
The comments of this pre-application 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
Feb 7 2024

SITE: 30 Knoll Crest
APPLICANT: Rogue Planning & Development
REQUEST: Site Design Review, Subdivision, CUP,
P&E (?), Tree Removal

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.

When considering the recent changes in State law regarding parking, allowed uses on commercial lands, and new guidance from the state regarding building code this project becomes a fairly straight forward exercise in Commercial Site Design Review for 14 One-Unit hotels and subdivision. Once built they can be used as residential pursuant to HB 2984 A (Attached at the end of this document). Staff understands based on the site plan that the proposal is 14 lots for single unit hotels each located on their own parcel and one common area lot for driving and parking areas.

Subdivision: The application form mentions a performance standard subdivision for 19 lots but provides no additional discussion, preliminary plat or findings. Because the property is commercial staff see no reason to invoke the two-step performance standards process, and instead can be approved as a 'standard subdivision' under 18.5. A complete application shall address management and maintenance of the common area lot. The common area should address all standards in terms of AMC 18.4.3 Parking, Access and Circulation.

Site Design Review: Site Design Review approval is required for all new commercial construction and will be required to address the Site Development and Design Standards in AMC 18.4, including public improvements. The proposal requires a Type II because in the Detail Site Review overlay development over 10,000 square feet. Staff estimates that the proposal is approximately 14 KSF.

ROW improvements / exceptions to Street Standards: With the removal of parking minimums there will be additional attention on the need for pedestrian and bike connectivity. The existing grade may provide a justification for a departure from the standards in 18.4, however staff see no reason why curb tight sidewalk could not be accommodated along the length of the project as is improved on the opposite side of the road.

Conditional Use Permit (CUP): Is required for both Hotel / motel use in C1, and Residential in Airport Overlay. The application would need to respond to the Conditional Use Permit approval criteria in demonstrating that the adverse material impacts of the proposal were no greater than the target use of the zone. *(The target use of the C-1 zoning district and Detail Site Review Overlay would be general retail use developed at a 0.50 Floor Area Ratio.)*

Residential Use in Commercial Zones: HB2984 A 82nd OR Leg – 2023 Regular Session. This new law prohibits the city from requiring a conditional use to all residential use in commercial

Zones. This removes any concerns about our local regulations dealing with multi use housing

P&E: The property has slopes that are identified as steeper than 35%. These slopes are the result of grading for the existing road network, that said a slope analysis will be required. Depending on the result, a P&E may be required.

Commercial SDC's handout: note Transportation SDC for hotel units.

Parking Calculations: Hotel/motel and residential uses no longer have minimum parking requirements.

Potential ROW dedication for TSP project R-8: The application materials show how the development does not preclude project R-9 despite the fact that it is unlikely that project design would ever move forward. the application would need to demonstrate that the final site plan would not prevent it from occurring and street frontage improvements including sidewalks, curbs and gutters would need to be planned to support the new intersection alignment and Public Works/Engineering would work with Jackson County for paving/stripping/signage improvements.



Other Site Design Review

Orientation to Street/Parking & Circulation between Buildings & Street: Generally, the Building Placement, Orientation & Design Standards seek to have buildings placed directly behind the sidewalk without parking or circulation between the buildings and the street. As proposed, internal circulation routes are placed between all of the individual units and the adjacent streets. This would need to be adjusted to place the internal access behind the units or an Exception to the Site Development and Design Standards and would need to be requested with justification to address the criteria in AMC 18.5.2.050.E

In addition to elevations illustrating the proposed buildings and scalable plans, the final application materials will need to make clear the proposed lot configuration and address lot coverage, etc. The subject properties are within the Detail Site Review overlay zone, and building designs will need to respond to the applicable design standards or request exceptions thereto.

Other Jurisdictions: Highway 66 is a state highway under the jurisdiction of the Oregon Department of Transportation (ODOT) and East Main Street within Jackson County is a County Road under County jurisdiction. The applicants will want to coordinate their street system design and permitting with these agencies. *It would be worthwhile to coordinate a meeting between the applicant's team, planning staff, and city, state and county transportation staff to discuss coordinating transportation improvements.*

Ashland Street/Highway 66: Ashland Street is considered a Boulevard under the Transportation System Plan and is subject to the Boulevard standards in:

<https://ashland.municipal.codes/LandUse/18.4.6.040.G.1>. Ashland Street is also a state highway (Hwy 66) under ODOT jurisdiction in this vicinity, and any improvements will be subject to ODOT review and approval as well. In terms of an Exception to not install parkrow and sidewalk on Ashland Street, an Exception request should make clear whether internal sidewalks proposed along the driveway are intended to provide public pedestrian access as a means to provide equivalent connectivity, or if this sidewalk is to be limited to hotel guests. It may be difficult for the Commission to approve an Exception here which does not address pedestrian facilities on this corridor. *(ODOT, which has jurisdiction for the facility, has recommended that the City require frontage improvements consistent with city standards, and has pointed out that not having sidewalks will complicate pedestrian connectivity and impact future development to the east.)*

Hwy 66 Bikelanes in TSP: The TSP identifies future bike lane improvements along Hwy 66 along the properties' frontage. **See B-30 on Figure 8-1 of the TSP.** This should be taken into account in the development plan as well.

East Main Street: As noted in the application, East Main Street would need to be improved to city standards with an "Avenue" level of improvement, which may necessitate the dedication of some additional right-of-way. The standard avenue cross section is illustrated here:

<https://ashland.municipal.codes/LandUse/18.4.6.040.G.2> .

