
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** February 4, 2026

SITE: 328 Palm Avenue
APPLICANT: Rogue Planning & Development
REQUEST: Site Design Review & Modification of a Conditional Use Permit

PLANNING DIVISION COMMENTS

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

Summary: The subject property is commercially zoned (C-1) and is located within the Detail Site Review overlay zone, and any new development will be subject to the Basic Site Review Standards for non-residential development and the Detailed Site Review Standards as well as Landscaping Standards in AMC Chapter 18.4.4.

The site contains an existing single-family dwelling; the structure was built in 1944 and was previously used as a long-term residential unit. A Conditional Use Permit with Site Design Review (PA-T1-2025-00274) for the operation of a one-unit commercial hotel/motel within the existing structure was reviewed and approved by planning in 2025.

The proposal will require a type I site development review / conditional use permit modification to expand hotel/motel unit for full-time use and for an additional structure in a commercial zone for the proposed rear owner's unit (dwelling). If proposed as described the rear owner's unit could not be used as a rental unit. Applicant should be specific that the rear unit will be used solely as an owner's unit now and in the future. If there is a possibility to be potentially used otherwise, applicant should be clear and up front about what they are doing, or might ultimately do with the rear unit.

SITE DESIGN REVIEW

As stated above the property is subject to the Basic & Detail Design Standards of the Site Design and Use Standards. Written findings for the project will need to address the approval criteria for Site Design Review, and Detail Site Review, Parking Lot Landscaping and Screening Standards. In developing the building design to address this, the application should look carefully at these standards.

- **Orientation & Scale:** Generally, commercial buildings are to have their primary orientation to the street rather than a parking area. Parking is not allowed between the building and the street and must be behind or to one side. Building facades are to occupy the large majority of the street frontage, and entrances are to be oriented to the street,

visible, functional, open to the public and accessed from the sidewalk.

- **Landscaping:** Landscaping and recycling/refuse disposal areas are to be provided pursuant to AMC Chapter 18.4.4.
- **Noise & Glare:** Lighting is to meet the requirements of AMC 18.4.4.050 and AMC 9.08.170. Noise would need to comply with AMC 9.08.175.
- **Expansion of Existing Site & Buildings:** For sites that do not conform to these standards, an equal percentage must be brought into compliance as the percentage of building expansion (i.e. if 25 percent of the existing building's floor area is added as new square footage, 25 percent of the site must be made to comply with standards.)

CONDITIONAL USE PERMIT

The application must address the following approval criteria from AMC 18.5.4.050.A for a Conditional Use Permit. As a modification of the conditional use permit you can have an owner's unit on site as part of the hotel/motel use.

18.5.4.050 Conditional Use Permit Approval Criteria

1. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.

The property is currently used as a hotel/motel approved in 2025 under a previous CUP/SDR-was previously a pre-existing nonconforming residential dwelling.

2. That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the development, and adequate transportation can and will be provided to the subject property.

All City facilities including water, sewer, electrical and storm drainage were installed at the time the building was developed, were sized appropriately and serve the existing property. The proposed owner's unit may increase demand for these services but not significantly.

3. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection 18.5.4.050.A.5, below. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.
 - a. Similarity in scale, bulk, and coverage.
 - b. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.

- c. Architectural compatibility with the impact area.
- d. Air quality, including the generation of dust, odors, or other environmental pollutants.
- e. Generation of noise, light, and glare.
- f. The development of adjacent properties as envisioned in the Comprehensive Plan.
- g. Other factors found to be relevant by the approval authority for review of the proposed use.

The application would need to demonstrate that the proposed project will have no greater adverse effect on the livability of the area than would develop to the target use of the zone. Typical considerations include traffic, parking, noise, etc.

- 4. A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.

The use is not prohibited and is allowed under a conditional use permit (CUP).

- 5. For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of this subsection, the target uses of each zone are as follows.

C-1. The general retail commercial uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and within the Detailed Site Review overlay, at an intensity of 0.50 floor to area ratio, complying with all ordinance requirements. The property is located in the Detail Site Review overlay.

As an example, the lot size is 6,098 square feet, and a 50 percent floor to area ratio would be approximately 3,049 square feet of retail use.

General Retail Commercial use typically generates approximately 4.80 PM peak hour trips per 1,000 square feet. $3,049 \times 4.80 =$ approximately 14.6 peak hour trips for retail commercial development at 50 percent floor to area ratio.

Hotel/Motel use typically generates approximately 0.74 PM peak hour per trips per room. The application materials did not specify the number of rooms to be rented. The floor plan indicates a 2-bedroom home. Calculations for a one room and a two-room hotel are below:

A one room hotel would equate to $0.74 \text{ trips/room} \times 1 \text{ room} = 0.74 \text{ trips}$.

