
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**
March 16, 2022

SITE: 970 Walker Street
APPLICANT: Rogue
OWNER: Foote
REQUEST: Subdivision

PLANNING STAFF COMMENTS:

This pre-application conference is intended to highlight significant issues before the applicant prepares and submits a formal application.

General: Staff are generally supportive of the request, however the exception to street standards will require a more detailed justification in terms of how grades would pose a significant impediment to parkrow installation... It appears that the submittal addresses most of the items noted below, however AMC 18.3.11.090 does require that, with subdivision, the Paradise Creek corridor be protected with a conservation easement or similar protection.

If additional flexibility were desired (*i.e. in terms of lot width versus depth relationships, setbacks, etc.*), while the property is outside the Performance Standards Options (PSO) overlay, AMC 18.3.9.030.D.1 provides for the use of the Performance Standards Options subdivision chapter in those instances where the lot is over two-acres. In staff's assessment, the lot's size and the presence of a creek make the property a good candidate for the Performance Standards Options (PSO) subdivision chapter, which recognizes that "*the development under this chapter is necessary to protect the environment and the neighborhood from degradation which would occur from development to the maximum density allowed under subdivision standards, or would be equal in its aesthetic and environmental value.*" A cottage housing development under AMC 18.2.3.090 would also be an option for developing the property.

Preliminary Subdivision Plat Criteria: The approval criteria for a standard subdivision are listed below in blue with staff comments after, where applicable.

1. *The subdivision plan conforms to applicable City-adopted neighborhood or district plans, if any, and any previous land use approvals for the subject area.*
2. *Proposed lots conform to the requirements of the underlying zone, per part [18.2](#), any applicable overlay zone requirements, per part [18.3](#), and any applicable development standards, per part [18.4](#) (e.g., parking and access, tree preservation, solar access and orientation).*

Solar Access Performance Standards: The application will need to demonstrate that the solar access performance standards requirements of AMC 18.4.8.040 are addressed in the lot designs by either providing calculations showing that the lots are designed to accommodate a 21-foot high structure with a required “Standard A” solar setback that does not exceed one-half of the north-south dimension of the lots or providing a solar envelope which will comply with “Standard A” solar access.

Land Divisions for Properties with Water Resource Protection Zones (AMC 18.3.11.090): Paradise Creek, the creek along the eastern boundary of the property, is designated as an intermittent or ephemeral stream and has a Water Resource Protection Zone (WRPZ) which extends 30 feet upland of the centerline of the stream on both banks. Planning actions and procedures containing Water Resource Protection Zones and involving the division of land shall comply with the following provisions and shall address the plan requirements in AMC 18.3.11.100.A.3.:

- **Building Envelope Established.** Each lot shall contain a building envelope outside the Water Resource Protection Zone of sufficient size to permit the establishment of the use and associated accessory uses.
- **Conservation Area.** *Performance standards option subdivision, subdivision, partition, and site design review applications* shall include the Water Resource Protection Zone within a conservation easement or recorded development restriction, which stipulates that the use or activity within the Water Resource Protection Zone shall be consistent with the provisions of this chapter. The approval authority may require that the Water Resource Protection Zone be included in a separate tract of land managed by a homeowners’ association or other common ownership entity responsible for preservation.
- **Density Transfer.** Density calculated from the land area contained within the Water Resource Protection Zone may be transferred to lands outside the Water Resource Protection Zone subject to the requirements in AMC 18.3.11.090.C.1-.5.

Trees: Any trees greater than six-inches in diameter at breast height on the property, or on adjacent properties within 15 feet of the property line, including street trees, must be identified by size and species on the site plan or a separate tree plan and submitted with the application. To comply with the Street Tree standard, one two-inch caliper tree per 30 feet of street frontage shall be identified as existing, or shall be proposed to be planted as part of the application.

