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*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.*

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**ASHLAND PLANNING DEPARTMENT  
PRE-APPLICATION CONFERENCE  
COMMENT SHEET**

October 19, 2022

**SITE:** 285-289 Wightman St  
**APPLICANT:** Arkin Tilt Architects  
**REQUEST:** Site Design Review

**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.*

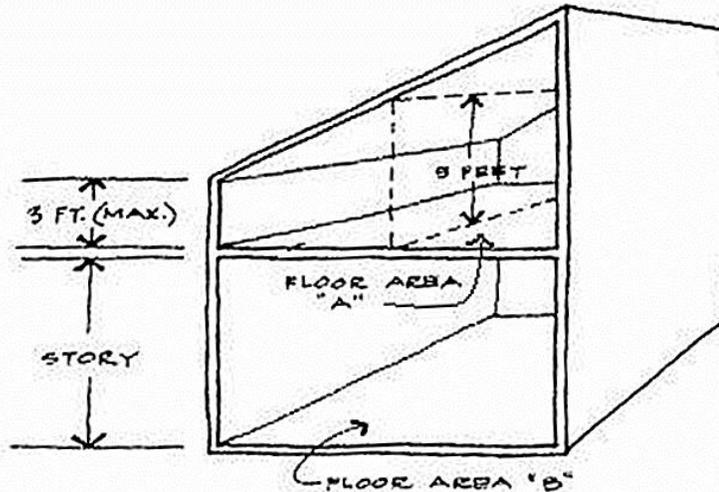
**Generally:** Staff are generally supportive and look forward to seeing this project move forward. As the applicant works to prepare final submittal materials, key items which should be considered include:

**Site Design Review (AMC 18.5.2.050):** The construction of attached (common wall) single-family dwellings (e.g., townhomes, condominiums, rowhouses) in any zoning district requires Site Design Review approval and must demonstrate compliance with the following 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.*

- **Density & Density Bonus:** The base density for R-2 zoned property is 13½-dwelling units per acre. For the subject property, this equates to 0.326 acres x 13.5 du/acre = 4.4 dwelling units as a base density. Constructing 100 percent of the units to the city's Earth Advantage program as detailed in Resolution #2006-06 would achieve a 15 percent density bonus, and would be required to construct five units (4.4 du x 1.15 = 5.06 du). Earth Advantage certification is currently administered through an independent third party reviewer, and demonstration that the project has been designed to comply (i.e. point sheets) would be needed at building permit submittal with certification verified prior to occupancy approval. *For any questions, please contact Fred Gant, the local Earth Advantage license holder, with Southern Oregon Green Rating Services, LLC via e-mail to [fredgant1@gmail.com](mailto:fredgant1@gmail.com) or by phone at 541-840-8302.*
- **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. It appears that the proposed site design is well within this limit.

- **Height:** The height limit within the R-2 zone is 35 feet or 2½-stories, whichever is less. The final application submittal will need to demonstrate compliance with these limits, including demonstration that the half story/loft proposed complies with the half-story definition in AMC 18.6.1.030. [A half story is a space under a sloping roof that has the line of intersection of the roof and exterior wall face not more than three feet above the floor level below and in which space the floor area with head room of five feet or more occupies no more than 50 percent of the total floor area of the story directly beneath. If the wall face is more than three feet above the floor level below at the rear or side yard setback line, then it must be considered a full story for purposes of setback measurements. See Figure below.]



**B. Overlay Zones.** *The proposal complies with applicable overlay zone requirements (part 18.3).*

- **Not Applicable:** The subject property is not located within any overlay zones, and as such this standard is not applicable.

**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.*

- **Building Placement, Orientation & Design:** The building and site design would need to reflect, and the final application would need to address the Building Placement, Orientation and Design Standards for Residential Development found in <https://ashland.municipal.codes/LandUse/18.4.2.030>. In particular, this would need to include orientation to the street with a primary entrance oriented to and accessed from the sidewalk and no parking or vehicular circulation between the building and the street, and the final application will need to include scalable elevation drawings of all sides of the building demonstrating compliance with these standards.
- **Automobile Parking:** Five two-bedroom units currently require nine off-street parking spaces, while five three-bedroom units would require ten off-street parking spaces. Up to 50 percent of the required spaces may be provided through on-street parking spaces – one credit per 22 feet of uninterrupted curb frontage with on-street parking available

