour intervals of five feet.
- b. The proposed land uses and approximate locations of the existing buildings to be retained, the proposed structures on the site, the proposed and existing property lines and easements on the site, and existing buildings, structures, and trees greater than six inches in diameter measured at breast height on the properties adjacent to the site, and all buildings within 160 feet of the site boundaries.

- c. The locations of all proposed thoroughfares, walkways, and parking facilities.
- d. Public uses, including schools, parks, playgrounds, open spaces, and trails.
- e. Public or private utilities.
- f. General areas of cuts and fill.
- g. The location of natural features such as rock outcroppings, marshes, wooded areas, and isolated preservable trees.
- h. The location and direction of all watercourses and areas subject to flooding.
- i. Plans shall indicate building envelopes for all proposed lots, which show the area and maximum height of improvements, including solar access and view protection where required.
- j. Elevations of typical proposed residential structures. Elevations should be to scale and should include the approximate dimensions of the proposed structures and all attached exterior hardware for heating and cooling.
- k. A written statement containing an explanation of:
 - i. The character of the proposed development and the manner in which it has been designed to take advantage of the Performance Standards concept.
 - ii. The proposed manner of financing.
 - iii. The present ownership of all the land included within the development.
 - iv. The method proposed to maintain common open areas, buildings and private thoroughfares.
 - v. The proposed time schedule of the development.
 - vi. The findings of the applicant showing that the development meets the criteria set forth in this ordinance and the Comprehensive Plan.

Two (2) Copies of the materials required for a Physical Constraints Review Permit as detailed in chapter 18.3.10.040. An application for a Physical Constraints Review 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. Project name.
- B. Vicinity map.
- C. Scale (the scale shall be at least one inch equals 50 feet or larger) utilizing the largest scale that fits on 22-inch by 34-inch paper. Multiple plans or layers shall be prepared at the same scale, excluding detail drawings. The Staff Advisor may authorize different scales and plan sheet sizes for projects, provided the plans provide sufficient information to clearly identify and evaluate the application request.
- D. North arrow.
- E. Date.
- F. Street names and locations of all existing and proposed streets within or on the boundary of the proposed development.
- G. Lot layout with dimensions for all lot lines.
- H. Location and use of all proposed and existing buildings, fences, and structures within the proposed development. Indicate which buildings are to remain and which are to be removed.
- I. Location and size of all public utilities affected by the proposed development.
- J. Location of drainage ways or public utility easements in and adjacent to the proposed development, and location of all other easements.
- K. Topographic map of the site at a contour interval of not less than two feet nor greater than five feet. The topographic map shall also include a slope analysis, indicating buildable areas, as shown in Figure 18.3.10.040.K.
- L. Location of all parking areas and spaces, ingress and egress on the site, and on-site circulation
- M. Accurate locations of all existing natural features including, but not limited to, all trees as required in 18.3.10.090.D.1, including those of a caliper equal to or greater than six inches in diameter at breast height (DBH), native shrub masses with a diameter of ten feet or greater, natural drainage, swales, wetlands, ponds, springs, or creeks on the site, and outcroppings of rocks, boulders, etc. Natural features on adjacent properties potentially impacted by the proposed development shall also be included, such as trees with drip-lines extending across property lines. In forested areas, it is necessary to identify only those trees that will be affected or removed by the proposed development. Indicate any contemplated

- modifications to a natural feature, including trees, method of erosion control, water runoff control, and proposed tree protection for the development as required by this chapter.
- N. Building envelopes for all existing and proposed new parcels that contain only buildable area, as defined by this chapter.
- O. Location of all irrigation canals and major irrigation lines.
- P. Location of all areas of land disturbance, including cuts, fills, driveways, building sites, and other construction areas. Indicate total area of disturbance, total percentage of project site proposed for disturbance, and maximum depths and heights of cuts and fill.
- Q. Location for storage or disposal of all excess materials resulting from cuts associated with the proposed development.
- R. Applicant name, firm preparing plans, person responsible for plan preparation, and plan preparation dates shall be indicated on all plans.
- S. Proposed timeline for development based on estimated date of approval, including completion dates for specific tasks.
- T. Additional plans and studies as required in sections 18.3.10.080, 18.3.10.090, 18.3.10.100 and 18.3.10.110 of this chapter.

Two (2) Copies of a Tree Protection Plan as required 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 (if tree removal is proposed). 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.