Controlled Access Requirements: The final application will need to address the controlled access requirements found in AMC 18.4.3.080.C.3 as well as applicable controlled access/access management standards for the appropriate jurisdictions. *(As detailed in the Transportation System Plan's Figure 10-2, Ashland Street is under ODOT jurisdiction in this vicinity and East Main Street is under Jackson County jurisdiction. Both roadways are noted in the TSP as being subject to jurisdictional access management requirements calling for access spacing standards of 300 feet.)*

Adequate Capacity of Public Utilities: The applicant is responsible for determining if adequate water, sanitary sewer, storm sewer, and electricity services, and paved access/adequate transportation are available or can be extended to serve the proposed development. The Site Plan must show the location and size of the public utility lines that will serve the proposed parcels and detail all existing and proposed service locations. Plans will not be deemed complete without utility plans which have been developed in coordination with the utility departments, including an approved electric service plan.

Airport Overlay: In the official adopted maps, the Airport Overlay zone includes the subject property. Within the Airport Overlay, residential uses are not permitted unless approved pursuant to a Conditional Use Permit and structure heights are limited based on a conic section extending from the runway and its approach pursuant to "FAR 77 Height Restrictions"

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 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 trees to be removed that require permits.

Other

Site Visit: Prior to a hearing, staff would recommend that a Site Visit be arranged with the Planning Commission to give them an idea of the specifics of the site (*i.e. topography, relationship to adjacent properties, existing frontage improvements, driveway locations, existing buildings, stature and condition of existing trees, etc.*) provided that COVID-related restrictions in place at the time will allow for in-person/on-site meetings.

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 received 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

FIRE DEPARTMENT: *See comments at the end of this document.* Please contact the Fire Marshal, Chief Ralph Sartain of Ashland Fire & Rescue for any additional information at (541) 552-2229 or via e-mail to ralph.sartain@ashland.or.us.

BUILDING DEPARTMENT: Please contact the Building Division for any additional information at (541) 488-5309.

CONSERVATION DEPARTMENT: For information on currently available Conservation programs, please contact the City of Ashland Conservation Division at (541) 488-5305 or e-mail Dan.Cunningham@ashland.or.us.

PUBLIC WORKS/ENGINEERING DEPARTMENT: *See comments at end of this document.* For any further information, please contact Karl Johnson at (541) 552-2415 or via e-mail to: karl.johnson@ashland.or.us.

ELECTRIC DEPARTMENT: The applicant will need to contact Rick Barton in the Electric Department at (541) 552-2082 to discuss project details, 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.*

WATER AND SEWER SERVICE: *If the project requires additional water services or upgrades to existing services the Ashland Water Department will excavate and install in the city right of way all water services up to and including the meter on domestic and commercial water lines. If a fire line is required, the Water Department will only install a stub-out to the location where the double check detector assembly (DCDA) or reduced pressure detector assembly (RPDA) complete with a Badger®-brand cubic foot bypass meter should be placed in a vault external to the building. The vault and the DCDA or RPDA device housed in it are the responsibility of the property owner and should be placed at the property line (outside of the pedestrian corridor). Fees for these installations are paid to the Water Department and are based on a time and materials quote to the developer or contractor. Meter sizes and fire line diameters will need to be provided to the Water Department at the time of a quote being requested. Please Contact Steve Walker prior to the design of water connections to the City system at 541-552-2326 or e-mail: steve.walker@ashland.or.us to discuss the intended use of the facility and property regarding meter and hydrant placement and also potential cross connection hazards associated with the project.*

TALENT IRRIGATION DISTRICT (TID): The Talent Irrigation District (TID) has no concerns with the proposal. For any additional TID-related information, please e-mail the district offices at tid@talentid.org.

OREGON DEPARTMENT OF TRANSPORTATION (ODOT): Please find ODOT comments below:

- I. The adopted City of Ashland TSP identifies a roundabout on this property. The City should consider whether a TSP amendment would be appropriate to either shift or remove the roundabout.
- II. Preliminary ODOT Roadway analysis of the alternative roundabout location suggests additional ROW may be needed to accommodate a correctly sized roundabout. Additional analysis including modeling turning templates for a WB76 should be conducted to inform appropriate roundabout size and potential Right of Way needs to accommodate in the proposed location on the SEC of the development site.
- III. Sight distance for eastbound traffic turning left into the easterly access should be examined in the TIA.
- IV. A left-turn lane analysis should be applied using ODOT APM standards in the TIA.
- V. Applicant will need to obtain a misc./utility permit prior to any disturbance within the State ROW.
- VI. Applicant will need to obtain ODOT approval of drainage calculations, showing the proposal will not adversely affect state facilities.

Please direct the applicant to contact Beau Appling at beau.appling@odot.oregon.gov or 541.864.8811 to discuss permits.

ZONING DISTRICT REQUIREMENTS

See Table 18.2.6.030 – Standards for Non-Residential Zones

Zoning: C-1 (Commercial Zoning District). Detail Site Review Overlay. Airport Overlay.

Parking, Access and Internal Circulation: Per the requirements in AMC 18.4.3.

Landscaping Requirements: 15 percent of the lot area. Seven percent of parking and circulation areas. Size- and species-specific landscaping & irrigation plan required for park rows and open space at time of formal application. Avoid using lawn. Provide irrigation system. Include street trees, one per 30 feet of street frontage.

Lot Coverage: There is no maximum coverage, however landscaping requirements above must be met...

Standard Setbacks:

- There is no minimum front, side, or rear yard required, except where buildings on the subject site abut a residential zone, in which case a side of not less than 10 ft and a rear yard of not less than 10 ft per story is required.
- Except for buildings within 100 feet of a residential zone, the solar setback standards of chapter 18.4.8 do not apply to structures in the C-1 zone.
- See also section [18.2.4.030](#) Arterial Street Setback.