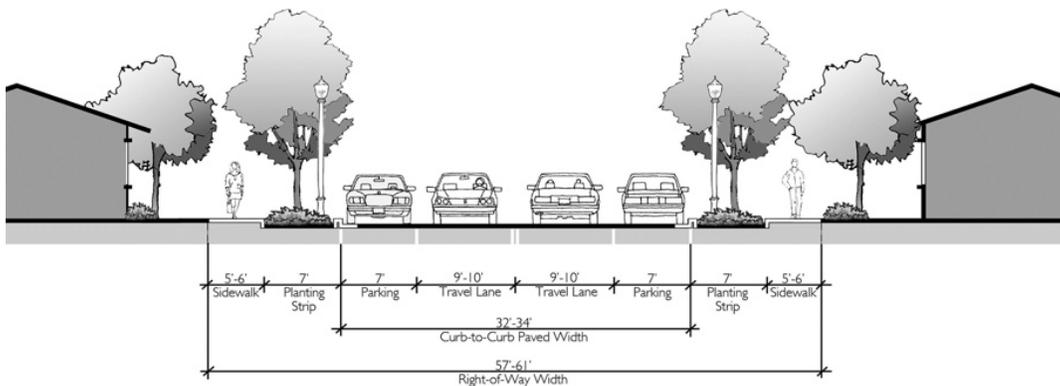
on the frontage. On-street credits are discretionary and would depend on the level of on-street demand in the area. **PLEASE NOTE:** *Statewide changes to automobile parking anticipated January 1, 2023 based on the 'Climate Friendly & Equitable Communities' rulemaking are intended to apply to applications submitted after December 31, 2022. These changes could be delayed or reversed based on legal challenges now in progress, or by executive order from the governor dependent upon the outcome of the gubernatorial race. Comments provided here are based on the applicable parking requirements in place as of October 19, 2022.*

- **Bicycle Parking:** Five two-bedroom units require eight sheltered bicycle parking spaces, while five three-bedroom units would require ten sheltered bicycle parking spaces. Bicycle parking is subject to the design standards detailed at: <https://ashland.municipal.codes/LandUse/18.4.3.070.I>.
- **Landscape/Irrigation Plan:** The final Site Design Review application submittals will need to include a Landscape Plan which addresses the requirements of <https://ashland.municipal.codes/LandUse/18.4.4> which deals with Landscaping, Lighting and Screening standards. A final irrigation plan can be deferred until building permit submittal. Landscape and irrigation plan requirements are detailed in <https://ashland.municipal.codes/LandUse/18.5.2.040.B.7>. The final site plan should reflect the placement of required refuse and recycling containers (18.4.4.040) and incorporate the required parking lot landscaping and screening including demonstrating that the requisite seven percent parking lot landscaping requirement is met and that the required five-foot wide, sight-obscuring landscape buffer is provided between parking/circulation and property lines (18.4.4.030.F.2.a) and that required buffering/screening is provided between parking and buildings (18.4.4.030.F.2.b) and at required yards.
- **Fencing Details:** Fencing is permitted separately, but it would be beneficial to include specific fencing details in the application if fencing is part of the development plan. Fencing is reviewed for compliance with height, good neighbor construction, vision clearance, and deer fencing allowances. See <https://ashland.municipal.codes/LandUse/18.4.4.060>.
- **Open Space Requirements:** For Residential Site Design Review, eight percent of the site is required to be provided in open space as detailed in <https://ashland.municipal.codes/LandUse/18.4.4.070>.
- **Solar Access:** Solar access standards limit the shadow that can be cast over the north property line to no more than what would be cast by a six-foot fence built on the property line. The final application will need to include demonstration of compliance with the solar access standards as detailed in AMC 18.4.8 (i.e. calculations in the form of  $[(\text{Shadow Producing Height}(H) - 6) / (0.445 + \text{Average Slope}(S)) - 150\text{-feet to the north}] = \text{Required Solar Setback (SSB)}$ ) with the shadow-producing point(s) and their height(s) to natural grade clearly labeled.