A two-room hotel would equate to $0.74 \text{ trips/room} \times 2 \text{ room} = 1.48 \text{ trips}$.

On that basis, the proposed use generates less traffic than the target use (general retail commercial) developed at a 50% FAR and a new, onsite owners' unit would not greatly increase the traffic of the property itself.

18.1.4.020 Reestablishment of Nonconforming Status for Discontinued Use.

Notwithstanding the provisions of subsection [18.1.4.020.C](#), a nonconforming use that is discontinued shall not be considered abandoned where the approval authority approves a Conditional Use Permit pursuant to chapter [18.5.4](#). The applicant shall demonstrate the reestablished use is equivalent to or more restricted than the abandoned use. In evaluating whether or not to permit the reestablishment of a nonconforming use, the approval authority, in

addition to applying the criteria required for Conditional Use Permit, shall apply the following criteria.

1. Any improvements for the reestablishment of a nonconforming use on the site are limited to 50 percent of the value of the structure, except where such improvements bring the subject site, development or use into closer conformity with this ordinance. Valuation shall be determined as follows:
 - a. An independent real estate appraiser licensed in the State of Oregon shall determine the value of the structure.
 - b. The value of the improvement shall be determined based upon copies of the contractor's bid for said improvements, which shall be required with the Conditional Use Permit application.
 - c. Personal property necessary for the operation of the business or site improvements not included in the structure shall not be counted as improvements under this criterion.
2. The traffic generated by the proposed use is not greater than the greatest traffic that would be generated by a permitted use. In assessing the traffic generated by the proposed use, the approval authority shall consider the average peak-hour number of vehicle trips per day, the hours of operation, and the types of traffic generated, i.e., truck or passenger vehicle. The approval authority may condition approval of the Conditional Use Permit limiting the land use so that traffic impacts are not greater than for uses permitted in the same zone.
3. The noise generated by the proposed use will comply with the AMC [9.08.170](#), and will not exceed the average ambient noise level already existing in the area, as measured pursuant to this section.
4. There shall be no lighting of the property that would have direct illumination on adjacent uses.
5. In a residential zone, the re-establishment will further implement Goal VI, Policy 2, Housing Chapter of the Comprehensive Plan.
6. Nothing herein shall apply to nonconforming signs, which are governed by the provisions of chapter [18.4.7](#) of this ordinance.

If the applicant wishes to return the hotel to a residence in the future, then they would need to demonstrate how they meet the above criteria for Reestablishment of Nonconforming Status for Discontinued Use at the time of conversion. A new CUP may be required at that time.

Setbacks: Where buildings on a C-1 zoned property abut a residential zone, a side yard setback of not less than 10 feet is required and a rear yard setback of not less than 10 feet per story is required.

Table 18.2.6.030 – Standards for Non-Residential Zones

(Except as modified under chapter 18.5.5 Variances.)

Standard	C-1	C-1-D	E-1	M-1
Residential Density¹ (dwelling units/acre)	30 du/ac	60 du/ac	15 du/ac	NA
¹ where allowed per section 18.2.3.130; within E-1 zone, per R-Overlay (see chapter 18.3.13 Residential Overlay).				
Lot Area, Width, Depth Lot Coverage	There is no minimum lot area, width or depth, or maximum lot coverage; or minimum front, side or rear yard, except as required to comply with the special district and overlay zone provisions of part 18.3 or the site development and design standards of part 18.4.			
Setback Yards (feet)	<p>There is no minimum front, side, or rear yard required, except where buildings on the subject site abut a residential zone, in which case a side of not less than 10 ft and a rear yard of not less than 10 ft per story is required.</p> <p>The solar setback standards of chapter 18.4.8 do not apply to structures in the C-1-D zone.</p> <p>Except for buildings within 100 feet of a residential zone, the solar setback standards of chapter 18.4.8 do not apply to structures in the C-1 zone.</p> <p>See also section 18.2.4.030 Arterial Street Setback.</p>		There is no minimum front, side, or rear yard, except 20 ft where adjoining a residential zone.	
Building Height^{2&3} – Maximum (feet)	<p>40 ft, except:</p> <ul style="list-style-type: none"> - Buildings greater than 40 ft and less than 55 ft are permitted in C-1-D zone with approval of a Conditional Use Permit. -Where located more than 100 feet from a residential zone, buildings greater than 40 ft and less than 55 ft are permitted in C-1 zone with approval of a Conditional Use Permit. 		40 ft	
² See definition of “height of building” in section 18.6.1.030.				
³ Parapets may be erected up to five feet above the maximum building height; see also, 18.4.4.030.G.4 for mechanical equipment screening requirements, and 18.5.2.020 for Site Design Review for mechanical equipment review process.				
Landscape Area – Minimum (% of developed lot area)	15%	None, except parking areas and service stations shall meet the standards of chapters 18.4.3 Parking, Access, and Circulation, and 18.4.4 Landscaping, Lighting, and Screening.	15%	10%

Solar Access: Solar setbacks apply to the C-1 zone for properties within 100 feet of a residential zone. Because there is residentially zoned property directly across the alley to the north, solar Access standards limit the shadow which can be cast over the north property line to no more than would be cast by a 16-foot fence on the north property line as detailed in AMC Chapter 18.4.8. The final application would need to include calculations demonstrating compliance with the solar access requirements.