APPLICATION SUBMITTAL REQUIREMENTS

Application Requirements: Applications for Conditional Uses involving new buildings are processed as a “Type II” procedure which requires a quasi-judicial decision through a public hearing at the Planning Commission. Detail Site Review developments and residential developments totaling over 10,000 square feet also require Type II procedural handling. The Planning Commission’s decision may be appealed, in which case it is subject to an “on-the-record appeal” before the City Council. (*For further procedural detail, see: **Type II (Quasi-Judicial Hearing Process)** attached at end.*

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 (see https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/Zoning_Permits_Application_FY21-22.pdf).
- 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.

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

PLAN & EXHIBIT REQUIREMENTS: *Electronic copies of the materials below formatted to print to scale 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.*

- The materials required for a Site Design Review approval at 18.5.2.040.
- The materials required for a Preliminary Plat Approval at 18.5.3.040
- The materials required for a Conditional Use Permit approval at 18.5.4.040.
- Written findings addressing the requirements from section 18.3.10.040 for a Physical & Environmental Constraints Review Permit (*if applicable to the final proposal*).
- A Tree Protection Plan as required chapter 18.4.5.030.
- The plans required for a Tree Removal Permit as required in chapter 18.5.7.030 (*if applicable to the final proposal*).

RELEVANT CRITERIA AND STANDARDS: Applicants are advised that in addition to required plans, electronic copies of written findings addressing how the ordinance criteria are satisfied in narrative format are required. The applicable criteria are included below.

- Written findings addressing the criteria for Site Design Review approval detailed in chapter 18.5.2.050.
- Written findings addressing the criteria for Preliminary Plat Approval detailed in chapter 18.5.3.050.
- Written findings addressing the criteria for Conditional Use Permit from chapter AMC 18.5.4.050.
- Written findings addressing the following criteria from chapter 18.3.10.050 for a Physical & Environmental Constraints Review Permit (*if applicable to the final proposal*).
- 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*).
- Written findings addressing the following criteria from chapter 18.5.7.040.B.2. for Tree Removal Permit (*if applicable to the final proposal*).

NEXT APPLICATION DEADLINE: First Friday of each month
TREE COMMISSION MEETINGS: Thursday before Planning Commission at 6:00 p.m.
PLANNING COMMISSION MEETING: Second Tuesday of each month at 7:00 p.m.
FEES: (As applicable to the final proposals details)...

<input type="checkbox"/> Site Design Review (II)	\$2,663.25 + ½ % of value
<input type="checkbox"/> Preliminary Plat Subdivision	\$2,663.25 + \$170.25 per lot
<input type="checkbox"/> Conditional Use Permit	\$2,663.25
• Hotel/Motel	
• Residential in Airport Overlay	
<input type="checkbox"/> P&E Permit	\$1,271.25
<input type="checkbox"/> Exceptions (<i>if applicable</i>)	\$0
<input type="checkbox"/> Tree Removal Permits	\$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 first COMPLETE applications submitted are processed at the next available Planning Commission meeting.

For further information, please contact:

February 7, 20224

Aaron Anderson, *Senior Planner*

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

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 MUST be submitted in B size (11x17). Bidding and construction documents MUST 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 MUST also be submitted. Drawings MUST 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.
- Plans shall also be submitted to ODOT and Jackson County Roads and the requirements of those entities must also be adhered to. Any requirements from one of those entities that may be in conflict with a requirement of the City of Ashland will be addressed at that time.

2. TIA (Transportation Impact Analysis) – A TIA has been submitted to the City of Ashland for review and comment.

3. Street Improvement –The applicant proposed improvements must be reviewed and permitted by ODOT, Jackson County Roads and the City of Ashland Engineering Department as necessary. The City of Ashland Engineering Department would also request that the applicant address Project R8 in the City of Ashland TSP and include these improvements as part of the project design and construction.

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

5. Sanitary Sewer - The property is currently served by a 10-in sanitary sewer main in E. Main Street. The applicant proposed improvements must be reviewed, approved and permitted by Jackson County Roads and the City of Ashland Engineering Department. The City of Ashland would consider the proposed sanitary sewer mains shown on the preliminary plan as private infrastructure as they are outside of the right of way and on private property.

6. Water - The property is currently served by a 12-in water main in E. Main Street. The preliminary plan does not show a proposed connection to this main but the City of Ashland would consider everything shown on the preliminary plan related to water as private infrastructure as they are outside of the right of way and on private property. Any proposed water meters, fire

vaults, etc. will need to be placed in the public right of way. 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. The applicant proposed improvements must be reviewed, approved and permitted by Jackson County Roads and the City of Ashland Engineering Department.

7. Storm Drainage - The property is currently served by Jackson County maintained roadside ditches along E. Main Street. Jackson County Roads and the City of Ashland Engineering Department must review an engineered storm drainage plan. The City of Ashland would consider the proposed storm sewer infrastructure shown on the preliminary plan as private as it is outside of the right of way and on private property.

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.

8. 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.

9. Driveway Access – No additional improvements/requirements will be requested at this time, but the applicant proposed improvements must be reviewed and permitted by ODOT, Jackson County Roads and the City of Ashland Engineering Department as necessary.

10. Permits – Any construction or closure within the public right of way will require a permit and before any work in the right of way commences all necessary permits MUST be obtained.