3. *Access to individual lots necessary to serve the development shall conform to the standards contained in section [18.4.3.080](#) Vehicle Area Design.*

The application will need to demonstrate that the proposed lots can satisfy the Vehicle Area Design standards in AMC 18.4.3.080, including:

- **Parking Location & Design (AMC 18.4.3.080.C.1-.2):** The application will need to illustrate that parking is to be provide in keeping with the location and design

standards, and should account for the third visitor space required for flag lots which must be configured to turn and exist forward to the street.

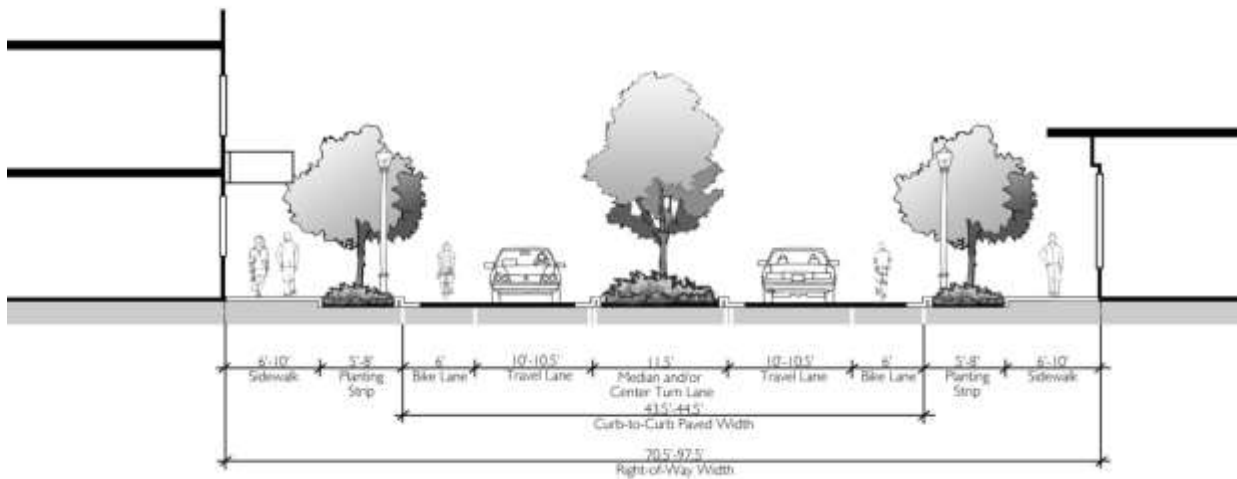
- Controlled Access Standards/Driveway Separation and Driveway Locations (AMC 18.4.3.080.C.3):** As noted above, Walker Avenue is considered to be an Avenue, or Major Collector, under the city’s Transportation System Plan (TSP). Controlled access standards seek to limit the number and placement of access points - for collectors these standards generally seek a separation of 75 feet between driveways, and require that the number of driveways for a development be minimized. Care should be taken as part of the subdivision application to demonstrate the proposed relocation of the existing curb cut serving proposed Lot 2 will meet access management spacing standards for driveway separation and to detail how driveway curb cuts are being minimized. The new curb cuts – or any work in the right-of-way - will require permitting from the Public Works/Engineering Division prior to recording of the final survey plat.

4. *The proposed streets, utilities, and surface water drainage facilities conform to the standards in chapter [18.4.6](#), and allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications.*

Utility Installation: The submittal will need to demonstrate that adequate facilities exist or can and will be provided to serve the proposed parcels. Undergrounding of existing services and utility installation to serve newly created lots is typically required to be completed prior to the signature of the final survey plat.

Street/Sidewalk Improvements: Walker Avenue is designated as an Avenue or Major Collector in the city’s Transportation System Plan (TSP). Required street improvements for an avenue along the property’s street frontage would include paving, curb, gutter, on-street parking, storm drains, seven- to eight-foot park row planting strips with irrigated street trees, six-foot sidewalks, and potentially bike lanes as illustrated below:

Prototypical Section: 3-Lane Avenue



The existing curb-to-curb paved width for Walker Avenue in this vicinity is approximately 33 feet within a 60-foot right-of-way. In addressing the required street improvements, the applicant would need to dedicate additional right-of-way to accommodate the city standard frontage improvements identified above on the final subdivision survey plat.

