

**ASHLAND PLANNING DEPARTMENT
STAFF REPORT**

Before the Planning Commission – March 11, 2025

PLANNING ACTION: PA-T2-2024-00053
PROPERTY OWNERS: Bryan & Stephanie Deboer
APPLICANTS: Carlos Delgado Architect for Bryan & Stephanie Deboer
LOCATION: 39 1E 08 DA Tax Lots 1800
ZONE DESIGNATION: RR-.5-P
COMP. PLAN DESIGNATION: Low Density Residential
ORDINANCE REFERENCES: See <https://ashland.municipal.codes/LandUse>
AMC 18.2.4 General Regulations for Base Zones
AMC 18.2.5 Standards for Residential Zones
AMC 18.3.10 Development Standards for Hillside Lands
AMC 18.4.3 Parking, Access, and Circulation
AMC 18.4.5 Tree Preservation and Protection
AMC 18.4.8 Solar Access
AMC 18.5.1 General Review Procedures
AMC 18.5.3 Additional Preliminary Flag Lot Partition Plat Criteria
AMC 18.5.5 Variances
AMC 18.5.7 Tree Removal Permits
AMC 18.6.1 Definitions

APPLICATION DATE: October 17, 2024
APPLICATION COMPLETE: January 31, 2025
PUBLIC NOTICE: February 19, 2025
MEETING DATE: March 11, 2025
120-DAY DEADLINE: May 31, 2025

I. Request

The application proposes the construction of a new single-family residential home on a vacant parcel at 231 Granite Street. Because of the steep topography and the existing driveway location and grade, the development of both the home and driveway require several planning approvals. These planning approvals include a Physical and Environmental constraints review (P&E) which includes several requested exceptions, a variance to the allowed maximum grade of a driveway, and tree removal permits for the removal of sixty-seven (67) trees, four (4) of which are significant and eight (8) are dead. Each of these will be discussed in detail below.

II. Description of Property

The property at 231 Granite Street is a legal lot of record that was created in its current shape and size as Parcel 3 of Partition Plat P-43-1996 as 2.182 acres. This partition plat

included a boundary line agreement to adjust the Northern property line to match the existing shared fence line with 234 Strawberry Lane and was created prior to the City's hillside development ordinance. The property is zoned RR-.5, a single-family residential zoning, and is located within the Hillside Overlay. The majority of the property is located within slopes greater than 25% with much of the sloped area being 35% or greater slope. Although the site contains severe slopes, it is acknowledged to be developable for a single-family home or duplex consistent with the underlying zoning pursuant to AMC 18.3.10.090.A1.a.

III. Details of Application

A request for a Physical and Environmental Constraints Review to construct a new single-family dwelling in the Hillside Overlay with slopes over 35%. The proposal includes a Type II Variance for the driveway, as the existing topography requires a grade steeper than the maximum allowed 18%. While a driveway grade between 15% and 18% may be permitted through a Type I Variance, the steeper slope triggers the requirement for Type II Variance approval (18.5.3.060.F). Type II Variances are subject to review by the Planning Commission for a hearing and decision. As mentioned above, the application is a request for a Physical and Environmental (P&E) permit, variance to allowed lot coverage maximum grade of a driveway, hillside design exceptions, and tree removal permits pursuant to Ashland Municipal Code (AMC) 18.3.10, 18.5.5, and 18.5.7 as further detailed below:

- The P&E is for the following land classifications: hillside, and severe constraints. The application also includes requests for exceptions from the following standards:
 - The standards allow new driveways on slopes greater than 35 percent for a length not to exceed 100 feet. Here the driveway proposed is 197 feet, but the majority of it is located on lands that have a slope less than 35 percent, with only small portions located in slopes greater than 35 percent. (AMC 18.3.10.090.A.3.2.b.)
 - The standards require that downhill building walls greater than 20 feet provide a six-foot step-back. As proposed, the eastern façade wall is 26 feet high without the required step-back. (AMC 18.3.10.090 E.2.c)
 - The standards require that a continuous horizontal building plane which is greater than 36 feet in length include at least a six-foot off-set. The applicant proposes longer planes without the requisite off-set. (AMC 18.3.10.090.E.2.d.)
- **Variance (Type II):**
 - The standard requires that flag drive grades shall not exceed a maximum grade of 15 percent. Variances may be granted for flag drives for grades in excess of 15 percent but no greater than 18 percent; provided, that the cumulative length of such variances across multiple sections of the flag drive does not exceed 200 feet. Such variances shall be required to meet all of the criteria for approval in chapter [18.5.5](#), Variances. (AMC 18.5.3.060.F.) Applicant's submittals indicate

that the driveway is located on 18 to 30 percent slopes with an average slope of 23 percent over the 197-foot length of the driveway.

- A **Tree Removal Permit** for the removal of 4 *significant* trees. A total of 67 trees are identified as being removed; 4 of these are considered to be ‘significant’ by definition, and 8 are dead (AMC 18.5.7.040 & AMC 18.3.10.090.D).

IV. Discussion

The purpose of the Hillside Ordinance is to:

“Provide for safe, orderly, and beneficial development of districts characterized by diversity of physiographic conditions and significant natural features; to limit alteration of topography and reduce encroachment upon, or alteration of, any natural environment and to provide for sensitive development in areas that are constrained by various natural features.”