Two (2) copies of a Site Development Plan Map, drawn to scale, to address the requirements for the approval Standards for Land Divisions on Properties with Water Resources, as detailed in AMC 18.3.11.100.A:

3. *Site development plan map, drawn to scale. The application shall include a site map of the subject property prepared by a licensed surveyor, civil engineer, or other design professional that includes the information described below. The Staff Advisor may request additional information based upon the character of the site or the specific nature of the proposal.*

- a. *All watercourses identified (including any drainage ways, ponds, etc).*
- b. *Surveyed location of the Water Resource Protection Zone, as described in section 18.3.11.040 Establishment of Water Resource Protection Zones. For applications involving single-family residences or Limited Activities and Uses, in lieu of a surveyed location, the Staff Advisor may approve a field determination of the Water Resource Protection Zone by the Staff Advisor or his/her designee in which the applicant shall be required to stake the top-of-bank or the upland-wetland edge and the boundary of the Water Resource Protection Zone.*
- c. *For activities and use proposed within a Stream Bank Protection Zone: identification of the stream*

- as being either fish-bearing or non-fish-bearing; identification of the top-of-bank or center line as required; and surveyed location of the stream's floodway and floodplain, if applicable.
- d. For activities and uses proposed within a Wetland Protection Zone: a wetland delineation (with an accompanying site map) prepared by a natural resource professional and that has been concurred with by the Oregon Department of State Lands (DSL); and an aerial photo with the wetland boundaries identified.
 - e. Topographic information at two foot contour increments identifying both existing grades and proposed grade changes.
 - f. Surveyed locations of all trees six inches in diameter at breast height (DBH) or greater located in the Water Resource Protection Zone and within 15 feet of the Water Resource Protection Zone, identified by edge of canopy, DBH, and species;
 - g. The outlines of non-tree vegetation, with a dominant species and any occurrence of non-native, invasive species identified.
 - h. Location of existing and proposed development, including all existing and proposed structures, any areas of fill or excavation, stream or wetland crossings, alterations to vegetation, or other alterations to the site's natural state.
 - i. The location of natural features, proposed and existing structures, and other proposed and existing improvements associated with lands within 100 feet of the Water Resource Protection Zone.
 - j. Proposed and existing land uses within 100 feet of the Water Resource Protection Zone.
 - k. The location of temporary fencing and erosion control measures installed to prevent encroachment and flow of material into the Water Resource Protection Zone, such as sediment fencing and hay bales, etc.
 - l. North arrow and scale.
 - m. Sources of information (federal, state, and local).
4. Mitigation Plan prepared in accordance with the requirements described in section [18.3.11.110 Mitigation Requirements](#).
 5. Management Plan prepared in accordance with the requirements described in subsection [18.3.11.110.C.](#), except a management plan is not required for residentially zoned lots occupied only by a single-family dwelling and accessory structures.

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.

Two (2) copies of written findings addressing the following criteria from chapter 18.3.9.040.A.3 for Outline Plan approval. The Planning Commission shall approve the outline plan when it finds all of the following criteria have been met.

- a. The development meets all applicable ordinance requirements of the City.
- b. Adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a City facility to operate beyond capacity.
- c. The existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the open space, common areas, and unbuildable areas.
- d. The development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.
- e. There are adequate provisions for the maintenance of open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.
- f. The proposed density meets the base and bonus density standards established under this chapter.

- g. The development complies with the Street Standards.

Two (2) copies of written findings addressing the approval criteria for a Limited Use/Activity as detailed in chapter 18.3.11.060. All Limited Activities and Uses described in section 18.3.11.060 shall be subject to a Type I procedure in section 18.5.1.050. An application for a Limited Activities and Uses Permit shall be approved if the proposal meets all of the following criteria.

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

Two (2) Copies of written findings addressing the approval criteria for a Physical Constraints Review Permit as detailed in chapter 18.3.10.050. A Physical Constraints Review Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.

- A. *Through the application of the development standards of this chapter, the potential impacts to the property and nearby areas have been considered, and adverse impacts have been minimized.*
- B. *That the applicant has considered the potential hazards that the development may create and implemented measures to mitigate the potential hazards caused by the development.*
- C. *That the applicant has taken all reasonable steps to reduce the adverse impact on the environment. Irreversible actions shall be considered more seriously than reversible actions. The Staff Advisor or Planning Commission shall consider the existing development of the surrounding area, and the maximum development permitted by this ordinance.*

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 (if applicable to the final proposal).

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.

Two (2) copies of written findings addressing the following criteria from chapter 18.4.6.020.B.1. for an Exception to Street Standards (if applicable to the final proposal). The approval authority may approve exceptions to the standards section in 18.4.6.040 Street Design Standards if all of the following circumstances are found to exist.

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

NEXT APPLICATION DEADLINE:	First Friday of each month
UPCOMING PLANNING COMMISSION MEETING:	Second Tuesday of each month
FEES:	
Outline Plan Approval for 10+ Lots:	\$2,245.50 + \$150/lot
Limited Use Permit (WRPZ)	\$1,120.25
Physical & Environmental Constraints Review:	\$1,120.25
Exception to Street Standards:	\$0
Tree Removal Permit:	\$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 the first COMPLETE applications submitted are processed at the next available Planning Commission meeting.