Utilities: Site Review requires a demonstration that adequate public facilities can and will be provided, and the application would need to consider the needs of the site if commercial use is to be established. It will be important to consider the placement of vaults, transformers, and other utilities where they are outside the pedestrian corridor and least visible from the right-of-way. If the proposal will require utility upgrades or otherwise impacts any existing utilities, the applicants should contact the individual departments well in advance to coordinate work. Contact information for each department is provided with the department's comments below.

Building & Fire Codes: Depending on the details of the final proposal, there may be some issues to address at the building permit level in terms of accessibility (ADA parking, accessible routes, accessible restrooms, etc.) and fire codes (fire separation, fire sprinklers, etc.) in terms of commercial building code. It would be in the applicant's best interest to contact the Building Official (541-488-5305) and the Fire Marshall (541-552-2229) to verify potential issues prior to submitting a final land use application. This could include a determination on whether having an ADA bathroom in a separate building was acceptable, whether fire separation or sprinklers would be required, and what level of accessibility improvements would be needed. Staff would suggest reaching out to fire to ask about specifics on any issues with firefighter access posed by the existing fence/gates. Fire may want the gates to have locks that they can access/override.

Applicants may also need to reach out to the architect regarding using or having to modify existing ADU plans for the proposed owner's unit.

Trees: All Planning applications are required to include an inventory of all trees on the property, and on adjacent properties within 15 feet of the property line, that are over six-inches in diameter at breast height (DBH). Trees to be removed require a Tree Removal Permit, and those to be retained need to be addressed in a Tree Preservation and Protection Plan which details how the trees will be protected during construction. From proposal it looks like at least one tree will need to be removed for proposed structure. Tree Removal will need to be addressed, or the location of the structure will need to be moved as proposed as to minimize/avoid tree removal. The conditional use permit review may consider whether impacts to established large-stature trees are a concern for the impact to the neighborhood. The application submittal would do well to look at placement and/or construction (i.e. post & beam foundation) of the new building to maximize tree preservation.

Neighborhood Outreach: Projects involving changes to established neighborhood patterns can sometimes be a concern for neighbors, 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 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 dependent 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.

OTHER DEPARTMENTS' COMMENTS

BUILDING: R311.2 of the ORSC requires egress doors to be side hinged with a minimum clearance from the door face when opened 90 degrees to the strike plate of 32" minimum. Contact the Building Division for any adjustments, including fire sprinkler requirements and for any building code-related questions at 541-488-5305.

CONSERVATION: There may be current City of Ashland rebates for the installation of high efficiency toilets (HET) as well as some appliances such as refrigerators, dishwashers and washing machines. Appliances may also be eligible for state tax credits through the Oregon Department of Energy. For more information on currently available Conservation programs, please contact the City of Ashland Conservation Division at (541) 552-2062 or e-mail Dan.Cunningham@ashland.or.us.

ENGINEERING: See attached comment sheet. Please contact Karl Johnson of the Engineering Division for any Public Works/Engineering information at 541-552-2415 or via e-mail to karl.johnson@ashland.or.us.

FIRE: Would suggest reaching out to fire-ask for specifics on any issues with firefighter access posed by the existing fence/gates. Fire may want the gates to have locks that they can access/override. Please contact Mark Shay from the Fire Department for any Fire Department-related information at 541-552-2217 or via e-mail to mark.shay@ashland.or.us.

WATER AND SEWER SERVICE: Please Contact the Water department through Public Works at [541-552-2329](tel:541-552-2329) with any questions regarding water utilities.

ELECTRIC DEPARTMENT: 2 Pack meter base required. Please contact Rick Barton in the Electric Department at (541) 552-2082 to discuss electrical service requirements along with any questions, other requirements and fees. An approved electric service plan may be required to be included in the final application submittal.

PROCEDURE

Conditional use permits are subject to a “Type I” procedure which includes an administrative decision made following public notice and a public comment period. Type I decisions provide an opportunity for appeal to the Planning Commission.

Submittal Information.

