

Note: Anyone wishing to speak at any Planning Commission meeting is encouraged to do so. If you wish to speak, please rise and, after you have been recognized by the Chair, give your name and complete address for the record. You will then be allowed to speak. Please note that the public testimony may be limited by the Chair and normally is not allowed after the Public Hearing is closed.

**ASHLAND PLANNING COMMISSION
REGULAR MEETING
APRIL 14, 2015
AGENDA**

- I. **CALL TO ORDER:** 7:00 PM, Civic Center Council Chambers, 1175 E. Main Street
- II. **ANNOUNCEMENTS**
- III. **AD-HOC COMMITTEE UPDATES**
- IV. **CONSENT AGENDA**
A. **Approval of Minutes**
1. February 24, 2015 Study Session.
2. March 10, 2015 Regular Meeting.
3. March 31, 2015 Study Session.
- V. **PUBLIC FORUM**
- VI. **TYPE II PUBLIC HEARING**
A. **PLANNING ACTION: PA-2014-02106**
SUBJECT PROPERTY: 2352 Morada Ln.
APPLICANT/OWNER: Ron & Lisa Albano
DESCRIPTION: The Planning Commission will review staff's approval of a request for Site Review and Conditional Use Permit approvals to construct a new approximately 1,000 square foot accessory residential unit behind the existing home at 2352 Morada Lane. The item is being considered by the Planning Commission to correct an error in the mailing of the notice of decision. COMPREHENSIVE PLAN DESIGNATION: Single Family Residential; ZONING: R-1-7.5; ASSESSOR'S MAP: 39 1E 14CD; TAX LOT: 4700.
- VII. **ADJOURNMENT**

**CITY OF
ASHLAND**



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development office at 541-488-5305 (TTY phone is 1-800-735-2900). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1).

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
STUDY SESSION
MINUTES
February 24, 2015

CALL TO ORDER

Chair Richard Kaplan called the meeting to order at 7:00 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

Commissioners Present:

Troy J. Brown, Jr.
Michael Dawkins
Richard Kaplan
Debbie Miller
Melanie Mindlin
Tracy Peddicord
Lynn Thompson

Staff Present:

Bill Molnar, Community Development Director
Brandon Goldman, Senior Planner
Derek Severson, Associate Planner
April Lucas, Administrative Supervisor

Absent Members:

None

Council Liaison:

Greg Lemhouse, absent

ANNOUNCEMENTS

Community Development Director Bill Molnar announced the March study session has been moved to March 31. He also provided a brief update on current issues including the City's master planning approach, the accessory traveler's accommodation ordinance, and an upcoming land use ordinance on marijuana.

AD-HOC COMMITTEE UPDATES

Commissioner Brown stated the SDC Review Committee has completed its work.

PUBLIC FORUM

Huelz Gutcheon/2253 Highway 99/Shared his vision for a structural wattage learning center in Ashland.

DISCUSSION ITEMS

Community Development Director Bill Molnar stated both discussion topics tonight are highlighted in the City's Comprehensive Plan and have sections pertaining to them specifically. He stated wildfire hazards are discussed in the environmental resources chapter and has the overall goal of reducing the possibility for a devastating fire and includes specific, mandatory policy objectives such as fuel breaks, fire resistant plantings, roofing material, and connected street systems. Mr. Molnar went on to say the airport overlay is discussed in the transportation element and identifies the need to treat development in consideration of the unique operations of a municipal airport. In regards to the wildfire lands ordinance, he stated the City is looking into potentially expanding the scope and the standards that we currently apply to certain areas; and reversely loosening some of the requirements in the airport overlay for basic structures when placed consistent with the airport master plan.

A. Development Standards for Wildfire Lands Ordinance Amendments.

Senior Planner Brandon Goldman provided the background information and a summary of the potential ordinance amendments. He explained if the current boundary of designated wildfire lands were to be expanded, all properties not previously included would now fall under the same regulatory framework as those within the existing wildfire lands area. Mr. Goldman stated all properties that require building permits for new construction would have to meet the fuel break standards, a fire prevention and control plan would be required with applications to partition or subdivide, and new or re-

roofed structures could not use wooden shingles or other combustible roofing materials. Mr. Goldman relayed several discussion points for the commission to consider, including:

- clarifying the applicability of primary and secondary fuel breaks,
- establishing a size threshold for when the expansion of an existing building triggers implementation of the fuel break requirements,
- establishing a fuel break prohibited plant list,
- establishing a minimum clear distance between tree canopies and structures,
- establishing a canopy spacing standard
- limiting the storage of flammable materials or use of combustible landscaping materials in immediate proximity to a structure,
- establishing a standard for a minimum vertical separation between understory vegetation and the lowest tree limbs within a tree's drip line,
- establishing a requirement for the removal of dead or dying vegetation,
- modification of the flag drive and parking lot screening standards to stipulate site obscuring hedges must be fire resistant, and
- establishing a process to allow for modifications to the fire control and prevention plan and general fuel break requirements.

Mr. Goldman concluded his presentation and explained staff will take the Planning Commission's comments shared tonight to form a draft ordinance that will go to the Transportation and Conservation Commissions for comment. He added a public notice will be mailed to all properties within the City and the draft ordinance will return to the commission for a public hearing and recommendation to the City Council. Mr. Goldman noted Fire Department staff is present to answer any questions the commission may have.

Commission Comments & Questions

Staff was asked for clarification on the possible triggers that would require a change in landscaping; Mr. Goldman answered any addition greater than 100 sq.ft. in size is proposed. Comment was made questioning if 100 sq.ft. is the appropriate number, especially if the addition is not habitable space such as a deck addition. Fire Marshall Marguerite Hickman explained how the standard is currently applied and stated if any addition occurs (including decks and living space), fuel reduction is required. However, they have discussed the possibility of giving the homeowner a timeframe to implement the reduction. She stated the goal is to make the entire community safer, but agreed with the need to balance the financial impact on property owners. Opinion was given that the threshold should be set on the valuation of the improvement, not on the size of the additional square footage. Ms. Hickman clarified interior remodels are not applicable, only if the homeowner is expanding up or out. Mr. Molnar commented on the need for clear and objective standards and stated he would be concerned if land use approvals were required for all building permits.

Forestry Division Chief Chris Chambers addressed the commission and shared several potential scenarios. He stated they would like to avoid the removal of large trees, and noted they can be pruned to meet the standards. He also clarified they are not concerned with deciduous trees and stated smaller trees tend to pose more of a risk than larger trees. The commission asked for this to be clarified in the draft ordinance.

The Fire Department staff was asked to comment on whether all junipers are considered fire hazards. Firefighter Ashley Manning replied that the low growing variety is less of a hazard and it depends on where it is located in proximity to the house. The commission asked for this to be clarified in the draft ordinance.

Comment was made that many of the existing homes in town may not have additions or modifications for some time and questioned if these improvements should be mandated. Ms. Hickman clarified the City Council did not support a citywide vegetation ordinance and this is a different way to approach the issue and would bring compliance over time. Ms. Manning added there are current landowner grants, the Firewise program, and other programs in place to assist land owners with these improvements.

Commissioner Peddicord commented that there are a lot of slopes in town and noted the need to keep those stable. She also stated some oily plants are more deer resistant and highlighted the need to allow landscaping that works for these other aspects.

Mr. Goldman commented on flammable materials on adjoining properties and stated homeowners would only be responsible for their property. However, on smaller lots fuels reduction would likely be required for the entire property and those owners would not be able to have any of the plants on the prohibited list.

Comment was made that this is going to be a huge balancing act and this will be very challenging to implement when added to the other factors.

Mr. Goldman explained the intent for tonight was to bring this proposal to the commission's attention and stated staff will do their best to address the concerns raised. He stated the proposal will be taken to the Transportation and Conservation Commissions for comment and when it's ready the draft ordinance will return to the Commission for a public hearing. Several commissioners commented that public education is going to be a very important component.

B. Airport Code Modifications

Associate Planner Derek Severson stated the proposed changes to the airport code would streamline the review process for most applications at the airport by: 1) providing a ministerial permit process for hobbyist hangars, 2) adding a parking ratio for hobbyist hangars, 3) changing the height limitations from the current 20 ft. maximum, 4) allow tree trimming for safety reasons without requiring permits, and 5) updating the master plan relative to locations and phasing of landscaping and parking improvements, and detailing acceptable hobbyist hangar locations and designs. Mr. Severson explained staff is seeking the commission's input on this proposal and will take this to the Airport Commission for review before the formal adoption process begins.

Staff was asked to clarify what a hobbyist hangar is. Mr. Severson stated this is lacking a formal definition, but these are for personal use versus a commercial operation. Comment was made suggesting a clarification that these hangars will not contain office space. Mr. Molnar added the areas appropriate for these hangars will be identified in the master plan and the amendments could refer to a site plan where this type of expedited process would be allowed.

Mr. Molnar commented that there might be some disagreement with the Airport Commission in terms of parking and landscaping, and explained when dealing with public property the changes need to be consistent with how private property is dealt with. He added this may need to occur on a more campus wide approach and stated at certain thresholds landscaping and parking improvements would be needed.

Comment was made that tree removals should not be allowed without a permit, only tree trimmings. It was noted that someone might prefer to remove the tree entirely instead of addressing tree trimming year after year. Staff indicated this was a good point and stated they would be taking this proposal to the Tree Commission for input.

ADJOURNMENT

Meeting adjourned at 8:30 p.m.

*Submitted by,
April Lucas, Administrative Supervisor*

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
REGULAR MEETING
MINUTES
March 10, 2015

CALL TO ORDER

Chair Richard Kaplan called the meeting to order at 7:00 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

Commissioners Present:

Troy J. Brown, Jr.
Michael Dawkins
Richard Kaplan
Debbie Miller
Melanie Mindlin
Tracy Peddicord
Lynn Thompson

Staff Present:

Bill Molnar, Community Development Director
Maria Harris, Planning Manager
April Lucas, Administrative Supervisor

Absent Members:

None

Council Liaison:

Greg Lemhouse

ANNOUNCEMENTS

Community Development Director Bill Molnar announced the accessory traveler's accommodation ordinance is going before the City Council for first reading and noted Commissioner Dawkins will be there representing the commission. He also announced two upcoming vacancies on the commission and noted commissioners Kaplan and Peddicord are stepping down.

CONSENT AGENDA

A. Approval of Minutes

1. February 10, 2015 Regular Meeting.

Commissioners Miller/Brown m/s to approve the Consent Agenda. Voice Vote: all AYES. Motion passed unanimously.

PUBLIC FORUM

No one came forward to seek.

PRESENTATION

A. Presentation by Mike Faught, Public Works Director: Draft East Main Multi-Modal Concept Drawings.

Public Works Director Mike Faught addressed the commission and provided an overview of the proposed changes to East Main Street. Key elements include:

- Reducing East Main to two lanes through the downtown area.
- Extending bicycle lanes through downtown.
- Extending the Road Diet to Helman St.
- Removing the traffic light signal at Helman St. and installing a rapid flash pedestrian crossing beacon.
- Increased signage installed on Lithia Way alerting drivers to the new traffic configuration.
- Installing traffic light signals at Oak St./Lithia Way and Oak St./East Main St.

Mr. Faught noted a conceptual plan has been developed to provide bicycle access from Oak St. to the plaza, and he also elaborated on the proposed changes to the downtown loading zones. He explained they are working with the local trucking agencies to get their input and work through the delivery issues, and stated the concept drawings include two 80 ft. loading zones on each block available until 4 pm each day. He added this would displace 21 parking spots. Mr. Faught went on to note bump-outs would be installed to shorten the distance for pedestrians to cross and improve visibility, and stated the sidewalks will be widened in some areas as well.

Commissioner Discussion

Mr. Faught was asked to comment on the staging and duration of this project. He replied that there are still a lot of details to work out before the construction costs can be put together, and stated while the downtown area will be disturbed during construction there are ways to minimize the disruption.

Mr. Faught was asked to comment on potential impacts of stacked traffic due to cars waiting for pedestrian to cross before they can turn. He replied that the proposed design works better than the current system, and noted that the traffic signals are timed to regulate the flow of vehicles. He stated the current configuration of three lanes creates additional hazards, including delivery trucks blocking traffic, and stated they have ran the model a number of times and are confident this will work better.

Comment was made that the pedestrian crossing in front of the Ashland Spring Hotel can be very busy at times. Mr. Faught commented that they don't see a sufficient number of pedestrian crossings at that location to warrant another traffic light.

Staff was asked whether the loading zones near intersections will make it harder to see pedestrians waiting to cross. Mr. Faught clarified the bump-outs will be installed just for this reason.

Suggestion was made to create different timed loading zones, rather than having all those spaces blocked for most of the day, or to have one of the loading zones on each side of the street go back to normal parking at noon. Mr. Faught stated that going to a 4pm cut off is a big improvement and noted the importance of working with the businesses in order to not impact their economic vitality. He suggested they start with a 4 pm cut off, keep working with the trucking agencies, and make adjustments overtime as necessary. Opinion was given that while it is important to protect the vitality of merchants, it is disappointing to see so much space being taken up for truck loading.

Mr. Faught explained the Downtown Parking & Multi-Modal Circulation Committee is continuing to meet and he hopes that by January or February 2016 they will have a final recommendation from that group. He stated once the plan is approved the City can seek out grant funding and it could be a year or two following approval before this is implemented. Mr. Faught added once the parking component is figured out he will return to the Planning Commission for an update. Suggestion was made for staff to hold a meeting at the armory like they have done for other projects to get the community's feedback on this before it goes to the City Council.

ADJOURNMENT

Meeting adjourned at 8:10 p.m.

*Submitted by,
April Lucas, Administrative Supervisor*

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
STUDY SESSION
MINUTES
March 31, 2015

CALL TO ORDER

Chair Richard Kaplan called the meeting to order at 7:00 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

Commissioners Present:

Troy J. Brown, Jr.
Michael Dawkins
Richard Kaplan
Melanie Mindlin
Tracy Peddicord
Lynn Thompson

Staff Present:

Bill Molnar, Community Development Director
Brandon Goldman, Senior Planner
April Lucas, Administrative Supervisor

Absent Members:

Debbie Miller

Council Liaison:

Greg Lemhouse, absent

ANNOUNCEMENTS

Community Development Director Bill Molnar updated the commission on the City Council public hearing on the accessory traveler's accommodation ordinance and explained second reading of the ordinance is scheduled for April 7. He also noted the commission's annual retreat is May 9 and asked the group to start thinking about agenda topics.

AD-HOC COMMITTEE UPDATES

Commissioner Brown announced the SDC Review Committee has concluded their work.

PUBLIC FORUM

Huelz Gutcheon/2253 Highway 99/Read aloud a written statement sharing his vision for an Ashland Renewable Energy Acquisition Department. (See Exhibit #1, attached)

Joseph Kauth/1 Coral Lane, #13/Shared his concerns regarding poison hemlock, urban sprawl, and the removal of small trees in the watershed.

DISCUSSION ITEMS

A. Normal Neighborhood Plan Update

Senior Planner Brandon Goldman updated the commission on the progress of the Normal Neighborhood Plan. He explained the Planning Commission reviewed the plan and issued a recommendation to the City Council a year ago, and since that time the Council considered the plan and formed a working group to further analyze the document. Mr. Goldman stated the working group is comprised of two Planning Commissioners, two City Councilors, and Mayor Stromberg, and provided a presentation on the working group's recommendations (see Exhibit #2, attached). Mr. Goldman explained the next steps in the process are for the Transportation Commission and Parks Commission to issues their recommendations, and then the Planning Commission will hold a formal public hearing on the revised plan on April 28.

The commissioners shared their comments and asked questions of staff as follows:

- Will the open space areas become parks? Mr. Goldman stated not necessarily; this would have to be negotiated between the property owner and the Parks Department.
- Could the open space areas be moved to make them isolated from one another? Mr. Goldman stated the proposed code language indicates the open space needs to remain contiguous.

- Will be neighborhood collector street be installed before construction begins? Mr. Goldman stated this has not been discussed; however the East Main St. improvements and a financing plan for the railroad crossing will be done before (or in tandem) with construction.
- Could the neighborhood collector street be modified to match the original proposal? Mr. Goldman stated all of the street locations are provided as a gridded concept plan and clarified the location of the streets can be modified by 50 ft. without an amendment process.
- Staff was asked to clarify the affordable housing component. Mr. Goldman explained staff received a letter from ACCESS, who develops affordable housing, expressing their concerns about the higher density zone being located close to the railroad tracks. The letter indicated the location near the tracks would prevent them from obtaining federal funding to develop housing in that area. Mr. Goldman went on to explain that affordable housing is a requirement with any annexation, and while ACCESS may prefer to develop housing in multi-family zones, the affordable housing would likely be distributed equally throughout the site and could be subsidized by the market rate units.
- Comment was made expressing concern about the reduction in overall housing units planned for the area and staff was asked if this would negatively impact the Regional Problem Solving (RPS) plan. Mr. Goldman explained because the reduction in density is to offset the provision of natural areas, the Normal Plan still complies with RPS; however the larger question of where to make up this lost density remains.
- Mr. Goldman clarified the density for the neighborhood commercial area is 7.5 units per acre. He also clarified the Public Works Department has hired Hardey Engineering to develop a cost analysis for the East Main St. improvements and the railroad crossing improvements and this will be completed in time for the April 28 Planning Commission meeting.

