
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**
July 6, 2022

SITE: 355 Garfield St
APPLICANT: Ian Crumme for Palm Cottages
REQUEST: Modification of existing CUP

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: The proposal is for a modification to the existing CUP to install an enclosed outdoor kitchen and dining area with an attached trellis on the northwest corner of the property located at 355 Garfield St. The structure will be accessible from the existing cottage at 355 Garfield St and from the Palm Motel at 1064 Siskiyou Blvd.

- The proposed reduced setback to 3' is permissible due to location and height of structure.
- Lot coverage is proposed to be reduced by 20 sf in application materials
- Final application materials must include solar setback calculations for the proposed structure ([WHAT IS SOLAR ACCESS \(ashland.or.us\)](http://www.ashland.or.us/WHAT-IS-SOLAR-ACCESS)).
- PA-2010-00434 requires three off-street parking spaces to be maintained entirely within the subject parcel in order to serve the current use of the property. One on-street parking credit was awarded at the time of PA-2010-00434. Application materials suggest there are two spaces on the property presently.
- Current Use?? – the existing conditional use permit indicated that the parcel is approved for three overnight suites and an owners unit. A complete application should be clear on the present use so that it can be memorialized.
- Demo Permit?

CONDITIONAL USE PERMIT APPROVAL CRITERIA (AMC 18.5.4.050)

Conditional Use Permits are discretionary approvals. Applications must include written responses fully addressing each of the following criteria:

- That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.
- That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage paved access to and throughout the development, and adequate transportation can and will be provided to the subject property.

- That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection 18.5.4.050.A.5, below. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.
 - a) Similarity in scale, bulk, and coverage.
 - b) Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
 - c) Architectural compatibility with the impact area.
 - d) Air quality, including the generation of dust, odors, or other environmental pollutants.
 - e) Generation of noise, light, and glare.
 - f) The development of adjacent properties as envisioned in the Comprehensive Plan.
 - g) Other factors found to be relevant by the approval authority for review of the proposed use.
- A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.
- For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of this subsection, the target uses of each zone are as follows:
 - c. **R-2 and R-3.** Residential use complying with all ordinance requirements, developed at the density permitted by chapter 18.2.5 Standards for Residential Zones.

Generally speaking, the application would need to weigh the adverse material impacts of the proposed use against the target multi-family residential use and demonstrate that the proposal would have no greater adverse impacts on the neighborhood than the residential use. Traffic, parking, noise, light and glare are commonly considered adverse material impacts.

The target use for your properties would be 2.4 dwelling units. [Density in the R-2 zone is 13.5 du/ac; the property is 0.20 acres x 13.5 = 2.7 dwellings]

Your application materials that address this criterion simply need to state that the proposed use (residing in the one house, while renting the other out short term) will not have a greater impact than the target use (which would be two separate homes and the associated traffic etc.)

OTHER

Neighborhood Outreach: 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 typically sent to neighbors within a 200-foot radius of the property.

Written Findings/Burden of Proof: This pre-application conference is intended to highlight significant issues for staff and bring them to the applicant's attention prior to their preparing a formal application submittal. Applicants should be aware that written findings addressing the ordinance and applicable criteria are required, and are heavily depended on when granting approval for a planning action. In addition, the required plans are explained in writing below. The burden of proof is on the applicant(s) to ensure that all applicable criteria are addressed in writing

and that all required plans, written findings, and other materials are submitted even if those items were not discussed in specific, itemized detail during this initial pre-application conference.

OTHER DEPARTMENTS' COMMENTS

BUILDING DEPT: A Fire and Life Safety Code analysis will be required for this project. A registered design professional who is familiar with the commercial code is recommended. The following is a list of items that will need to be addressed and included in the code analysis. Additional information may be requested at the time of review. The project will need to meet current building codes.

- Fire separation requirements from property lines, and structures on the same lot per 602 OSSC will need to be identified along with the required fire rated construction outlined in this section.
- Identify whether or not the structure will require sprinklers in accordance with provisions of 903 OSSC.
- Identify allowable openings per 705.8 OSSC.
- Show how meet requirements for projections out of 705.2 OSSC.
- Identify Accessibility requirements out of Chapter 11 OSSC and ICC A117.1-2009
- Identify Hood, Make up air, and suppression requirements for the cooking appliance out of OMSC 507, 508, and 509..

Please contact the Building Division for any code-related information at 541-488-5305.

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

WATER AND SEWER SERVICE: *No comments provided at this time.* Please Contact Steve Walker at [541-552-2326](tel:541-552-2326) or e-mail 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: *“Electric approves, contact if increase in service size.”* Please contact Dave Tygerson in the Electric Department for electrical service requirements or fee information at (541) 552-2389 or via e-mail to dave.tygerson@ashland.or.us.

FIRE: *No comments provided at this time.* Please contact Fire Marshall Ralph Sartain at (541) 552-2229 or via e-mail to ralph.sartain@ashland.or.us for information on Fire Department requirements.

ODOT: *“ODOT does not have any comments on this proposal based on our evaluation criteria”.*

CONSERVATION: See the City of Ashland Conservation Division’s website at www.ashland.or.us/conserve for information on available technical or financial assistance for

conservation measures including solar electric incentives and commercial lighting efficiency programs. For additional information, please contact:

- **New residential construction programs:** Dan Cunningham, 541-552-2063 or dan.cunningham@ashland.or.us
- **Commercial lighting and controls:** Larry Giardina, 541-552-2065 or larry.giardina@ashland.or.us
- **Water Conservation:** Julie Smitherman, 541-552-2062 or Julie.smitherman@ashland.or.us

UNDERLYING ZONE PROVISIONS (See AMC Table 18.2.6.030)

Zoning: R-2. See AMC Table 18.2.5.030 “Unified Standards for Residential Zones” for zoning district requirements.

APPLICATION DETAILS

PROCEDURE

This Commercial Site Design Review 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.

Submittal Information.

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

- a. The information requested on the application form at <http://www.ashland.or.us/Files/Zoning%20Permit%20Application.pdf> .
- b. Plans and exhibits required for the specific approvals sought (see below).
- c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail (see below).
- d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, *as applicable*.
- e. The required fee (see below).

The Ashland Land Use Ordinance, which is Chapter 18 of the Municipal Code, is available on-line in its entirety at: http://www.ashland.or.us/SIB/files/AMC_Chpt_18_current.pdf

Written Statements

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

- | | | |
|---|--|-----------------------|
| ○ | CUP | AMC 18.5.4.050 |
| ○ | Tree Protection Plan (if applicable): | AMC 18.4.5.030 |
| ○ | Tree Removal (if applicable): | AMC 18.5.7.030 |

Plans & Exhibits Required

Please provide two sets of exhibits (plans or drawings) addressing the submittal requirements from the sections of the Ashland Municipal Code listed below. These exhibits are used to copy the Planning Commission packets and for notices that are mailed to neighbors. Please provide two copies on paper no larger than 11-inches by 17-inches and reproducible copies that are drawn to a standard architect’s or engineer’s scale.

- o **Conditional Use Permit** **AMC 18.5.2.040**

FEES: CUP \$1,125.20

NOTE: All applications received are reviewed 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.

For further information, please contact: July 6, 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