
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 Jan 31, 2024

SITE: 1485 Iowa St.
APPLICANT: SOU
REQUEST: SDR and 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.

The proposal will require both a Site Design Review, and a Conditional Use Permit (CUP). These are both Type-1 land use Actions and can be processed concurrently. (*Commercial Site Design review has a portion of the fee based on 0.5% of the project valuation*)

The SOU District is regulated by AMC 18.3.6 which is set out below less the purpose and applicability sections:

AMC 18.3.6.030 - Permitted Uses

Permitted uses are as follows.

- A. Uses permitted outright are all those which are directly related to the educational functions of SOU, provided that such uses are indicated and located in conformance with the adopted and City approved SOU Plan, and are greater than 50 feet from privately owned property.
- B. Wireless Communication Facilities authorized pursuant to chapter 18.4.10 Wireless Communication Facilities.

18.3.6.040 - Conditional Uses

Uses subject to approval of a conditional use permit, per chapter 18.5.4, are as follows.

- A. Any use, site design, or construction or alteration of same not agreed upon in advance by the City and SOU in the SOU Plan.
- B. Any use, site design, or construction within 50 feet of privately owned property.**
- C. Any construction over 40 feet in height.**
- D. Wireless Communication Facilities not permitted outright and authorized pursuant to chapter 18.4.10 Wireless Communication Facilities.

Because the project is directly adjacent to residential development regardless of whether the project was explicitly detailed in the master plan Site Design Review would be required.

Signs:

18.4.7.120 – Governmental Signs

Governmental agencies may apply for a Conditional Use Permit to place a sign that does not conform to this chapter when it is determined that, in addition to meeting the criteria for a conditional use, the sign is necessary to further that agency's public purpose.

The present application will need to address a CUP for the proposed signs as well as the scoreboard and any graphics on the outfield fence.

SOU has had a Master Sign Program for the entire campus that was adopted in 1995 and has been amended several times since. Staff is aware that there are many conformities and other unauthorized signs around campus. Staff has noticed a number of places on campus, especially around the athletic fields where large SOU logos are present which have been installed without addressing the Sign Plan. These include Raider logos in the new beach softball area and also on the east side of containers behind the football stands. A future campus wide sign plan update shall be required.

Tree Removal:



It appears that the present site plan does not have a comprehensive inventory of all presently existing trees on site and that some tree removals may be required. Site Design Review requires a complete inventory of *“The location, size, and species of trees six inches DBH or greater, including trees located on the subject site and trees located off site that have drip lines extending into the subject site.”*

A final applicaiotn shall include a Tree preservation and protection plan per AMC 18.4.5

Lighting

Outdoor Lighting: See AMC 18.4.4.050 for complete standards.

Specifically standards 1 and 5.

1. Arrange and install artificial lighting so there is **no direct illumination onto adjacent residential properties.**
5. Except as permitted for signs, direct outdoor light fixtures downward and have full shielding to minimize excessive light spillover onto adjacent properties.

Stadium Lights – A final application should address the height of the light standards and address how spill over light will be addressed to the adjacent residential development.



Standard 2 requires that poles be no higher than 14' however it is obvious for this purpose they must be taller. If the proposed height is greater than 40 they shall be approved through a CUP.

18.4.4.020.F - outdoor lighting in section 18.4.4.050 are subject to subsection 18.5.2.050.E, **Exception** to the Site Development and Design Standards

Approval Criteria

Site Design Review

Due to the nature of the proposal many of the Site Design Standards are not relevant. A complete application shall address each of the relevant standards in its burden of proof document.

The application should address those relevant standards, including orientation to street, lot coverage, etc.

An application for Site Design Review would need to respond to the approval criteria below from AMC 18.5.2.050:

- 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, 2, or 3, 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;
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; or
3. There is no demonstrable difficulty in meeting the specific requirements for a cottage housing development, but granting the exception will result in a design that equally or better achieves the stated purpose of section 18.2.3.090.

Conditional Use Permit (CUP)

Conditional Use Permits require a demonstration that the adverse material impacts of the proposal would be no greater than those encountered with development of the property to the target use of the zone.

A CUP application would need to respond to the approval criteria below from AMC18.5.4.050:

1. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.
2. That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the development, and adequate transportation can and will be provided to the subject property.
3. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection 18.5.4.050.A.5, below.

