
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
December 20, 2023

SITE: 348 N Main St
APPLICANT: Laura Sainz
REQUEST: Site Design Review for 6th Unit

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 property is currently developed with four (4) residential units and has approval for a fifth residential unit but requires a building permit to be issued. From the historic inventory:

74.0 Survey #724

PAYNE-PENTER HOUSE
348 MAIN ST N
Other: Vernacular [I-House]

1884/1910
391E05DA 2400
Historic Contributing

The initial one and one-half story vernacular volume of this dwelling is visible in an 1884 birdseye view of Ashland and may have been built by early owners of the property. In January 1884 John Van Dyke sold the site to David Payne for \$1200, a sum indicating that the structure was in place. In 1900 longtime owners E. B and Nancy Curry sold the house to Martin Swyter.

Martin Swyter, who recently purchased E. B. Curry's residence on Main Street, has been making additions and improvements which are now complete. (*Ashland Tidings*, 11-Jun-1900)

Swyter, who also owned the property next door, soon sold the subject dwelling and by 1907 William Penter, a prolific builder in Ashland was the owner. Two years later the *Tidings* noted that "W. H. Penter adds substantial additions to his residence property on North Main Street." (*Ashland Tidings*, 25-Feb-1909, 1:3) Penter's work almost certainly resulted in the construction of bungalow-style gable-roof front porch with oversized wood-frame support columns and bases. Penter retained the property until 1922.

The wood-frame Payne-Penter House retains its original horizontal board siding, glazing and trim detailing, accurately reflecting its serial construction and the intermingling of the vernacular and bungalow forms. The Payne-Penter retains high integrity and effectively relates its historic period of development.

Density: The base density for R-2 zoned property is 13.5-dwelling units per acre. For the subject property, this equates to 0.36 acres x 13.5 du/acre = 4.86 dwelling units as a base density. The currently approved approximate size of all units are as follows: the main residence is 1,307 square feet (SF), cottage 1 is 400 SF, cottage 2 is 162 SF, and cottage 3 is 400 SF. Cottage 4 is 145 SF and while previously approved to be used as a dwelling unit, has not yet received a building permit for such use. Proposed cottage 5 does not have a size listed but is indicated to be 500 SF or less. Expansions of cottages 2 and 4 do not have a size indicated but would be required to be 500 SF or less to retain the density bonus on the property that allows for more than four (4) residential dwelling units if a fifth unit were to be pursued. Residential units less than 500 square feet in size count as .75 of a unit. Therefore, the existing and proposed five (5) total residential units of less

than 500 square feet each would be equal to 3.75 units (5 units x .75 density = 3.75 units adjusted for density). There is one full size residential dwelling unit on the property, which brings the total proposed density to 4.75 units based on the density and included bonuses. *This is within the allowed density. The development of 3 or more dwellings requires site design review.*

Lot Coverage: Within the R-2 zone, the maximum allowed lot coverage is 65 percent. Lot coverage includes the total area of a lot covered by buildings, parking areas, driveways, and other solid surfaces that will not allow natural water infiltration to the soil. Landscaping, including living plants, vegetative ground cover, and mulch, which allows natural soil characteristics and water infiltration, and retention is not considered lot or site coverage. Applicant provided square footage of the existing structures, driveways, and landscaped areas. However, for the final application, the total proposed lot coverage must be included. This would include all existing and proposed structures, driveways, parking areas, patios, decks, etc. and all other impervious surfaces.

Building Designs and Elevations: Final application must include the final design of all proposed development, including the proposed new building and the expansion of the existing cottages. These designs must be final construction-ready designs to be presented to the Historic Committee for their full review and recommendations/conditions, including building elevations, building materials and colors, window choices, roof pitch and materials, etc.

Alley Improvements: City alley standards call for a 12-foot paved width buffered by two-foot unpaved (i.e. gravel or planted) strips on both sides. Applicants should anticipate that they may be required to pave the alley to comply with street standards and would be well-advised to contact both the Fire Marshal to verify how the alley will play into addressing fire apparatus access requirements and the Public Works dept. for improvement standards. The extant travel way of the alley may be offset from the eastern property line and as such, may require a survey to verify the location of the property line in relation to the right-of-way to ensure that required alley improvements are made within the dedicated right-of-way of the alley. *For information on vacating the alley, please reach out to Public Works.*

Trash & Recycling: The final application will need to address the placement and screening of trash and recycling facilities to address standards. Applicants may wish to consult Recology to verify the sizing and placement of the trash and recycling facilities are adequate.