Public Testimony

Bryce Anderson/2092 Creek Drive/Stated the Baptist Church property will likely be the first parcel to develop, and while the four homeowners associations support a responsible development of this area, they are concerned about the traffic impacts. Mr. Anderson stated East Main is inadequate and hazardous for bicycles and pedestrians, and asked the commission to recommend for East Main St. to be fully improved from Walker Avenue to Clay Street before any development goes through. He also asked that the commercial component be optional.

Jan Vidmar/320 Meadow/Commented on the impact of the recent flooding on this area and stated it is important to have proper placement for the waterflow. Ms. Vidmar expressed concern regarding the gridded street pattern and stated this will increase the potential for vehicles to drive fast. She also commented on vehicles parked on the street and the difficulty in turning right or left off Clay and onto East Main Street. She added vehicles have to position themselves onto East Main Street before they can see clearly in either direction.

Final Commissioner Comments

Comment was made expressing concern with the small, high density area in the southeast corner of the plan that is surrounded by wetlands, and it was questioned if that area were to flood would there be a liability risk to the City. Mr. Goldman explained this area is outside the FEMA 500 year floodplain and outside the Ashland floodplain corridor as well, which is the most restrictive. He added this parcel is owned by the same group that owns other areas in the plan area and it would be possible to transfer some of that density to their other parcels.

Comment was made that the Public Works Director has proposed to fund 50% of the East Main St. improvements with SDC funds.

Comment was made that if the large stakeholders who own property in the plan area do not support this, they could decide to develop their areas under the County standards.

Suggestion was made to allow property owners to donate land to the Parks Department and still be allowed to transfer density.

Mr. Goldman stated when this comes back before the commission in April the feedback from the Transportation Commission, Working Group, and Parks Commission will be presented, and the commission will hold a formal public hearing and issue a final recommendation to the City Council.

ADJOURNMENT

Meeting adjourned at 8:30 p.m.

*Submitted by,
April Lucas, Administrative Supervisor*

**Complete Summary of the
Ashland Renewable Energy Acquisition Department
(AREAD)
In Four Speeches**

(Guide to speech videos on page 5)
Here are the texts of all four speeches:

1. Introduction to AREAD

Global warming is bad.
Global-warming is really bad.
Global warming is terrible scary bad.
Disasters are happening.
People are losing it.
Climate-change is ALREADY here
with more disasters on the way.
We accidentally created a
monster carbon blanket pile-up.

The "least" we can do is STOP adding MORE.

Can't do the cars and factories from here.

But we CAN "magnificently" STOP COLD
the gonnabe problem homes and buildings
that are designed to spew atrocious amounts
of carbon causings for the next 100 years.

Oh, whoops.
That would ruin our economy.

Surprise
Stopping bad growth
doesn't ruin our economy at all.

Ashlanders actually pay 2 times more
to suffer new construction then they don't.

In other words, new construction costs
everybody twice the money it brings in.

And fairness, it is not.

You see, It's the ever increasing environmental
externalities

Road hazard
Rush hours
Frantic driving
Intersection mass stampedes

Get out of my
density restraining
unprotected human bodies in harm's way
Hospital emergencies
More crime
Unemployment
Higher Utility bills
Water bills
More over amped
Pipes
Wires
Water treatment plants
Impossible local food production
And on and on
Inequities and miseries exponentially
cannibalizing the quality of life which now can be
identified, measured, and priced.

Oh, and don't forget the carbons.
And the monster stranded investments.

In short Ashland has been wasting
\$7 million dollars a year to ruin
the atmosphere 30 times faster than not.

We HAVE TO stop adding houses, buildings,
and the externalities they bring.

Let's put a moratorium on all dirty growth.
Effective today .
And be done with it.

Government salaries can now be spent on energy
engineers to install megawatts of solar, run
cutting-
edge upgrade programs, and generate intelligent
Structural Wattage destinations.

A fantastic future.

The Ashland Renewable Energy Acquisition
Department would then oversee planning.

And who's going to put all this together.
Yours truly.

So the heck with sustainability talk.
Anemic green washing.
Barely-hanging-on.
Getting used to it.
Or simply accepting defeat.

Best the Ashland Renewable Energy Acquisition
Department as a priority. With Huelz as director.

Putting up to 10 MWs of
Energy upgrading your homes.
And teaching true Structural Wattage growth.

So call your counselors. Call the mayor.
Appoint Huelz.
Ashland Community Development Director.

And let's get started by cost-effectively leasing
Tesla
electric cars for all the counselors
so we can quickly learn where we're all going to.
And what it feels like to be going the right way.

2. Home Energy Upgrades

On Jan 6th, I briefly described the
Ashland Renewable Energy Acquisition
Department
as a drop-in replacement for the planning
department.

This format consists of three divisions:
Expedited solar panel installations,
Home energy upgrades, and
Zero-net-energy destinations.

The home energy upgrade program is
especially exciting,
as it accomplishes effectiveness
never before achieved.

This is because
ALL existing homes and buildings in Ashland
will receive energy upgrades
with the first being:

Empty homes for sale,
Then those of policy people,
Then those eager to have an upgrade,

and finally, if necessary, drawing straws
(with the option to go to the end of the line).

The city would hire an experienced managing
Energy Performance Contractor
to hand-pick from WORKING-local-carpenters
10 applicants who would be
meticulously trained and thoroughly equipped
with
advanced education modules,
updated procedural techniques,
and cutting-edge specialty tools.

These brand new techniques and tools
will increase
performance-per-time effectiveness
5 times over what is now existing,
enabling a true
market transformation
at cost.

A Home Performance Contractor
can walk into your house,
do a walk through with you,
setup his measuring equipment,
share with you a video IR camera
performance MEASURING walk through,
print out a detailed itemized sequence
of cost-effective measures,
arrange a no-money-down loan payment plan,
identical to your current utility payment plan,
and guarantee the entire set of results.
All-in under 2 hours.

Then,
To complete an all-at-one-time comprehensive
40 percent energy reduction,
the construction itself requires an average of 5
days
With a loan pay back time of
between 7 and 15 years,
after which the savings increase,
your home has accumulated value,
the upgraders get REALLY GOOD
at what they're doing, and you've eclipsed the
dreaded retrofit dabbings.

Also hired is an MBA loan expert,
paperwork manager,
and crew scheduler.

Why all the cutting-edge to do?
Because the 100 full-time contractors, subs, and
suppliers

fully-employed for the entire 25 years necessary to upgrade ALL the homes and buildings in Ashland) would reduce Ashland's structural-energy needs 40 percent across the board, conveniently creating clean energy for something else.

Although these upgrades themselves do NOT require any incentives, as they cost the HOMEOWNER only 5 cents a k-watt-hour, they DO require Ashland to staff these two new people, and those two would replace our current energy conservation division which is, and has been, buying efficiency at \$1 per k-watt-hour for the last 10 years.

This division only measures electrically heated homes and then leaves. Of those measured, only 3 percent go on to call a part-time, minimally trained, hopefully somewhat equipped weatherizer who can only dabble with improvements.

And since Bonneville only incentivizes certain dabbles, they seem to get done whether the home needs it or not.

All this, combined with redundant paper work is the cause of the \$1 per k-watt-hour efficiency acquisition price.

Furthermore, the half-million-dollar/yr conservation division would need to spend an entire \$15M a year SIMPLY to cancel-out the planning department's fascination with biligerently fossilizing this wonderful town with typewriter and carbon-paper reruns, complimented with ever so innocent what-ever-you-say green-washings.

And then add to that the \$7M from the dangerizing externalities of real estate gotta-grow before gotta learn. And then, add on top of that, the coming cost of climate change.

I remind you the Ashland the Renewable Energy Acquisition Department simply stops all new construction in Ashland and in its place administers a 30 times greater carbon reduction solution,

environmentally and morally providing a solid foundation for the hopefully doable planet Earth.

3. Structural Wattage Learning Center

At the Jan. 6th & Feb. 3rd public forums, I introduced the Ashland Renewable Energy Acquisition Department and it's 3 important decarbonizing divisions:

1. City policy procured Solar Generators,
2. A Home Energy Upgrade program, and now the
3. Structural Wattage learning center.

The Structural Wattage Learning Center uses absolutely the best-in-the-world ultimate zero-net-energy-generation design to construct a mixed-use retail shop right downtown easily gotten to from the regular tourist walk and easily recognized by it's awesome solar roof.

Upon entering, you would see a sectional cut-away of the 2-foot thick R-70 wall assembly,

A fully functional hands-on model of the automatic window coverings,

An animation of the entire solar-roof voltage-switching options for space heating, electric vehicle charging, or both,

A view of the actual utility room tracing the air-to-water heat pump and it's various water tank heat tank battery modes,

And of course, a real-time, see through fresh-air heat-recovery-ventilator showing air movement through the transfer channels which can be adjusted by your very own breathing.

The floors above would be overnight accommodations with more information, hands-on with the actual equipment, and topped-off with a tour of the solar roof's various attic configurations.

Since this is the world's first most desperate global-warming demonstration solution that actually

functions perfectly,
both creating money and
stabilizing the future planet Earth,
it would be worth experiencing
up-close and personal.

And what if the Department of Energy
chipped in on this monstrous learning event
with instrumented data-logging verifications.
One can only dream the sooner the better.

Until then, there's a video to be found at
YouTube Structural Wattage.

And if you can get through the uber professional
presentation, and if you go so far as to
study and research this
Structural Wattage YouTube video
to the point of thorough understanding,
you'll confidently be on top of the whole subject.

What we're seeing here is a progression.
Throughout ancient history, the extra-human
power source was wood.
And then we found coal,
which took a hundred years to integrate.
and then we discovered gas,
which took a hundred years to integrate.
and now we've arrived at technology,
which'll need a hundred years to integrate.
The only problem is,
we've only got 20 years
to deploy the renewable energy transition
in order to avoid cooking the planet.

Global warming solutions are here,
but all, including everybody,
has to learn them pronto.
No matter what they look like or feel like.
In other words, quicker than faster.

Aesthetics are important.
Learning new aesthetics needs happen.
And aesthetics are already changing.
For instance, to spy an entire
solar panel roof,
consisting of only solar panels,
what a welcome sight.

4. City Policy Procured Solar Generators

At the Jan. 6th, Feb. 3rd and 17th public forums,

I introduced the Ashland
Renewable Energy Acquisition Department
and it's 3 decarbonizing divisions:

1. A Home Energy Upgrade program,
2. A Structural Wattage learning center, and now
3. City Policy Procured Solar Generators.

Solar generators are roof-mounted solar panels
and/or free-standing panel-arrays
ground-mounted in yards or unused fields.

Although these solar generators produce clean
energy dependably for the next 30 to 50 years,
they have to be paid for all at once,
from the get-go.

In other words, the purchaser actually has to
pre-pay for 30 years of electricity.
And that's a lot of up-front capital.

Creative financing to the rescue.

Thankfully, in the US there are dozens of
financial mechanisms, precisely designed
to enable solar for every income bracket.
with new and improved methods introduced
regularly.

The one requirement is
A properly-facing sturdy roof.

To date however, in Ashland,
the only financial arrangement used has been the
simplist of all direct buy
where the well-to-do owner can only
purchase the installation for his own roof,
with his own cash, leveraging his own tax liability,
and the city's cash grants.

Ashland has acquired a total of
1/2 megawatt in this way.
The only trouble is, Ashland should have
already acquired 5 megawatts by now.

Again, creative financing to the rescue.

At this time, the three best financial
mechanisms for solarizing
any-and-all group properties in Ashland are:

- 1.The third-party tax-equity pass-through
ownership
- 2.Community solar cooperative group buy, and the
- 3.Property assessed clean energy bonds

All are most complicated.
And necessitate mountains of paperwork .

Choosing one or two or three of these
as a city policy for the duration would be great,
but the returns would quickly become sub-optimal
and need to be constantly reinvented.

Therefore, the best city policy would be to hire
an expert MBA type, experienced in solar financing
to stay on top of the best methods
and combinations of methods.

And the Up-Level picture gets even more complex.

Washington may or may not continue the
federal tax credits,
The state is trying-out a number of new policy
rules
The environmental externalities acknowledged
true value of solar
may become monetized at any time,
and the inevitable carbon tax would definitely
rewrite everything across the board.

Chase, Morgan Stanley, Citigroup and on and on
the big banks and their buddies
have already signed up.

There's plenty of money out there eager
to invest in solar right now.
We just gotta go get it.
Organize it.
and bring it on home.

And here, getting on with it,
Ashland would be appropriately just-in-time
to retire it's solar incentive program all together,
with one single exception:

Every year,
the residential
roof with the biggest
panel array, most perfectly
aimed, producing the most energy,
would win an up-front cash grant for 30
percent of the total installation cost and be
given the first prize for environmental leadership.

Video Guide to All Four Speeches
comprising the complete summary of the
Ashland Renewable Energy Acquisition
Department

1. "Introduction to AREAD" 3 min.
Ashland.or.us On left go down to videos,
City Meetings Archives, January 6,
Takes you to vp.telvue. Wait.
A chapter tab will appear, Chapter 8.
2. "Home Energy Upgrade Program" 4Min.
Ashland.or.us On left go down to videos,
City Meetings Archives, Feb. 3,
Takes you to vp.telvue. Wait,
A chapter tab will appear,
Chapter 4, min. 52-56
3. "Structural Wattage Learning Center" 5 min.
Ashland.or.us On left go down to videos,
City Meetings Archives, Feb. 17,
Takes you to vp.telvue. Wait,
A chapter tab will appear, Chapter 5
4. "City Policy Procured Solar Generators" 5 min.
Ashland.or.us On left go down to videos,
City Meetings Archives, March 3
Takes you to vp.telvue. Wait,
A chapter tab will appear, Chapter 6

And don't forget,
Google "Structural Wattage"
(YouTube "Structural Wattage")

[youtube.com/channel/UCIm-SSXivesYbta9-E_TMgg](https://www.youtube.com/channel/UCIm-SSXivesYbta9-E_TMgg)

or

<https://www.youtube.com/watch?v=nhdCRpbWXRg>

Please watch the entire hour
to the point of understanding. You can do it.
Understanding these energy movement
fundamentals will prepare you with a
rock-solid basis protecting you from the
barage of complications, both real and frivolous,
coming at you soon. There will be a test.

Secretary of Energy, US Department of Energy,
clearly sums up the current situation. (13min.)

Search YouTube for:

"Topic: Energy Technology and Innovation

Speaker:

Ernest Moniz"

or (copy and paste both lines together as one link)

<http://m.youtube.com/watch?t=1m24s&feature=youtu.be&v=j-p0z2e6reg>

(Texts of all 4 AREAD speeches above)

Normal Neighborhood Plan



Planning Commission

March 31, 2015



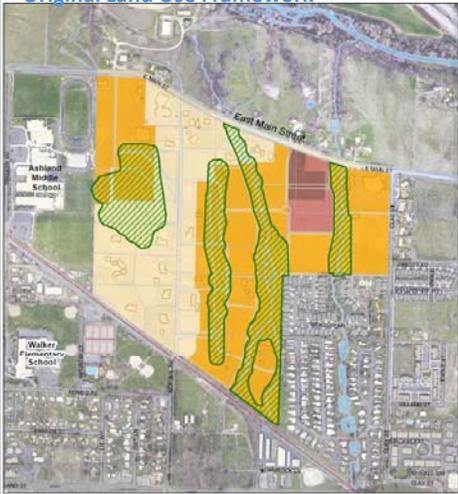


Community Development Department

Normal Neighborhood Plan

Presented to the City Council on May 6, 2014

Original Land Use Framework



Original Street Framework



Normal Neighborhood Plan
Land Use Designation Overlay Zones

 NN-01	 NN-03-C
 NN-02	 Conservation Areas
 NN-03	

Normal Neighborhood Plan
Street Network

 Neighborhood Collector	 Alley
 Neighborhood Street	 Multi-Use Path
 Shared Street	

Normal Neighborhood Plan Working Group

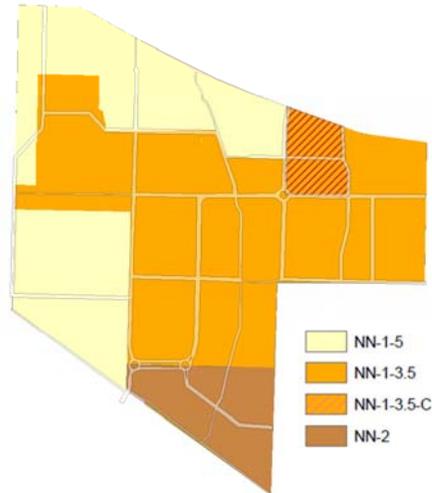
Recommended Land Use Framework

Land Use and Housing Density:

1. Housing Density gradation should move from south to north. This would place higher density development near the railroad tracks and within a relatively short distance to transit lines, parks and community facilities. This approach will also protect the existing viewshed.