- ODOT will need to review and approve any improvements in the ODOT right-of-way. City of Ashland must obtain a copy of any ODOT approvals and/or permits that are granted before any work in the ODOT right-of-way begins.
- Jackson County Roads will need to review and approve any improvements in the Jackson County right-of-way. City of Ashland must obtain a copy of any Jackson County approvals and/or permits that are granted before any work in the Jackson County right-of-way begins.

11. 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.

12. 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 ODOT, Jackson County Roads and/or the City of Ashland Engineering Department as necessary.



AF&R Pre-Application Report

PreApp/Land Development Review Inspection Result

Inspected by
Mark Shay

Completed at
01/29/2024 12:30:00

Address	Suite	City	State	Zip
30 KNOLL CREST DR	--	ASHLAND	OR	97520
Business Name				
--				

This project is approved with the conditions noted below. This plan review is based on information provided only. Fire department comments are based upon the 2022 Oregon Fire Code as adopted by the Ashland Municipal Code, and Ashland Land Use Laws. This plan review shall not prevent the correction of errors or violations that are found to exist during construction.

Other:

✗ Fail

ITEM: Other

- Provide fire hydrants spaced at 500 feet per OFC Table C102.1
- If dead end roads exceed 150', they shall be provided with an approved turnaround per OFC 503.2.5
- Fire apparatus roads shall not exceed 10% grade, installation of NFPA 13D sprinkler systems may be an approved alternative per OFC D103.2 and D108.1
- Fire apparatus access roads with a hydrant shall have a minimum road width of 26 feet exclusive of shoulders per OFC D103.1. Proposed road widths of 22' will be acceptable if all dwellings are provided with an approved automatic fire sprinkler system and with parking restrictions on both sides of the road per OFC D103.1 and D103.6.1

This project/development shall comply with access and water supply requirements in accordance with

the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site. Specific fire protection systems may be required in accordance with the Oregon Fire Code. Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanical Codes and applicable NFPA Standards. Final determination of fire hydrant distance, fire flow, and fire apparatus access requirements will be based upon plans submitted for Building Permit review. Changes from plans submitted with this application can result in further requirements. Any future construction must meet fire code requirements in effect at that time. The fire department contact for this project is Fire Marshal Mark Shay. He may be contacted at (541) 552-2217 or mark.shay@ashland.or.us.

Ashland Fire & Rescue, 455 Siskiyou Blvd, Ashland OR 97520

541-482-2770 www.ashland.or.us

Type II Procedure

Quasi-Judicial Decision



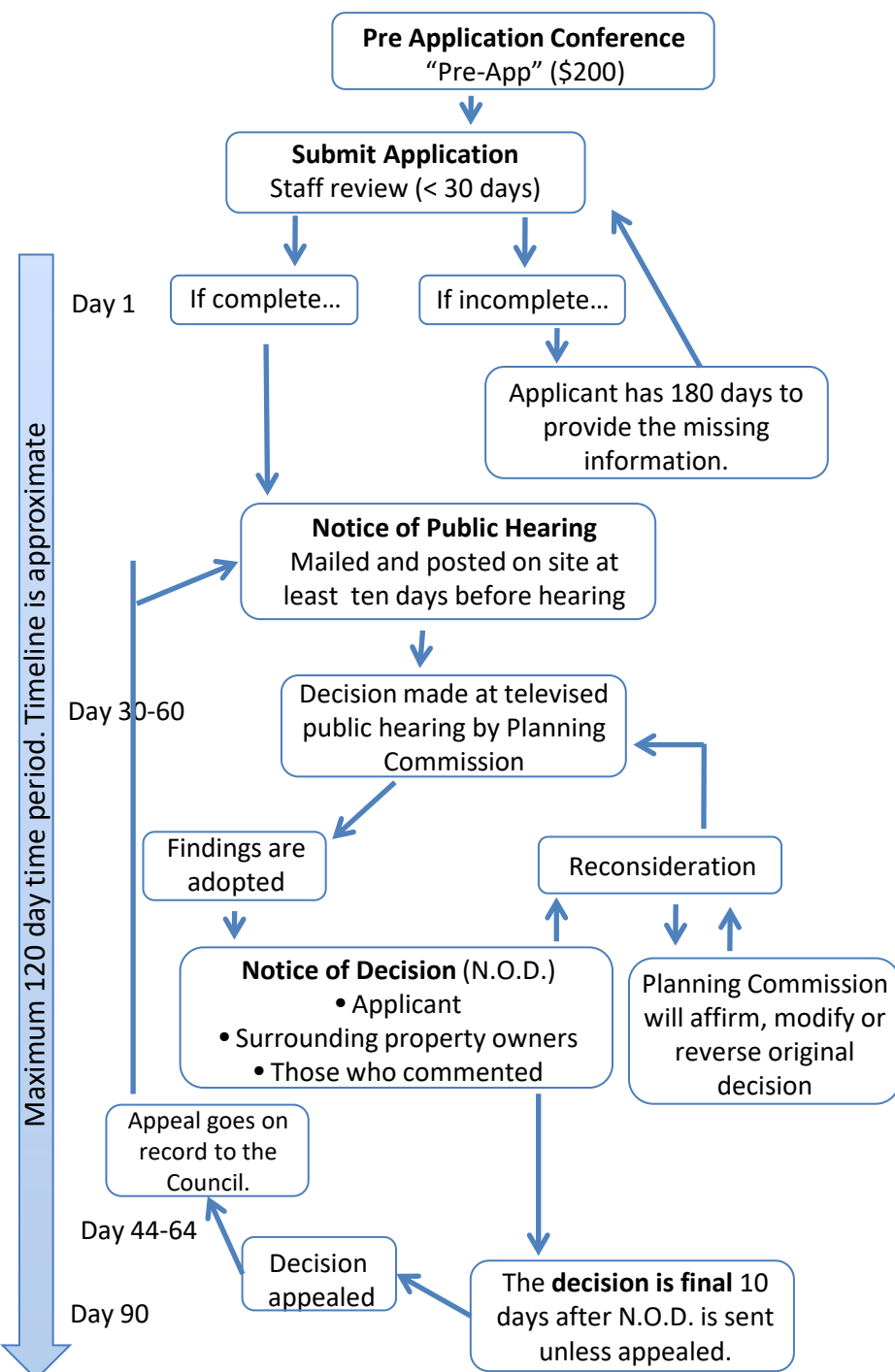
Subdivisions, Larger Scale & Commercial Projects, Minor Comprehensive Plan and Zoning Map Changes

