
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 5, 2025

SITE: 1100 Benson Street
APPLICANT: HT Commercial Properties
REQUEST: Annexation,
Site Design Review

PLANNING DIVISION COMMENTS

The proposal requires planning applications and approvals for Annexation and Site Design Review. Annexations are a discretionary legislative decision by the City Council and are not subject to quasi-judicial constraints or the 120-day rule.

The property has a comprehensive plan designation of Industrial which would re-zone at the time of annexation to M-1 (Manufacturing). “Self-Service Storage, Commercial (Mini-Warehouse)” is a permitted use in the M-1 zone, and Outdoor Storage of Commodities or Equipment associated with an allowed use is also a permitted use.

The city’s annexation criteria generally require that:

- That the subject property be located within the City's Urban Growth Boundary.
- That the proposed zoning for the annexed area be in conformance with the Comprehensive Plan Map designation and that the project, if proposed concurrently, is an allowed use.
- That the land is currently contiguous to the present city limits.
- That, for residential annexation, a plan shall be provided demonstrating that the development of the property will occur at a minimum of 90 percent of the base density...

N/A

- That the proposal meet the affordability requirements set forth in AMC 18.5.8.050.G.

N/A

- That one or more of the standards in AMC 18.5.8.050.H,
 - That adequate city facilities for water, sewer, electricity, and urban storm drainage can and will be provided.
 - That adequate transportation can and will be provided including facilities necessary to accommodate motor vehicles, bicycles, pedestrians and transit.
 - Demonstration of adequate transportation typically requires a memo prepared by a traffic engineer demonstrating that the expected new trip impact either requires Transportation Impact Analysis (TIA), or that the proposal is below the threshold.
 - Adequate transportation should also carefully consider adjacent pedestrian and bike access

OTHER

- **Transportation Commission Review:** Applications involving annexations, comprehensive plan or zoning map amendments, or zone changes are required to be reviewed before the Transportation Commission at the pre-application level. The Commission would review the issues raised and likely make specific recommendations in terms of transportation and connectivity. Please contact the Public Works Department at (541) 488-5347 to arrange for Transportation Commission Meeting
- **Demolition Review Permit:** Removal of the existing home, either by demolition or relocation off-site will require a Demolition/Relocation Review Permit. This is a review and permit process separate from the land use application that is discussed in AMC Chapter 15 and administered by the Building Division. For information on the application, fees and procedures, please contact Building Official Steven Matiaco at 541-488-5305 or e-mail to: steven.matiaco@ashland.or.us .

TREE REMOVAL & PROTECTION

Tree Removal: On vacant properties zoned for residential use, the removal of significant trees as defined in AMC 18.6.1 requires a Tree Removal Permit. Tree removal would also be considered in light of the Water Resources Protection Zones ordinance, and more broadly in terms of the discretion in Annexations, and any tree removal should be carefully considered.

Tree Preservation/Protection: A tree protection plan is required with the application to ensure that trees are protected during site disturbance (including demolition, construction, driveway/parking installation, staging of materials, etc. This plan is required to address all trees on the property over six-inches in diameter at breast height (d.b.h.) and all trees that are located on adjacent properties within 15 feet of the property line as well, including any existing street trees.

The trees along the eastern edge of the subject property should be properly protected during development.

Neighborhood Outreach: Staff always recommends that applicants approach the affected neighbors, particularly those who are likely to receive notice of an application, in order to make them aware of the proposal and to try to address any concerns that may arise as early in the process as possible. Notices are typically sent to neighboring property owners within a 200-foot radius of the perimeter subject property.

Site Visits: Staff may reach out as the application nears the hearing process to arrange site visits for the Planning Commission and City Council, or to arrange an alternative means for the decision makers to familiarize themselves with 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

18.5.8.050 Approval Criteria and Standards

An application for an annexation may be approved if the proposal meets the applicable criteria in subsections [A](#) through [H](#) below. The approval authority may, in approving the application, impose conditions of approval consistent with the applicable criteria and standards, and grant exceptions and variances to the criteria and standards in this section in accordance with subsection [I](#).

