
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 DIVISION
PRE-APPLICATION CONFERENCE
COMMENT SHEET** December 6, 2023

SITE: 568 Coffee Lane
APPLICANT: Rogue Planning for CMK
Development LLC
REQUEST: Land Partition

PLANNING STAFF COMMENTS:

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

Summary: Staff are generally supportive of the partition proposal, with specific comments/issues noted below.

Land Partition Approval Criteria (AMC 18.5.3.050): The final application submittal would need to address the approval criteria for a Land Partition as detailed below:

- A. *The future use for urban purposes of the remainder of the tract will not be impeded.*
- B. *The development of the remainder of any adjoining land or access thereto will not be impeded.*
- C. *The partition plan conforms to applicable City-adopted neighborhood or district plans, if any, and any previous land use approvals for the subject area.*
 - **Previous Land Use Approvals:** The final application submittal will speak to how the proposed partition conforms to the applicable conditions of the West Village subdivision approvals.
- D. *The tract of land has not been partitioned for 12 months.*
- E. *Proposed lots conform to the requirements of the underlying zone, per part [18.2](#), any applicable overlay zone requirements, per part [18.3](#), and any applicable development standards, per part [18.4](#) (e.g., parking and access, tree preservation, solar access and orientation).*
 - **Lot Width:** The final application would need to include details demonstrating that the proposed Parcel 1 meets the width and depth requirements of AMC 18.2
 - **Solar Setback:** The final application submittal will need to demonstrate that a home can be located on the new vacant lots and meet the solar access performance standards in section [18.4.8.040](#). The application should carefully consider how the gas pipeline easement on the proposed Parcel 1 will affect solar access compliance.
- F. *Accesses to individual lots conform to the standards in section [18.4.3.080](#) Vehicle Area Design. See also, [18.5.3.060](#) Additional Preliminary Flag Lot Partition Plat Criteria.*

- G. *The proposed streets, utilities, and surface water drainage facilities conform to the street design standards and other requirements in part [18.4](#), and allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications.*
- I. *Where an alley exists adjacent to the partition, access may be required to be provided from the alley and prohibited from the street.*
- **Alley:** As approved in the subdivision, the alley is to be private but allow public use, installed to full city alley standards, and maintained in perpetuity by the West Village subdivision homeowners' association. Compliance with the subdivision approval's requirements would be the expectation here (i.e. a city standard alley installation to the west property line, and access from the alley rather than individual driveways). In discussions with the Public Works Department about the potential for this becoming a public alley (i.e. shifting the long-term maintenance responsibilities from the HOA to the city) they've indicated they would be willing to take on the alley as a public facility provided that the applicant first completed the short section of alley that remains unfinished through the adjacent Billings Ranch subdivision. Planning and Public Works staff are open to further discussion of this possibility.
 - **Parking off of the Alley:** As conditioned in the subdivision approval, there is to be no parking on the south side of the alley other than a single family residential garage to limit potential conflicts with pedestrian and bicycle traffic on the alley and easement.
- J. *Required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development.*
- K. *A partition plat containing one or more flag lots shall additionally meet the criteria in section [18.5.3.060](#).*

Additional Approval for Flag Partitions (AMC 18.5.3.060): The final application submittal would also need to address the applicable criteria for a flag partition, as listed below:

- A. *The criteria of section [18.5.3.050](#) are met.*
- B. *For the purpose of meeting the minimum lot area requirement, the lot area, exclusive of the flag drive area, must meet the minimum square footage requirements of the zoning district.*
- C. *Flag drives shall be in the same ownership as the flag lots served. Where two or more lots are served by the same flag drive, the flag drive shall be owned by one of the lots and an easement for access shall be granted to the other lot or lots.*
- D. *Except as provided in subsection [18.5.3.060.H](#), below, the flag drive serving a single flag lot shall have a minimum width of 15 feet and contain a 12 foot wide paved driving surface. For drives serving two flag lots, the flag drive shall be 20 feet wide, with a 15 foot wide driving surface to the back of the first lot, and a 12 foot wide driving surface to the rear lot. Drives shared by adjacent properties shall have a width of 20 feet, with a 15 foot paved driving surface. Width shall be increased on turns where necessary to ensure fire apparatus remain on a paved surface during travel.*
- E. *Curb cuts have been minimized, where possible, through the use of common driveways. No more than two flag lots are served by the flag drive.*
- F. *Flag drive grades shall not exceed a maximum grade of 15 percent. Variances may be granted for flag drives for grades in excess of 15 percent but no greater than 18 percent for not more than 200 feet. Such variances shall be required to meet all of the criteria for approval in chapter [18.5.5](#) Variances.*