**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.*

- **Water & Sewer.** See Water Department comments later in this document.
- **Electric.** Electric service is required to be installed underground. See Electric Department comments later in this document.
- **Storm Drainage.** Generally, projects are required to demonstrate that post-development peak stormwater flows will be no greater than pre-development levels by providing on-site detention and water quality improvement measures. Specific Public Works and Engineering Department comments will be e-mailed separately.
- **Paved Access & Adequate Transportation.**  
**Frontage Improvements** - Wightman Street in this vicinity is classified as a residential neighborhood collector street, and the standard cross-section for this street type is:

Prototypical Section: Residential Neighborhood Collector, Parallel Parking Both Sides



The existing improvement is an approximate 32-foot curb to curb paved width within a 60-foot right-of-way. Site Review typically requires that frontage improvements consistent with this cross-section be provided (i.e. a seven-foot parkrow planting strip with irrigated street trees and a six-foot sidewalk) along the full property frontage and any necessary right-of-way dedicated, or an Exception to the Street Design Standards requested.

**Intersection & Driveway Separation** - Driveway placement should consider the intersection and driveway separation standards in <https://ashland.municipal.codes/LandUse/18.4.3.080.C.3>. If the existing non-conforming southern driveway is to be removed and the northern driveway is to be retained in its existing location, any non-conformity is not being increased.

**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*

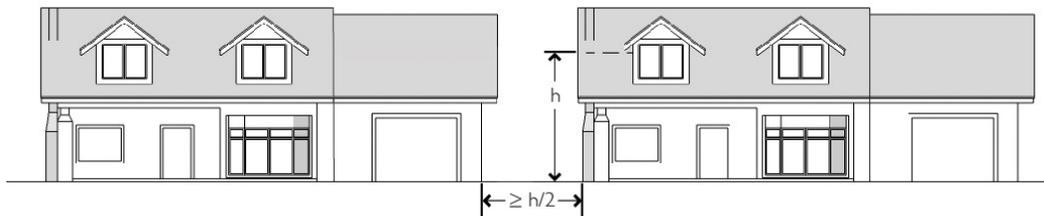
*structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate 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)*

**Performance Standards Options Development/Outline Plan Approval (AMC 18.3.9.040.A.5):** The creation of townhomes as rentals on a single parcel or as condominiums could be accomplished with just Site Design Review. If the proposal involved the creation of individual lots (footprint lots) it would need to be processed through the Performance Standards Options subdivision chapter (AMC 18.3.9) concurrently with Site Design Review. Performance Standards development is a two-step process involving a quasi-judicial Outline Plan approval process followed by administrative Final Plan approval. Proposals involving less than ten lots may request Outline and Final Plan approvals concurrently. The approval criteria for Outline Plan approval are below:

a. *The development meets all applicable ordinance requirements of the City.*

- **Setbacks & Separation (18.3.9.070):** For Performance Standards Options developments, properties are required to meet the front yard setback for the underlying zone, the perimeter setbacks of the parent parcel, solar setbacks and to provide the required separation between buildings (*one-half the height of the tallest building, up to a maximum required separation of 12 feet*) if separated buildings are proposed.



Note: Maximum required building separation is 12 feet.

Figure 18.3.9.070.B. Building Separation

b. *Adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection,*

*and adequate transportation; and that the development will not cause a City facility to operate beyond capacity.*

- c. The existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the common open space, common areas, and unbuildable areas.*
- d. The development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.*
- e. There are adequate provisions for the maintenance of common open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.*
- f. The proposed density meets the base and bonus density standards established under this chapter.*
  - The application materials will need to address how base density and any density bonuses are to be achieved.
- g. The development complies with the street standards.*

*See Site Design Review comments regarding paved access and adequate transportation above.*

- h. The proposed development meets the common open space standards established under section 18.4.4.070. Common open space requirements may be satisfied by public open space in accordance with section 18.4.4.070 if approved by the City of Ashland.*

**Trees:** All land use applications are required to include a tree inventory identifying all trees greater than six-inches in diameter at breast height (dbh) on the property and on adjacent properties within fifteen feet of the property. Trees are to be identified by their species and size, with condition and relative tolerance for construction disturbance detailed, and measures to protect those trees to be preserved must be provided for in a manner consistent with prescribed tree protection standards. If trees greater than six-inches dbh are proposed to be removed, a Tree Removal Permit must also be requested.