2. Zoning designations applied within the Normal neighborhood area should be consistent with the zoning of adjacent land within the City Limits, and use zoning labels that are comparable to those used in the rest of the city while recognizing the Normal Neighborhood (NN) district.

3. Maintain option for neighborhood serving businesses and services close to East Main St near the northeast corner of the plan area.



Normal Neighborhood Plan Working Group

Recommended Open Space Framework

Open Space:

1. Maintain the approach toward designation of open space and conservation areas proposed in the draft plan. The plan has been amended to allow non-conservation open space to be relocated provided there is no reduction in area through a minor amendment process. A reduction in area would require a major plan amendment

2. Obtain a review of the final plan by the Parks Department prior to adoption.

Design issues:

1. Maintain a maximum building height of 35 feet.

2. Encourage the development of clustered housing that integrates with open space and respects the viewshed.

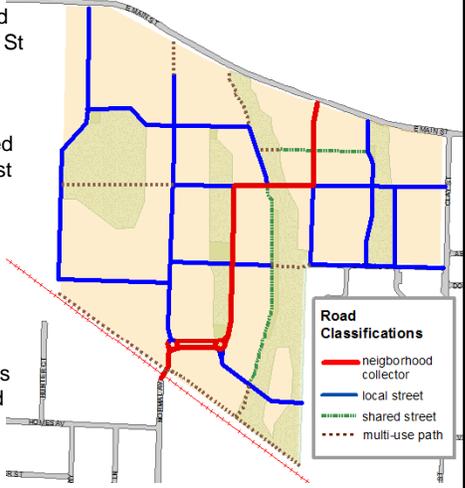
3. Provide for a smooth transition between adjacent developments to promote neighborhood cohesiveness, provide open space in a coordinated manner, and secure an efficient circulation system.



Normal Neighborhood Plan Working Group Recommended Street Framework

Transportation:

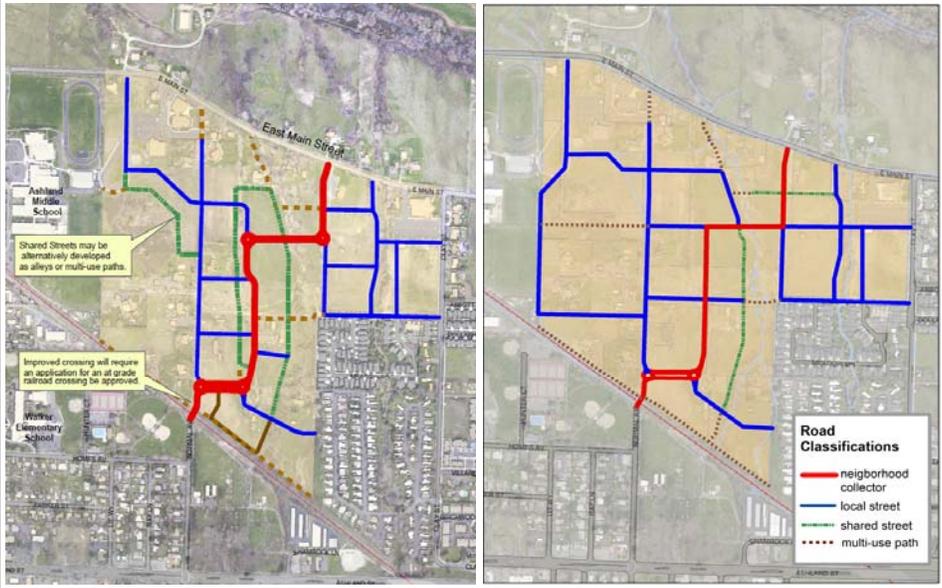
1. The local neighborhood street network should incorporate multiple connections with East Main St as shown, and maintain the Normal Collector as designated in the draft plan.
2. Local neighborhood streets should be aligned to provide a grid pattern, including clear east-west connections.
3. Pedestrian and bicycle pathways are critical, especially as a means to connect residents with the middle school and the existing bike path.
4. Perimeter transportation improvements, including the railroad crossing and improvements to East Main St., are integral and should proceed in concert with development.



Road Classifications

- neighborhood collector
- local street
- shared street
- - - multi-use path

Street Framework Changes



Original Proposal **Revised Proposal**

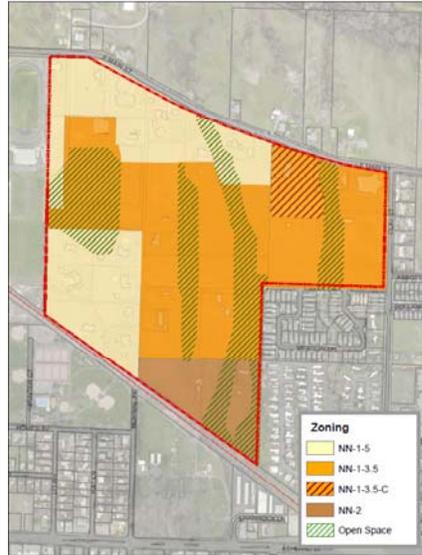
Road Classifications

- neighborhood collector
- local street
- shared street
- - - multi-use path

Land Use Framework Changes



Original Proposal



Revised Proposal

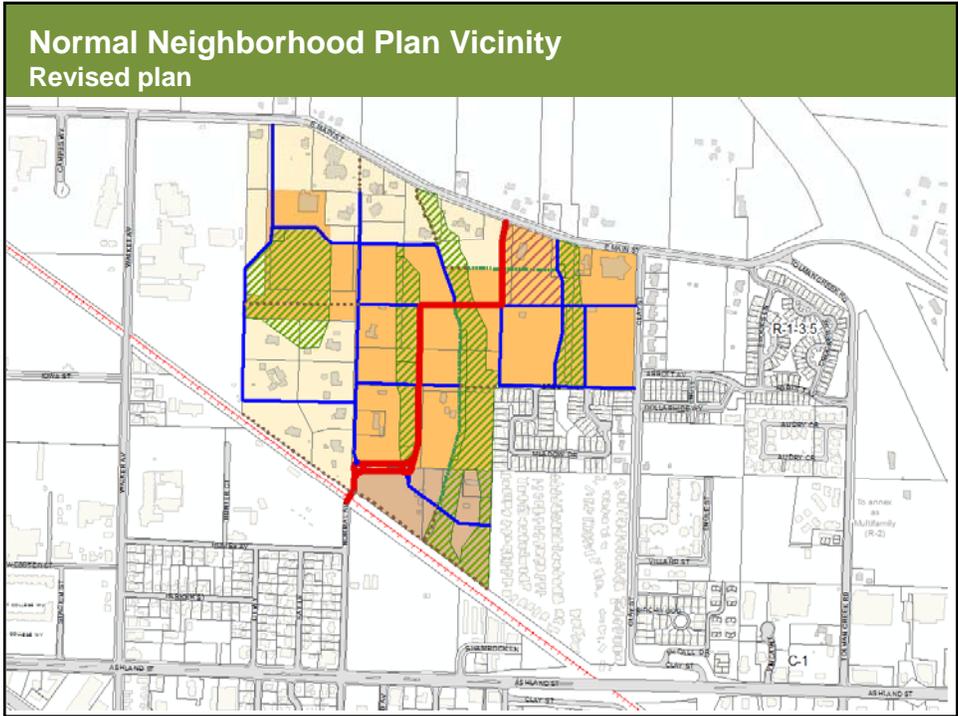
Housing Density Changes

Previous Land Use Designations (4/2014)

Zone	Density
NN-01	5 units per acre
NN-02	10 units per acre
NN-03	15 units per acre
NN-03C	15 units per acre + mixed-use

Revised Land Use Designations (3/2015)

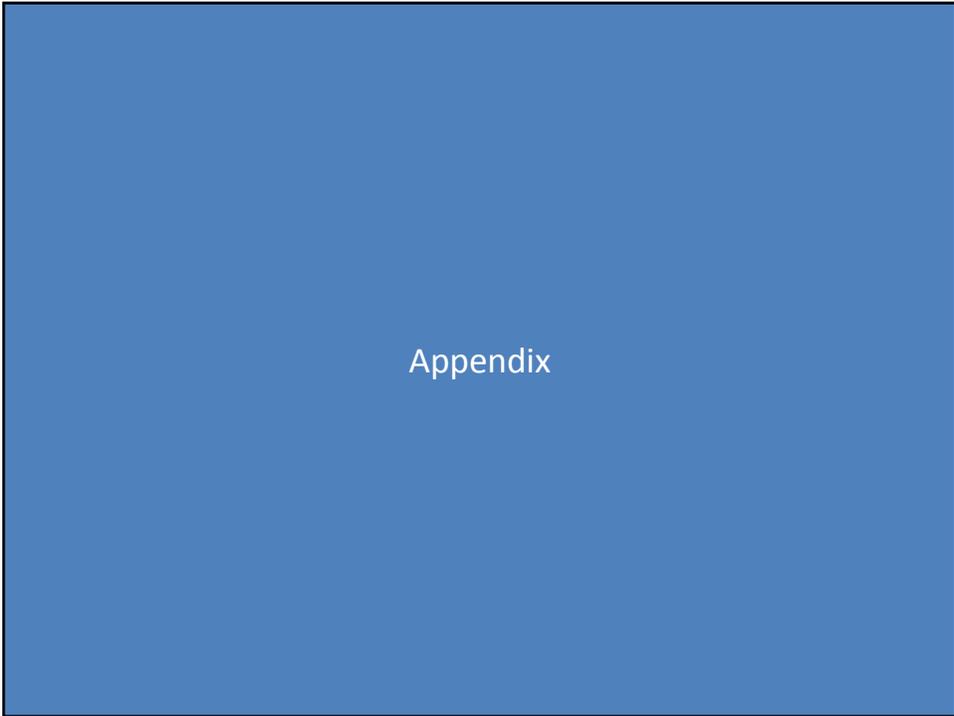
Zone	Density
NN-1-5	4.5 units per acre
NN-1-3.5	7.2 units per acre
NN-1-3.5-C	13.5 units per acre + mixed-use
NN-2	13.5 units per acre



Normal Neighborhood Plan Working Group Next Steps

- Normal Neighborhood Plan Working Group Update (4/15/2015)
- Planning Commission Public Hearing (4/28/2015)
- City Council Public Hearings (5/19/2015 & 6/16/2015).

A landscape photograph showing a green field in the foreground, trees, and mountains in the background under a blue sky with clouds.



Code section	Change proposed
18.3.4.030 C.1	Added "A change in the Plan layout that provides an additional vehicular access point onto East Main Street or Clay Street." as a major amendment requiring a Type II public hearing.
18.3.4.040 A.1-4	Modified Land Use designations to NN-1-5, NN-1-3.5, NN-1-3.5-C, and NN-2. Additionally changed the definition of NN-1-3.5-C to state "multiple compact attached and/or detached dwellings" instead of "multiple dwelling units".
18.3.040 Table	Modified Land Use designations to NN-1-5, NN-1-3.5, NN-1-3.5-C, and NN-2. Noted the Cottage Housing residential use line is provided as a placeholder to be consistent with Unified Land Use Ordinance when amended.
18.3.050 Table	Included newly adopted dimensional standards (ULUO) for: <ul style="list-style-type: none"> • Minimum Front Yard to an unenclosed front porch - 8ft. or width of a public easement whichever is greater • Maintained 35ft or 2.5 story maximum height. (An increase to 40ft or three-stories through a conditional use permit process was recommended by the Planning Commission but not recommended by the working group. • Amended Maximum Lot Coverage percentages downward to match comparable city zones (NN-1-5 = 50%, NN-1-3.5= 55%, NN-2 = 65%) • Amended Minimum Required Landscaping percentages upward to match comparable city zones (NN-1-5 = 50%, NN-1-3.5= 45%, NN-2 = 35%) • Amended Minimum Outdoor Recreation Space requirement for NN-1-3.5 to match comparable city zones (NN-1-3.5 = not applicable)
18.3.4.060 B. 2	Cottage Housing standards were amended to note the requirements and applicable density bonuses are pending ULUO amendments.
18.3.4.075	Added a placeholder section to accommodate any future provisions relating to the establishment and applicability of an advance financing district within the area.
Complete ordinance	Corrected numerous references to the final adopted ULUO section and subsection numbering.



**TYPE II
PUBLIC HEARING**

**PA-2014-02106
2352 Morada**



PLANNING ACTION: 2014-02106

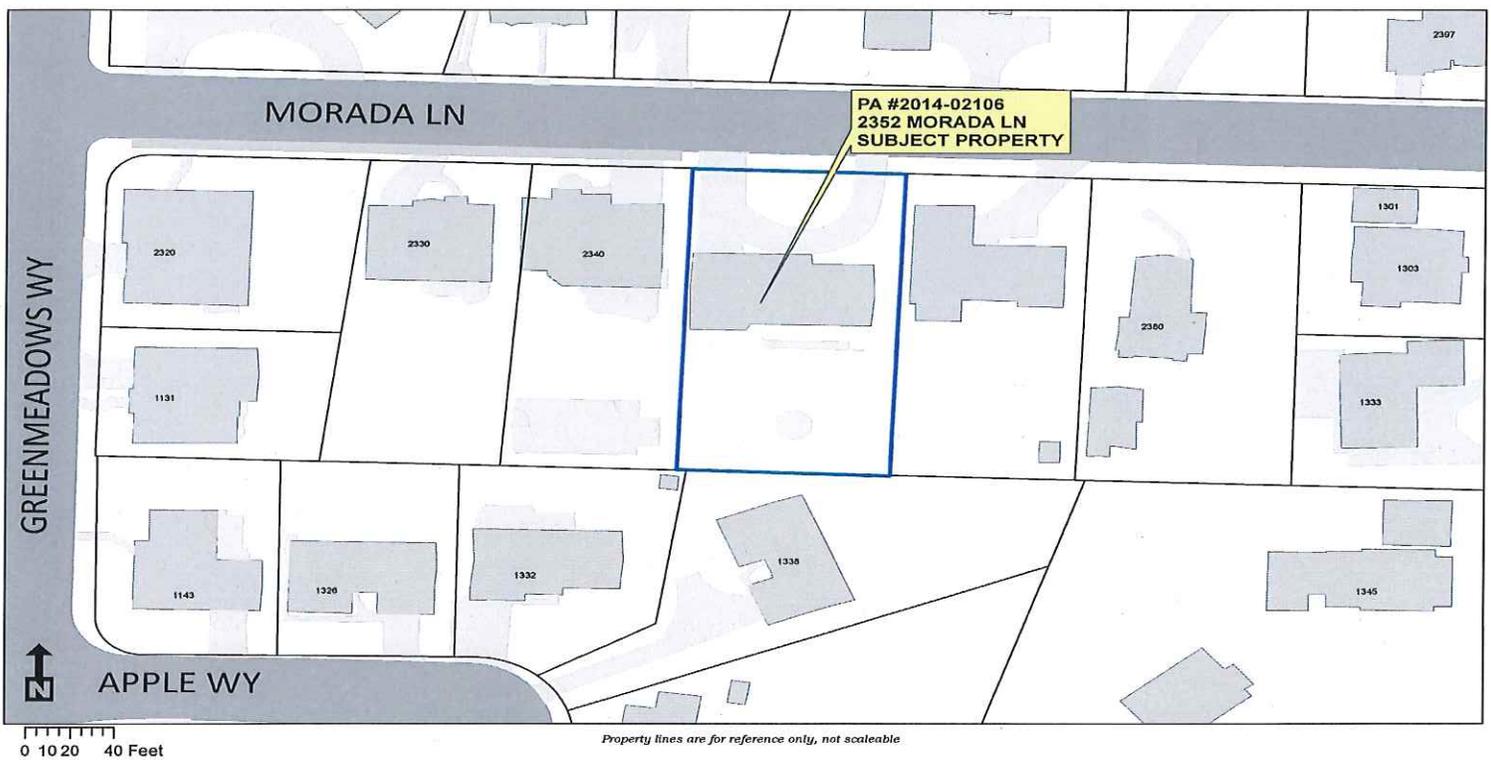
SUBJECT PROPERTY: 2352 Morada Lane

OWNER/APPLICANT: Ron & Lisa Albano

DESCRIPTION: The Planning Commission will review staff's approval of a request for Site Review and Conditional Use Permit approvals to construct a new approximately 1,000 square foot accessory residential unit behind the existing home at 2352 Morada Lane. The item is being considered by the Planning Commission to correct an error in the mailing of the notice of decision. **COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP :** 39 1E 14CD; **TAX LOT:** 4700

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, April 9, 2015 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room) located at 51 Winburn Way.