- A.** The annexed area is within the City's Urban Growth Boundary.
- B.** The annexation proposal is consistent with the Comprehensive Plan designations applicable to the annexed area, including any applicable adopted neighborhood, master, or area plan, and is an allowed use within the proposed zoning.
- C.** The annexed area is contiguous with the City limits.
- D.** Adequate City facilities for the provision of water to the annexed area as determined by the Public Works Department; the transport of sewage from the annexed area to an approved waste water treatment facility as determined by the Public Works Department; the provision of electricity to the annexed area as determined by the Electric Department; urban storm drainage as determined by the Public Works Department can and will be provided from the annexed area. Unless the City has declared a moratorium based upon a shortage of water, sewer, or electricity, it is recognized that adequate capacity exists system-wide for these facilities. All required public facility improvements shall be constructed and installed in accordance with subsection [18.4.6.030.A](#).
- E.** Adequate transportation can and will be provided to serve the annexed area. For the purposes of this section, "adequate transportation" for annexations consists of vehicular, bicycle, pedestrian, and transit transportation meeting the following standards:
 - 1. For vehicular transportation a minimum 22-foot-wide paved access exists, or can and will be constructed, providing access to the annexed area from the nearest fully improved collector or arterial street. All streets bordering on the annexed area shall be improved, at a minimum, to an applicable City half-street standard. The approval authority may, after assessing the impact of the development, require the full improvement of streets bordering on the annexed area. All streets located within annexed areas shall be fully improved to City standards unless exception criteria apply. Where future street dedications are indicated on the Street Dedication Map or required by the City, provisions shall be made for the dedication and improvement of these streets and included with the application for annexation.
 - 2. For bicycle transportation, safe and accessible bicycle facilities according to the safety analysis and standards of the governing jurisdiction of the facility or street (e.g., City of Ashland, Jackson County, Oregon Department of Transportation) exist, or can and will be constructed. Should the annexed area border an arterial street, bike lanes shall be constructed along the arterial street frontage of the annexed area. Likely bicycle destinations within a quarter of a mile from the annexed area shall be determined and the approval authority may require the construction of bicycle lanes or multiuse paths connecting the annexed area to the likely bicycle destinations after assessing the impact of the development proposed concurrently with the annexation.

3. For pedestrian transportation, safe and accessible pedestrian facilities according to the safety analysis and standards of the governing jurisdiction of the facility or street (e.g., City of Ashland, Jackson County, Oregon Department of Transportation) exist, or can and will be constructed. Full sidewalk improvements shall be provided on one side of all streets bordering on the proposed annexed area. Sidewalks shall be provided as required by ordinance on all streets within the annexed area. Where the annexed area is within a quarter of a mile of an existing sidewalk system or a location with demonstrated significant pedestrian activity, the approval authority may require sidewalks, walkways or multiuse paths to be constructed and connect to either or both the existing system and locations with significant pedestrian activity.
4. For transit transportation, should transit service be available to the annexed area, or be likely to be extended to the annexed area in the future based on information from the local public transit provider, the approval authority may require construction of transit facilities, such as bus shelters and bus turnout lanes.
5. Timing of Transportation Improvements. All required transportation improvements shall be constructed and installed in accordance with subsection [18.4.6.030.A](#).

F. For all residential annexations, a plan shall be provided demonstrating that the development of the annexed area will ultimately occur at a minimum density of 90 percent of the base density for the zone,..... [The remainder of this section deleted for clarity.]

G. Except as provided in subsection [18.5.8.050.G.7](#), below, annexations with a density or potential density of four residential units or greater and involving residential zoned lands, or commercial, employment or industrial lands with a Residential Overlay (R-Overlay) shall meet the following requirement..... [The remainder of this section deleted for clarity.]

H. One or more of the following standards are met:

1. The annexation proposal shall meet the requirements of subsection [18.5.8.050.B](#), above.
2. A current or probable danger to public health exists within the proposed area for annexation due to lack of full City sanitary sewer or water services in accordance with the criteria in ORS chapter [222](#) or successor state statute.
3. Existing development in the proposed area for annexation has inadequate water or sanitary sewer service, or the service will become inadequate within one year.
4. The proposed area for annexation has existing City water or sanitary sewer service extended, connected, and in use, and a signed consent to annexation agreement has been filed and accepted by the City.
5. The proposed area for annexation is an island surrounded by lands within the City limits.

I. Exceptions and Variances to the Annexation Approval Criteria and Standards.

The approval authority may approve exceptions to and variances from the approval criteria and standards in this section using the criteria in section [18.4.6.020.B.1](#), Exceptions to the Street Design Standards, or chapter [18.5.5](#), Variances. (Ord. 3204 § 3, amended, 12/21/2021)

18.5.2.050 SDR Approval Criteria

An application for Site Design Review shall be approved if the proposal meets the criteria in subsections A, B, C, and D below. The approval authority may, in approving the application, impose conditions of approval, consistent with the applicable criteria.

