
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 DIVISION
PRE-APPLICATION CONFERENCE
COMMENT SHEET**
September 24, 2025

SITE: 210 E Hersey Street
APPLICANT: Ken Brown Construction for
Matthew Bernard
REQUEST: Commercial Site Review

PLANNING STAFF COMMENTS:

This pre-application conference is intended to highlight significant issues of concern to staff and bring them to the applicant's attention prior to their preparing a formal application submittal.

Generally: Site Design Review approval is required for new buildings or additions in commercial and employment zones. The area of the addition here is generally screened from adjacent rights-of-way by topography and buildings, and as such the Site Design Standards for Building Placement, Orientation and Design have limited applicability. In staff's view, the key considerations for Site Design Review here are: Floor Area Ratio (FAR), Additional Standards for Large Scale Projects (45,000+ SF), Climate Friendly Area, Vehicle Area Design, Parking Lot Landscaping & Parking Lot Trees, impacts to Vehicular and Pedestrian Circulation, and compliance with previously approved landscaping, tree mitigation, and landscaping maintenance.

History: Based on the Assessor's records, this property is an approximately 4.82-acre rectangular parcel bounded on the north by East Hersey Street and on the south by Clear Creek Drive. The property is zoned E-1, located within the Climate Friendly Area Overlay, as well as within the Detail Site Review Overlay. This site contains a factory building. In 2015, there was an approval for an addition of 24,621 square feet to the rear of the existing 39,962 square foot Darex factory building, bringing the total square footage to 64,583 square feet. Subsequent to the 2015 approval and construction of the addition, the Detail Site Review overlay with provisions for large scale projects was added as AMC 18.4.2.040.D. which applies to commercial developments larger than 45,000 square feet.

ZONING: E-1 (Employment) within the Detail Site Review overlay and Climate Friendly Area Overlay. See AMC Table 18.2.6.0030.

Site Design Review (SDR): Site Design Review is typically required for "New structures, additions, or expansions in C-1, E-1, HC, CM, and M-1 zones" (AMC 18.5.2.020.A.1.). In this instance, proposed "addition" is a detached steel framed carport-like structure for equipment coverage/storage. Because the square footage of the addition is less than 10,000 square feet and the building is less than 100 feet in length, an application would be subject to Type I review, which provides for an administrative decision subject to appeal to the Planning Commission and typically takes 60-120 days. Typically, proposing an addition would involve bringing the building and site into conformity with standards proportional to the amount of building addition proposed. Given that the proposed addition is approximately 600 square feet, proportional changes would be minimal and could be addressed with written findings addressing the criteria and standards as they apply to the proposed addition, along with a Site Plan illustrating specific impacts to the vehicular and pedestrian circulation and landscaping, and elevations of the proposed addition.

Site Review would require an application to respond to the criteria below from AMC 18.5.2.050:

- A. **Underlying Zone.** The proposal complies with all of the applicable provisions of the underlying zone (part [18.2](#)), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.
- B. **Overlay Zones.** The proposal complies with applicable overlay zone requirements (part [18.3](#)).
- C. **Site Development and Design Standards.** The proposal complies with the applicable Site Development and Design Standards of part [18.4](#), except as provided by subsection E, below.

The applicable standards would include: Basic Site Review for Non-Residential Development, Detailed Site Review in 18.4.2; Parking, Access and Circulation in AMC 18.4.3; Landscaping, Lighting and Screening in 18.4.4; and Tree Preservation and Protection in 18.4.5.

- D. **City Facilities.** The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.
- E. **Exception to the Site Development and Design Standards.** The approval authority may approve exceptions to the Site Development and Design Standards of part [18.4](#) if the circumstances in either subsection 1, 2, or 3, below, are found to exist.
 - 1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty;
 - 2. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards; or
 - 3. There is no demonstrable difficulty in meeting the specific requirements for a cottage housing development, but granting the exception will result in a design that equally or better achieves the stated purpose of section [18.2.3.090](#). (Ord. 3147 § 9, amended, 11/21/2017)

Detailed Site Design Review (AMC 18.4.2.040.C.): In addition to the basic Site Design Review criteria, this property is located within the Detail Site Design Review overlay. Due to the limited nature of the proposal, and the current development of the property, the main area of focus for the detail site review criteria is the Floor Area Ratio (FAR). Within the Detail Site Review Zone, there is a minimum Floor Area Ratio - the ratio of building square footage to lot area - of 0.50. Even with the future building planned along Clear Creek Drive, the site's FAR is only 0.36. This is a legal non-conforming situation, and adding square footage here yields a proportional increase to address the non-conformity consistent with AMC 18.4.2.040.B.6.