1. Conditional Use Permit (\$2,663.25)*
2. Variance (\$2,663.25)*
3. Commercial Site Review (\$2,663.25 + ½ % value)*
4. Outline Plan or Preliminary Plan for subdivisions (\$2,663.25 + \$170.25 per lot)*
5. Final Plan with outline (\$3,397 + \$170.25 per lot)*
6. Independent Review of W.C.F. (\$5,000 - \$10,000)*

*Fees are cumulative and depend on project specifics.

See Ashland Municipal Code (AMC) 18.5.1 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 or **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 of any deficiencies within 30 days of submittal.

City may hold an initial evidentiary hearing. Complete applications are heard initially at Planning Commission meeting at least 30 days after the submission of the complete application. Public hearing notice must be mailed and posted ten days before the hearing.

Staff reviews application and prepares a written recommendation to the Commission 7 days before the hearing. Commission conducts public hearing and approves or denies application.

Reconsideration may be requested by any party if (1) new evidence material exists, (2) a factual error occurred, or (3) a procedural error occurred. If reconsideration is requested within 7 days of mailing findings it goes before the Planning Commission at the next scheduled meeting.

The Planning commission shall decide to affirm, modify or reverse the original decision. Notice of the reconsideration decision shall be sent to any party entitled to notice of the planning action.

After Commission hearing, Staff prepares findings document. Commission adopts the findings document at the next months hearing. Decision is final 10 days after findings adopted, unless there is an appeal.

Appeals are heard by the City Council. Fee \$325. Council appeals are on the record.

FEES EFFECTIVE:
July 1, 2023



COMMERCIAL

SYSTEMS DEVELOPMENT CHARGES

(SDCs)

The purpose of the systems development charge (SDC) is to impose an equitable share of the public costs of capital improvements upon those developments that create the need for or increase the demands on capital improvements.

SDCs are collected to help pay for growth related improvements in the following areas: water supply, distribution and treatment, sewer collection and treatment, transportation, storm water collection, and parks and recreation/open space acquisition.

If you are building a new structure or adding onto an existing one, the following fees will be assessed along with standard building permit fees and are due at the time of building permit issuance.

WATER SDC

The water SDC is based on required water meter size. The meter fee schedule is as follows:

.625 x .75	\$ 5,311	2 inch	\$ 61,965
.75 inch	\$ 8,852	3 inch	\$ 106,224
1 inch	\$ 17,704	4 inch	\$ 221,299
1.5 inch	\$ 28,325	6 inch	\$ 318,670

SANITARY SEWER SDC

The Sanitary Sewer SDC is based on fixture units. The State Building Code determines the number of fixture units of each plumbing fixture unit. You will be credited for any existing fixtures being removed. Please note on your plans any existing fixtures being removed so they can be credited accordingly.

To calculate, see the attached sheet to determine the number of plumbing fixture units and multiply the total number of fixture units by **\$358.69**.

STORM SEWER SDC

If you are adding roof area, driveway or any other impervious surface (concrete walkways/decks, swimming pools, etc, you will be assessed for storm water collection.

To calculate, multiply **\$0.1894** by the total square footage of the impervious surfaces.

PARK AND RECREATION SDC

The Parks and Recreation SDC is charged on new residential development, with the exception of tourist accommodation rooms (hotel/motel/B&B)

To calculation, multiply each tourist accommodation room by **\$487.76**

TRANSPORTATION SDC

The Transportation SDC is based on the land use category for each project. Rates and land use categories are listed on the attached sheet

CITY OF ASHLAND
DEPT OF COMMUNITY DEVELOPMENT
51 WINBURN WAY, ASHLAND, OR 97520

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COMMERCIAL

SYSTEMS DEVELOPMENT CHARGES (SDCs)

Fixture Unit Reference Guide

Effective 7/20/2007

The following is a partial list of the most common commercial fixtures and their fixture unit counts for standard, public use and for assembly use (schools, auditoriums, etc) Complete specifications can be found in the Uniform Plumbing Code.