With the full subdivision of the property, staff believe that full sidewalk and parkrow installation is appropriate, as was explained in the 2021 pre-application. If an exception is requested, the application would need to clearly demonstrate that the existing site conditions pose a significant impediment to city standard frontage improvements.

5. *All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas(e.g., landscaping, tree preservation, common areas, access, parking, etc.) is ensured through appropriate legal instrument (e.g., Covenants, Conditions and Restrictions (CC&Rs) .*

- See discussion of AMC 18.3.11.090 “Conservation Area” requirements above.

6. *Required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development.*

Written Findings/Burden of Proof: 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. Applicants are advised that written findings addressing the ordinance criteria are required, and the applicable criteria and 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 maps, written findings, and other materials are submitted even if those items were not discussed in specific, itemized detail during this initial pre-application conference.

Neighborhood Outreach: Planning staff strongly encourage applicants or their agents to approach affected neighbors, make them aware of the proposal, and try to address any concerns as early in the process as possible. When a complete application is received, notices will be sent to surrounding property owners within 200 feet of the property perimeter and signs posted on the property. Proposals are often better received if the impacted neighbors are aware of the proposal prior to receiving formal notice from the city.

* * * * *

OTHER CITY OF ASHLAND DEPARTMENT COMMENTS

BUILDING: *No comments provided.* Please contact the Building Division for any building codes-related questions at 541-488-5305.

CONSERVATION: *No comments provided.* For more information on available water conservation programs, including any available appliance rebates or assistance with more energy efficient construction, landscaping and irrigation system requirements, please contact the Conservation Division at 541-488-5305.

ENGINEERING: *See comments at the end of this document.* Please contact Karl Johnson of the Engineering Division for any Public Works/Engineering information at 541-552-2415 or via e-mail to karl.johnson@ashland.or.us .

FIRE: *No comments provided.* Please contact Ralph Sartain from the Fire Department for any Fire Department-related information at 541-552-2229 or via e-mail to ralph.sartain@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](tel:541-552-2326) or (walkers@ashland.or.us) with any questions regarding water utilities.

ELECTRIC SERVICE: Please contact Rick Barton in the Electric Department for service requirements and connect fee information at (541) 552-2082 or via e-mail to rick.barton@ashland.or.us. Rick will arrange an on-site meeting, and develop a preliminary electrical service plan for the site. Please allow additional time to accommodate scheduling of this on-site meeting and preparing the preliminary plan. Submittals will not be deemed complete without a preliminary approved plan from the Electric Department.

TALENT IRRIGATION DISTRICT (TID): *See comments provided separately.* For any additional TID-related information, please contact talentid@tid.org

OREGON DEPARTMENT OF TRANSPORTATION (ODOT): *"This proposal should not significantly affect ODOT facilities. Thank you for keeping us in the loop!"* For any additional ODOT-related information, please contact Micah Horowitz, AICP, Senior Transportation Planner with ODOT Region 3 | Southwest Oregon | p: 541.774.6331 | c: 541.603.8431 | e: micah.horowitz@odot.oregon.gov

* * * * *

ZONING DISTRICT REQUIREMENTS

The subject property is zoned R-1-7.5. See AMC Table 18.2.5.030.A “Standards for Urban Residential Zones” for applicable zoning district requirements.

* * * * *

PROCEDURE

Subdivision, whether through the Performance Standards or a standard land division process, is subject to a “Type II” quasi-judicial procedure which requires a public hearing before the Planning Commission and the potential for appeal “*on the record*” to the City Council.

APPLICATION REQUIREMENTS

Submittal Information.

