
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 Nov 1, 2023**

SITE: 210 Hersey St.
APPLICANT: Jeff Sharpe
REQUEST: Site Design Review for
installation of mechanical equipment/solar

PLANNING DIVISION COMMENTS

This pre-application conference is intended to highlight significant issues before the applicant prepares and submits a formal application.

Summary: The Ashland Municipal Code (AMC) requires Site Design Review for mechanical equipment that is not fully enclosed in a structure or if the mechanical equipment is visible from a public street or adjacent residentially zoned property. In addition, mechanical equipment is required to be fully screened by a fence, wall or landscaping.

For Staff the key issues are:

- Compliance with previously approved landscaping / mitigation of trees / landscaping maintenance.
 - A site visit determined that while much of the ground cover is well established some of the trees are no longer there and the ones that are living are in poor health. The application should address removal / mitigation or demonstrate that they will not conflict.
- Local building code does not regulate these structures as such the planning action will invoke a condition of approval that “The applicant shall be required to demonstrate that the structure and its components are designed in accordance with the design criteria outlined in the current Oregon Structural Specialty Code, and ASCE 7-16. Special inspections are required to be conducted by the Engineer of Record throughout the project” An agreement form stipulating to the terms of this condition of approval will be required with the electric permit
- Parking lot lighting: Our standards provide upper end limits with regard to height, but do not provide great guidance on what minimum amount of light and spacing is required. The complete application should address how the parking area lighting will be addressed.” See AMC 18.4.4.050.C
- Address / electric meters. Is there net metering involved in this project? Have you talked with the electric department?



Site Design Review Criteria: The application must address the following criteria and standards from Ashland Municipal Code (AMC) 18.5.2.050 for a Site Design Review approval for commercial development.

- A. Underlying Zone.** *The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.*
- B. Overlay Zones.** *The proposal complies with applicable overlay zone requirements (part 18.3).*
- C. Site Development and Design Standards.** *The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.*
- D. City Facilities.** *The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.*
- E. Exception to the Site Development and Design Standards.** *The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.*
 - 1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.; or*
 - 2. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.*

LANDSCAPING - See: AMC 18.4.4.030 and previously approved planting plan.

"Except as otherwise provided by this chapter, areas proposed to be covered with plant materials shall have plant coverage of not less than 50 percent coverage within one year and 90 percent coverage within five years of planting."

H. Irrigation. Irrigation systems shall be installed to ensure landscape success. If a landscape area is proposed without irrigation, a landscape professional shall certify the area can be maintained and survive without artificial irrigation. Irrigation plans are reviewed through a ministerial process at the time of building permit submittals.

See: section 'I' Water Conservation Landscaping

J. Maintenance. All landscaping shall be maintained in good condition, or otherwise replaced by the property owner; dead plants must be replaced within 180 days of discovery.

C. Standards. As a guideline, lighting levels shall be no greater than necessary to provide for pedestrian safety, property/business identification, and crime prevention. All outdoor lighting, except streetlights, shall comply with the following standards.

Site Circulations/Fire Apparatus Access: A driveway serving more than seven parking spaces must be maintained to a minimum 20-foot width to a height of 13½ feet. The final application submittal would need to demonstrate that the placements proposed would not adversely affect vehicle circulation or fire apparatus access.

Tree Preservation, Protection and Removal: An inventory of all trees six-inches in diameter at breast height and greater on the property and within 15 feet of the property boundaries including any street trees is required with the application under AMC 18.4.5. The inventory must include detailed

information prepared by a certified arborist including but not limited to species, diameter at breast height, condition, and drip line/protection area of each tree. The plan must clearly identify trees to be preserved and how they will be protected and show those trees to be removed, and address the tree removal permit requirements in AMC 18.5.7 for significant trees to be removed. Tree removal permit requests would be considered in light of the Tree Removal Permit criteria.

Scalable Site Plans: The applications will need to include plans addressing the application submission requirements in AMC 18.5.2.040 including a site and landscaping plans drawn to a standard scale.

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.

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 first hear of the proposal from the applicants rather than by a more formal notice from the city.

