
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
May 4, 2022

SITE: 168 Meade Street
APPLICANT: Rogue Planning & Development Services, LLC
OWNER: Clay & Horner
REQUEST: Legal Lot Determination and PLA

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 a straightforward legal lot reactivation of lot 10 and the southern ten feet of lot 11 of the Highland Park Tract. The reactivation is proposed to be followed by a property line adjustment between the reactivated legal lot and the adjacent lots 8 & 9 of the Highland Park Tract. These related planning actions will be processed as two subsequent Ministerial procedures (AMC 18.1.3.030 & 18.5.3.120).

Completed applications should address the corresponding approval criteria below. Special attention should be given to the following:

- **Clarification of Lot Configuration** – The plans submitted for this pre-application conference do not clearly show the final configuration of lots. The narrative conflicts with the drawing. If the final configuration is to be three lots, the combined portions of lot 8 & 9 would have a width greater than its depth, thus necessitating a Variance. The final application should clarify final lot configuration.
- **Maximum Permitted Floor Area (MPFA)** – The subject property is located in the Siskiyou-Hargadine Historic District and therefore must abide by MPFA regulations (AMC 18.2.5.070). The final application materials should demonstrate that with the final lot configuration, the existing residence at 168 Meade Street and any accessory structures comply with MPFA requirements. A 10,100 square foot lot would have an MPFA of approximately 2,724 square feet per AMC 18.2.5.070.
- **Access Management** – Final driveway placement must comply with controlled access standards (24 feet minimum between adjacent drives, measured from bottoms of apron wings).
- **Lot Coverage and Setbacks** – The final application needs to demonstrate that the lot containing the existing residence at 168 Meade St complies with applicable setbacks and lot coverage requirements (AMC 18.2.5 & 18.4.8).

Criteria for Legal Lot Determination: A lot of record is a plot of land that meets one or more of the following criteria, pursuant to ORS 92.010 to 92.190:

- The plot of land was lawfully created through a subdivision or partition plat in Jackson County

- prior to annexation to the City.
- The plot of land was created through a deed or land sales contract recorded with Jackson County prior to August 18, 1964 before the City adopted planning, zoning, subdivision or partition regulations
- The plot of land was created through a deed or land sales contract recorded with Jackson County prior to January 1, 2007 and the subject plot of land would have complied with the applicable planning, zoning, subdivision, or partition regulations in effect at the time it was created.

Approval Criteria for Property Line Adjustments:

- **Parcel Creation.** No additional parcel or lot is created by the lot line adjustment.
- **Lot Standards.** Except as allowed for nonconforming lots, pursuant to chapter 18.1.4, or as required by an overlay zone in part 18.3, all lots and parcels conform to the lot standards of the applicable zoning district, including lot area, dimensions, setbacks, and coverage, per part 18.2. If a lot does not conform to the lots standards of the applicable zoning district, it shall not be made less conforming by the property line adjustment. As applicable, all lots and parcels shall identify a buildable area free of building restrictions for physical constraints (i.e., flood plain, greater than 35 percent slope, water resource protection zones).
- **Access Standards.** All lots and parcels conform to the standards in section 18.4.3.080 Vehicle Area Design. Lots and parcels that do not conform to the access standards shall not be made less conforming by the property line adjustment.

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.

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OTHER DEPARTMENTS' COMMENTS

BUILDING DEPARTMENT: No comments at this time. Please contact the Building Division for any additional information at (541) 488-5309.

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

ELECTRIC DEPARTMENT: “Please have applicant contact the Electric Department at 541-552-2389 to coordinate meeting to discuss service requirements and connect fees related to their project.”

FIRE DEPARTMENT: See attached comments. Please contact Fire Marshal Ralph Sartain of the Fire Department for any additional Fire Department-related information at 541-552-2229 or via e-mail to ralph.sartain@ashland.or.us.

PUBLIC WORKS DEPARTMENT: Please see attached comments from Karl Johnson in the Engineering Division. For any further information, please contact Karl at (541) 552-2415 or via e-mail to: karl.johnson@ashland.or.us.

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 also only install a stub out to the location where the double detector check assembly complete with a Badger brand cubic foot bypass meter should be placed in a vault external to the building. The vault and the DCDA device housed in it are the responsibility of the property owner and should be placed at the property line. 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 at 541-552-2326 or (walkers@ashland.or.us) with any questions regarding water utilities.”*

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ZONING DISTRICT REQUIREMENTS

Zoning: R-1-7.5 Single Family Residential

Landscaping Requirements: 55 percent of the lot area.

Parking, Access and Internal Circulation: Residential dwellings require one off-street parking space per studio or one-bedroom unit less than 500 square feet; 1½ spaces per one-bedroom unit greater than 500 square feet; 1¾ spaces for two-bedroom units; and two spaces for units with three or more bedrooms as further detailed in AMC 18.4.3. Drives in excess of 50 feet in length are considered to be “flag drives” and subject to all the development standards thereof – see AMC

Lot Coverage: A maximum of 45 percent of the lot may be covered with building footprints, driveways, parking spaces and other lot coverage. Compliance with lot coverage standards should be demonstrated in the application.

