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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 DIVISION  
PRE-APPLICATION CONFERENCE  
COMMENT SHEET** February 9, 2022

**SITE:** 581 East Main St..  
**APPLICANT:** Rick Mitchell  
**REQUEST:** Conditional Use Permit for a  
2 unit hotel/motel

## **PLANNING DIVISION COMMENTS**

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

**Summary:** The proposal requires a Conditional Use Permit for a hotel/motel as is required by AMC 18.2.2.030. The application appears to be straightforward, and staff is generally supportive of it.

*“Changing use from 2 long-term rental units to one short-term vacation rental and one long term”*

Presently the code requires an approved use or conditional use occupying at least 65% of the ground floor. A commercial hotel with a CUP would meet this requirement. Please note that the Council is presently considering changes to allowed residential use in the C-1 and E-1 Zones.

The property was previously approved for commercial office on the first floor with residence on the second floor by PA #1994-00014. The 1994 Building permit indicates B-2/R-1 building occupancy. The building presently has a single electrical meter.

The building, known as the Hubbard-Hardy House on the Cultural Resource Inventory, was built in 1890 (est.) and is ranked as Secondary contributing.

**BUILDING:** A change of use of building occupancy code will require a building permit process with the building department. Because the property is commercial in nature a registered design professional will be required to prepare a code analysis on the property.

An owner-occupied lodging house continuing not more than five guest rooms **may** be able to be approved under the Oregon Residential Building Code.

*Depending on if the occupant load of the entire building is greater, or less than 10 occupants, it would be designed as an R-1, or an R-3 out of the 2019 OSSC, under the assumption of it being a “Boarding House.” If the plan is to be owner occupied, then the designer also has the option to design out of the Residential code 2021 ORSC, as long as the guest rooms do not exceed 5 rooms.*

The applicant will need to provide detailed construction plans and code analysis that address the requirements of the building code (residential / commercial). Details will be required on both existing and proposed floor plan, fire rated assemblies, Sound Transmission, fire protection systems (including sprinklers as required), egress and accessible route plans, code analysis, etc.

**Plans prepared by an Oregon registered design professional will be required if you are not able to show that the residential code applies.**

## CONDITIONAL USE PERMIT FOR A HOTEL/MOTEL

The application must address the following approval criteria from AMC 18.5.4.050.A for a Conditional Use Permit.

**AMC 18.5.4.050.A. Approval Criteria.** A Conditional Use Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.

1. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.
2. That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the development, and adequate transportation can and will be provided to the subject property.
3. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection [18.5.4.050.A.5](#), below. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.
  - a. Similarity in scale, bulk, and coverage.
  - b. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
  - c. Architectural compatibility with the impact area.
  - d. Air quality, including the generation of dust, odors, or other environmental pollutants.
  - e. Generation of noise, light, and glare.
  - f. The development of adjacent properties as envisioned in the Comprehensive Plan.
  - g. Other factors found to be relevant by the approval authority for review of the proposed use.
4. A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.
5. For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of this subsection, the target uses of each zone are as follows.

*d. C-1. The **general retail commercial uses** listed in chapter [18.2.2](#) **Base Zones and Allowed Uses**, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and **within the Detailed Site Review overlay, at an intensity of 0.50 floor to area ratio**, complying with all ordinance requirements.*

*[The property is .1 ac ~ 4356 sq. ft. at .5 FAR = 2178 sq. ft. e.g. That no more traffic would be generated than a 2.178 KSF retail development would.]*

**Parking:** The off-street parking requirement for a hotel is 1 space per guest unit plus 1 space for the hotel manager. This assumes only one guest at a time, if multiple rooms are to be rented to

tourists under separate reservations than additional parking will be required. With a two-unit hotel, at least 3 spaces should be designated for the hotel.

Technically Site Design Review standards would apply as well, and staff would address those standards and approval criteria during the planning action as no exterior changes to the building would be required

### **OTHER ORDINANCE REQUIREMENTS**

No comments.

**CONSERVATION:** For more information on available water conservation programs, including any available appliance rebates or assistance with landscaping and irrigation system requirements, please contact Water Conservation Specialist Julie Smitherman of Conservation Division at 541-552-2062 or via e-mail to [julie.smitherman@ashland.or.us](mailto:julie.smitherman@ashland.or.us) . For information on any financial or technical assistance available for the construction of Earth Advantage/Energy Star buildings, 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)

**ENGINEERING:** No comments. 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](mailto:karl.johnson@ashland.or.us) .

**FIRE:** No comments at this time. 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](mailto: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](mailto:walkers@ashland.or.us) ) with any questions regarding water utilities.

**ELECTRIC SERVICE:** “If existing service needs to be upgraded or existing underground service is not large enough, excavation and conduit may be required from transformer.” Please contact Dave Tygerson in the Electric Department for service requirements and connect fee information at (541) 552-2389 or via e-mail to [tygersod@ashland.or.us](mailto:tygersod@ashland.or.us). Dave 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.

### **PROCEDURE**

Conditional use permits are subject to a “Type I” procedure which includes an administrative decision made

following public notice and a public comment period. Type I decisions provide an opportunity for appeal to the Planning Commission.

## **APPLICATION REQUIREMENTS**

### **Submittal Information.**

The application is required to include all of the following information.

- a. The information requested on the application form at <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 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).

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:

- **Conditional Use Permit** **AMC 18.5.4.040**

### **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.

- **Conditional Use Permit:** **AMC 18.5.4.040.B**

**FEES: Conditional Use Permit** **\$1,120.25**

**NOTE:** 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:**

Aaron Anderson, *Associate Planner*  
City of Ashland, Department of Community Development  
Phone: 541-552-2052 or e-mail: [aaron.anderson@ashland.or.us](mailto:aaron.anderson@ashland.or.us)

Date: February 9, 2022