ASHLAND PLANNING COMMISSION MEETING: *April 14, 2015 at 7:00 PM, Ashland Civic Center*



Notice is hereby given that a PUBLIC HEARING on the following request with respect to the ASHLAND LAND USE ORDINANCE will be held before the ASHLAND PLANNING COMMISSION on meeting date shown above. The meeting will be at the ASHLAND CIVIC CENTER, 1175 East Main Street, Ashland, Oregon.

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, either in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. A copy of the Staff Report will be available for inspection seven days prior to the hearing and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Department, Community Development and Engineering Services, 51 Winburn Way, Ashland, Oregon 97520.

During the Public Hearing, the Chair shall allow testimony from the applicant and those in attendance concerning this request. The Chair shall have the right to limit the length of testimony and require that comments be restricted to the applicable criteria. Unless there is a continuance, if a participant so requests before the conclusion of the hearing, the record shall remain open for at least seven days after the hearing.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at 541-488-6002 (TTY phone number 1-800-735-2900). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting. (28 CFR 35.102.-35.104 ADA Title I).

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division, 541-488-5305.

ACCESSORY RESIDENTIAL UNITS

18.20.030.H Approval Criteria

- H. Accessory residential units, subject to the Type I procedure and criteria, and the following additional criteria:
1. The proposal must conform with the overall maximum lot coverage and setback requirements of the underlying zone.
 2. The maximum number of dwelling units shall not exceed 2 per lot.
 3. The maximum gross habitable floor area (GHFA) of the accessory residential structure shall not exceed 50% of the GHFA of the primary residence on the lot, and shall not exceed 1000 sq. ft. GHFA.
 4. Additional parking shall be in conformance with the off-street Parking provisions for single-family dwellings of this Title.

SITE DESIGN AND USE STANDARDS

18.72.070 Criteria for Approval

The following criteria shall be used to approve or deny an application:

- A. All applicable City ordinances have been met or will be met by the proposed development.
- B. All requirements of the Site Review Chapter have been met or will be met.
- C. The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.
- D. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options.

CONDITIONAL USE PERMITS

18.104.050 Approval Criteria

A conditional use permit shall be granted if the approval authority finds that the proposed use conforms, or can be made to conform through the imposition of conditions, with the following approval criteria.

- A. 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.
- B. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property.
- C. 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. 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:
 1. Similarity in scale, bulk, and coverage.
 2. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
 3. Architectural compatibility with the impact area.
 4. Air quality, including the generation of dust, odors, or other environmental pollutants.
 5. Generation of noise, light, and glare.
 6. The development of adjacent properties as envisioned in the Comprehensive Plan.
 7. Other factors found to be relevant by the Hearing Authority for review of the proposed use.

ASHLAND PLANNING DEPARTMENT
STAFF REPORT
April 14, 2015

PLANNING ACTION: PA-2014-02106

APPLICANT: Lisa Albano

OWNERS: Ronald & Diane Albano

LOCATION: 2352 Morada Lane

ZONE DESIGNATION: R-1-7.5

COMPREHENSIVE PLAN DESIGNATION: Single Family Residential

APPLICATION DEEMED COMPLETE: December 31, 2014

120-DAY TIME LIMIT: April 30, 2015

ORDINANCE REFERENCE*:
18.20 R-1 Single Family Residential District
18.61 Tree Preservation and Protection
18.72 Site Design Review
(and the Site Design & Use Standards handbook)
18.92 Parking, Access and Circulation
18.104 Conditional Use Permits
18.108 Procedures
*(*Based on the application date, the application is to be reviewed under the land use regulations in effect at application, prior to the recent adoption of the "Unified Land Use Ordinance.")*

REQUEST: The application is a request for Site Review and Conditional Use Permit approvals to construct a new approximately 1,000 square foot Accessory Residential Unit (ARU) behind the existing home at 2352 Morada Lane. The item is being considered by the Planning Commission to correct an error in the mailing of the Notice of Decision.

I. Relevant Facts

A. Background - History of Application

A Notice of Complete Application for the proposal was mailed on December 31, 2014. Subsequent to that notice, staff was contacted by neighbor Ruth Ter Bush who resides at 1332 Apple Way in Ashland part time and whose address of record in the county tax

records was in Chicago. Mrs. Ter Bush indicated that she had not received the notice, which was forwarded here to Ashland from Chicago, in time to comment during the initial public comment period, expressed concerns to staff that the placement and height of the proposed ARU would adversely impact their property, and asked that future notice regarding the application be sent to her Ashland address. Staff made a note in the application file to send notice to Mrs. Ter Bush at her Apple Way address in Ashland, and notified the applicants of the concerns expressed with the suggestion to contact the neighbor to see if her concerns could be addressed.

Staff subsequently prepared and mailed a Notice of Decision approving the application on February 23, 2015. After the appeal period had ended on March 9th, Mrs. Ter Bush again contacted staff noting that the decision had been mailed to her Chicago address and forwarded to her here in Ashland after the appeal period had closed, preventing her from appealing the matter as she had intended to do. In reviewing the file, staff determined that the note requesting that future notices regarding the project be mailed to Mrs. Ter Bush here in Ashland had indeed been missed, and the notice again mailed to her Chicago address as she indicated. In reviewing the procedure's chapter, staff noted the following in AMC 18.108.080:

E. *The failure of a property owner to receive notice as provided in this section shall not invalidate such proceedings if the City can demonstrate by affidavit that such notice was mailed. The failure to receive notice shall not invalidate the decision after the action is final if a good faith attempt was made to notify all persons entitled to receive notice.*

F. *Whenever it is demonstrated to the Staff Advisor that:*

1. *The city did not mail the notice required in §18.108;*
2. *Such error adversely affected and prejudiced a person's substantial rights; and*
3. *Such person notified the Staff Advisor within 21 days of when the person knew of should have known of the decision, the Staff Advisor shall schedule a hearing for the next regular Commission or Hearings Board meeting allowing adequate time to comply with the notice requirements of Section 18.108.080. The public hearing shall be conducted as provided in §18.108.100.*

If a hearing is conducted under this section, the decision of the Commission or Hearings Board shall supersede the previous decision.

In this instance, staff determined that notice was not mailed as requested by the neighbor; this failure adversely affected the neighbor's ability to appeal the decision; and the neighbor notified staff immediately upon receiving the notice and becoming aware of the decision. As such, staff scheduled a hearing for the next regular meeting of the Planning Commission to allow the Planning Commission to review the decision and permitting the neighbor to participate. Notices were mailed for the hearing, public notice provided to the newspaper, and a new sign posted on the property. The Planning Commission now has the opportunity to remedy the noticing error by reviewing the matter through a public hearing. The Commission's decision will supersede the previous staff approval.

There are no other planning actions of record for this site.

B. Detailed Description of the Site and Proposal

1. The Project Site

The subject parcel is located on the south side of Morada Lane between Tolman Creek Road and Green Meadows Way. The property is rectangular, with an area of approximately 16,380 square feet and has an average slope of approximately four percent down to the north. The parcel and immediate surrounding uses are zoned R-1-7.5, Single-Family Residential. Morada Lane is identified as a Residential Neighborhood Street and is improved with curb, gutters and paving but lacks sidewalks along the south side along the subject property's frontage.

2. Proposal

The application involves a request for Site Review and Conditional Use Permit approvals to construct a new approximately 1,000 square foot accessory residential unit behind the existing home at 2352 Morada Lane. According to Jackson County tax records, the property currently has only a 2,076 square foot single-family home constructed in about 1990. The proposal is for a 1,000 square foot Accessory Residential Unit (ARU) located behind the home, in the rear yard. Ashland Municipal Code (AMC) 18.24.030 limits the size of ARUs to 50 percent of the Gross Habitable Floor Area (GHFA) of the primary residence, and no greater than 1,000 square feet, and the 1,000 square foot proposed unit complies. Following development there will be two dwelling units on-site. The applicants proposed to utilize the existing garage and circular driveway to provide the four required parking spaces to serve the existing home and proposed ARU.

II. Project Impact

As explained in section I.A. above, the item was initially approved by staff, but that decision is now being reviewed by the Planning Commission to correct an error in the mailing of the Notice of Decision as provided in AMC 18.108.080.F. The Planning Commission's decision here will supersede staff's previous decision.

A. Accessory Residential Unit

Within the city's R-1 single family zones, applicants proposing to construct accessory residential units (ARU's) and must demonstrate:

1. The proposal must conform with the overall maximum lot coverage and setback requirements of the underlying zone.
2. The maximum number of dwelling units shall not exceed 2 per lot.
3. The maximum gross habitable floor area (GHFA) of the accessory residential structure shall not exceed 50 percent of the GHFA of the primary residence on the lot, and shall not exceed 1000 square feet of GHFA.

4. Additional parking shall be in conformance with the off-street parking provisions for single-family dwellings of this Title.

Staff's initial approval found that the application with conditions would comply with the overall coverage and setback requirements of the zone, and that with the proposed ARU there would be only two units on the lot. The proposed GHFA is 1,000 square feet which is the maximum allowed for an ARU, but this is within the above-described size limitations. Staff also found that the additional two parking spaces could be accommodated on site and through available on-street parking credits along the property's street frontage.

B. Site Review

The proposal involves the construction of a second residential unit on a residentially zoned parcel, and is accordingly required to demonstrate compliance with the criteria for Site Review approval. The first criterion for Site Review approval is that, "*All applicable City ordinances have been met or will be met by the proposed development.*" The application emphasizes that all city ordinances will be met by the proposal.

The second approval criterion for Site Review is that, "*All requirements of the Site Review Chapter have been met or will be met.*" The application notes that the proposed ARU will have its own trash and recycling bins which will be stored on the west side of the existing structure in a storage shed to keep the bins out of view of the neighbors.

The third approval criterion is that, "*The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.*" The application notes that the proposed ARU will be behind the existing home and not highly visible from the street, however it will be accessible from the driveway via a paved pathway along the west side of the existing structure. The entrance to the ARU will be emphasized from the street with a gate/arbor which will be built on the west side of the existing structure, and which will provide the pedestrian entry to the pathway leading to the ARU. The application also notes that the existing two-car garage and circular driveway will provide adequate parking for the four required automobile spaces for the existing home and proposed ARU without requiring the use of on-street parking credits. With the completion of the ARU, at least 65 percent of the property will remain in landscaping and eight percent of the property will be dedicated outdoor recreational space for tenants.

The applicant notes that they have contacted the Fire Marshall, and have agreed to mark the left side of the driveway "No Parking/Fire Lane" to ensure that required fire apparatus access is maintained. The applicant asserts that the driveway as it exists meets all fire apparatus access requirements and will be maintained as such, and that FireWise landscaping will be planted around the ARU.

The final approval criterion is, "*That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage,*

and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options.” The application materials explain that the accessory unit will be connected to the services for the existing structure at 2352 Morada Lane, and go on to note that the property is currently served by an eight-inch sewer main, a ten-inch water main, and an eight-inch storm drain line within Morada Lane. The applicant indicates that she has contacted the water, sewer and street departments and that they have indicated that they see no need for additional improvements to accommodate the proposed unit. The application goes on to explain that a separate electric service will be installed to serve the proposed unit, and that the Electric Department has been consulted in determining service requirements, meter placement and applicable connection fees. Morada Lane is paved, with curbs and gutters in place along the property’s full frontage, but lacks the sidewalks, park row planting strip and street trees required under City Street Standards. Conditions have been added to require that required street trees be planted on the property’s frontage and that the property owners sign in favor of full city standard street improvements of Morada Lane should they occur in the future.

C. Conditional Use Permit

As noted in the original staff approval, ARU’s in single-family zones are subject to a higher degree of review due to their potential impacts to established neighborhoods, and accordingly require Conditional Use Permit (CUP) approval. The approval criteria for a CUP serve to insure that there is adequate capacity of public facilities available to serve the additional unit and to demonstrate that there will be no more adverse material impact upon the surrounding neighborhood than would result from development of the property according to its target use, which is in this case single family residential use.

The first criterion for CUP approval is, *“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.”* The applicant asserts that the proposal is in conformance with all applicable standards and notes that accessory residential units are *conditionally*) allowed within the R-1-7.5 zoning district.

The second approval criterion is, *“That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property.”* As noted above, the application materials explain that the accessory unit will be connected to the existing structure at 2352 Morada Lane, and go on to note that the property is currently served by an eight-inch sewer main, a ten-inch water main, and an eight-inch storm drain line within Morada Lane. The applicant indicates that she has contacted the water, sewer and street departments and that they have indicated that they see no need for additional improvements to accommodate the proposed unit. The application goes on to explain that a separate electric service will be installed to serve the proposed unit, and that the Electric Department has been consulted in determining service requirements, meter placement and applicable connection fees.

The final approval criterion is, *“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. 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: similarity in scale, bulk, and coverage; generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities; architectural compatibility with the impact area; air quality, including the generation of dust, odors, or other environmental pollutants; generation of noise, light, and glare; the development of adjacent properties as envisioned in the Comprehensive Plan; and other factors found to be relevant by the Hearing Authority for review of the proposed use.”* In this case the target use is for the zone is residential development at 3.6 dwelling units an acre, and the impact area is the surrounding neighborhood. The property is an oversized parcel being 16,380 square feet in a district where the minimum lot size is 7,500 square feet. The application explains that the proposed accessory is relatively small and it will accordingly have minimal impact on the surrounding neighborhood. The application emphasizes that the proposed structure’s footprint is limited to less than 1,000 square feet and will cover only approximately six percent of the lot and will generate little additional traffic. The applicants assert that the architectural design is compatible with surrounding structures, and should have no impact in terms of air quality and will generate only minimal noise, light or glare.

In approving the request, staff found that the proposed accessory residential unit would have no greater adverse affect on the livability of the neighborhood than the target use of the property and that with the conditions detailed below, the proposed new unit would be in conformance with the standards of the R-1-7.5 zone and the requirements of the Conditional Use and Site Review chapters of the Ashland Municipal Code.

The Tree Commission reviewed the application at its regular meeting on January 8, 2015 and recommended approval of the request subject to the following conditions:

- 1) That the applicants provide a formal Tree Inventory and Tree Preservation/Protection Plan for the review and approval of the Staff Advisor prior to the issuance of a building permit. This plan shall include identification of all trees on adjacent properties but within 15 feet of the property line and measures necessary to protect them, including the Sequoia on the neighboring property.
- 2) That the placement of required street trees be planned to accommodate future curbside sidewalk installation.

In the original decision, staff noted that while no written comments were received with regard to the proposal, subsequent to the required Notice of Complete Application, staff was contacted by one neighbor (Mrs. Ter Bush) who expressed concern that the height and placement of the proposed new building would affect the views from her property on Apple Way. In assessing the proposed building, staff noted that it was a single-story design with a relatively flat roof, with a loft area above the bedroom, and that the placement was largely dictated by existing trees on the property and providing an

adequate separation between the home and ARU. Staff also noted that at its highest point, the roof over the 250 square foot loft area will be approximately 16 to 19 feet above grade, while much of the roof was at only 12 ½ feet. Staff noted that these heights were well below the 35-foot height limits of the zoning district, and because the plans provided were not to exact scale but called out dimensions, a condition was included making clear that the building permit plan submittals be drawn to a standard scale and clearly demonstrate that required six-foot side yard and ten-foot per story rear yard setbacks were met.

In reviewing the application and decision in light of the neighbor's concerns in preparation for the hearing, staff do not believe that the loft area was addressed clearly enough in either the application or the original staff decision. The floor plan for the unit calls out "*Loft space above master bedroom & bath area, 250 ft²*" however there is no floor plan or cross-section detailing the loft area. From the elevation drawings, it is clear that the taller portion of the structure at the south end, which is nearest the concerned neighbor, is the loft. Upon further assessment, staff believes that the loft poses two potential issues. First, the headroom of the loft area is unclear. If it were to be built with more than seven feet of headroom, it would constitute habitable floor area and would push the proposed structure beyond the maximum allowed 1,000 square feet. Second, lofts are not explicitly addressed in the code and would need to be considered in light of the definition of a story:

SECTION 18.08.662 Story.