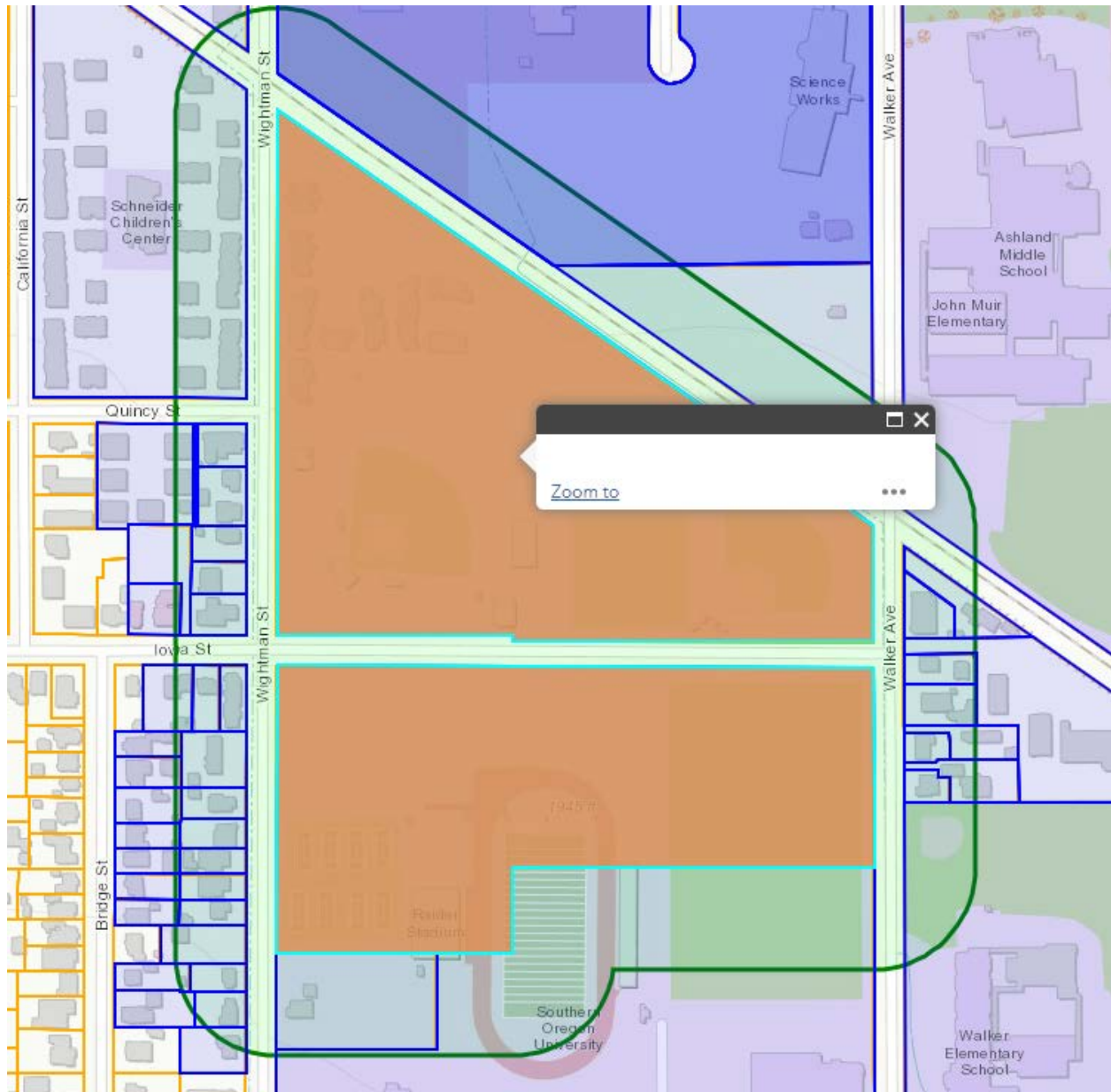
When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.

- a. Similarity in scale, bulk, and coverage.
 - b. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
 - c. Architectural compatibility with the impact area.
 - d. Air quality, including the generation of dust, odors, or other environmental pollutants.
 - e. Generation of noise, light, and glare.
 - f. The development of adjacent properties as envisioned in the Comprehensive Plan.
 - g. Other factors found to be relevant by the approval authority for review of the proposed use.
4. A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.
 5. For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of this subsection, the target uses of each zone are as follows.
 - d. C-1. The general retail commercial uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and within the Detailed Site Review overlay, at an intensity of 0.50 floor to area ratio, complying with all ordinance requirements.