PROCEDURE

Application Requirements: Site Design Review for mechanical equipment is subject to a “Type I” procedure which includes an administrative decision made following public notice and a public comment period. Type I decisions provide an opportunity for appeal to the Planning Commission. For procedural & timeline details see:

[http://www.ashland.or.us/SIB/files/Flowchart_Type_I_FY18-19\(2\).pdf](http://www.ashland.or.us/SIB/files/Flowchart_Type_I_FY18-19(2).pdf)

APPLICATION REQUIREMENTS

Application Requirements.

1. Application Form and Fee. Applications for Type I review shall be made on forms provided by the Staff Advisor (see <http://www.ashland.or.us/Files/Zoning%20Permit%20Application.pdf>). 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 application shall not be considered complete unless the appropriate application fee accompanies it.
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 (see the end of this document, and further detail at: http://www.ashland.or.us/SIB/files/2018-07-01_PlanningFees.pdf .

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

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.*

- o Two (2) Copies of the materials required for a Site Design Review approval as detailed in chapter 18.5.2.040.
- o 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).

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.

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

FEES:	Commercial Site Review (Type I)	\$1,271.25 + ½ % of valuation
	Exceptions	\$0
	Tree Removal Permits/Exceptions	\$0

***NOTE:**

- o Building valuation is based on the building valuation data table maintained in state building code.
- o Applications are accepted on a first come-first served basis.
- o All applications received are reviewed by staff, and must be found to be complete before being processed or scheduled at a Planning Commission meeting.
- o 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.
- o Applications are reviewed for completeness in accordance with ORS 227.178.
- o Applications submitted are processed in the order received, and complete actions are scheduled at the next available Planning Commission meeting.

For further information, please contact:

Aaron Anderson, Senior Planner
 City of Ashland, Department of Community Development
 Phone: 541-552-2052 or e-mail: aaron.anderson@ashland.or.us

November 1, 2023

Date

Type I Procedure

Administrative Decision

1. Type I Site Review (\$1,092 base fee)*
 - Downtown
 - Detail Site Review Zone
 - Commercial, Industrial and Non-residential
 - Residential (Base + \$72.50 per unit)

Base + ½ % of value of construction
2. Accessory Residential Unit (\$710)*
3. Miscellaneous Type I Actions (\$1,092)*
 - Amendments or Modifications
 - Physical and Environmental Constraints Permit
 - Water Resources Permit
 - Tree removal (\$30.50, no base fee with another application)