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the top story shall be that portion of a building included between the upper surface of the top floor and the ceiling above. A basement shall not be considered a story. If the wall face of the upper most floor at the rear or side yard setback line is more than three (3) feet above the floor level below, the upper floor shall be considered a story for purposes of setbacks. Unenclosed decks, porches, balconies and similar features are not considered stories.

Assuming the loft will include a floor with a ceiling above, it would constitute a story and would need to be setback 20 feet from the rear property line if "*the wall face of the upper most floor at the rear...yard setback line is more than three (3) feet above the floor level below*" rather than only the ten feet shown. To address these issues, staff recommends that an eighth condition be added by the Commission requiring that the building permit submittals address the proposed loft area 1) to demonstrate that the proposed loft area does not constitute gross habitable floor area in excess of 1,000 square feet allowed for the Accessory Residential Unit, and 2) to demonstrate compliance with the ten-foot per story setback requirements of the zoning district, which require that the loft as an additional story be setback twenty feet from the rear property line unless the wall face of the upper most floor at the rear yard setback line is less than three feet above the floor level below.

III. Procedural - Required Burden of Proof

The criteria for Site Review approval are described in AMC Chapter 18.72.070 as follows:

- A. *All applicable City ordinances have been met or will be met by the proposed development.*
- B. *All requirements of the Site Review Chapter have been met or will be met.*
- C. *The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.*
- D. *That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options.*

The criteria for Conditional Use Permit approval are described in AMC Chapter 18.104.050 as follows:

- A. *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.*
- B. *That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property.*
- C. *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. 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:*
 - 1. *Similarity in scale, bulk, and coverage.*
 - 2. *Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.*
 - 3. *Architectural compatibility with the impact area.*
 - 4. *Air quality, including the generation of dust, odors, or other environmental pollutants.*
 - 5. *Generation of noise, light, and glare.*
 - 6. *The development of adjacent properties as envisioned in the Comprehensive Plan.*
 - 7. *Other factors found to be relevant by the Hearing Authority for review of the proposed use.*

The criteria for an Accessory Residential Unit are described in AMC Chapter 18.20.030.H, as follows:

- H. *Accessory residential units, subject to the Type I procedure and criteria, and the following additional criteria:*
 - 1. *The proposal must conform with the overall maximum lot coverage and setback requirements of the underlying zone.*
 - 2. *The maximum number of dwelling units shall not exceed 2 per lot.*

3. *The maximum gross habitable floor area (GHFA) of the accessory residential structure shall not exceed 50% of the GHFA of the primary residence on the lot, and shall not exceed 1000 sq. ft. GHFA.*
4. *Additional parking shall be in conformance with the off-street Parking provisions for single-family dwellings of this Title.*

IV. Conclusions and Recommendations

As detailed above, Planning Action #2014-02106 was initially approved by staff with the seven conditions below. Subsequent to the mailing of the Notice of Decision and completion of the appeal period, a neighbor who had requested notice of the decision made staff aware that she had not been sent notice as requested. Staff determined that this was a noticing error that adversely affected the neighbor and prejudiced their “substantial rights” to appeal. The remedy to such an error, as provided in AMC 18.108.080, is to schedule the staff decision for review by the Planning Commission through a hearing, and to re-notice that hearing. The Planning Commission’s decision supersedes the staff decision.

Staff continues to support the request, however in reviewing the application and decision in light of the neighbor’s concerns in preparation for the hearing, staff believes that a proposed loft area over the bedroom was not adequately addressed in either the application or the original staff decision. The floor plan for the unit calls out “*Loft space above master bedroom & bath area, 250 ft²*” however, there is no floor plan or cross-section providing further detail of the loft area. From the elevation drawings, it is clear that the taller portion of the structure at the south end of the property, which is nearest the concerned neighbor, is the loft area.

Upon further assessment, staff believes that the proposed loft poses two potential issues, which need to be better addressed. First, the headroom of the loft area is unclear. If it were to be built with more than seven feet of headroom, it would constitute habitable floor area and would push the proposed structure beyond the maximum allowed 1,000 square feet. Second, lofts are not explicitly addressed in the code and would need to be considered in light of the definition of a story, which is, “*That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the top story shall be that portion of a building included between the upper surface of the top floor and the ceiling above. A basement shall not be considered a story. If the wall face of the upper most floor at the rear or side yard setback line is more than three (3) feet above the floor level below, the upper floor shall be considered a story for purposes of setbacks. Unenclosed decks, porches, balconies and similar features are not considered stories.*”

Assuming the loft will include a floor with a ceiling above, it would constitute a story and would need to be setback 20 feet from the rear property line if “*the wall face of the upper most floor at the rear...yard setback line is more than three (3) feet above the floor level below*” rather than the ten feet shown. To better address these issues, staff recommends an eighth condition be added requiring that the building permit drawings address the proposed loft area to demonstrate that it does not constitute gross habitable floor area in

excess of the allowed 1,000 square feet for the accessory residential unit, and demonstrate compliance with the ten-foot per story setback requirements of the zoning district, which require that the loft as an additional story be setback twenty feet from the rear property line unless the wall face of the upper most floor (i.e. loft) at the rear yard setback line is less than three feet above the floor level below. Staff recommends approval of the request with the seven conditions originally imposed and this eighth condition.

Should the Planning Commission concur with this recommendation, these conditions should be attached to the Commission's decision, which will supersede the original staff approval:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise modified herein.
- 2) That the plans submitted for the building permit shall be in conformance with those approved as part of this application. If the plans submitted for the building permit are not in substantial conformance with those approved as part of this application, an application to modify this Site Review and Conditional Use Permit approval shall be submitted and approved prior to issuance of a building permit.
- 3) That any construction within the public right of way shall require a separate Public Works permit approval before any work in the right of way begins. Any work in the right-of-way must be inspected and approved by the Public Works Department.
- 4) That the property owner shall sign in favor of Local Improvement District (LID) for the future street improvements, including but not limited to paving, curb gutter, storm drainage, sidewalks and undergrounding of utilities for Morada Lane prior to signature of the final survey plat. Nothing in this condition is intended to prohibit an owner/developer, their successors or assigns from exercising their rights to freedom of speech and expression by orally objecting or participating in the LID hearing or to take advantage of any protection afforded any party by City ordinances and resolutions.
- 5) That the recommendations of the Tree Commission from their January 2015 meeting shall be conditions of approval, where consistent with applicable standards and with final approval by the Staff Advisor. These include:
 - a. That the applicants provide a formal Tree Inventory and Tree Preservation and Protection Plan for the review and approval of the Staff Advisor prior to the issuance of a building permit. This plan shall include identification of all trees on adjacent properties but within 15 feet of the property line and measures necessary to protect them, including the Sequoia on the neighboring property. The amount of fill and grading within the drip lines shall be minimized. Cuts within the drip lines shall be noted on the tree protection plan, and shall be executed by handsaw and kept to a minimum. No fill shall be placed around the trunk/crown root. No construction shall

occur within the tree protection zone including dumping or storage of materials such as building supplies, soil, waste, equipment, or parked vehicles. Six-foot chain link tree protection fencing shall be installed according to the approved plan, inspected and approved by the Staff Advisor prior to any site work, storage of materials or issuance of the building permit.

- b. That the placement of required street trees be planned to accommodate future curbside sidewalk installation.
- 6) That all necessary building permits, including permits for the new electrical service to the accessory residential unit, and system development charges for water, sewer, storm water, parks, and transportation shall be paid prior to the issuance of a building permit. The building permit submittals shall include:
- a) Demonstration that Fire Code requirements including fire hydrant distance, fire flow and fire apparatus access are to be satisfactorily addressed in the building permit plan submittals for review and approval of the Building Official.
 - b) Exterior lighting details demonstrating that all exterior light fixtures are selected, placed, and appropriately shrouded to avoid direct illumination of adjacent properties.
 - c) Details of the proposed screening of trash and recycling facilities to comply with the Site Design and Use Standards. Screening shall be in place, inspected and approved by the Staff Advisor prior to approval of the Certificate of Occupancy.
 - d) The location and dimensions and proposed covering for the required bicycle parking spaces shall be shown on the building permit submittals. The bicycle parking shall comply with the standards from AMC 18.92.
 - e) Details of any proposed storm drainage improvements shall be submitted for review and approval to the City of Ashland Building, Planning and Engineering Departments.
 - f) Exterior building materials and paint colors shall be compatible with the surrounding area, and sample exterior building colors shall be provided with the building permit submittals for review and approval of the Staff Advisor. Very bright or neon paint colors shall not be used in accordance with II-B-6a) of the Multi-Family Site Design and Use Standards.
 - g) That a landscaping and irrigation plan to include irrigation details satisfying the requirements of the Site Design and Use Standards Water Conserving Landscaping Guidelines and Policies and showing parkrow improvements shall be provided. This plan shall include identification of proposed FireWise landscaping and shall identify the required eight percent of the site to be provided for the recreational use of tenants.

- h) The building permit plan submittals shall be drawn to a standard scale and shall include the identification of: 1) required six-foot side yard and ten-foot per story rear yard setbacks; 2) the proposed no parking area to provide for fire apparatus access, and appropriate signage and pavement markings; 3) four required off-street parking spaces which meet the applicable standards; 4) two bicycle parking spaces for the proposed ARU which meet the applicable parking standards; 5) any existing or proposed easements including those necessary for Talent Irrigation District (*if applicable*) or for fire apparatus access.
- 7) That prior to the issuance of a certificate of occupancy:
- a) That a separate electric service and meter for the accessory residential unit shall be installed in accordance with Ashland Electric Department requirements prior to issuance of the certificate of occupancy.
 - b) That required automobile and bicycle parking shall be in place, inspected and approved by the Staff Advisor, including the proposed “No Parking – Fire Lane” signage within the driveway.
 - c) That the proposed pathway from the driveway to the entrance of the proposed ARU shall be installed according to the approved plan, inspected and approved.
 - d) That a separate address for the accessory residential unit shall be applied for approved by the City of Ashland Engineering Division. Addressing shall meet the requirements of the Ashland Fire Department and be visible from the Public Right-of-Way.
 - e) That the trash and recycling facilities for the home and accessory residential unit shall be screened in a manner consistent with the Site Design and Use Standards, inspected and approved by the Advisor. An opportunity to recycle site of equal or greater size than the solid waste receptacle shall be included in the trash enclosure in accordance with 18.72.115.B.
 - f) That street trees, one per 30 feet of street frontage, shall be installed on the Morada Lane frontage prior to the issuance of a certificate of occupancy for the ARU. All street trees shall be chosen from the adopted Street Tree List and shall be installed in accordance with the specifications noted in Section E of the Site Design and Use Standards. The street trees shall be placed to accommodate future curbside sidewalk installation, and shall be irrigated.
 - g) That all landscaping, hardscaping and irrigation shall be installed according to the approved plan and FireWise requirements, inspected and approved by the Staff Advisor.

- 8) That the building permit submittals shall address the proposed loft area: 1) to demonstrate that the proposed loft area does not constitute gross habitable floor area in excess of 1,000 square feet allowed for the Accessory Residential Unit. As defined in AMC 18.08.256, areas with less than seven feet of head room do not constitute gross habitable floor area; 2) to demonstrate compliance with the ten-foot per story setback requirements of the zoning district, which require that the loft as an additional story be setback twenty feet from the rear property line unless the wall face of the upper most floor at the rear yard setback line is less than three feet above the floor level below.

February 23, 2015

Notice of Final Decision

On February 23, 2015, the Community Development Director approved the request for the following:

Planning Action: 2014-02106

Subject Property: 2352 Morada Ln.

Applicant: Ron & Lisa Albano

Description: A request for Site Review and Conditional Use Permit approvals to construct a new approximately 1,000 square foot accessory residential unit behind the existing home at 2352 Morada Lane. **COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP :** 39 1E 14CD; **TAX LOT:** 4700

The Community Development Director's decision becomes final and is effective on the 13th day after the Notice of Final Decision is mailed. Approval is valid for a period of one year and all conditions of approval identified on the attached Findings are required to be met prior to project completion.

The application, all associated documents and evidence submitted, and the applicable criteria are available for review at the Ashland Community Development Department, located at 51 Winburn Way. Copies of file documents can be requested and are charged based on the City of Ashland copy fee schedule.

Prior to the final decision date, anyone who was mailed this Notice of Final Decision may request a reconsideration of the action as set forth in the Ashland Land Use Ordinance (ALUO) 18.108.070(B)(2)(b) and/or file an appeal to the Ashland Planning Commission as provided in ALUO 18.108.070(B)(2)(c). The ALUO sections covering reconsideration and appeal procedures are attached. The appeal may not be made directly to the Oregon Land Use Board of Appeals.

If you have any questions regarding this decision, please contact Derek Severson in the Community Development Department at (541) 488-5305.

cc: Parties of record and property owners within 200 ft



SECTION 18.108.070(B)2 Effective Date of Decision and Appeals.

B. Actions subject to appeal:

2. Type I Planning Actions.

- a. Effective Date of Decision. The final decision of the City for planning actions resulting from the Type I Planning Procedure shall be the Staff Advisor decision, effective on the 13th day after notice of the decision is mailed unless reconsideration of the action is approved by the Staff Advisor or appealed to the Commission as provided in section 18.108.070(B)(2)(c).
- b. Reconsideration. The Staff Advisor may reconsider Type I planning actions as set forth below.
 - i. Any party entitled to notice of the planning action, or any City Agency may request reconsideration of the action after the decision has been made by providing evidence to the Staff Advisor that a factual error occurred through no fault of the party asking for reconsideration, which in the opinion of the staff advisor, might affect the decision. Reconsideration requests are limited to factual errors and not the failure of an issue to be raised by letter or evidence during the opportunity to provide public input on the application sufficient to afford the Staff Advisor an opportunity to respond to the issue prior to making a decision.
 - ii. Reconsideration requests shall be received within five (5) days of mailing. The Staff Advisor shall decide within three (3) days whether to reconsider the matter.
 - iii. If the Planning Staff Advisor is satisfied that an error occurred crucial to the decision, the Staff Advisor shall withdraw the decision for purposes of reconsideration. The Staff Advisor shall decide within ten (10) days to affirm, modify, or reverse the original decision. The Staff Advisor shall send notice of the reconsideration decision to affirm, modify, or reverse to any party entitled to notice of the planning action.
 - iv. If the Staff Advisor is not satisfied that an error occurred crucial to the decision, the Staff Advisor shall deny the reconsideration request. Notice of denial shall be sent to those parties that requested reconsideration.
- c. Appeal.
 - i. Within twelve (12) days of the date of the mailing of the Staff Advisor's final decision, including any approved reconsideration request, the decision may be appealed to the Planning Commission by any party entitled to receive notice of the planning action. The appeal shall be submitted to the Planning Commission Secretary on a form approved by the City Administrator, be accompanied by a fee established pursuant to City Council action, and be received by the city no later than 4:30 p.m. on the 12th day after the notice of decision is mailed.
 - ii. If an appellant prevails at the hearing or upon subsequent appeal, the fee for the initial hearing shall be refunded. The fee required in this section shall not apply to appeals made by neighborhood or community organizations recognized by the city and whose boundaries include the site.
 - iii. The appeal shall be considered at the next regular Planning Commission or Hearings Board meeting. The appeal shall be a de novo hearing and shall be considered the initial evidentiary hearing required under ALUO 18.108.050 and ORS 197.763 as the basis for an appeal to the Land Use Board of Appeals. The Planning Commission or Hearings Board decision on appeal shall be effective 13 days after the findings adopted by the Commission or Board are signed by the Chair of the Commission or Board and mailed to the parties.
 - iv. The appeal requirements of this section must be fully met or the appeal will be considered by the city as a jurisdictional defect and will not be heard or considered.



ASHLAND PLANNING DIVISION

FINDINGS & ORDERS

PLANNING ACTION: PA-2014-02106
SUBJECT PROPERTY: 2352 Morada Ln.
APPLICANT/OWNER: Ron & Lisa Albano
DESCRIPTION: A request for Site Review and Conditional Use Permit approvals to construct a new approximately 1,000 square foot accessory residential unit behind the existing home at 2352 Morada Lane.
COMPREHENSIVE PLAN DESIGNATION: Single Family Residential; **ZONING:** R-1-7.5;
ASSESSOR'S MAP: 39 1E 14CD; **TAX LOT:** 4700

SUBMITTAL DATE:	December 9, 2014
DEEMED COMPLETE DATE:	January 7, 2015
STAFF APPROVAL DATE:	February 23, 2015
APPEAL DEADLINE (4:30 P.M.):	March 9, 2015
FINAL DECISION DATE:	March 10, 2015
APPROVAL EXPIRATION DATE:	March 10, 2016

DECISION

The application involves a request for Site Review and Conditional Use Permit approvals to construct a new approximately 1,000 square foot accessory residential unit behind the existing home at 2352 Morada Lane.

