
The comments of this pre-app are preliminary in nature and subject to change based upon the submittal of additional or different information. The Planning Commission or City Council are the final decision making authority of the City, and are not bound by the comments made by the Staff as part of this pre-application.

**ASHLAND PLANNING DEPARTMENT
PRE-APPLICATION CONFERENCE
COMMENT SHEET**
June 5, 2024

SITE: 822 Oak St.
APPLICANT: Rouge Development.
REQUEST: Modification to existing subdivision

PLANNING STAFF COMMENTS:

This pre-application conference is intended to highlight significant issues of concern to staff and bring them to the applicant's attention prior to their preparing a formal application submittal. This is at least the fourth time staff have reviewed a pre-application for this property, and many of these remarks are likely similar to those provided previously. .

Generally:

Performance Standards Options Development/Outline Plan Approval (AMC 18.3.9.040.A.5): The creation of more than three lots within the NM- zoning requires subdivision through the Performance Standards Options Chapter (AMC 18.3.9). Performance Standards development is a two-step process involving a quasi-judicial Outline Plan approval process followed by administrative Final Plan approval. The approval criteria for Outline Plan approval are below:

- a. *The development meets all applicable ordinance requirements of the City.*
- b. *Adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a City facility to operate beyond capacity.*
- c. *The existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the common open space, common areas, and unbuildable areas.*
- d. *The development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.*
- e. *There are adequate provisions for the maintenance of common open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.*
- f. *The proposed density meets the base and bonus density standards established under this chapter.*
- g. *The development complies with the street standards.*
- h. *The proposed development meets the common open space standards established under section 18.4.4.070. Common open space requirements may be satisfied by public open space in accordance with section 18.4.4.070 if approved by the City of Ashland.*

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

Written Findings/Burden of Proof: This pre-application conference is intended to highlight significant issues of concern to staff and bring them to the applicant's attention prior to their preparing a formal application submittal. Applicants should be aware that written findings addressing the ordinance and applicable criteria are required, and are heavily depended on when granting approval for a planning action. In addition, the required plans are explained in writing below. The burden of proof is on the applicant(s) to ensure that all applicable criteria are addressed in writing and that all required plans, written findings, and other materials are submitted even if

those items were not discussed in specific, itemized detail during this initial pre-application conference.

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OTHER DEPARTMENTS' COMMENTS

BUILDING: No comments provided. Please contact Building Official Steven Matiaco in the Building Division for any building codes-related information at (541) 488-5305.

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

WATER AND SEWER SERVICE: *"If the project requires additional water services or upgrades to existing services the Ashland Water Department will excavate and install in the city right of way all water services up to and including the meter on domestic and commercial water lines. If a fire line is required, the water department will only install a stub out to the location where the double check detector assembly (DCDA) or reduced pressure detector assembly (RPDA) complete with a Badger® brand cubic foot bypass meter should be placed in a vault external to the building. The vault and the DCDA or RPDA device housed in it are the responsibility of the property owner and should be placed at the property line. Fees for these installations are paid to the water department and are based on a time and materials quote to the developer or contractor. Meter sizes and fire line diameters will need to be provided to the Water Department at the time of a quote being requested. The Ashland Water Department is also requiring new projects to comply with all current cross connection rules and regulations, this may require backflow prevention devices to be placed at the potential hazard or just behind the meter or connection for premises isolation depending on the degree of hazard, type of intended use of the facility or even the geographical location of the building or facility. Please the Water Department to discuss the intended use of the facility or property and any potential cross connection hazards associated with it or for any questions regarding water connections."*

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

FIRE: No additional Fire Comment provided; comments from the May 2021 pre-application are included at the end of this document. Please contact Fire Marshal Mark Shay at (541) 552-2217 or via e-mail to mark.shay@ashlandoregon.gov to confirm Fire Department issues and requirements.

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

APPLICATION DETAILS

Procedure: Applications involving Outline Plan review under the Performance Standards Option are required to be processed through a “Type II” quasi-judicial procedure and require that the decision be reached through a public hearing before the Planning Commission.

Application Requirements: As detailed in chapter 18.5.1.060, Type II applications shall include the required application materials detailed below. Type II decisions are made by the Planning Commission through a public hearing and are subject to appeal “on-the-record” to Council.

1. **Application Form and Fee.** Applications for Type II review shall be made on forms provided by the Staff Advisor. One or more property owners of the property for which the planning action is requested, and their authorized agent, as applicable, must sign the application. The required application fee must accompany the application for it to be considered complete.
2. **Submittal Information.** The application shall include all of the following information.
 - a. The information requested on the Zoning Permit application form
 - b. Plans and exhibits required for the specific approvals sought, explained below.
 - c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail (i.e. narrative findings).
 - d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.
 - e. The required fees detailed below, and posted on-line here: <https://ashlandoregon.gov/DocumentCenter/View/272/Community-Development-Planning-Services-Fee-Schedule-PDF>

PLAN & EXHIBIT REQUIREMENTS: *If providing hard copies, two (2) copies of the plans below on paper no larger than 11"x 17". Note: These copies may be used for the Planning Commission packets and for the notices mailed to neighbors - please submit clear, readable, reproducible copies.*

- **Materials required for Outline Plan approval as required in chapter 18.3.9.040.A.2**
- **A Tree Preservation & Protection Plan as required in chapter 18.4.5.030 (if applicable to the final proposal).**

Relevant Criteria and Standards: Applicants are advised that in addition to required plans, written findings addressing how the ordinance criteria are satisfied in narrative format are required. The applicable criteria are included below. The Ashland Land Use Ordinance in its entirety may be accessed on-line at:

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

- **Written findings addressing the criteria from chapter 18.3.9.040.A.3 for Outline Plan approval.**
- **Written findings addressing the criteria from chapter 18.4.6.020.B for an Exception to Street Standards (if applicable to the final proposal).**

UPCOMING APPLICATION DEADLINES:		First Friday of each month
UPCOMING PC MEETINGS:		Second Tuesday of each month, 7:00 p.m.
FEES:	Outline/Final Plan (Type II):	\$2,663.25 + \$170.25/lot
	Exception (<i>if applicable</i>)	\$ 0
	Tree Removal Permit (<i>if applicable</i>)	\$ 0

NOTES:

- o Fees typically increase annually based on Council resolution, but have been delayed this year due to COVID-19. Applications are subject to fees in place at submittal.
- o Applications are accepted on a first come-first served basis.
- o Applications will not be accepted without a complete application form signed by the applicant(s) and property owner(s), all required materials and full payment.
- o All applications received are reviewed for completeness by staff in accordance with ORS 227.178, and must be found to be complete before being processed or scheduled at a Planning Commission meeting.

For further information, please contact:

Aaron Anderson, *Senior Planner*

City of Ashland, Department of Community Development

Phone: (541) 552-2052 or e-mail: aaron.anderson@ashlandoregon.gov

Jan 8, 2025

Date