Additional Standards for Large Scale Projects (AMC 18.4.2.040.D.): As part of the Detail Site Review criteria, there are additional standards for large scale projects. Also referred to as the "Big Box Ordinance" which applies to projects greater than 10,000 square feet or more than 100 feet of building

frontage where there is a 45,000 square foot limit on both building footprints and gross floor area. The existing building is considered to be legal non-conforming with regard to this standard. A detached addition would not pose an issue, but an attached addition increasing the footprint and gross floor area would trigger an Exception to this design standard. Much of the rest of the standards for this section do not apply to an addition of this size and use.

Climate Friendly Areas (AMC 18.3.14): Much of the Climate Friendly Areas (CFA) criteria that apply can be addressed by the basic and detail site review. Due to the de minimus nature of the project, the remaining CFA criteria will not apply to the current proposal. In the future, if further development is proposed, Climate Friendly Areas criteria may apply.

Circulation & Pedestrian Access (AMC 18.4.3.090.): Site Review will consider impacts to vehicular and pedestrian circulation. The proposed changes to the parking area include removing 2 parking spaces where the storage structure will be located. The applicant will need to show how the required back-up dimensions opposite the proposed structure will be met or the spaces removed/converted, as well as how pedestrian routes and connectivity will be maintained or altered where affected.

Parking & Landscaping (AMC 18.4.3 & 18.4.4): ADA parking spaces must be maintained in compliance with AMC 18.4.3.050. and applicable building codes as *“Accessible parking shall be provided consistent with the requirements of the building code, including but not limited to the minimum number of spaces for automobiles, van-accessible spaces, location of spaces relative to building entrances, accessible routes between parking areas and building entrances, identification signs, lighting, and other design and construction requirements. Accessible parking shall be included and identified on the planning application submittals.”*

Site Review will also consider impacts to required landscaping, specifically to parking lot landscaping and parking lot trees. If the proposed addition is to be placed entirely over existing pavement and won't alter existing landscaping, then there would be no issue. However, if landscaped areas are to be disturbed, then this will need to be addressed in the applicant's submittals and respond to criteria in AMC 18.4.4.030. and 18.4.3.080.

The building permit submittal should include a Site Plan illustrating the proposed parking lot configuration with any impacts to the ADA space and route noted, as well as any affected landscaping or parking lot trees, and the back-up dimensions as they relate to the two spaces opposite the proposed storage structure. *Other changes to the parking lot would be required to meet current codes and could trigger land use review.* (Staff would also like to make the applicant aware of the food truck allowances in AMC 18.2.3.145 which could permit food trucks in existing parking areas through a ministerial process.)

Building Code Issues: Construction may trigger specific Building and Fire Code issues including requirements for permitting or accessibility upgrades. It is strongly recommended that the applicant(s) contact the Building Official and Fire Marshal to verify these requirements as soon as possible.

Tree Removal, Preservation, & Protection: Within the E-1 zoning district, the removal of any tree greater than six-inches in diameter at breast height (d.b.h.) requires a Tree Removal Permit. The Tree Removal Permit criteria are detailed with the submittal requirements below. Written findings addressing the criteria and standards as they apply to the proposed addition will be necessary.

Submittals: The final application submittal would need to include scalable drawings including a site plan, landscape plan, details for the ADA parking, back-up dimensions, vehicular and pedestrian circulation, tree removal, protection, and preservation plans, and elevation drawings illustrating all sides of the building with color, material, and lighting if exterior changes proposed.

Neighborhood Outreach: Projects involving changes to established patterns can be a concern for neighboring property and business owners, and staff always recommend 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 will be sent to neighbors within a 200-foot radius of the property.

Written Findings/Burden of Proof: 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 (*scalable*) plans, written findings, and other materials are submitted even if those items were not discussed in detail during the pre-application conference.

OTHER DEPARTMENTS' COMMENTS

BUILDING DEPT: No comments provided. Please contact the Building Official Steven Matiaco for Building Code-related information at 541-488-5305.

CONSERVATION: No comments provided. For information on available Conservation Programs, including potential rebates, tax credits, and financial or technical assistance with energy efficiency improvements, please contact the City of Ashland Conservation Division at 541-488-5305.