The subject parcel is located on the south side of Morada Lane between Tolman Creek Road and Green Meadows Way. The property is rectangular, with an area of approximately 16,380 square feet and has an average slope of approximately four percent down to the north. The parcel and immediate surrounding uses are zoned R-1-7.5, Single-Family Residential. Morada Lane is identified as a Residential Neighborhood Street and is improved with curb, gutters and paving but lacks sidewalks along the south side along the subject property's frontage.

According to Jackson County tax records, the property currently has only a 2,076 square foot single-family home constructed in about 1990. The proposal is for a 1,000 square foot Accessory Residential Unit (ARU) located behind the home, in the rear yard. Ashland Municipal Code (AMC) 18.24.030 limits the size of ARUs to 50 percent of the Gross Habitable Floor Area (GHFA) of the primary residence, and no greater than 1,000 square feet, and the 1,000 square foot proposed unit complies. Following development there will be two dwelling units on-site. The applicants proposed to utilize the existing garage and circular driveway to provide the four required parking spaces to serve the existing home and proposed ARU.

Accessory Residential Unit (ARU) Approval Criteria

Within the city's single family zones, accessory residential units (ARU's) are subject to a Type I procedure which allows for administrative review, and must demonstrate:

1. The proposal must conform with the overall maximum lot coverage and setback requirements of the underlying zone.
2. The maximum number of dwelling units shall not exceed 2 per lot.
3. The maximum gross habitable floor area (GHFA) of the accessory residential structure shall not exceed 50 percent of the GHFA of the primary residence on the lot, and shall not exceed 1000 square feet of GHFA.
4. Additional parking shall be in conformance with the off-street parking provisions for single-family dwellings of this Title.

As proposed, the application will comply with the overall coverage and setback requirements of the zone, and with the ARU there will be only two units on the lot. The proposed GHFA is 1,000 square feet which is the maximum allowed for an ARU, but which meets the size limitations described above. And the additional two parking spaces can be accommodated on site and through available on-street parking credits along the property's street frontage.

Site Review Approval Criteria

The proposal involves the construction of a second residential unit on a residentially zoned parcel, and is accordingly required to demonstrate compliance with the criteria for Site Review approval. The first criterion for Site Review approval is that, "*All applicable City ordinances have been met or will be met by the proposed development.*" The application emphasizes that all city ordinances will be met by the proposal.

The second approval criterion for Site Review is that, "*All requirements of the Site Review Chapter have been met or will be met.*" The application notes that the proposed ARU will have its own trash and recycling bins which will be stored on the west side of the existing structure in a storage shed to keep the bins out of view of the neighbors.

The third approval criterion is that, "*The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.*" The application notes that the proposed ARU will be behind the existing home and not highly visible from the street, however it will be accessible from the driveway via a paved pathway along the west side of the existing structure. The entrance to the ARU will be emphasized from the street with a gate/arbor which will be built on the west side of the existing structure, and which will provide the pedestrian entry to the pathway leading to the ARU. The application also notes that the existing two car garage and circular driveway will provide adequate parking for the four required automobile spaces for the existing home and proposed ARU without requiring the use of on-street parking credits. With the completion of the ARU, at least 65 percent of the property will remain in landscaping and eight percent of the property will be dedicated outdoor recreational space for tenants.

The applicant notes that they have contacted the Fire Marshall, and have agreed to mark the left side of the driveway "No Parking/Fire Lane" to ensure that required fire apparatus access is maintained. The applicant asserts that the driveway as it exists meets all fire apparatus access requirements and will be maintained as such, and that FireWise landscaping will be planted around the ARU.

The final approval criterion is, *“That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options.”* The application materials explain that the accessory unit will be connected to the services for the existing structure at 2352 Morada Lane, and go on to note that the property is currently served by an eight-inch sewer main, a ten-inch water main, and an eight inch storm drain line within Morada Lane. The applicant indicates that she has contacted the water, sewer and street departments and that they have indicated that they see no need for additional improvements to accommodate the proposed unit. The application goes on to explain that a separate electric service will be installed to serve the proposed unit, and that the Electric Department has been consulted in determining service requirements, meter placement and applicable connection fees. Morada Lane is paved, with curbs and gutters in place along the property’s full frontage, but lacks the sidewalks, park row planting strip and street trees required under City Street Standards. Conditions have been added to require that required street trees be planted on the property’s frontage and that the property owners sign in favor of full city standard street improvements of Morada Lane in the future.

Conditional Use Permit (CUP) Approval Criteria

Accessory units in single-family zones are subject to a higher degree of review due to their potential impacts to established neighborhoods, and accordingly require Conditional Use Permit (CUP) approval. The approval criteria for a CUP serve to insure that there is adequate capacity of public facilities available to serve the additional unit and to demonstrate that there will be no more adverse material impacts to the surrounding neighborhood than would result from development of the property according to its target, single family use.

The first criterion for CUP approval is, *“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.”* The applicant asserts that the proposal is in conformance with all applicable standards and notes that accessory residential units are (conditionally) allowed within the R-1-7.5 zoning district.

The second approval criterion is, *“That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property.”* As noted above, the application materials explain that the accessory unit will be connected to the existing structure at 2352 Morada Lane, and go on to note that the property is currently served by an eight-inch sewer main, a ten-inch water main, and an eight inch storm drain line within Morada Lane. The applicant indicates that she has contacted the water, sewer and street departments and that they have indicated that they see no need for additional improvements to accommodate the proposed unit. The application goes on to explain that a separate electric service will be installed to serve the proposed unit, and that the Electric Department has been consulted in determining service requirements, meter placement and applicable connection fees.

The final approval criterion is, *"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. 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: similarity in scale, bulk, and coverage; generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities; architectural compatibility with the impact area; air quality, including the generation of dust, odors, or other environmental pollutants; generation of noise, light, and glare; the development of adjacent properties as envisioned in the Comprehensive Plan; and other factors found to be relevant by the Hearing Authority for review of the proposed use."* In this case the target use is for the zone is residential development at 3.6 dwelling units an acre, and the impact area is the surrounding neighborhood. The property is an oversized parcel being 16,380 square feet in a district where the minimum lot size is 7,500 square feet. The application explains that the proposed accessory is relatively small and it will accordingly have minimal impact on the surrounding neighborhood. The application emphasizes that the proposed structure's footprint is limited to less than 1,000 square feet and will cover only approximately six percent of the lot and will generate little additional traffic. The applicants assert that the architectural design is compatible with surrounding structures, and should have no impact in terms of air quality and will generate only minimal noise, light or glare. In Staff's view, the proposed accessory residential unit will have no greater adverse affect on the livability of the neighborhood than the target use of the property. Therefore, with the added conditions below, staff finds that the proposed unit would be in conformance with the standards of the R-1-7.5 zone, the minimum requirements of the Conditional Use and Site Review chapter of the Ashland Municipal Code.

The Tree Commission reviewed the application at its regular meeting on January 8, 2015 and recommended approval of the request subject to the following conditions:

- 1) That the applicants provide a formal Tree Inventory and Tree Preservation/Protection Plan for the review and approval of the Staff Advisor prior to the issuance of a building permit. This plan shall include identification of all trees on adjacent properties but within 15 feet of the property line and measures necessary to protect them, including the Sequoia on the neighboring property.
- 2) That the placement of required street trees be planned to accommodate future curbside sidewalk installation.

No written comments were received with regard to the proposal, but subsequent to the required Notice of Complete Application, staff was contacted by phone by one neighbor who expressed concern that the height and placement of the proposed new building would impact the views from their property on Apple Way. In assessing the proposed building, staff noted that the proposed building is a single story design with a relatively flat roof, with a small sleeping loft area above the living space, with the placement largely dictated by the existing trees on the property and providing an adequate separation between the home and ARU. At its highest point,

the roof over the 250 square foot loft area will be approximately 16 to 19 feet above grade, while much of the roof is at only 12 ½ feet. This is well below the 35-foot height limits of the zoning district.

The Talent Irrigation District (TID) has also provided comments noting that the district's Bellview line runs within an easement very near the proposed structure and advising that the applicants be aware of the line and easement location, and identify them on all building permit plan submittals. TID has also noted that the property currently has 0.30 acres of water rights, and that water rights must be removed from any new impervious surfaces through the proper process with the Bureau of Reclamation and the Water Resources Department. Conditions have been included below to require the identification of easements on the plan submittals, and the applicants have been advised to contact TID to address necessary water right issues.

These conditions have been incorporated into the conditions which are attached below.

The criteria for Site Review approval are described in AMC Chapter 18.72.070 as follows:

- A. *All applicable City ordinances have been met or will be met by the proposed development.*
- B. *All requirements of the Site Review Chapter have been met or will be met.*
- C. *The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.*
- D. *That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options.*

The criteria for Conditional Use Permit approval are described in AMC Chapter 18.104.050 as follows:

- A. *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.*
- B. *That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property.*
- C. *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. 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:*
 - 1. *Similarity in scale, bulk, and coverage.*
 - 2. *Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.*

3. *Architectural compatibility with the impact area.*
4. *Air quality, including the generation of dust, odors, or other environmental pollutants.*
5. *Generation of noise, light, and glare.*
6. *The development of adjacent properties as envisioned in the Comprehensive Plan.*
7. *Other factors found to be relevant by the Hearing Authority for review of the proposed use.*

The criteria for an Accessory Residential Unit are described in AMC Chapter 18.20.030.H, as follows:

- H. *Accessory residential units, subject to the Type I procedure and criteria, and the following additional criteria:*
1. *The proposal must conform with the overall maximum lot coverage and setback requirements of the underlying zone.*
 2. *The maximum number of dwelling units shall not exceed 2 per lot.*
 3. *The maximum gross habitable floor area (GHFA) of the accessory residential structure shall not exceed 50% of the GHFA of the primary residence on the lot, and shall not exceed 1000 sq. ft. GHFA.*
 4. *Additional parking shall be in conformance with the off-street Parking provisions for single-family dwellings of this Title.*

The application with the attached conditions complies with all applicable City ordinances.

Planning Action #2014-02106 is approved with the following conditions. Further, if any one or more of the following conditions are found to be invalid for any reason whatsoever, then Planning Action #2014-02106 is denied. The following are the conditions and they are attached to the approval:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise modified herein.
- 2) That the plans submitted for the building permit shall be in conformance with those approved as part of this application. If the plans submitted for the building permit are not in substantial conformance with those approved as part of this application, an application to modify this Site Review and Conditional Use Permit approval shall be submitted and approved prior to issuance of a building permit.
- 3) That any construction within the public right of way shall require a separate Public Works permit approval before any work in the right of way begins. Any work in the right-of-way must be inspected and approved by the Public Works Department.
- 4) That the property owner shall sign in favor of Local Improvement District (LID) for the future street improvements, including but not limited to paving, curb gutter, storm drainage, sidewalks and undergrounding of utilities for Morada Lane prior to signature of the final survey plat. Nothing in this condition is intended to prohibit an owner/developer, their successors or assigns from exercising their rights to freedom of speech and expression by orally objecting or participating in the LID hearing or to take advantage of any protection afforded any party by City ordinances and resolutions.

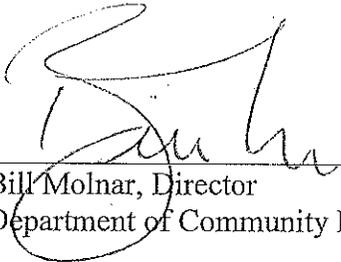
- 5) That the recommendations of the Tree Commission from their January 2015 meeting shall be conditions of approval, where consistent with applicable standards and with final approval by the Staff Advisor. These include:
- a. That the applicants provide a formal Tree Inventory and Tree Preservation and Protection Plan for the review and approval of the Staff Advisor prior to the issuance of a building permit. This plan shall include identification of all trees on adjacent properties but within 15 feet of the property line and measures necessary to protect them, including the Sequoia on the neighboring property. The amount of fill and grading within the drip lines shall be minimized. Cuts within the drip lines shall be noted on the tree protection plan, and shall be executed by handsaw and kept to a minimum. No fill shall be placed around the trunk/crown root. No construction shall occur within the tree protection zone including dumping or storage of materials such as building supplies, soil, waste, equipment, or parked vehicles. Six-foot chain link tree protection fencing shall be installed according to the approved plan, inspected and approved by the Staff Advisor prior to any site work, storage of materials or issuance of the building permit.
 - b. That the placement of required street trees be planned to accommodate future curbside sidewalk installation.
- 6) That all necessary building permits, including permits for the new electrical service to the accessory residential unit, and system development charges for water, sewer, storm water, parks, and transportation shall be paid prior to the issuance of a building permit. The building permit submittals shall include:
- a) Demonstration that Fire Code requirements including fire hydrant distance, fire flow and fire apparatus access are to be satisfactorily addressed in the building permit plan submittals for review and approval of the Building Official.
 - b) Exterior lighting details demonstrating that all exterior light fixtures are selected, placed, and appropriately shrouded to avoid direct illumination of adjacent properties.
 - c) Details of the proposed screening of trash and recycling facilities to comply with the Site Design and Use Standards. Screening shall be in place, inspected and approved by the Staff Advisor prior to approval of the Certificate of Occupancy.
 - d) The location and dimensions and proposed covering for the required bicycle parking spaced shall be shown on the building permit submittals. The bicycle parking shall comply with the standards from AMC 18.92.
 - e) Details of any proposed storm drainage improvements shall be submitted for review and approval to the City of Ashland Building, Planning and Engineering Departments.
 - f) Exterior building materials and paint colors shall be compatible with the surrounding area, and sample exterior building colors shall be provided with the building permit submittals for review and approval of the Staff Advisor. Very

bright or neon paint colors shall not be used in accordance with II-B-6a) of the Multi-Family Site Design and Use Standards.

- g) That a landscaping and irrigation plan to include irrigation details satisfying the requirements of the Site Design and Use Standards Water Conserving Landscaping Guidelines and Policies and showing parkrow improvements shall be provided. This plan shall include identification of proposed FireWise landscaping and shall identify the required eight percent of the site to be provided for the recreational use of tenants.
 - h) The building permit plan submittals shall be drawn to a standard scale and shall include the identification of: 1) required six-foot side yard and ten-foot per story rear yard setbacks; 2) the proposed no parking area to provide for fire apparatus access, and appropriate signage and pavement markings; 3) four required off-street parking spaces which meet the applicable standards; 4) two bicycle parking spaces for the proposed ARU which meet the applicable parking standards; 5) any existing or proposed easements including those necessary for Talent Irrigation District (*if applicable*) or for fire apparatus access.
- 5) That prior to the issuance of a certificate of occupancy:
- a) That a separate electric service and meter for the accessory residential unit shall be installed in accordance with Ashland Electric Department requirements prior to issuance of the certificate of occupancy.
 - b) That required automobile and bicycle parking shall be in place, inspected and approved by the Staff Advisor, including the proposed "No Parking – Fire Lane" signage within the driveway.
 - c) That the proposed pathway from the driveway to the entrance of the proposed ARU shall be installed according to the approved plan, inspected and approved.
 - d) That a separate address for the accessory residential unit shall be applied for, approved by the City of Ashland Engineering Division. Addressing shall meet the requirements of the Ashland Fire Department and be visible from the Public Right-of-Way.
 - e) That the trash and recycling facilities for the home and accessory residential unit shall be screened in a manner consistent with the Site Design and Use Standards, inspected and approved by the Advisor. An opportunity to recycle site of equal or greater size than the solid waste receptacle shall be included in the trash enclosure in accordance with 18.72.115.B.
 - f) That street trees, one per 30 feet of street frontage, shall be installed on the Morada Lane frontage prior to the issuance of a certificate of occupancy for the ARU. All street trees shall be chosen from the adopted Street Tree List and shall be installed in accordance with the specifications noted in Section E of the Site

Design and Use Standards. The street trees shall be placed to accommodate future curbside sidewalk installation, and shall be irrigated.

- g) That all landscaping, hardscaping and irrigation shall be installed according to the approved plan and FireWise requirements, inspected and approved by the Staff Advisor.



Bill Molnar, Director
Department of Community Development

2/23/2015

Date

ASHLAND TREE COMMISSION
PLANNING APPLICATION REVIEW COMMENT SHEET
December 8, 2014

PLANNING ACTION: PA-2014-02106
SUBJECT PROPERTY: 2352 Morada Ln.
APPLICANT/OWNER: Ron & Lisa Albano
DESCRIPTION: A request for Site Review and Conditional Use Permit approvals to construct a new approximately 1,000 square foot accessory residential unit behind the existing home at 2352 Morada Lane.
COMPREHENSIVE PLAN DESIGNATION: Single Family Residential; **ZONING:** R-1-7.5;
ASSESSOR'S MAP : 39 1E 14CD; **TAX LOT:** 4700

The Tree Commission recommends approving the application with the specific recommendations below:

- 1) That the applicants provide a formal Tree Inventory and Tree Preservation/Protection Plan for the review and approval of the Staff Advisor prior to the issuance of a building permit. This plan shall include identification of all trees on adjacent properties but within 15 feet of the property line and measures necessary to protect them, including the Sequoia on the neighboring property.
- 2) That the placement of the required street tree be planned to accommodate future sidewalk installation.