For further information, please contact: May 18, 2022
 Aaron Anderson, Associate Planner Date
 City of Ashland, Department of Community Development
 Phone: 541-552-2052 or e-mail: aaron.anderson@ashland.or.us

Public Works/Engineering Pre-Application Comments

Public Works Conditions of Approval

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. One set of these civil plans MUST be submitted DIRECTLY to the Public Works/Engineering Department. 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:

- If drawings are submitted to the City of Ashland digitally, they shall be true scale PDF drawings. If AutoCAD drawings are also submitted, they shall be compatible with the AutoCAD release being used by the City at that time and shall be located and oriented within the Oregon State Plane Coordinate System (NAD83-89).
- 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) – No TIA will be required for this project.

3. Street Improvement – No additional street improvements, beyond those necessary to comply with City Street Standards, will be required at this time. The applicant proposed improvements must be reviewed and permitted by the City of Ashland Engineering Department.

4. Public Pedestrian Access – A handicap access ramp will be required at all new intersections of the development. Where handicap access ramps are required as part of a proposed project, the ramps shall meet current United States Access Board Public Rights-of-Way Accessibility Guidelines (PROWAG) and shall be designed in accordance with the current Oregon Department of Transportation design guidance. Use of the ODOT Standard Drawings for curb ramps as guidance for design is recommended however a curb ramp detail sheet, similar to ODOT DET 1720-Example of Minimum Sidewalk Ramp Details, is required for each curb ramp corner that is being proposed. Referencing standard drawings for curb ramps in plans in lieu of curb ramp detail sheets is no longer acceptable. An ODOT ADA Curb Ramp Design Checklist shall also be completed and submitted with the civil design drawings. If the following items are not submitted with the civil design drawings the City of Ashland Engineering Department will view the submittal as incomplete.

Required ADA submittals:

- a. ODOT ADA Curb Ramp Design Checklist
- b. Curb Ramp Detail, similar to ODOT DET 1720, for each proposed curb ramp

5. Right of Way – No additional right of way dedication, beyond that necessary to comply with City Street Standards, will be required at this time.

6. Sanitary Sewer - The property is currently served by an 8-in sanitary sewer main in Clinton Street and a

10-in sanitary sewer main in Ann Street. The applicant proposed improvements must be reviewed, approved and permitted by the City of Ashland Engineering Department.

7. Water - The property is currently served by a 6-in water main in Clinton Street and an 8-in water main in Ann Street. City of Ashland Water Department shall tap existing water main and install any new water services and water meter boxes that are proposed by development. City of Ashland Water Department must be contacted for availability, placement and costs associated with the installation of the new water service. Service & Connection Fees will also be required for any new water services installed as part of this project.

8. Storm Drainage - The property is currently served by a 30-in storm sewer main in Clinton Street and a 36-in storm sewer main in Ann Street. City of Ashland Engineering Department must review an engineered storm drainage plan.

Storm Water Facility Design Requirements

All development or redevelopment that will create or replace 2,500 square feet or more of impervious surface (buildings, roads, parking lots, etc.) area that discharges to an MS4 (municipal separate storm sewer systems), must comply with the requirements of the DEQ MS4 General Permit phase 2. Applicant MUST follow the guidance and requirements set forth in the current Rogue Valley Stormwater Quality Design Manual which can be found at the following website:

<https://www.rvss.us/pilot.asp?pg=StormwaterDesignManual>

All stormwater calculations, reports, drawings, etc. shall be submitted to the City of Ashland Engineering Department for review.

9. Erosion & Sediment Control - The following requirements shall be met:

- All ground disturbances exceeding 2,500 square feet shall implement an Erosion and Sediment Control Plan (ESCP).
- A 1200-C permit will be secured by the developer where required under the rules of the Oregon State DEQ. City of Ashland Engineering Department must receive a copy of this permit before any construction shall begin.
- Erosion Prevention 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.
- Pollution, track out, and sediment dumping into storm water are strictly prohibited per AMC 9.08.060.
- Drainage from automotive use areas shall be limited to oil concentrations of 10 mg/l by a pre-approved means.
- Trash storage areas shall be covered or provide additional storm water treatment by an approved means.
- Off street parking areas shall conform to Ashland Municipal Code 18.4.3.080.B.5, including provisions to minimize adverse environmental and microclimatic impacts.

10. Driveway Access – No additional improvements/requirements will be requested at this time, but the applicant proposed improvements must be reviewed and permitted by the City of Ashland Engineering Department.

11. Permits – Any construction or closure 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

12. 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.

13. Addresses – Any new addresses must be assigned by City of Ashland Engineering Department.

14. Sign & Traffic Control Devices– Sign installation and visibility must be maintained to the requirements of the Manual of Uniform Traffic Control Devices (MUTCD). The applicant proposed signage must be reviewed and approved by the City of Ashland Engineering Department.

Street Names – Any new street names must be approved by the City of Ashland Engineering Department and Planning Department.