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.

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](#).

18.3.11.060 WRPZ Approval Criteria

D. Limited Activities and Uses Permit. All limited activities and uses described in section [18.3.11.060](#) shall be subject to a Type I procedure in section [18.5.1.050](#). An application for a limited activities and uses permit shall be approved if the proposal meets all of the following criteria:

1. All activities shall be located as far away from streams and wetlands as practicable, designed to minimize intrusion into the Water Resource Protection Zone and disturb as little of the surface area of the Water Resource Protection Zone as practicable.
2. The proposed activity shall be designed, located and constructed to minimize excavation, grading, area of impervious surfaces, loss of native vegetation, erosion, and other adverse impacts on water resources.

3. On stream beds or banks within the bank-full stage, in wetlands, and on slopes of 25 percent or greater in a Water Resource Protection Zone, excavation, grading, installation of impervious surfaces, and removal of native vegetation shall be avoided except where no practicable alternative exists, or where necessary to construct public facilities or to ensure slope stability.
4. Water, storm drain, and sewer systems shall be designed, located and constructed to avoid exposure to floodwaters, and to avoid accidental discharges to streams and wetlands.
5. Stream channel repair and enhancement, riparian habitat restoration and enhancement, and wetland restoration and enhancement will be restored through the implementation of a mitigation plan prepared in accordance with the standards and requirements in section [18.3.11.110](#), Mitigation Requirements.
6. Long-term conservation, management and maintenance of the Water Resource Protection Zone shall be ensured through preparation and recordation of a management plan as described in subsection [18.3.11.110.C](#), except a management plan is not required for residentially zoned lots occupied only by a single-family dwelling and accessory structures.

OTHER CITY OF ASHLAND DEPARTMENT COMMENTS

BUILDING: *“No comments provided at this times.”* Please contact Building Official Steven Matiaco in the Building Division for any building codes-related questions at 541-488-5305.

CONSERVATION: For more information on available water conservation programs, including any available appliance rebates or assistance with landscaping and irrigation system requirements, please contact the Conservation Division Water Conservation Specialist at 541-552-2062. For information on any financial or technical assistance available for the construction of Earth Advantage/Energy Star buildings, please contact Conservation Analyst/Inspector Dan Cunningham at 541-552-2063 or via e-mail to dan.cunningham@ashland.or.us

ENGINEERING: Please see comments at the end of this document. Please contact Karl Johnson of the Engineering Division for any Public Works/Engineering-related information (i.e. utilities, streets, stormwater, etc.) at 541-552-2415 or via e-mail to karl.johnson@ashland.or.us .

FIRE: Please see comments at the end of this document. Please contact Ralph Sartain from the Fire Department for any Fire Department-related information at 541-552-2229 or via e-mail to ralph.sartain@ashland.or.us.

WATER AND SEWER SERVICE: Please Contact Steve Walker at [541-552-2326](tel:541-552-2326) or (walkers@ashland.or.us) 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 SERVICE: Please contact Dave Tygerson in the Electric Department for service requirements and connect fee information at (541) 552-2389 or via e-mail to

tygersod@ashland.or.us. Dave will arrange an on-site meeting, and develop a preliminary electrical service plan for the site. Please allow additional time to accommodate scheduling of this on-site meeting and preparing the preliminary plan. Submittals will not be deemed complete without a preliminarily approved plan from the Electric Department.

PROCEDURE

Annexation is subject to a “Type III” legislative procedure which requires a recommendations from the Planning Commission through a public hearing process and a decision by Council adopted by ordinance to annex the property. As a legislative decision, an annexation would be subject to appeal by LUBA.

APPLICATION REQUIREMENTS

Submittal Information.

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

1. Application Form and Fee. Legislative applications shall be made on forms provided by the Staff Advisor. <http://www.ashland.or.us/Files/Zoning%20Permit%20Application.pdf> .
2. Submittal Information. The application shall contain all of the following information.
 - a. The information requested on the application form.
 - b. A map and/or plan, as applicable, addressing the appropriate criteria and standards in sufficient detail for review and decision.
 - 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, except when the City initiates the request.
 - f. Other information the Staff Advisor deems necessary to provide a complete application.