- G.** Flag drives shall be constructed to prevent surface drainage from flowing over sidewalks or other public ways.
- H.** Flag lots adjacent to an alley shall meet all of the requirements of this section, except that:
1. Vehicle access shall be from the alley only where required as a condition of approval.
 2. No screening and paving requirements shall be required for the flagpole.
 3. A four foot pedestrian path shall be installed within the flagpole and improved and maintained with either a concrete, asphalt, brick, or paver block surface connecting the street to the buildable area of the flag lot.
 4. The flag pole width shall be no less than eight feet wide and the entrance of the pole at the street shall be identified by the address of the flag lot clearly visible from the street on a four-inch by four-inch post that is 3½ feet high. The post shall be painted white with black numbers three inches high running vertically down the front of the post. For flagpoles serving two or more dwellings, the addresses of such dwellings shall be on a two foot by three foot white sign clearly visible from the street with three-inch black numbers.
- I.** Flag drives and fire work areas shall be deemed Fire Apparatus Access Roads under the Oregon Fire Code and subject to all requirements thereof.
- J.** When required by the Oregon Fire Code, flag drives greater than 150 feet in length shall provide a turnaround (see Figure [18.4.6.040.G.5](#)). The Staff Advisor, in coordination with the Fire Code Official, may extend the distance of the turnaround requirement up to a maximum of 250 feet in length as allowed by Oregon Fire Code access exemptions.
- K.** Each flag lot has at least three parking spaces situated to eliminate the necessity for vehicles backing out.
- Note:** [Under the state's Climate Friendly & Equitable Communities rules, no off-street automobile parking can currently be required by the city for properties within ½ mile of frequent transit routes \(i.e. RVTD's Route 10\).](#) It is anticipated that the Council will adopt a new ordinance on December 19th which would eliminate off-street automobile parking requirements citywide. Where voluntarily provided, parking will need to meet city standards and bicycle parking continues to be required.
- L.** There shall be no parking within ten feet of the centerline of the drive on either side of the flag drive entrance.
- M.** Flag drives serving structures greater than 24 feet in height, as defined in part [18.6](#), shall provide a fire work area of 20 feet by 40 feet clear of vertical obstructions and within 50 feet of the structure. The fire work area requirement shall be waived if the structure served by the drive has an approved automatic sprinkler system installed.
- N.** Both sides of the flag drive have been screened with a sight-obscuring fence, wall or fire-resistant broadleaf evergreen sight-obscuring hedge to a height of from four to six feet, except in the front yard setback area where, starting five feet from the property line, the height shall be from 30 to 42 inches in the remaining setback area. Such fence or landscaping shall be placed to ensure fire apparatus access is not obstructed by the encroachment of mature landscaping.
- O.** The applicant has executed and filed with the Community Development Department an agreement between applicant and the City for paving and screening of the flag drive. Such an agreement shall specify the period within which the applicant, or agent for applicant, or contractor shall complete the paving to standards as specified by the Public Works Director and screening as required by this section, and providing that if applicant should fail to complete such work within such period, the City may complete the same and recover the full cost and expense thereof from the applicant. An agreement shall also provide for the maintenance of the paving and screening pursuant to this section, and assurance ongoing maintenance.

P. Flag lots shall be required to provide a useable yard area that has a minimal dimension of 20 feet wide by 20 feet deep. As used in this chapter, the term "useable yard area" means a private yard area which is unobstructed by a structure or automobile from the ground upward. (Ord. 3158 § 9, amended, 09/18/2018)

Gas Line Easement: As detailed on the West Village subdivision plat, there is a 40-foot wide gas pipeline easement along the south property line of the parent parcel which, with the standard setbacks, would pose substantial limitations on the developability of the proposed Parcel 1 and which could make compliance with the solar ordinance difficult. The final application should speak to how these limitations are proposed to be addressed.

Tree Preservation/Protection/Removal: All planning actions are required to include a tree inventory and tree preservation/protection plan in accordance with [AMC 18.4.5](#). This is intended to ensure that trees are protected during all site disturbance (including demolition, construction, driveway/parking installation, staging of materials, etc. Should the application include requests for tree removal, tree removal permits would also need to be requested as required in [AMC 18.5.7](#).

Wildfire Lands: Like all properties in the city, the parent parcel is located in the wildfire lands overlay. As a result, the application to divide the lot into three parcels requires a fire prevention and control plan to be submitted with the application. The approved plan is then required to be implemented prior to the issuance of a building permit for structures located on the lots created by the partition. See subsection [18.3.10.100.A](#) for the fire prevention and control plan requirements.

Neighborhood Outreach: Projects involving changes to established neighborhood patterns can be a concern for neighbors, and staff always recommends that applicants approach the affected neighbors, make them aware of the proposal, and try to address any concerns as early in the process as possible. Notices are sent to neighbors within a 200-foot radius of the property.

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 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.

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OTHER DEPARTMENTS' COMMENTS

BUILDING DEPT: No specific comments provided. Please contact Building Official Steven Matiacco in the Building Division for any Building Code-related information at 541-488-5305.

STREETS/PUBLIC WORKS/ENGINEERING DEPTS: See comments at the end of this document. Please contact Karl Johnson of the Engineering Division for any further information at 541-552-2415 or via e-mail to karl.johnson@ashland.or.us .