	<u>Public</u>	<u>Assembly</u>
Bathtub or Bath/Shower	4.0	
Clothes Washer	4.0	
Dishwasher	1.5	
Drinking Fountain	.5	.75
Lavatory	1.0	1.0
Kitchen, domestic	1.5	
Laundry sink	1.5	
Service/Mop Basin	3.0	
Shower	2.0	
Urinal 1.0 GPF	4.0	
Water Closet (1.6 GPF)	2.5	3.5



TRANSPORTATION SYSTEM DEVELOPMENT CHARGES



ITE Code	Description	Unit of Measure	Rate (Effective July 1, 2023)
90	PARK & RIDE LOT WITH BUS SERVICE	PER PARKING SPACE	\$1,568.96
110	GENERAL LIGHT INDUSTRIAL	PER TGSF	\$2,770.30
130	INDUSTRIAL PARK	PER TGSF	\$1,881.60
140	MANUFACTURING	PER TGSF	\$2,194.26
150	WAREHOUSING	PER TGSF	\$971.16
151	MINI WAREHOUSE	PER TGSF	\$842.89
154	HIGH-CUBE/SHORT-TERM STORAGE WAREHOUSE	PER TGSF	\$782.18
160	DATA CENTER	PER TGSF	\$553.14
210	SINGLE FAMILY DWELLING/TOWNHOME	PER DU	\$5,271.47
210.5	SINGLE FAMILY DWELLING LESS THAN 500 SQ FT	PER DU	\$2,635.73
210.75	SINGLE FAMILY DWELLING, 501-800 SQ FT	PER DU	\$3,953.60
220	APARTMENTS/CONDOS	PER DU	\$4,087.31
220.5	APARTMENTS/CONDOS LESS THAN 500 SQ FT	PER DU	\$2,043.65
220.75	APARTMENTS/CONDOS, 501-800 SQ FT	PER DU	\$3,065.48
225	OFF-CAMPUS STUDENT APARTMENT	PER BEDROOM	\$1,759.08
240	MANUFACTURED HOUSING		\$2,792.06
251	SENIOR HOUSING DETACHED	PER DU	\$2,384.36
252	SENIOR HOUSING ATTACHED	PER DU	\$2,065.98
253	CONGREGATE CARE FACILITY	PER DU	\$1,128.06
310	HOTEL/MOTEL	PER ROOM	\$4,667.94
411	CITY PARK	PER ACRE	\$435.19
430	GOLF COURSE	HOLES	\$16,964.21
444	THEATER	SEATS	\$982.61
491	TENNIS	PER COURT	\$15,473.13
495	COMMUNITY CENTER	PER TGSF	\$16,093.84
520	ELEMENTARY SCHOOL	PER STUDENT	\$1,055.89
522	MIDDLE SCHOOL/JUNIOR HIGH SCHOOL	PER STUDENT	\$1,189.89
530	HIGH SCHOOL	PER STUDENT	\$1,133.77
536	PRIVATE SCHOOL (K-12)	PER STUDENT	\$1,384.58
540	JUNIOR/COMMUNITY COLLEGE	PER STUDENT	\$642.47
550	UNIVERSITY/COLLEGE	PER STUDENT	\$871.51

TRANSPORTATION SYSTEM DEVELOPMENT CHARGES



560	PLACE OF WORSHIP	PER TGSF	\$3,881.17
565	DAY CARE CENTER	PER STUDENT	\$1,004.36
590	LIBRARY	PER TGSF	\$40,234.05
610	HOSPITAL	PER TGSF	\$5,986.09
710	GENERAL OFFICE BUILDING	PER TGSF	\$5,438.68
720	MEDICAL-DENTAL OFFICE	PER TGSF	\$19,433.33
731	DEPARTMENT OF MOTOR VEHICLES	PER TGSF	\$6,259.80
732	US POST OFFICE		\$58,041.15
813	FREE-STANDING DISCOUNT SUPERSTORE	PER TGSF	\$20,100.99
816	HARDWARE/PAINT STORE	PER TGSF	\$3,776.96
817	NURSERY (GARDEN CENTER)	PER TGSF	\$38,028.35
820	SHOPPING CENTER/RETAIL	PER TSFGLA	\$8,432.29
841	AUTOMOBILE SALES	PER TGSF	\$15,546.44
850	SUPERMARKET	PER TGSF	\$15,502.91
851/853	CONVENIENCE MARKET	PER TGSF	\$62,741.16
854	DISCOUNT SUPERMARKET	PER TGSF	\$25,878.66
857	DISCOUNT CLUB	PER TGSF	\$14,705.84
862	HOME IMPROVEMENT SUPERSTORE	PER TGSF	\$9,956.58
880	PHARMACY/DRUGSTORE W/OUT DRIVE THRU WINDOW	PER TGSF	\$16,600.05
881	PHARMACY/DRUGSTORE WITH DRIVE THRU WINDOW	PER TGSF	\$23,163.33
911	WALK-IN BANK	PER TGSF	\$14,246.60
912	DRIVE-IN BANK	PER TGSF	\$24,018.81
931	QUALITY RESTAURANT	PER TGSF	\$13,576.65
932	HIGH TURNOVER RESTAURANT	PER TGSF	\$19,419.59
934	FAST FOOD RESTAURANT WITH DRIVE-THRU	PER TGSF	\$71,006.24
936	COFFEE/DONUT WITHOUT DRIVE-THROUGH	PER TGSF	\$57,272.71
937	COFFEE/DONUT WITH DRIVE-THROUGH	PER TGSF	\$50,392.19
944	GASOLINE/SERVICE STATION	PER VEH.FUEL.POS.	\$22,092.53
945	GAS/SERVICE STATION W/CONVENIENCE MKT	PER VEH.FUEL.POS.	\$14,907.40

Enrolled

House Bill 2984

Sponsored by Representative MARSH; Representatives ANDERSEN, DEXTER, FAHEY, HELM, MCLAIN, Senators ANDERSON, DEMBROW, GOLDEN, JAMA, PATTERSON (Presession filed.)