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>

The adopted Transportation System Plan (TSP) is available on-line in its entirety at: http://ashlandtsp.com/system/datas/191/original/Final%20TSP_2013-04-23.pdf

Written Statements

Please provide 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, Planning Commission and Council with the basis for approval of the application:

- | | |
|-----------------------------------|---------------------------|
| ○ Annexation: | AMC 18.5.8.050 |
| ○ Outline Plan: | AMC 18.3.9.040.A.3 |
| ○ Street Exception | AMC 18.4.6.020.B |
| ○ WRPZ: | AMC 18.3.11.060.D |
| ○ Tree Removal Permits(s): | AMC 18.5.7.040 |

Plans & Exhibits Required

Please provide exhibits (plans, drawings and required submittal materials) addressing the submittal requirements from the sections of the Ashland Municipal Code listed below. These exhibits are used for the Planning Commission packets and for notices that are mailed to neighbors. Please provide electronic copies formatted to print to a standard architect or engineer' scale on paper no larger than 11-inches by 17-inches:

- **Annexation:** **AMC 18.5.8.020**
- **Outline Plan:** **AMC 18.3.9.040.A.2**
- **WRPZ:** **AMC 18.3.11.060**
- **Tree Protection Plan:** **AMC 18.4.5.030**
- **Tree Removal Permit:** **AMC 18.5.7.030**

PLANNING APPLICATION FEES

Annexation (Type III):	\$5,288.75
Site Design Review	\$1,315.50 + 0.5% of valuation
WRPZ Limited Use Permit	\$1,315.50

NOTE:

Annexations require additional timelines and noticing due to state requirements, and are typically scheduled at the first Planning Commission at least 45-days after a completeness determination.

Applications are accepted on a first come-first served basis. All applications received are reviewed and must be found to be complete before being processed or scheduled at a Planning Commission meeting. Applications will not be accepted without a complete application form signed by the applicant(s) and property owner(s), all required materials and full payment.

Applications are reviewed for completeness in accordance with ORS 227.178.

For further information, please contact:

Aaron Anderson, Senior Planner

City of Ashland, Department of Community Development

Phone (541) 552-2052 or e-mail aaron.anderson@ashland.or.us

February 5, 2025

Date

Public Works Conditions of Approval

1. Engineered Plans - Where public improvements are required or proposed, the applicant's engineer shall submit design plans for approval of all public improvements identified on the approved plan or as specified in the conditions of approval. One set of these civil plans **MUST BE SUBMITTED DIRECTLY TO THE PUBLIC WORKS/ENGINEERING DEPARTMENT**. All design plans must meet the current City of Ashland Public Works Standards. Engineered construction plans and specifications shall be reviewed and signed by the Public Works Director, prior to construction. All public facilities within the development will be designed to the City of Ashland Engineering Design Standards for Public Improvements.

Where public improvements are required or completed, the developer shall submit as-built drawings of all public improvements constructed during and in conjunction with this project. Field changes made during construction shall be drafted to the drawings in the same manner as the original plans with clear indication of all modifications (strike out old with new added beside).

The engineered plans **MUST CONFORM TO THE FOLLOWING:**

- Drawings must be submitted digitally and **MUST** be true scale PDF drawings
- Drawings sizes shall comply with ANSI-defined standards for page width and height.
- Review and construction drawings **MUST** be submitted in B size (11x17).
- All final, as-constructed drawings, **MUST** be submitted digitally as true scale PDF drawings and on Mylar if requested. Final drawings shall be B size (11x17) or D size (22x34). If D size drawings are produced, both B size and D size **MUST** be submitted.

2. Permits – Any construction or closure within the public right of way will require a Public Works permit and before any work in the right of way commences all necessary permits **MUST** be obtained.

3. TIA (Transportation Impact Analysis) – No TIA will be required for this project.

4. Right-of-Way – No additional right-of-way dedication, beyond that necessary to comply with City Street Standards, will be required at this time.

5. Street Improvement – No additional street improvements, beyond those necessary to comply with City Street Standards, will be required at this time.

6. 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.

7. Sanitary Sewer - The property is currently served by an 8-in sanitary sewer main in Benson Way. The applicant proposed improvements must be reviewed, approved and permitted by the City of Ashland Engineering Department.

8. Water - The property is currently served by an 8-in water main in Benson Way. 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.

9. Storm Drainage - The property is currently served by a 12-in storm sewer main in Benson Way. 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.us/stormwater-quality-documents-information>

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

10. 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.