**Demolition:** The demolition of structures greater than 500 square feet in area requires a Demolition/Relocation Review Permit through the Building Division. The Demolition/Relocation Review ordinance was originally adopted to address issues of demolition debris diversion to keep unnecessary materials out of the waste stream. The Demolition Permit process is similar to a land use application in that it involves an application submittal that must address specific approval criteria (see AMC 15.04.210-.216 at <https://ashland.municipal.codes/AMC/15.04.210>), requires public notice, and is subject to appeal, however it is processed through the Building Division. A key consideration here is that for projects involving structures greater than 45 years old, a demonstration that it is not financially feasible to rehabilitate the existing structure(s) for

economically beneficial reuse is required. For questions regarding the Demolition/Relocation Review Permit process, please contact Building Official Steven Matiaco at (541) 488-5305.

**Neighborhood Outreach:** Projects involving changes to established neighborhood patterns can be a concern for neighbors; staff always recommends that applicants approach the affected neighbors, make them aware of the proposal, and try to address any concerns as early in the process as possible. Notices are typically sent to neighbors within a 200-foot radius of the property.

**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 submittal. Applicants should be aware that written findings addressing the ordinance and applicable criteria are required, and are heavily depended on when granting approval 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:** *Any Building Department comments will be e-mailed separately.* Please contact Building Official Steven Matiaco in the Building Division for any building codes-related information at (541) 488-5305. *It would be beneficial to discuss demolition/relocation review permit requirements, straw bale townhouse construction and the proposed system to use rainwater and greywater for irrigation.*

**PUBLIC WORKS/ENGINEERING:** *Any Public Works or Engineering Department comments will be e-mailed separately.* Please contact Karl Johnson of the Engineering Division for any further information at (541) 552-2415 or via e-mail to [karl.johnson@ashland.or.us](mailto: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 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. 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. The Ashland Water Department is also requiring new projects to comply with all current cross connection rules and regulations, this may require backflow prevention devices to be placed at the potential hazard or just behind the meter or connection for premises isolation depending on the degree of hazard, type of intended use of the facility or even the geographical location of the building or facility. Please Contact Steve Walker by phone at 541-552-2326 or via e-mail to [walkers@ashland.or.us](mailto:walkers@ashland.or.us) to discuss the intended use of the facility or property and any potential cross*

connection hazards associated with it or for any questions regarding water connections. \*With post-pandemic workforce issues, the Water Department may have to require that the applicant's excavation contractor excavate and install water services within the right-of-way; please verify with Steve Walker prior to preparing civil drawings.”

**ELECTRIC:** Please contact Rick Barton in the Electric Department to discuss development plans, electrical service requirements and fee information at (541) 552-2389 or via e-mail to [rick.barton@ashland.or.us](mailto:rick.barton@ashland.or.us). Applicant will need to provide completed residential service applications (forms provided separately). Rick will arrange an on-site meeting to assess available and needed infrastructure and develop a conceptual service plan to be incorporated into the applicant's final utility plans, and applications will not be deemed complete without an Electric Department-approved conceptual service plan. Please allow additional time to schedule and conduct the on-site meeting and for preparation of the service plan.

**FIRE:** *Any Fire Department comments will be e-mailed separately.* Please contact Fire Chief/Fire Marshal Ralph Sartain at (541) 552-2229 or via e-mail to [ralph.sartain@ashland.or.us](mailto:ralph.sartain@ashland.or.us) for any additional information of Fire Department requirements.

**CONSERVATION:** For information on available conservation programs, please contact Conservation Analyst/Inspector Dan Cunningham at (541) 552-2063 or via e-mail to [dan.cunningham@ashland.or.us](mailto:dan.cunningham@ashland.or.us).

**OREGON DEPARTMENT OF TRANSPORTATION (ODOT):** *“ODOT does not have comments on this proposal. Thank you for keeping us in the loop!”* For any additional ODOT-related information, please contact Development Review Planner Micah Horowitz, AICP with ODOT's Region 3 at: 100 Antelope Road, White City, OR 97503; p: 541.774.6331 | c: 541.603.8431; e: [micah.horowitz@odot.state.or.us](mailto:micah.horowitz@odot.state.or.us)

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**APPLICATION DETAILS**

**Procedure:** Applications involving residential Site Design Review for less than 10,000 square feet of total floor area can be process through a “Type I” administrative procedure (see [https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/Flowchart\\_Type\\_I\\_FY21-22\(1\).pdf](https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/Flowchart_Type_I_FY21-22(1).pdf)). This allows for a decision by the Staff Advisor/Community Development Director following notices to neighbors and a 14-day public comment period. Follow comments, the decision is rendered and mailed and there is a 12-day period during which the decision can be appealed to the Planning Commission.