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

- a. The information requested on the application form at <http://www.ashland.or.us/Files/Zoning%20Permit%20Application.pdf> .
- b. Plans and exhibits required for the specific approvals sought (see below).
- c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail (see below).
- d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, *as applicable*.
- e. The required fee (see below).

The Ashland Land Use Ordinance, which is Chapter 18 of the Municipal Code, is available on-line in its entirety at: <https://ashland.municipal.codes/LandUse>

Written Statements

Please provide two copies of a written statements explaining how the application meets the approval criteria from the sections of the Ashland Municipal Code listed below. These written statements provide the Staff Advisor or Planning Commission with the basis for approval of the application:

- **Conditional Use Permit** AMC 18.5.4.040. & 18.5.4.050.
- **Site Design Review** AMC 18.4.4.030.
- **Modifications to Approved Planning Applications** AMC 18.5.6
- **Minor Modification** AMC 18.5.6.040

Plans & Exhibits Required

Please provide a digital set of exhibits (plans or drawings) addressing the submittal requirements from the sections of the Ashland Municipal Code listed below to planning@ashland.or.us. These exhibits are used to copy the Planning Commission packets and for notices that are mailed to neighbors. Please provide a digital copy and/or a paper copy no larger than 11-inches by 17-inches and reproducible copies that are drawn to a standard architect’s or engineer’s scale.

- **Plans Submittal** AMC 18.5.4.040
- **Landscape Plan** AMC 18.4.4.030 & 18.5.2.040.B.7.

FEES: Site Design Review/Conditional Use Permit

\$1,349.60

NOTE: All applications received are reviewed and must be found to be complete before being processed or scheduled at a Planning Commission meeting. Applications will not be accepted without a complete application form signed by the applicant(s) and property owner(s), all required materials and full payment. Applications are reviewed for completeness in accordance with ORS 227.178.

For further information, please contact:

Nick Schubert, *Associate Planner*

City of Ashland, Department of Community Development

Phone: 541-552-2045 or e-mail: nick.schubert@ashland.or.us

Date: February 4, 2026

Public Works Comments

1. Permits – Any construction or closure within the public right of way or public utility easement will require a Public Works permit and before any work in the right of way or public utility easement commences, all necessary permits MUST be obtained.
2. Right-of-Way – No additional right-of-way dedication, beyond that necessary to comply with City Street Standards, will be required at this time.
3. Street Improvement – No additional street improvements, beyond those necessary to comply with City Street Standards, will be required at this time.
4. Driveway Access – No additional improvements/requirements will be requested at this time, but the applicant proposed improvements must be reviewed and permitted by the City of Ashland Engineering Department.
5. Sanitary Sewer - The property is currently served by a 6-in sanitary sewer main in Palm Avenue. The applicant proposed improvements must be reviewed, approved and permitted by the City of Ashland Engineering Department.
6. Water - The property is currently served by a 4-in water main in Palm Avenue. City of Ashland Water Department shall tap existing water main and install any new water services and water meter boxes that are proposed by development. City of Ashland Water Department must be contacted for availability, placement and costs associated with the installation of the new water service. Service & Connection Fees will also be required for any new water services installed as part of this project.
7. Storm Drainage - The property is currently served by the curb and gutter in Palm Avenue and a 10-in storm sewer main in Woford’s Alley. City of Ashland Engineering Department must review an engineered storm drainage plan.

Storm Water Facility Design Requirements

Applicant MUST follow the guidance and requirements set forth in the current Rogue Valley Stormwater Quality Design Manual which can be found at the following website:

<https://www.rvss-or.gov/stormwater-management-and-erosion-control/rogue-valley-stormwater-quality-design-manual>

All stormwater calculations, reports, drawings, etc. shall be submitted to the City of Ashland Engineering Department for review.

8. Erosion & Sediment Control - The following requirements shall be met:

- All ground disturbances exceeding 2,500 square feet shall implement an Erosion and Sediment Control Plan (ESCP).
- A 1200-C permit will be secured by the developer where required under the rules of the Oregon State DEQ. City of Ashland Engineering Department must receive a copy of this permit before any construction shall begin.
- Erosion Prevention and Sediment control measures that meet the minimum standards set forth by the City of Ashland Public Works/Engineering Standard Drawing CD282 must be in place before any construction related to the project begins.
- Pollution, track out, and sediment dumping into storm water are strictly prohibited per AMC 9.08.060.
- Drainage from automotive use areas shall be limited to oil concentrations of 10 mg/l by a pre-approved means.
- Trash storage areas shall be covered or provide additional storm water treatment by an approved means.
- Off street parking areas shall conform to Ashland Municipal Code 18.4.3.080.B.5, including provisions to minimize adverse environmental and microclimatic impacts.