Site Review:

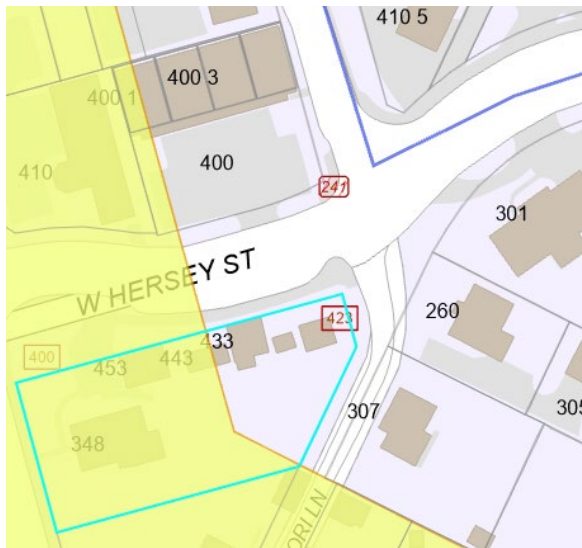
For multifamily residential developments, careful design considerations must be made to assure that the development is compatible with the surrounding neighborhood. Site Design Review criteria are largely design-focused, and all newly proposed structures should address building location and orientation as well as historic standards. Site Design Review standards and criteria for Residential Development would need to be met as outlined in Chapter 18.4.2.030. In addition, Historic District Design Standards in Chapter 18.4.2.050 would apply within the boundary of the Skidmore Historic District (shown on map below in yellow).

Tree Inventory: An inventory of all existing trees and trees to be removed, including the size, location, and type of each tree. If no tree removals are proposed, this requirement may be satisfied by providing a statement that indicates that no removals are proposed or necessary for the development of this project.

Pedestrian Connectivity: Due to the proposal of new structures on the property, safe, direct, and convenient pedestrian access and circulation will be required, subject to AMC 18.4.3.090. A Pedestrian Access and Circulation plan will be required as part of the final application.

Building Separation: The final application would need to demonstrate compliance with the R-2 Building Separation requirements from Table 18.2.5.030.A which require separation equal to one-half the height of the tallest building, where building height is measured at the two closest exterior walls. The maximum separation required is 12 feet.

MPFA: AMC 18.2.5.070 provides for the Maximum Permitted Floor Area in Historic districts. A final application would need to detail the amount of GHFA that is within the historic district. Approximately 10,364.5 SF of the lot is located within the historic district and will be used for the lot area portion of the calculation. The number of units will be based on the number of units located within the historic portion of the lot, which depending on the location of cottage 5 will either be 3 or 4 units.



Lot area x Adj. Factor = Adjusted lot area
Adjusted lot area x graduated FAR = MPFA

3-unit MPFA: $10,364.5 \times .71 = 7,358.8 \times 0.42 = 3,090.7$

4-unit MPFA: $10,364.5 \times .71 = 7,358.8 \times 0.44 = 3,237.9$

Maximum MPFA cannot exceed 3,249 square feet, regardless of lot size. Based on the application materials it appears that there are currently approximately 1,869 total square feet of habitable space approved in the Historic District boundary. If located within the historic district boundary, adding the 1 additional, unknown size cottage up to 500

square feet to the GHFA will bring the total GHFA to approximately 2,369 square feet of proposed habitable space. Revisions received on December 18th, 2023, indicate the possibility of expanding cottage 2 and 4 up to 500 square feet each. Cottage 4 is located outside of the historic boundary, while cottage 2 is located on the boundary and therefore within it. This brings the total proposed GHFA to approximately 2,707 square feet. This square footage is within the allowed MPFA amount.

Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt
1	5-01	1888	1960	132	Two story	Residence	1307
2	5-01	1960	1985	131	One story	Residence	453
3	5-01	2012	2012	131	One story	Residence	180
4	5-01	1960	1985	131	One story	Residence	380

Historic District: The Historic Preservation Advisory Committee Review Board reviewed the application materials during the December 14, 2023, meeting. Members recommended the additional unit be oriented towards Lori Lane and set back not too far from the street to provide a nice streetscape. They also indicated that a steeper roof pitch (7/12 or steeper) and cement board siding with the smooth side facing out with 5” reveal would be most historically accurate. Window

lites need to be true-lited windows with divided lites and would need to maintain a historic look with either double-hung or single-hung windows. Shutters were not recommended. The final Site Review application submittal should also include necessary submittals to review the design for compliance with the Historic District Development Standards of 18.4.2.050. (ie. Including scalable elevations of all sides and clear details of materials and trim, see AMC 18.5.2.040.B.). If any portion of the additional unit is to be located inside of the Skidmore Historic District (shown above) then Historic Committee comments would be applicable. Expansion of any existing and previously approved cottages would only be able to expand up to a maximum of 500 square feet to maintain the density bonus that allows for 6 units on the property. Additionally, expansion to or addition of any units would be subject to MPFA and lot coverage. Expansion of Cottage 2 would also be subject to Historic Committee Comments and conditions and would go to the Historic Committee's regular monthly meeting for review.