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, which is available here: https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/Zoning_Permit_Application_FY21-22.pdf
 - b. Plans and exhibits required for the specific approvals sought (detailed below).
 - c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail (as detailed below).
 - d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.
 - e. The required fee, as detailed below and explained here: https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/2021-07-01_PlanningFees.pdf

The Ashland Land Use Ordinance, which is Chapter 18 of the Municipal Code, is available online in its entirety at: <https://ashland.municipal.codes/LandUse>

Written Statements

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

- Preliminary Partition Plat Criteria: AMC 18.5.3.050
- **or**
- Outline Plan Subdivision Criteria: AMC 18.3.9.040.A.3 and
- Final Plan Subdivision Criteria: AMC 18.3.9.040.B.5

- Exception to Street Standards Criteria: AMC 18.4.6.020.B.1
- Tree Removal Permit Criteria (*if applicable*): AMC 18.5.7.040

Plans & Exhibits Required

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

- Preliminary Plat Submissions: AMC 18.5.3.040
- **or**
- Outline Plan Submissions: AMC 18.3.9.040.A.2 and
- Final Plan Submissions: AMC 18.3.9.040.B.4
- WRPZ Site Development Plan Map AMC 18.3.11.100.A.3
- Tree Inventory/Protection: AMC 18.4.5.030.B
- Tree Removal Permit Submissions: AMC 18.5.7.030

PLANNING APPLICATION FEES:

Outline & Final Plan (PSO) Subdivision	\$2,993.00 + \$150 per lot or
Preliminary Plat (Standard) Subdivision	\$2,247.50 + \$150 per lot
Exceptions (<i>if applicable</i>)	\$0
Tree Removal Permit (<i>if applicable</i>):	\$0

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

For further information, please contact:

Derek Severson, *Senior Planner*
 City of Ashland, Department of Community Development
 Phone: 541-552-2040 or e-mail: derek.severson@ashland.or.us

March 16, 2022

PUBLIC WORKS PRE-APPLICATION COMMENTS

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 Plain Coordinate System (NAD83-89).*
 - *Drawings sizes shall comply with ANSI-defined standards for page width and height. Review drawings may be submitted in B size (11x17). Bidding and construction documents may 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 shall also be submitted. Drawings shall 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.*
2. **Street Improvement** – *No additional street improvements, beyond those necessary to comply with City Street Standards, will be required at this time.*
3. **Right-of-Way** – *No additional right of way dedication, beyond that necessary to comply with City Street Standards, will be required at this time.*
4. **Sanitary Sewer** - *The property is currently served by a 6-in sanitary sewer main in Walker Avenue. The applicant proposed improvements must be reviewed, approved and permitted by the City of Ashland Engineering Department.*
5. **Water** - *The property is currently served by a 6-in water main in Walker Avenue. 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.*
6. **Storm Drainage** - *The property is currently served by an 8-in storm sewer main in Walker Avenue and Paradise Creek on the easterly property line. City of Ashland Engineering Department must review an engineered storm drainage plan.*

Storm Water Facility Design Requirements

All development or redevelopment that will create or replace 2,500 square feet or more of impervious surface (buildings, roads, parking lots, etc.) area that discharges to an MS4 (municipal separate storm sewer systems), must comply with the requirements of the DEQ MS4 General Permit phase 2. 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/pilot.asp?pg=StormwaterDesignManual>

All stormwater calculations, reports, drawings, etc. shall be submitted to the City of Ashland Engineering Department for review.

7. **Erosion & Sediment Control** - *The following requirements shall be met:*
 - *All ground disturbances exceeding 1,000 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.*
8. **Driveway Access** – *No additional improvements/requirements will be requested at this time, but the applicant proposed improvements must be reviewed and permitted by the City of Ashland Engineering Department.*
9. **Permits** – *Any construction or closure within the public right-of-way will require a Public Works permit and before any work in the right-of-way commences all necessary permits MUST be obtained*
10. **As-Built Drawings** - *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.*
11. **Addresses** – *Any new addresses must be assigned by City of Ashland Engineering Department.*

ELECTRIC DEPARTMENT COMMENTS

Please have the applicant contact Electric Department to discuss options for supplying service.

Regards,
Rick Barton
541.552.2082