ENGINEERING: No comments provided. Please contact Karl Johnson at (541) 552-2415 or e-mail: karl.johnson@ashland.or.us for any Engineering-related questions (utilities, streets, storm drainage, etc.).

FIRE DEPARTMENT: No comments provided. Please contact Fire Marshal Mark Shay of Ashland Fire & Rescue for Fire Code-related information at (541) 552-2217 or via e-mail to mark.shay@ashland.or.us

WATER AND SEWER SERVICE: No comments provided. Please contact Dean LeBret with water or sewer questions at [541-552-2326](tel:541-552-2326) or via e-mail to dean.lebret@ashland.or.us.

ELECTRIC SERVICE: No comments provided. Please contact Rick Barton in the Electric Department for service and meter location requirements and fee information at (541) 552-2082 if there will be any changes to existing services associated with the request. A preliminary electric service plan approved by the Electric Department is required with Site Design Review applications.

PROCEDURE: Within the C-1 zone and the Detail Site Review overlay, additions less than 10,000 square feet or less than 100 feet in length are subject to “Type I” review and allow a decision to be made at the staff level, after property public notice and a public comment period. Type I decisions provide an opportunity for appeal to the Planning Commission.

A. Application Requirements.

1. **Application Form and Fee.** Applications for Type I review shall be made on forms provided by the Staff Advisor. One or more property owners of the property for which the planning action is requested, and their authorized agent, as applicable, must sign the application. The application shall not be considered complete unless the appropriate application fee accompanies it. The application form is available here:

<https://or-ashland.civicplus.com/DocumentCenter/View/262/Zoning-Permit-Application-PDF>

Fees are detailed here: https://or-ashland.civicplus.com/DocumentCenter/View/2153/Planning-Division-Fee-Schedule_FY25-26-PDF

2. **Submittal Information.** The application shall include all of the following information.
 - a. The information requested on the application form.
 - b. Plans and exhibits required for the specific approvals sought.
 - c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail.
 - d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.
 - e. The required fee.

Plan Requirements

Plans below formatted to print to scale on paper no larger than 11-inches by 17-inches are required, in addition to any paper plans provided. Note: 11x17 copies are used for the Planning Commission packets and for the notices mailed to neighbors. Please submit materials formatted to print clear, reproducible copies to scale. **The final application submittal needs to include scalable drawings to facilitate review by staff, commissioners and the public.**

- **The requirements for a Site Design Review application as detailed in AMC 18.5.2.040.**
- **Detailed Vehicular and Pedestrian Access, Circulation, and Parking Site Plan as detailed in AMC 18.4.3 (in the affected area(s) must include existing and proposed spaces, their dimensions, circulation pattern, backup dimensions, etc.)**
- **Tree Removal details as required in AMC 18.5.7.040 if applicable.**
- **Tree Protection and Preservation as required in AMC 18.5.7.040 if applicable.**

Narrative Submittal Requirements:

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 referenced below:

- **Written findings addressing the approval criteria for Site Design Review, as detailed in LUO 18.5.2.050. (Narrative requirements can be found in chapter 18.5.2.040.B.8.)**

- **Written findings addressing the approval criteria from chapter 18.4.2.040.** (*Non-Residential Development – specifically, Detail Site Review and Large-Scale Project Criteria*)
- **Written findings addressing the Tree Removal criteria from chapter 18.5.7.040. and Tree Protection plan from chapter 18.4.5.030.** (*If applicable*).

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FEES: Site Review (Type I, **if applicable**) \$1,349.60 + ½% of valuation*
 Tree Removal Permit (**if applicable**) \$0

***NOTE:**

- *Applications are accepted on a first come-first served basis.*
- *All applications received are reviewed by staff, and must be found to be complete before being processed or scheduled at a Planning Commission meeting.*
- *Applications will not be accepted without a complete application form signed by the applicant(s) and property owner(s), all required materials and full payment.*
- *Applications are reviewed for completeness in accordance with ORS 227.178.*
- *Applications submitted are processed in the order received, and complete actions are scheduled at the next available Planning Commission meeting.*

For further information, please contact:

Veronica Allen, CFM, *Associate Planner*
 City of Ashland, Department of Community Development
 Phone: 541-552-2042 or e-mail: veronica.allen@ashland.or.us

September 24, 2025

Date