

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**
June 2, 2021

SITE: 574 Washington St.
APPLICANT: Jeff Sharpe
OWNER: Brandt Cullen
REQUEST: SDR for solar tracker

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.

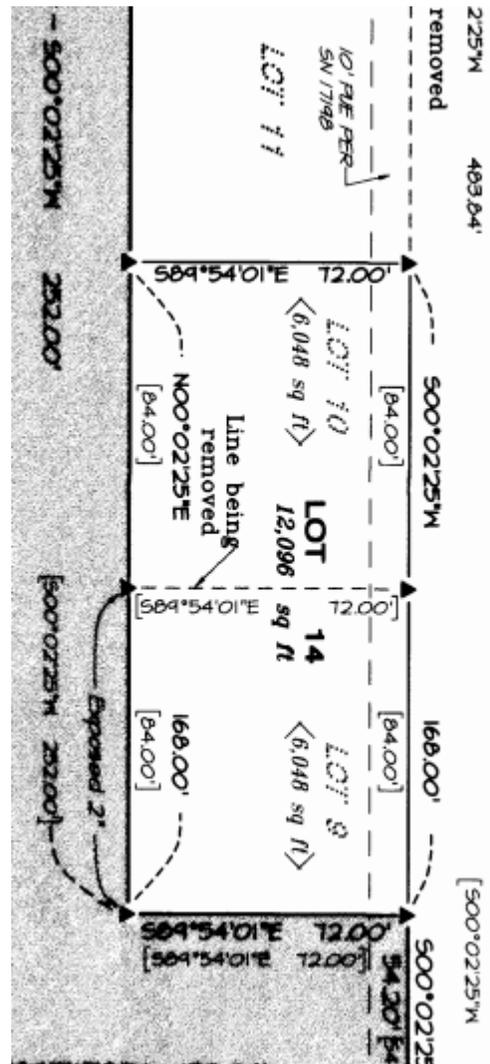
Summary: Staff is supportive of the application. The proposal triggers site design review.

Site Design Review - Applicability – Commercial

AMC 18.5.020.A.9. Installation of mechanical equipment not fully enclosed in a structure

Major Concerns:

- Overall Dimensions - The drawings with the application are not legible, so staff cannot discern the overall height of the solar trackers. The maximum height allowed in the E-1 zone is 40'
- Easement and Pedestrian clearance – A final application will be required to show that the solar trackers do not encroach into either the 10' PUE along the eastern side of the property or over the pedestrian walk way on the western side. This will need to be shown for every orientation of the solar tracker that there is no encroachment.
- Screening of mechanical equipment – The requirements to screen mechanical equipment is from the Right-of-Way. A final application should include an analysis of the visibility of the solar trackers from the Washington ROW. One can anticipate that the two vacant lots to the south will eventually develop. A final application should demonstrate that a single story building developed on those lots would effectively screen them, or in the alternative an exception would need to be requested.



SITE DESIGN REVIEW 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.

C. Building Orientation. Residential buildings that are subject to the provisions of this chapter shall conform to all of the following standards. See also, solar orientation standards in section 18.4.8.050.

1. **Building Orientation to Street.** Dwelling units shall have their primary orientation toward a street. Where residential buildings are located within 20 feet of a street, they shall have a primary entrance opening toward the street and connected to the right-of-way via an approved walkway.
2. **Limitation on Parking Between Primary Entrance and Street.** Automobile circulation or off-street parking is not allowed between the building and the street. Parking areas shall be located behind buildings, or on one or both sides.
3. **Build-to Line.** Where a new building is proposed in a zone that requires a build-to line or maximum front setback yard, except as otherwise required for clear vision at intersections, the building shall comply with the build-to line standard.

~~**D. Garages.** The following standards apply to garages, carports, canopies, and other permanent and temporary structures used for parking or storing vehicles, including those parking and vehicle storage structures accessory to detached single family dwellings. The standards are intended to balance residents' desire for a convenient, safe, and private vehicle access to their homes with the public interest in maintaining safe and aesthetically pleasing streetscapes. The standards therefore promote pedestrian safety and visibility of public ways, while addressing aesthetic concerns associated with street facing garages. For the purpose of this subsection, a garage opening is considered to be facing a street where the opening is parallel to or within 45 degrees of the street right-of-way line.~~

- ~~1. **Alleys and Shared Drives.** Where a lot abuts a rear or side alley, or a shared driveway, including flag drives, the garage or carport opening(s) for that dwelling shall orient to the alley or shared drive, as applicable, and not a street.~~
- ~~2. **Setback for Garage Opening Facing Street.** The minimum setback for a garage (or carport) opening facing a street is 20 feet. This provision does not apply to alleys.~~

- **N/A, this project does not involve any new garage.**

E. Building Materials. Building materials and paint colors should be compatible with the surrounding area. Very bright primary or neon-type paint colors, which attract attention to

the building or use, are unacceptable.

- **Elevation Drawings:** With Site Design Review, the application would need to include scalable drawings of all elevations of the proposed new solar tracker.

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.*
- 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 18.2.3.090.*

- The application would need to address the Exception criteria above if any of the details of the proposal do not comply with the applicable design standards

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.

OTHER DEPARTMENTS' COMMENTS

FIRE DEPARTMENT: Please contact Division Chief & Fire Marshal 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: *No comments at this time.* Please contact the Building Division for

Building Codes-related information at (541) 488-5305.

CONSERVATION DEPARTMENT: *No comments at this time.* 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 .

PUBLIC WORKS DEPARTMENT: *No comments at this time.* 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 Dave Tygerson in the Electric Department at (541) 552-2389 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. Dave 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 Dave Tygerson, 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 also only install a stub out to the location where the double check detector assembly (DCDA) 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 e-mail walkers@ashland.or.us with any questions regarding water utilities.”*



PROCEDURAL HANDLING

An Accessory Residential Unit is subject to a ‘**Type I**’ procedure, which provides for an administrative decision with notice to neighbors and the potential for appeal to the Planning Commission. If appealed, the Planning Commission hearing would be ‘de novo’ and the Commission’s decision would be the final decision of the city. *(If a Variance were requested, up to a 50 percent reduction in the required setback is also a ‘Type I’ procedure.)*

APPLICATION REQUIREMENTS

1. **Application Form and Fee.** *Applications for Type I review shall be made on forms provided by the Staff Advisor. One or more property owners of the property for which the planning action is*

requested, and their authorized agent, as applicable, must sign the application. The application shall not be considered complete unless the appropriate application fee accompanies it.

- 2. **Submittal Information.** The application shall include all of the following information.
 - a. The information requested on the application form (see <http://www.ashland.or.us/Files/Zoning%20Permit%20Application.pdf>).
 - b. Plans and exhibits required for the specific approvals sought (see below).
 - c. A written statement or letter (“written findings”) explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail (see below).
 - d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.
 - e. The required fee (see below & https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/2019-07-01_Planning_Fees.pdf).

The Ashland Land Use Ordinance, which is Chapter 18 of the Municipal Code, is available on-line 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:

- o **Site Design Review** **AMC 18.5.2.050**

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.

- o **Site Design Review** **AMC 18.5.2.040**

FEES*:	Site Design Review	\$ 1,092.00
	Exceptions (if applicable):	\$ 0

***NOTES:**

- These fees are slated to increase soon with Council approval of an annual adjustment based on the Consumer Price Index (CPI).
- 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:

June 2, 2021

Aaron Anderson, Associate Planner

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