Open Space: The final application will need to clearly address the open/recreational space requirement demonstrating that the proposed open/recreation space is located and treated in a way to accommodate human recreational use and complies with the definitions in the Land Use Ordinance.

Parking: With regard to parking, staff would note that under OAR 660-012-0440(3) adopted as part of the Climate-Friendly & Equitable Communities (CFEC) Rulemaking, after December 31, 2022 *“Cities and counties may not enforce parking mandates for development on a lot or parcel that includes land within one-half mile of frequent transit corridors, including... corridors with the most frequent transit route or routes in the community if the scheduled frequency is at least once per hour during peak service.”* In this instance, the Rogue Valley Transit District's Routes # 1X, 10, and 17 run on N Main and W Hersey St approximately 0 feet north and west of the subject property with peak hour scheduled frequency of every 20 minutes, and as such qualifies as frequent transit. Under the CFEC rules, the city is unable to consider parking in the decision. With Climate Friendly & Equitable Communities (CFEC) rules, the City can no longer require off-street parking. *However, any voluntarily provided parking must meet the requirements of AMC 18.4.*

Parking/Parking Lot Treatment: Parking areas of more than seven spaces are required to meet the design standards of AMC 18.4.3.040.B.5 in terms of using one of the allowed strategies to minimize the adverse environmental and microclimatic impacts of surface parking (i.e. light-colored paving, porous solid surfacing, 50% shade from tree canopy or 50% shade from solar energy generating covers). All parking lots and other hard surfaces are to be designed in a way that captures and treats runoff with landscaped medians and swales.

Parking Area Screening (AMC 18.4.4.030.F.2): Where a parking area is adjacent to a residential building it shall be set back at least eight feet from the building and shall provide a continuous hedge screen. Potential proposed parking will require scaled plans indicating how parking will be screened from view. *Any new fences will require a fence/zoning permit.*

Street Improvements/Street Trees: City standards require development to provide street frontage improvements (sidewalks, parkrow planting strips with irrigated street trees, streetlights, etc.) for the property's full street frontage. *The frontage along E Main St and the frontage along W Hersey St are fully improved.*

Tree Preservation/Protection/Removal: All planning actions are required to include a tree preservation/protection plan in accordance with AMC 18.61; this is intended to ensure that trees are protected during all site disturbance (including demolition, construction, driveway/parking installation, staging of materials, etc. 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 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 significant trees to be removed.

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 service locations for each proposed lot, and plans will not be deemed complete without a utility plan which includes an Electric Department-approved electric service plan.

Neighborhood Outreach: Staff always recommends applicants approach the affected neighbors to discuss proposals and try to address any concerns as early in the process as possible. Notices will be sent to owners of neighboring properties within a 200-foot radius, signs posted on the site and advertised in the local newspaper once an application is deemed complete. In many cases, it is better if neighbors 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.

18.5.2.050 Approval Criteria

An application for Site Design Review shall be approved if the proposal meets the criteria in subsections A, B, C, and D below. The approval authority may, in approving the application, impose conditions of approval, consistent with the applicable criteria.

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](#). (Ord. 3147 § 9, amended, 11/21/2017)

The approval criteria invokes all of AMC 18.4, including but not limited to the following Chapters: 18.4.1 - Site Development and Design Standards Administration; 18.4.2 - Building Placement, Orientation, and Design; 18.4.3 - Parking, Access, and Circulation; 18.4.4 - Landscaping, Lighting, and Screening; 18.4.5 - Tree Preservation and Protection; 18.4.6 - Public Facilities; 18.4.7 – Signs; 18.4.8 - Solar Access; 18.4.9 - Disc Antennas; and 18.4.10 - Wireless Communication Facilities. *AMC 18.4.9 and 18.4.10 are not applicable to this project but are included for completeness. AMC 18.4.5 invokes AMC 18.5.7 – Tree removals and would also need to be addressed in the final application.*

Timelines: For a standard type 1 planning action we have a 10-day window to determine if we have a complete application. Following the determination of a complete application a NOC is mailed beginning a 2-week public comment period. The local code requires that we render a decision within 45 days of the NOC, however we try to be no more than 3 weeks from the NOC. Once a decision has been made a Notice of Decision is mailed. Once the NOD is mailed there is a 12-day appeal window where an appeal may be filed to the Planning commission. The decision by the Planning Commission on the appeal of a type 1 decision is the final decision of the City. Any further appeal would be heard at LUBA.