TALENT IRRIGATION DISTRICT LAND USE AGENCY RESPONSE FORM

104 W. Valley View Rd.
P.O. Box 467
Talent, OR 97540

Phone: 541-535-1529
Fax: 541-535-4108
Email: tid@talentid.org

NAME OF ENTITY REQUESTING RESPONSE: Ashland
ENTITY REFERENCE NUMBER: PL-2014-02106
MEETING REVIEW DATE: January 21, 2015
MAP DESCRIPTION: 39-1E-14CD Tax Lot 4700
PROPERTY ADDRESS: 2352 Morada Ln, Ashland, OR 97520

NO COMMENT ON LAND USE ISSUE (IF NOT MARKED, CONTINUE BELOW)

NO COMMENT IF CHECKED COMMENTS ARE APPLICABLE

A. WATER RIGHT ISSUES

- 1. Water rights need to be sold to someone or transferred back to Talent Irrigation District. Number of Irrigated Acres: .30
Comments: Water rights must be removed from any impervious surfaces.
- 2. Must have District approval for water rights to remain in place on subject property.
Comments: Be aware that the property has .30 acres of water rights. If the existing water rights are to be sold or relocated to another area, the applicant must go through the transfer process with the Bureau of Reclamation and the Water Resources Department.

B. EASEMENTS

DISTRICT EASEMENTS

- 1. Easement needs to remain clear. No permanent structures or deep rooted plants will be allowed within the easement limits.
Comments: Be aware that the Districts Bellview line is adjacent to the property.
- 2. If facility is to be relocated or modified, specifications must meet the District's standards and be agreeable to the District. A new written and recorded easement must be conveyed to the District.
Comments: _____
- 3. If a written and recorded easement does not exist for an existing facility, then one must be provided in favor of the District.
Comments: _____

PRIVATE EASEMENTS

- 1. Property may have private facilities (ditch or pipeline) that the District does not manage. Arrangements may need to be made to provide continued service through the subject property for downstream water users.
Comments: _____

NO
COMMENT

IF CHECKED
COMMENTS
ARE APPLICABLE

**PRIVATE EASEMENT PROVISIONS FOR MINOR PARTITIONS
AND/OR LOT LINE ADJUSTMENTS**

1. If the property currently has water rights and it is being partitioned or a lot line adjustment is being made, easements must be written and recorded which allow access for all of the pieces of property with water rights to continue to have access to the water.

Comments: _____

**WATER METER REQUIREMENT ON TRANSFERRED WATER
RIGHTS**

1. If the water right on this property is a transferred water right that currently has a water meter requirement, then each of the properties split off of the original parcel all need to have water meters installed prior to the use of irrigation water on the newly formed parcels.

Comments: _____

C. FACILITIES (including but not limited to pipelines, ditches, canals, control checks or boxes)

1. Upgrades to District facilities may be required to support any land use changes or developments, such as pipe installations or encasing existing pipe under roads or concrete.

Comments: _____

D. DRAINAGE / STORM WATER

The District relies on the Bureau of Reclamation's Storm Water Policy. No urban storm water or point source flows will be allowed into the District's facilities without going through the Bureau of Reclamation process. (Developments in historically agricultural areas need to be aware of agricultural run off water and take appropriate action to protect the development from upslope water.)

Comments: _____

GENERAL COMMENTS:

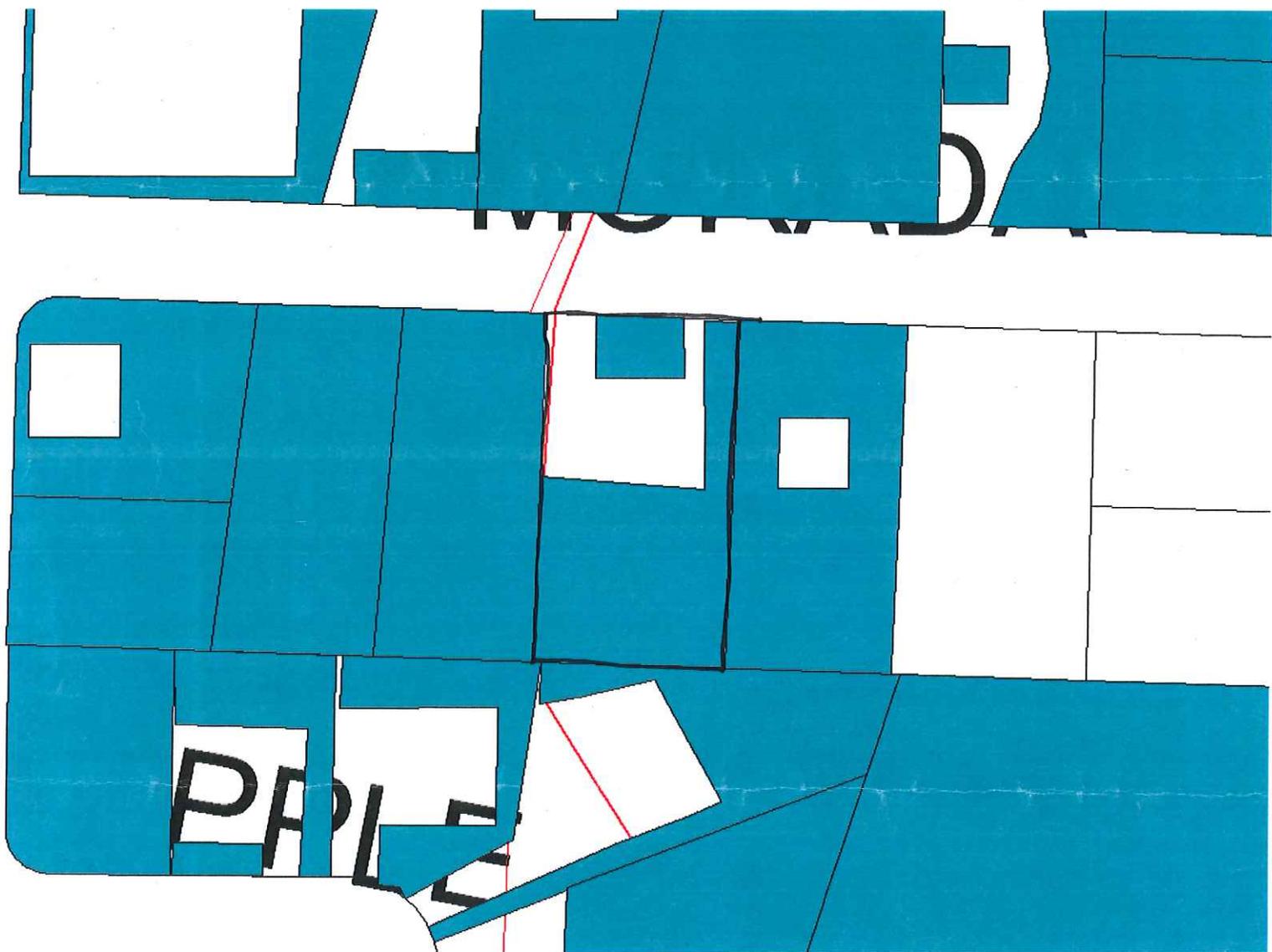
1. No interruptions to irrigation water deliveries will be allowed.
2. T.I.D. is a Federal Project and some facilities and/or easement issues may need Bureau of Reclamation approval.
3. The developer/sub-divider will take all appropriate actions to ensure the reliability and protection of the original function of the District's facilities.

As required by ORS 92.090(6) the entity must receive a certification form from the District before approval of the final plat.

Jim Pendleton
Manager
Talent Irrigation District

Date Signed: _____

3911 E14CD-4700



- Pipeline is there
- Beware of easement
- Show easement

Conditional Use Permit Narrative
2352 Morada Lane

Chapter 18.104.050

A. The use of the proposed ARU will be in conformance with all standards within the surrounding district's zone, which is Single Family Residential (R-1-7.5). Accessory residential units are allowed in R-1-7.5 Single Family Residential districts.

B. Sewer, water, and storm drainage facilities for the ARU will be connected to the existing structure at 2352 Morada Ln. The property is currently served by an 8-in sanitary sewer main. The City of Ashland Watershed Department was contacted and it was confirmed that no additional improvements will be required at this time. The property is currently served by an 10-in water main in Morada Ln. The City of Ashland Water Department has confirmed that no additional improvements will be required at this time. The property is currently served by an 8-in storm sewer main in Morada Ln. The City of Ashland Wastewater and Street Departments verified that no additional improvements will be required.

The ARU will be accessible from the driveway via a paved pathway along the west side of existing structure. This paved entrance will be accessible by foot and/or small vehicle. The entrance to the ARU will be visible from the street by the presence of a gate/arbore which will be built on the west side of the existing structure. The gate will be the entrance to the pedestrian paved pathway that will lead to the ARU. The address of the ARU will be clearly displayed on the gate and be visible from the street. The new unit will have its own address.

A separate electrical service meter will be installed for the ARU. Dave Tygerson of the City of Ashland Electric Department was contacted to verify service requirements, including meter placement, and applicable fees.

C. The conditional use will have no greater adverse effect on the livability of the impacted area in relation to the target use of the zone. Since the ARU will be small, its effects on the surrounding area will be minimal:

1. The ARU has a small footprint (less than 1,000 sq. ft.). It only covers 6% of the lot.
2. Designed to house only a single family, it will have little effect on the traffic in surrounding streets.
3. The architecture of the unit will be compatible with surrounding structures.
4. The dwelling unit should have no impact on air quality.
5. Generation of noise, light, and glare will be minimal.

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Chapter 18.20.030.H

1. **Impervious Surfaces:** With the proposed accessory unit, impervious surfaces will not exceed 35% if the property.
Percentage of lot covered by:
 - a) **Structures:** 13% (currently), 19% (with ARU)
 - b) **Parking Areas/Driveway:** 16%
 - c) **Landscaping:** 71% (currently), 65% (with ARU)
 - d) **Number of parking spaces:** 2,695 sq. ft. circular driveway will provide off street parking
 - e) **Total sq. footage of landscaped areas:** 11,569 sq.ft. (currently), 10,569 sq. ft. (with ARU)

Setbacks: The new structure will be set back from the back property line 10ft. and from the side property line 6 ft.

2. Only one dwelling unit will be built on this lot.
3. **ARU Sq. Footage:** The maximum gross habitable floor area will not exceed 50% of the GHFA of the primary residence and shall not exceed 1,000 sq. ft. The existing house is 2,076 sq. ft. The proposed new structure will not exceed 1,000 sq. ft. and will be one story. A loft will be above the master bedroom, not exceeding 7 ft. in headroom, thus not considered additional square footage.
4. **Parking:** Since the ARU will be larger than 500 sq. ft it will require two parking spaces. The existing structure has a two car garage and a 2,695 sq. ft. circular driveway. This large driveway will accommodate all parking for the second unit off the street. This is a benefit to the neighbors because the additional unit will not impact parking on the street.

Chapter 18.72

- A. All applicable City ordinances will be met by the proposed development.
- B. All requirements of the Site Review Chapter will be met.
- C. The development complies with the Site Design Standards adopted by the City Council:

Site Design & Use Standards: The ARU will have its own trash and recycling bins which will be stored on the west side of the existing structure in a storage shed. This will keep trash and recycling bins out of view from neighbors.

Orientation and Pedestrian Access: The ARU will be accessible from the driveway via a paved pathway along the west side of existing structure. The entrance to the ARU will be visible from the street by the presence of a gate/arbor which will be built on the west side of the existing structure. The gate will be the entrance to the pedestrian paved pathway that will lead to the ARU. The address of the ARU will be clearly displayed on the gate.

Parking: Since the ARU will be larger than 500 sq. ft it will require two parking spaces. The existing structure has a two car garage and a 2,695 sq. ft. circular driveway. This large driveway will accommodate all parking for the second unit off the street. This is a benefit to the neighbors because the additional unit will not impact parking on the street.

Landscaping and Open Spaces: With the proposed ARU, impervious surfaces will not exceed 35% of the property. 65% of the property will be landscaped. At least 8% of the ARU lot will be allocated to create a private open outdoor space for tenants. Fire wise landscaping will be planted around the ARU.

Fire Department Issues: Fire marshal Margueritte Hickman was contacted and it was agreed that the west side of the circular driveway would be designated as a "No Parking-Fire Lane" for fire apparatus access. The west side of the driveway meets all requirements for fire apparatus access. It is more than 15 ft. clear with and will be constructed of an all weather driving surface. It will support 44,000

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City Of Ashland

pounds, have a maximum slope of 15%, and a vertical clearance of 13'6".

TID: TID was contacted and water rights will not change. Water rights will not be sold. Easements will remain clear. The structure will not be built within the easement limits. The facilities will not be relocated or modified. The property does not have private easements. No urban storm water or point source flows will be built.

New Electric Service: A separate electrical service meter will be installed for the ARU. Dave Tygerson of the City of Ashland Electric Department was contacted to verify service requirements, including meter placement, and applicable fees. The new unit will have its own address.

System Development Charges (SDC's): The system development charges (Water, Sewer, Storm Water, Parks, and Transportation) will be paid at the time of issuance of the building permit.

Tree Preservation/Protection: A tree preservation plan will be designed in accordance with AMC 18.61 to ensure that trees are protected during all site disturbance. This plan will address all trees on the property over six-inches in diameter and all trees that are located on adjacent properties within 15 ft. of the property line. There is a Beech tree located about 15 ft. from the proposed accessory unit. Its protection is a priority, as it will be a key element in the design of the new unit. We have been in contact with an arborist through Southern Oregon Tree Care and he has come to the property to consult on a tree protection plan. This plan will ensure that the tree remains viable throughout construction. Protection measures will be taken during construction. A large sequoia tree on the south adjacent property (1338 Apple Way) is within 15 feet of the proposed construction, but is planned to be removed within the next year, due to its invasive roots and damage to the existing structure on that lot. Contact Rebecca Brunot for more information at (541) 821-4156.

Street Trees: Street trees will be planted as required by the City of Ashland, one per 30 ft. of street frontage.

Neighborhood Outreach: Neighbors who are in a 200 foot radius will be notified of the proposed construction. They will be notified early on in the process in order to address any concerns.

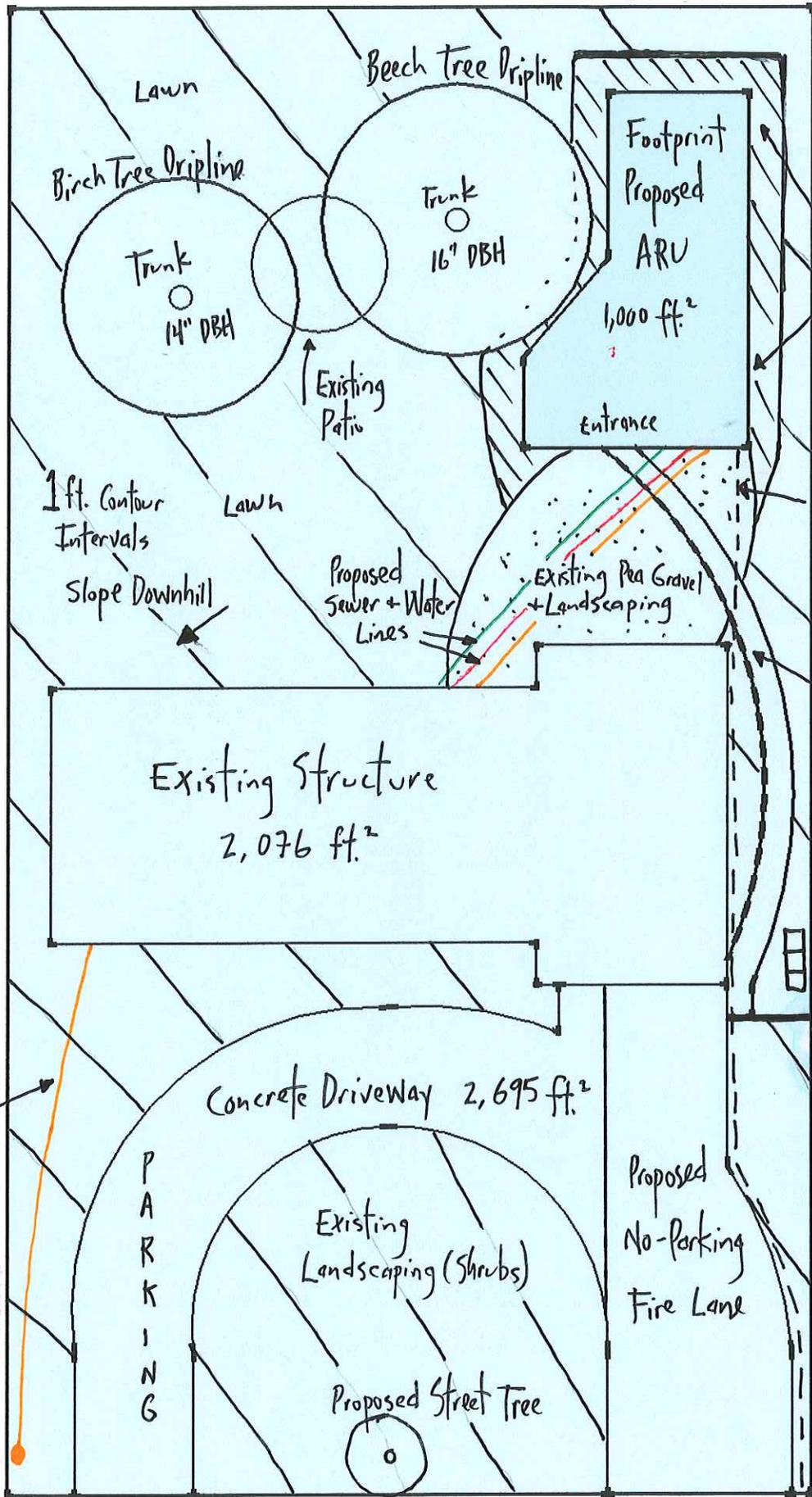
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City of Ashland

95 ft.