CHAPTER

AN ACT

Relating to housing; amending ORS 197.308.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 197.308, as amended by section 4, chapter 47, Oregon Laws 2022, is amended to read:

197.308. (1) As used in this section[,]:

(a) “Affordable housing” means residential property:

[(a)] (A) In which:

[(A)] (i) Each unit on the property is made available to own or rent to families with incomes of 80 percent or less of the area median income [*as determined by the Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development*]; or

[(B)] (ii) The average of all units on the property is made available to families with incomes of 60 percent or less of the area median income; and

[(b)] (B) Whose affordability [*is enforceable*], including **affordability under a covenant** as described in ORS 456.270 to 456.295, **is enforceable** for a duration of no less than 30 years.

(b) “Area median income” means the median income for the metropolitan statistical area in which housing is located as determined by the Housing and Community Services Department and adjusted for household size based on information from the United States Department of Housing and Urban Development.

(2) A local government shall allow affordable housing[, and may not require a zone change or conditional use permit for affordable housing,] if the proposed affordable housing is on property that is:

(a) Owned by:

(A) A public body, as defined in ORS 174.109; or

(B) A nonprofit corporation that is organized as a religious corporation; or

(b) Zoned:

(A) For commercial uses;

(B) To allow religious assembly; or

(C) As public lands.

(3) **A local government shall allow the conversion of a building or a portion of a building from a commercial use to a residential use.**

[(3)] (4) [Subsection (2)] **Subsections (2) and (3)** of this section:

[(a) Does not apply to the development of housing not within an urban growth boundary.]

(a) Prohibit the local government from requiring a zone change or conditional use permit before allowing the use.

(b) *[Does]* **Do** not trigger any requirement that a local government consider or update an analysis as required by a statewide planning goal relating to economic development.

[(c) Applies on property zoned to allow for industrial uses only if the property is:]

[(A) Publicly owned;]

[(B) Adjacent to lands zoned for residential uses or schools; and]

[(C) Not specifically designated for heavy industrial uses.]

[(d)] (c) **[Does]** **Do** not apply on lands where the local government determines that:

(A) The development on the property cannot be adequately served by water, sewer, storm water drainage or streets, or will not be adequately served at the time that development on the lot is complete;

(B) The property contains a slope of 25 percent or greater;

(C) The property is within a 100-year floodplain; or

(D) The development of the property is constrained by land use regulations based on statewide land use planning goals relating to:

(i) Natural disasters and hazards; or

(ii) Natural resources, including air, water, land or natural areas, but not including open spaces or historic resources.

(5) The development of housing under subsection (2) of this section may occur only:

(a) Within an urban growth boundary; and

(b) On lands zoned to allow for industrial uses only if the property is:

(A) Publicly owned;

(B) Adjacent to lands zoned for residential uses or schools; and

(C) Not specifically designated for heavy industrial uses.

(6) The development of housing under subsection (3) of this section:

(a) Applies only within an urban growth boundary of a city with a population of 10,000 or greater;

(b) May not occur on lands zoned to allow industrial uses;

(c) May require the payment of a system development charge as defined in ORS 223.299 only if:

(A) The charge is calculated pursuant to a specific adopted policy for commercial to residential conversions adopted on or before December 31, 2023; or

(B) The charge is for water or wastewater and includes an offset for at least 100 percent of the water or wastewater system development charges paid when the building was originally constructed; and

(d) May not be subject to enforcement of any land use regulation that establishes a minimum number of parking spaces that is greater than the lesser of:

(A) The amount that may be required for the existing commercial use; or

(B) The amount that may be required in lands zoned for residential uses that would allow the converted development.

[(4)] (7) A local government shall approve an application at an authorized density level and authorized height level, as defined in ORS 227.175 (4), for the development of affordable housing, at the greater of:

(a) Any local density bonus for affordable housing; or

(b) Without consideration of any local density bonus for affordable housing:

(A) For property with existing maximum density of 16 or fewer units per acre, 200 percent of the existing density and 12 additional feet;

(B) For property with existing maximum density of 17 or more units per acre and 45 or fewer units per acre, 150 percent of the existing density and 24 additional feet; or

(C) For property with existing maximum density of 46 or more units per acre, 125 percent of the existing density and 36 additional feet.

[(5)(a)] **(8)(a)** Subsection [(4)] **(7)** of this section does not apply to housing allowed under subsection (2) of this section in areas that are not zoned for residential uses.

(b) A local government may reduce the density or height of the density bonus allowed under subsection [(4)] **(7)** of this section as necessary to address a health, safety or habitability issue, including fire safety, or to comply with a protective measure adopted pursuant to a statewide land use planning goal. Notwithstanding ORS 197.350, the local government must adopt findings supported by substantial evidence demonstrating the necessity of this reduction.

SECTION 1a. If House Bill 3442 becomes law, section 1 of this 2023 Act (amending ORS 197.308) is repealed and ORS 197.308, as amended by section 4, chapter 47, Oregon Laws 2022, and section 1, chapter __, Oregon Laws 2023 (Enrolled House Bill 3442), is amended to read:

197.308. (1) As used in this section[,]:

(a) “Affordable housing” means residential property:

[(a)] **(A)** In which:

[(A)] **(i)** Each unit on the property is made available to own or rent to families with incomes of 80 percent or less of the area median income [*as determined by the Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development*]; or

[(B)] **(ii)** The average of all units on the property is made available to families with incomes of 60 percent or less of the area median income; and

[(b)] **(B)** Whose affordability [*is enforceable*], including **affordability under a covenant** as described in ORS 456.270 to 456.295, **is enforceable** for a duration of no less than 30 years.

(b) “Area median income” means the median income for the metropolitan statistical area in which housing is located as determined by the Housing and Community Services Department and adjusted for household size based on information from the United States Department of Housing and Urban Development.