FIRE DEPARTMENT: No specific comments provided. Please contact Fire Marshal Mark Shay with Ashland Fire & Rescue for any Fire Department-related information at 541-552-2217 or via e-mail to mark.shay@ashland.or.us.

CONSERVATION: There may be current City of Ashland rebates for the installation of high efficiency toilets (HET) as well as some appliances such as refrigerators, dishwashers and washing machines. Appliances may also be eligible for state tax credits through the Oregon Department of Energy. There may also be opportunities for homes to be built more sustainably or more energy-efficiently with financial and/or technical assistance from the City. For more information on currently available Conservation programs, please contact the City of Ashland Conservation Division at (541) 552-2062 or e-mail Dan.Cunningham@ashland.or.us. Conservation staff are available to provide any further information or assistance on these programs.

WATER AND SEWER SERVICE: Please Contact Steve Walker at 541-552-2326 or via e-mail to walkers@ashland.or.us with any questions regarding water utilities.

STORM WATER DRAINAGE: See comments provided at the end of this document. Please contact Karl Johnson of the Engineering Division for any further information at 541-552-2415 or via e-mail to karl.johnson@ashland.or.us.

ELECTRIC SERVICE: Please contact Rick Barton in the Electric Department at (541) 552-2082 to discuss 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.*

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UNDERLYING ZONE PROVISIONS (18.2.5.030.A.)

ZONING: R-1-5, Single Family Residential with a 5,000 square foot minimum lot size for non-corner lots and a 6,000 square foot minimum lot size for corner lots. Minimum lot width is 50 feet. Lot depth 80-150 feet. Lot width shall not exceed lot depth.

OVERLAYS: The property is located in the wildfire lands overlay & the performance standards overlay.

SETBACKS: Eight feet for unenclosed porches, 15 feet for front yards, and 20 feet for front-facing garages. Six feet for side yards but ten feet for side yards abutting a public street. Ten feet per story and five feet per half-story for rear yards. In addition, the setbacks must comply with the solar access requirements.

LOT COVERAGE: A maximum of 50 percent of the lot may be covered with impervious surface. Please identify on site plan and in text all areas of landscaping, impervious surface, patio space, outdoor recreational space, etc.

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PROCEDURE: Land use regulations provide for administrative (“Type I”) decisions on land partition applications, however there is the possibility for a public hearing if an appeal is requested.

Application Requirements. The application is required to include: 1) clear, legible, scalable drawings of the proposal (i.e. plan requirements), and 2) 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 I 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 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.

1. PLAN & EXHIBIT REQUIREMENTS: *One digital copy of the plans OR one (1) copy 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.*

- One (1) Copy of the preliminary plat as required in section [18.5.3.040](#).
- One (1) Copy of a Tree Inventory/Removal/Protection Plan as required in chapter [18.4.5.030](#)

2. 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*

- One (1) copy of written findings addressing the preliminary partition plat criteria found in section [18.5.3.050](#). and [.060](#)
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Land Partition

\$ 1,271.25 + 84.50 per lot

***NOTE:** 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. The first fifteen COMPLETE applications submitted are processed at the next available Planning Commission meeting.

For further information, please contact:

Derek Severson, *Planning Manager*

City of Ashland, Department of Community Development

Phone (541) 552-2040 or e-mail derek.severson@ashland.or.us

December 6, 2023

Date

Veronica Allen, *Associate Planner*

City of Ashland, Department of Community Development

Phone (541) 552-2042 or e-mail veronica.allen@ashland.or.us

Public Works/Engineering Pre-Application Comments

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. **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.
3. **Right of Way** – No additional right of way dedication, beyond that necessary to comply with City Street Standards, will be required at this time.
4. **Sanitary Sewer** - The property is currently served by an 8-in sanitary sewer main in Coffee Lane and an 8-in sanitary sewer stubbed into the NE corner of the property. The applicant proposed improvements must be reviewed, approved and permitted by the City of Ashland Engineering Department.
5. **Water** - The property is currently served by an 8-in water main in Coffee Lane. 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.

6. **Storm Drainage** - The property is currently served by a 12-in storm sewer main in Coffee Lane and a 12-in storm sewer stubbed into the NE corner of the property. City of Ashland Engineering Department must review an engineered storm drainage plan.

Storm Water Facility Design Requirements

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/stormwater-quality-documents-information>

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

7. **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.
8. **Driveway Access** – The proposed driveway shall be installed to meet the same standards and cross-section of the public alley to the west of the property so that the two can connect in a contiguous manner at some point in the future. The applicant proposed improvements must be reviewed and permitted by the City of Ashland Engineering Department.
9. **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.
10. **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.

11. **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.

For any further questions about the Public Works/Engineering comments here, please contact Karl Johnson with the Engineering Division via e-mail to karl.johnson@ashland.or.us or by phone at (541) 552-2415.