Details: The final application materials will need to make clear the proposed lot configuration, how lot coverage is to be addressed, MPFA coverage, how the perimeter setback and front yard setbacks are to be addressed, full and comprehensive final scalable building plans that show elevations of each structure to be created and/or modified and the exterior materials to be used for each building, and provide a parking plan if parking is proposed.

OTHER DEPARTMENTS' COMMENTS

FIRE DEPARTMENT: Please contact Division Chief Ralph Sartain of the Fire Department 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 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. A handout on the city's "Smartbuild" program for new construction is attached at the end of this document. Conservation staff are available to provide any further information or assistance on these programs.

PUBLIC WORKS DEPARTMENT: 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 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: Please Contact Steve Walker at 541-552-2326 or e-mail walkers@ashland.or.us with any questions regarding water utilities.

ZONING DISTRICT REQUIREMENTS

See Table 18.2.5.030.A. "Standards for Urban Residential Zones" for R-2 Zoning District

Zoning: R-2 Multi-Family Residential

Landscaping Requirements: 35 percent of the lot area. Size- and species-specific landscaping & irrigation plan required, including 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.

Parking, Access, and Internal Circulation: As per AMC 18.4.3. Please note that on-street parking credits and other parking management strategies are discretionary, and existing and anticipated future parking will be looked at closely in considering requests. The applicants would need to speak with the Building Division regarding any required ADA-accessible parking and any associated requirements for providing accessible routes on-site.

Lot Coverage: A maximum of 65 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.

Standard 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. *Expansion of an existing structure towards the street will still be required to meet these standards. Expansion must meet the minimum setback requirements.*

APPLICATION SUBMITTAL REQUIREMENTS

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 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 required application fee must accompany the application for it to be considered complete.
2. **Submittal Information.** The application shall include all the following information.
 - a. The information requested on the application form (see attached).
 - b. Plans and exhibits required for the specific approvals sought (including elevations of all sides of the proposed structure, floor plan, and parking space dimensions, etc.).
 - c. A written statement or letter explaining how the application satisfies each and all the relevant criteria and standards in sufficient detail.
 - d. The required fee.

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.

PLAN & EXHIBIT REQUIREMENTS: *One (1) copy on paper no larger than 11"x 17" and/or digital submittal of the plans below. Note: These copies may be used for the Planning Commission packets and for the notices mailed to neighbors - please submit clear, readable, reproducible copies.*

- **One (1) copy and/or digital submittal of the materials required for a Site Design Review approval as detailed in chapter 18.5.2.040, including but not limited to:**
 - **A scaled site and landscape plan**
 - **Site analysis map as outlined in 18.5.2.040.B.2.**

- Proposed site plan map as outlined in 18.5.2.040.B.3.
- Final Architectural drawings as outlined in 18.5.2.040.B.4.
- Landscape and Irrigation Plan as outlined in 18.5.2.040.B.7.
- A written/typed narrative addressing the approval criteria of 18.5.2.040.B.8.b in addition to the criteria outlined below.
- One (1) copy and/or digital submittal of written findings addressing the submittal requirements from section 18.5.5.040 for a Variance (*if applicable to the final proposal*).
- One (1) copy and/or digital submittal of a Tree Protection Plan as required in chapter 18.4.5.030.
- One (1) copy and/or digital submittal of 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, written findings addressing how the ordinance criteria are satisfied in narrative format are required. The applicable criteria are included below.

- One (1) copy and/or digital submittal of written findings addressing the following criteria for Site Design Review approval detailed in chapter 18.5.2.050.
- One (1) copy and/or digital submittal of written findings addressing the following criteria from chapter 18.5.5.050 for a Variance (*if applicable to the final proposal*).
- One (1) copy and/or digital submittal of 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: (As applicable to the final proposals details)...

<input type="checkbox"/> Site Design Review, Residential:	\$1,271.25 + \$ 84.50 per unit
<input type="checkbox"/> Exceptions (<i>if applicable</i>):	\$0
<input type="checkbox"/> Tree Removal Permits (<i>if applicable</i>):	\$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:

Veronica Allen, Associate Planner

City of Ashland, Department of Community Development

Phone: 541-552-2042 or e-mail: veronica.allen@ashland.or.us

December 20, 2023

Date