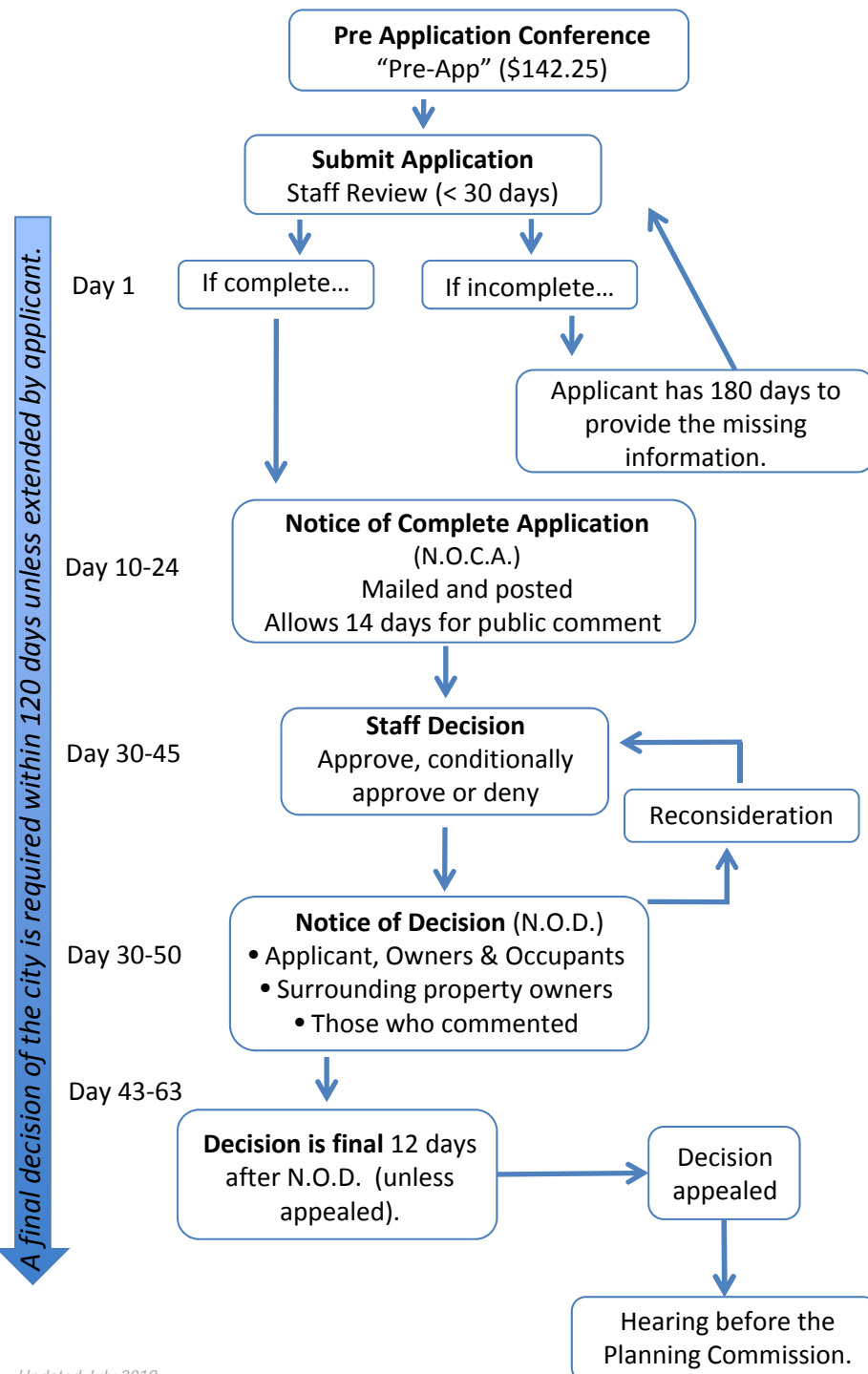
4. Variances (\$1,092)*
5. Conditional Use Permits (\$1,092)*
6. Land Partitions (\$1,092 + \$72.50 per lot)*

**Fees are cumulative and depend on project specifics*

See Ashland Land use Ordinance (LUO) 18.5.1.050 for complete information. Contact City of Ashland Planning for any questions or more information at 51 Winburn Way, Ashland OR, 97520. **Phone:** 541-488-5305; **E-mail:**

Planning@ashland.or.us.

Priority planning action processing for LEED® certified buildings.



A pre-application conference is required and valid for six months. Conferences are Wednesday afternoons, as available, and must be scheduled at least two weeks in advance.

Fees must be paid upon submission of the application. Planning staff review the application and determine if it is complete and inform the applicant within 30 days of submittal. (See 18.5.1.090)

Within ten days of completeness determination, written notice will be mailed to the applicant, owners of the property, and property owners within 200 feet of the property. A clearly visible notice will be posted on the property by City staff. These notices allows 14 days for the submission of written comments. (See 18.5.1.050.B.)

Within 45 of a completeness determination, but not less than 20 days after the N.O.C.A., a decision is made. Within 5 days of the decision, the City will mail notice of the decision (N.O.D.) to the applicant, owner and occupants of the property and any group or individual who submitted written comments. Planning Director can reconsider a decision pursuant to 18.5.1.050.C & D.

Decision is final 12 days after N.O.D., unless there is an appeal. An appeal must be requested within 11 days of N.O.D. with an appeal fee of \$150. Appeals are heard by the Planning Commission at the next regular Planning Commission meeting, which is the final decision of the City for Type I's. Further appeals are to the State Land Use Board of Appeals (LUBA). (See 18.5.1.050.G)