(2) A local government shall allow affordable housing[, *and may not require a zone change or conditional use permit for affordable housing,*] if the proposed affordable housing is on property that is:

(a) Owned by:

(A) A public body, as defined in ORS 174.109; or

(B) A nonprofit corporation that is organized as a religious corporation; or

(b) Zoned:

(A) For commercial uses;

(B) To allow religious assembly; or

(C) As public lands.

(3) A local government shall allow the conversion of a building or a portion of a building from a commercial use to a residential use.

[(3)] **(4)** [Subsection (2)] **Subsections (2) and (3)** of this section:

[(a)] *Does not apply to the development of housing not within an urban growth boundary.*

(a) Prohibit the local government from requiring a zone change or conditional use permit before allowing the use.

(b) [Does] **Do** not trigger any requirement that a local government consider or update an analysis as required by a statewide planning goal relating to economic development.

[(c)] *Applies on property zoned to allow for industrial uses only if the property is:*

[(A)] *Publicly owned;*

[(B)] *Adjacent to lands zoned for residential uses or schools; and*

[(C)] *Not specifically designated for heavy industrial uses.*

[(d)] **(c)** Except as provided in paragraph [(e)] **(d)** of this subsection, [*does*] **do** not apply on lands where the local government determines that:

(A) The development on the property cannot be adequately served by water, sewer, storm water drainage or streets, or will not be adequately served at the time that development on the lot is complete;

(B) The property contains a slope of 25 percent or greater;

(C) The property is within a 100-year floodplain; or

(D) The development of the property is constrained by land use regulations based on statewide land use planning goals relating to:

(i) Natural disasters and hazards; or

(ii) Natural resources, including air, water, land or natural areas, but not including open spaces or historic resources.

~~[(e)]~~ **(d)** ~~[Does]~~ **Do** apply to property described in paragraph ~~[(d)(C)]~~ **(c)(C)** and (D)(i) of this subsection if more than 60 percent of the lands within the urban growth boundary that the property is within are located within a tsunami inundation zone or if more than 30 percent of the lands within the urban growth boundary that the property is within are located within a 100-year floodplain.

(5) The development of housing under subsection (2) of this section may occur only:

(a) Within an urban growth boundary; and

(b) On lands zoned to allow for industrial uses only if the property is:

(A) Publicly owned;

(B) Adjacent to lands zoned for residential uses or schools; and

(C) Not specifically designated for heavy industrial uses.

(6) The development of housing under subsection (3) of this section:

(a) Applies only within an urban growth boundary of a city with a population of 10,000 or greater;

(b) May not occur on lands zoned to allow industrial uses;

(c) May require the payment of a system development charge as defined in ORS 223.299 only if:

(A) The charge is calculated pursuant to a specific adopted policy for commercial to residential conversions adopted on or before December 31, 2023; or

(B) The charge is for water or wastewater and includes an offset for at least 100 percent of the water or wastewater system development charges paid when the building was originally constructed; and

(d) May not be subject to enforcement of any land use regulation that establishes a minimum number of parking spaces that is greater than the lesser of:

(A) The amount that may be required for the existing commercial use; or

(B) The amount that may be required in lands zoned for residential uses that would allow the converted development.

~~[(4)]~~ **(7)** The development of housing allowed under subsection ~~[(3)(e)]~~ **(4)(d)** of this section may only occur:

(a) Within an urban growth boundary located no more than 10 miles from the Pacific Ocean;

(b) In areas that require compliance with minimum federal regulations under the National Flood Insurance Program or with local floodplain development regulations adopted by the applicable local government, provided that the local regulations are equal to or more stringent than the minimum federal regulations;

(c) In locations that do not include floodways or other areas with higher risks of greater water velocity and debris flow;

(d) In communities with emergency response, evacuation and post-disaster plans that have been updated for the housing development; and

(e) In areas that are not public parks.

~~[(5)]~~ **(8)** A local government may prohibit affordable housing or require a zone change or conditional use permit to develop affordable housing in areas described in subsection ~~[(3)(e)]~~ **(4)(d)** of this section.

[(6)] (9) A local government shall approve an application at an authorized density level and authorized height level, as defined in ORS 227.175 (4), for the development of affordable housing, at the greater of:

(a) Any local density bonus for affordable housing; or

(b) Without consideration of any local density bonus for affordable housing:

(A) For property with existing maximum density of 16 or fewer units per acre, 200 percent of the existing density and 12 additional feet;

(B) For property with existing maximum density of 17 or more units per acre and 45 or fewer units per acre, 150 percent of the existing density and 24 additional feet; or

(C) For property with existing maximum density of 46 or more units per acre, 125 percent of the existing density and 36 additional feet.

[(7)(a)] (10)(a) Subsection [(6)] (9) of this section does not apply to housing allowed under subsection (2) of this section in areas that are not zoned for residential uses.

(b) A local government may reduce the density or height of the density bonus allowed under subsection [(6)] (9) of this section as necessary to address a health, safety or habitability issue, including fire safety, or to comply with a protective measure adopted pursuant to a statewide land use planning goal. Notwithstanding ORS 197.350, the local government must adopt findings supported by substantial evidence demonstrating the necessity of this reduction.

Passed by House March 28, 2023

Received by Governor:

Repassed by House June 23, 2023

.....M.,....., 2023

Approved:

.....
Timothy G. Sekerak, Chief Clerk of House

.....M.,....., 2023

.....
Dan Rayfield, Speaker of House

.....
Tina Kotek, Governor

Passed by Senate June 21, 2023

Filed in Office of Secretary of State:

.....M.,....., 2023

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Rob Wagner, President of Senate

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Secretary of State