Setbacks: Front yards shall be a minimum of 15 feet, excluding garages which require a 20-foot front setback. Unenclosed porches shall be permitted with a minimum setback of eight feet. Side yards require 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 18.4.8 which provides for Solar Access.

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PROCEDURE:

Application Requirements. The application is required to include: 1) clear, legible, scalable drawings of the proposal (i.e. plan requirements), and 2) written findings addressing the applicable approval criteria in accordance with the Ashland Land Use Ordinance (ALUO), Chapter 18 of the Ashland Municipal Code.

The following sections include the requirements for plans and approval criteria which are applicable to the proposal as described in the pre-application submittals. When more than one planning approval is required for the proposal, multiple sections of the ALUO may apply. The burden of proof is on the applicant(s) to ensure that all applicable criteria are addressed in writing and that all required plans, written findings, and other materials are submitted even if those items were not discussed in specific, itemized detail during this initial pre-application conference. All submittals must also include:

1. **Application Form and Fee.** Applications requiring Ministerial review shall be made on forms provided by the City and include any plans, exhibits, or other submittals required pursuant to the applicable sections of this ordinance. One or more property owners of the property for which the planning action is requested and their authorized agents, as applicable, must sign the application. The application shall not be considered complete unless the appropriate application fee accompanies it.

All applications for Property Line Adjustment shall be made on forms provided by the City and shall include information required for a Ministerial review, pursuant to section [18.5.1.040](#).

- 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.

1. PLAN & EXHIBIT REQUIREMENTS: *Two (2) copies of the plans below on paper no larger than 11"x 17".*

A. Lot of Record Requirements. It shall be the property owner's responsibility to demonstrate that his or her plot of land meets the lot of record criteria in section 18.1.3.020.

B. Property Line Adjustment Requirements. The application shall include a preliminary lot line map drawn to scale identifying all existing and proposed lot lines and dimensions; footprints and dimensions of existing structures (including accessory structures); location and dimensions of driveways and public and private streets within or abutting the subject lots; location of lands subject to the Ashland Floodplain Corridor Overlay; existing fences and walls; and any other information deemed necessary by the Staff Advisor for ensuring compliance with City codes. The application shall be signed by all of the owners as appearing on the deeds of the subject lots.

2. RELEVANT CRITERIA AND STANDARDS: *Applicants are advised that in addition to required plans, written findings addressing how the ordinance criteria are satisfied in narrative format are required. The applicable criteria are included below. The Ashland Land Use Ordinance in its entirety may be accessed on-line at:*

http://www.ashland.or.us/SIB/files/AMC_Chpt_18_current.pdf

Two (2) copies of written findings addressing the legal lot determination criteria found in section 18.1.3.020 and addressing the property line adjustment criteria found in section 18.5.3.120.

- A. Legal Lot Determination** – A lot of record is a plot of land that meets one or more of the following criteria, pursuant to ORS 92.010 to 92.190:
- a. The plot of land was lawfully created through a subdivision or partition plat in Jackson County prior to annexation to the City.
 - b. The plot of land was created through a deed or land sales contract recorded with Jackson County prior to August 18, 1964 before the City adopted planning, zoning, subdivision or partition regulations (Ordinance 1361).
 - c. The plot of land was created through a deed or land sales contract recorded with Jackson County prior to January 1, 2007 and the subject plot of land would have complied with the applicable planning, zoning, subdivision, or partition regulations in effect at the time it was created.

B. Property Line Adjustment –

- a. Parcel Creation. No additional parcel or lot is created by the lot line adjustment.
- b. Lot Standards. Except as allowed for nonconforming lots, pursuant to chapter 18.1.4, or as required by an overlay zone in part 18.3, all lots and parcels conform to the lot standards of the applicable zoning district, including lot area, dimensions, setbacks, and coverage, per part 18.2. If a lot does not conform to the lots standards of the applicable zoning district, it shall not be made less conforming by the property line adjustment. As applicable, all lots and parcels shall identify a buildable area free of building restrictions for physical constraints (i.e., flood plain, greater than 35 percent slope, water resource protection zones).
- c. Access Standards. All lots and parcels conform to the standards in section 18.4.3.080 Vehicle Area Design. Lots and parcels that do not conform to the access standards shall not be made less conforming by the property line adjustment.



FEES (non-refundable):	Legal Lot Determination	\$ 370.50
	Lot Line Adjustment	\$ 370.50

***NOTE:** Applications are accepted on a first come-first served basis. All applications received are reviewed by staff, and must be found to be complete before being processed or scheduled at a Planning Commission meeting. Applications will not be accepted without a complete application form signed by the applicant(s) and property owner(s), all required materials and full payment. Applications are reviewed for completeness in accordance with ORS 227.178. The first fifteen COMPLETE applications submitted are processed at the next available Planning Commission meeting.

For further information, please contact: May 4, 2022
Johanna Tuthill, Associate Planner Date
City of Ashland, Department of Community Development
Phone (541) 552-2045 or e-mail johanna.tuthill@ashland.or.us