Submittals: The final application submittal would need to include scalable drawings including a site plan, landscape & irrigation plan, and elevation drawings illustrating all sides of the building with color, material, lighting, trash enclosure and parking/bicycle parking details.

Neighborhood Outreach: Projects involving changes to established patterns can be a concern for neighboring property and business owners, 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 will be 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 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 (*scalable*) plans, written findings, and other materials are submitted even if those items were not discussed in detail during the pre-application conference.



53 Addresses in 200' Buffer area.

OTHER DEPARTMENTS' COMMENTS

BUILDING DEPT: No comments provided. Please contact the Building Official Steven Maticco for Building Code-related information at 541-488-5305.

CODE COMPLIANCE: For any compliance-related information, please contact Code Compliance Specialist at (541) 552-2424

CONSERVATION: For information on available Conservation Programs, including potential

rebates, tax credits, and financial or technical assistance with energy efficiency improvements, please contact the City of Ashland Conservation Division at 541-488-5305.

ENGINEERING: See comments at the end of this document. Please contact Karl Johnson at (541) 552-2415 or e-mail: karl.johnson@ashland.or.us for any Engineering-related questions (utilities, streets, storm drainage, etc.).

FIRE DEPARTMENT: No comments provided. Please contact Division Chief & Fire Marshal Ralph Sartain of Ashland Fire & Rescue for Fire Code-related information at (541) 552-2229 or via e-mail to ralph.sartain@ashland.or.us.

WATER AND SEWER SERVICE: No comments provided. Please contact Steve Walker with questions at 541-552-2326 or via e-mail to 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 Dave Tygerson in the Electric Department for service and meter location requirements and fee information at (541) 552-2389 if there will be any changes to existing services associated with the request. A preliminary electric service plan approved by the Electric Department is required with Site Design Review applications.

ZONING DISTRICT REQUIREMENTS:

Zoning: SO, Southern Oregon University

Landscaping Requirements: 50 percent of the site is required to be surfaced in natural landscape materials which permit the natural infiltration of water into the soil below. A size, and species specific landscaping & irrigation plan required at time of formal application. Where possible, avoid using lawn. Provide irrigation system.

Parking, Access and Internal Circulation: As per the requirements of Chapter 18.92 Off-Street Parking.

Lot Coverage: A maximum of 50% if the lot may be covered with buildings, driveways, parking areas, walkways, and other forms of lot coverage.

Setbacks: Front yards shall be a minimum of 15 feet excluding garages. Unenclosed porches shall be permitted with a minimum setback of eight feet or the width of any existing public utility easement, whichever is greater, from the front property line. All garages accessed from the front shall have a minimum setback of 20 feet from the front property line; side yards, 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 18.70 which provides for Solar Access.

Signs: Per Master Plan or Sign Program

.....
PROCEDURE: The application is subject to “Type I” review and allow a decision be made at the staff level, after property public notice and a public comment period. Type I decisions provide an opportunity for appeal to the Planning Commission.

A. Application Requirements.

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 application shall not be considered complete unless the appropriate application fee accompanies it. The application form is available here:

https://www.ashland.or.us/SIB/files/Comm%20Dev/16Zoning_Permit_Application.pdf

Fees are detailed here:

https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/2019-07-01_Planning_Fees.pdf

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 Requirements

- materials required for Site Design Review application as detailed in LUO 18.5.2.040.
- materials required for a Conditional Use Permit application as detailed in LUO 18.5.4.040.
- Tree Protection Plan as required in chapter 18.4.5.030 (*if the application will involve any site disturbance that would impact trees*).
- plans required for a Tree Removal Permit as required in chapter 18.5.7.030 (*if tree removal is proposed*).

Narrative Submittal Requirements:

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.

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:

<https://ashland.municipal.codes/LandUse>

- written findings addressing the approval criteria for a Site Design Review, as detailed in LUO 18.5.2.050.
- written findings addressing the approval criteria for a Conditional Use Permit, as detailed in LUO 18.5.4.050.
- 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*).

.....

FEES:	Site Design Review	\$1,271.25 = 0.5% project valuation
	Conditional Use Permit	\$1,271.25
	Tree Removal Permit (if applicable)	\$0
	Exceptions (if applicable)	\$0

***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.*

For further information, please contact:

January 31, 2024

Aaron Anderson, *Senior Planner*

Phone: 541-552-2052/ E-mail: aaron.anderson@ashland.or.us