175 ft.



- Proposed Landscape:
- Pea Gravel
 - Small shrubs + grass
 - Rock Formations
- Proposed Rain Gutter Drain Line

Proposed Concrete Walkway w/ Lighting

Recycle + Trash, Bikes

Proposed Arbor/Gate w/ Address

Proposed No-Parking Fire Lane



5 ft.

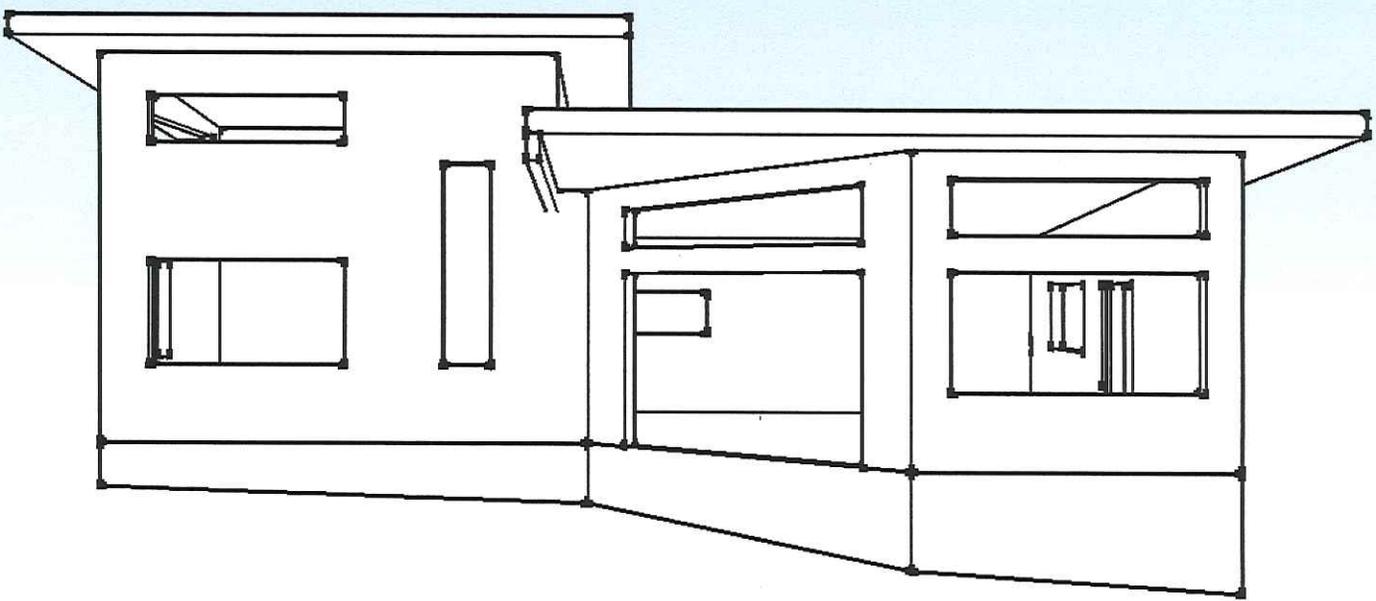
Proposed Electric Utility Line

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City of Ashland

MORADA LANE



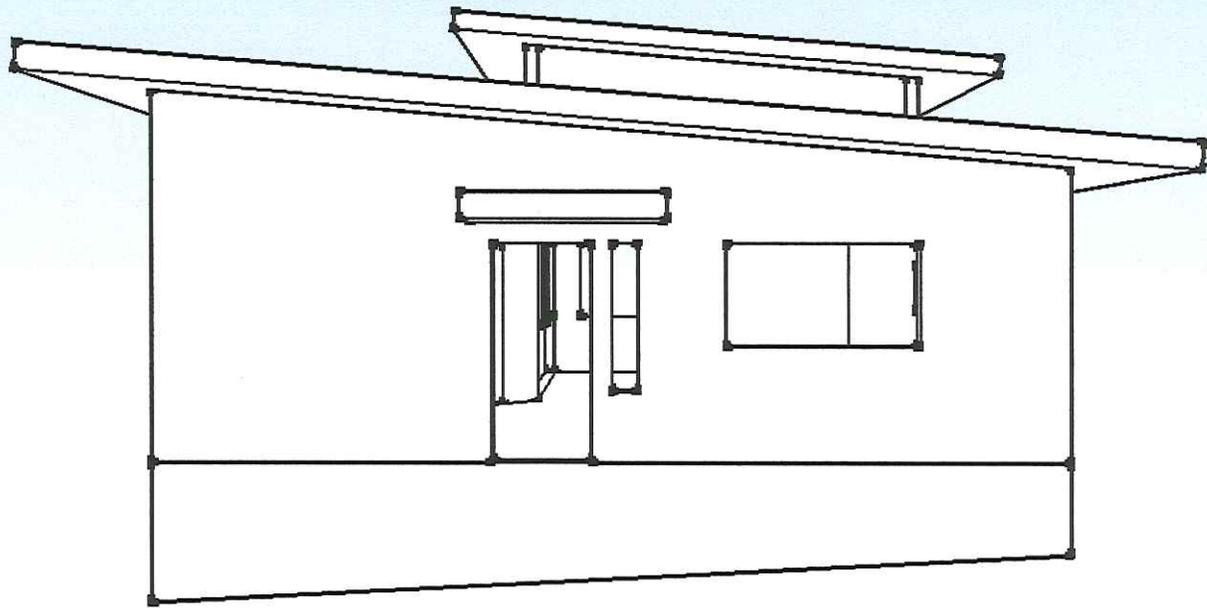
19 ft.

EAST ELEVATION

43 ft.

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City Of Ashland

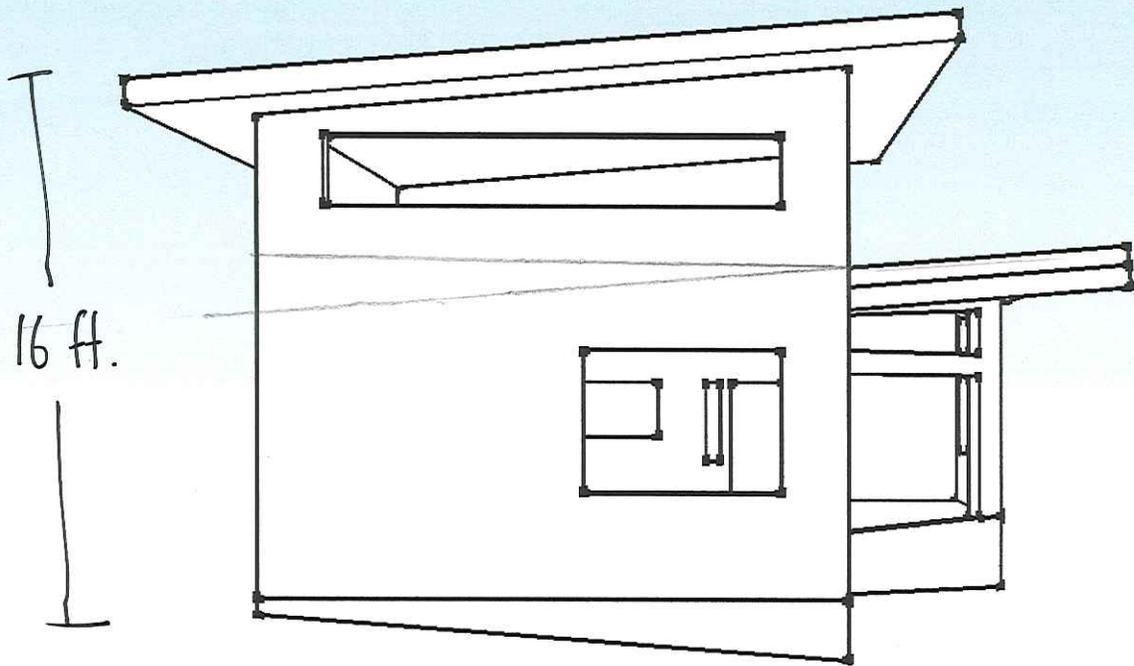
16 ft.



NORTH ELEVATION

28 ft.

PERMIT
NO. 19-004
City of Ashland



SOUTH ELEVATION



PROPOSED
City Of Ashland

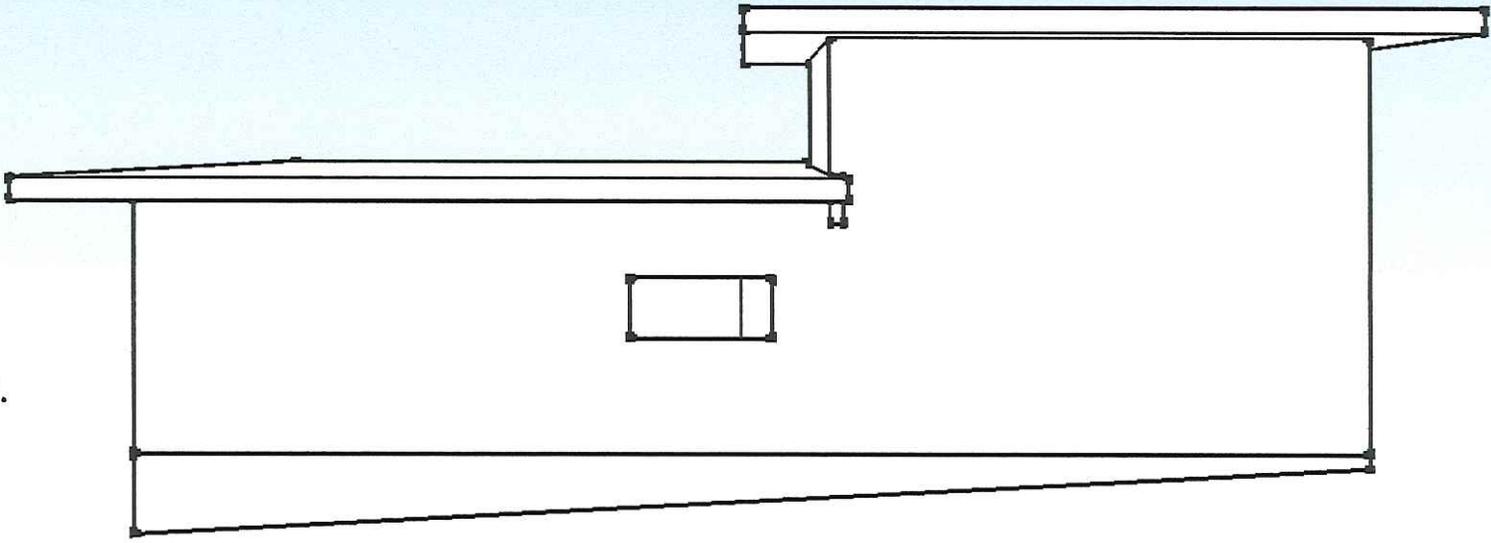
1/23/2014

12.5 ft.

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PER 09 0914

City of Portland



WEST ELEVATION

43 ft.

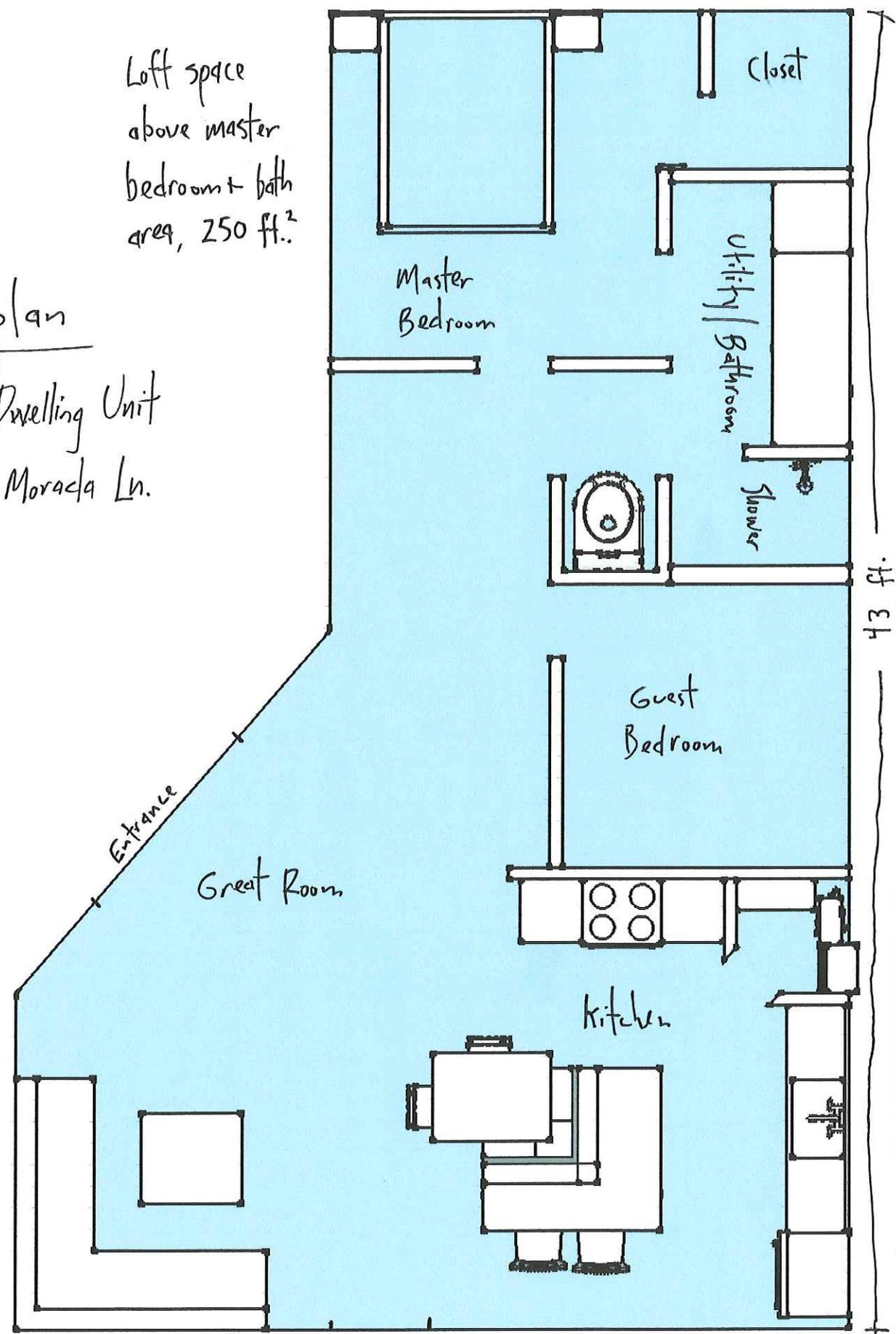
Floorplan

Additional Dwelling Unit
2352 Moraga Ln.

Loff space
above master
bedroom + bath
area, 250 ft.²

18 ft.

43 ft.



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2 ft.

Entrance
28 ft.



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