If the application involves land division to create individual for purchase lots, it would require Outline & Final Plan review under the Performance Standards Option subdivision chapter through a “Type II” quasi-judicial procedure (see [https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/Flowchart\\_Type\\_II\\_FY21-22\(1\).pdf](https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/Flowchart_Type_II_FY21-22(1).pdf)) and require that the decision be reached through a public hearing before the Planning Commission. Type II decisions are subject to appeal “on-the-record” to Council.

**Application Requirements:** Applications shall include the required application materials detailed below.

1. **Application Form and Fee.** Applications 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\\_Permit\\_Application\\_FY21-22.pdf](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, explained below.
  - c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail (i.e. narrative findings).
  - d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.
  - e. The required fees detailed below, and posted on-line here: [https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/2021-07-01\\_PlanningFees.pdf](https://www.ashland.or.us/SIB/files/Comm%20Dev/Forms%2C%20Brochures%2C%20Handouts/2021-07-01_PlanningFees.pdf)

**PLAN & EXHIBIT REQUIREMENTS:** *If providing hard copies, two (2) copies of the plans below 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 **Site Design Review** as required in: <https://ashland.municipal.codes/LandUse/18.5.2.040>.
- A **Tree Preservation & Protection Plan** as required in: <https://ashland.municipal.codes/LandUse/18.4.5.030>.
- Materials required for a **Tree Removal Permit** as required in: <https://ashland.municipal.codes/LandUse/18.5.7.030> (*if applicable to the final proposal*).
- The materials required for **Outline & Final Plan** subdivision approvals as required in: <https://ashland.municipal.codes/LandUse/18.3.9.040.A.2> (*Outline Plan, if applicable to the final proposal*).  
<https://ashland.municipal.codes/LandUse/18.3.9.040.B.3> (*Final Plan, 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. The Ashland Land Use Ordinance in its entirety may be accessed on-line at:

<https://ashland.municipal.codes/LandUse>

- Written findings addressing the **Site Design Review** approval criteria from: <https://ashland.municipal.codes/LandUse/18.5.2.050>
- Written findings addressing the **Outline Plan** subdivision approval criteria from: <https://ashland.municipal.codes/LandUse/18.3.9.040.A.3>
- Written findings addressing the **Final Plan** subdivision approval criteria from: <https://ashland.municipal.codes/LandUse/18.3.9.040.B.5>
- Written findings addressing the **Exception to Street Design Standards** approval criteria from: <https://ashland.municipal.codes/LandUse/18.4.6.020.B> (if applicable to the final proposal).
- Written findings addressing the **Tree Removal Permit** approval criteria from: <https://ashland.municipal.codes/LandUse/18.5.7.040> (if applicable to the final proposal).

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<b>UPCOMING APPLICATION DEADLINES:</b>	First Friday of each month
<b>UPCOMING PC MEETINGS:</b>	Second Tuesday of each month, 7:00 p.m.
<b>UPCOMING TREE COMM. MEETINGS:</b>	Thursday before PC, 6:00 p.m.
<b>FEES:</b>	Site Review (Type I): \$1,120.25 + \$ 74.50/unit
	Exception \$ 0 (if applicable)
	Tree Removal Permit \$ 0 (if applicable)
	Final Plan w/Outline Plan (Type II): \$2,993 + \$150/lot (if applicable)
	Demolition/Relocation Review \$ 370.50 (Separate Building application)

**NOTES:**

- *Deadlines above are for quasi-judicial/Type II applications before the Planning Commission. Administrative/Type I applications subject to staff decisions are not subject to monthly deadlines.*
- *Applications are accepted on a first come-first served basis.*
- *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.*
- *All applications received are reviewed for completeness by staff in accordance with ORS 227.178, and must be found to be complete before being processed or scheduled at a Planning Commission meeting.*

**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](mailto:derek.severson@ashland.or.us)

October 19, 2022

Date