Consistent with the purpose of designating properties as hillside lands, any exception or variance to the standards to facilitate development, including installation of driveway, should be the minimum necessary to alleviate the difficulty.

The applicant has submitted a substantial set of findings addressing all of the relevant approval criteria for the planning action, the requested exceptions and variances. The application addresses the unique factor requiring the need for the requested variances is the fact that the area identified for the building envelope is located as close to the existing shared driveway access as possible to minimize ground disturbance. While this means that the proposed envelope is encroaching on 25%+ and 35%+ slopes, it is causing less significant disturbance than a longer driveway would require to develop the lower sloped portions of the lot. And finally, in discussing the exceptions in general the application states that the code did not anticipate a property with such steep slopes and that this is an existing lot that was created prior to the adoption of the Hillside Development Standards.

In short, each requested exception and variance is based on placing the building envelope in a less steep area while keeping it closer to the driveway to minimize impacts. The Hillside Development Standards do recommend that building envelope locations should be located to avoid ridgeline exposures (AMC 18.3.10.090.E.1.d) which is accomplished in this proposal by keeping the building shorter and closer to the slope. However, the building does not follow the slope of the lot and rather is placed upon it, requiring changes to the landscape in the form of excavating and grading to create a flat building location that does not peak the ridgeline. No formal building envelope was established for this lot in 1996 upon completion of the boundary lot adjustment and the Hillside Lands ordinance was adopted in 1997.

The development of the property requires choosing between two options: placing the building envelope on the ridgeline, which would necessitate a taller structure to minimize disturbance to the steep slopes, or positioning in a location that results in greater

disturbance to areas with slopes exceeding 35%. The proposed application strikes a balance by placing the building envelope below the ridgeline, at the end of a shortened driveway, but primarily on slopes ranging from 25% to over 35%."

What follows is a brief discussion of the requested exceptions and variances and the relative deviation from the base standards as presented in the application.

A. Variances

As mentioned above the application also includes the request for a variance to exceed the maximum allowed grade of the driveway.

The application requests a variance to driveway grade to allow the driveway to exceed the 15-percent maximum grade, and the additional allowance to exceed 18-percent with approval of a Type II variance, for a distance of less than 200 feet. Ashland's Land Use Ordinance at AMC 18.5.3.060.F requires that:

"Flag drive grades shall not exceed a maximum grade of 15 percent. Variances may be granted for flag drives for grades in excess of 15 percent but no greater than 18 percent for not more than 200 feet. Such variances shall be required to meet all of the criteria for approval in chapter 18.5.5 Variances."

The driveway is an existing shared access that comes off of the end of a very long, steep, partially paved private access easement. The proposed driveway is 197 feet in total length with an average slope of 15.23-percent.

If the Planning Commission finds that the variance meets the criteria of approval this will be in accordance with the maximum allowed as stated in AMC 18.5.3.060.F. Similarly, the hillside standards have a standard that relates to new driveways from which the application request an exception. The Development Standards for Hillside Lands require that the new driveways be constructed on lands of less than or equal to 35-percent slope except in circumstances where the driveway on lands greater than 35-percent slope does not exceed a length of 100-feet (see AMC 18.3.10.090.A.3).

As stated previously, the application relies on the fact that the building envelope is located as close as feasible to the shared access and driveway to minimize disturbance. This location was chosen because it has the least steep slopes near the driveway. Given that much of the property has slopes exceeding 35% the application states that the exception is unavoidable. The proposed driveway is located at the only available access point, and due to the severity of slopes on the property, nearly the entirety of the driveway would be built on slopes that exceed 35-percent.

B. Grading

One grading requirement within the hillside standards was not included in the exception requests but would still need to be met for compliance. The standards allow new driveways

on slopes greater than 35 percent for a length not to exceed 100 feet. The driveway as proposed driveway is 197 feet, but the majority of it is on natural slopes of less than 35%, with only small portions located on slopes greater than 35 percent. (AMC 18.3.10.090.A.3.2.b.)

C. Building Location and Design

There are two items in the building location and design section within the hillside standards for which exceptions are requested including building walls on the downhill side greater than 20 feet providing a six-foot step-back, and that continuous horizontal building planes greater than 36 feet in length include at least a six-foot off-set. The applicant proposes longer horizontal planes without the requisite off-set and has downhill buildings walls greater than 20 feet with less than a six-foot step-back. As stated previously this does not conform to the Development Standards for Hillside Lands without approval of an exception. The application asserts that the roof mimics these off-sets and thus “meets the intent” of the code, while the building step backs are minimal to keep the building short and closer to parallel with the slope of the lot, without interfering with the ridgeline.

D. Tree Removal

The application states that in the area of disturbance, there are 75 trees larger than six inches DBH (Diameter at Breast Height), 67 of which are proposed to be removed, and that the design of the project has taken efforts to minimize required tree removals. The application states that those trees identified for removal are because they are “*are within the building envelope/footprint...*” or “*are within the proposed driveway or within the identified area of disturbance.*” The application asserts that there are, “*...(8) Douglas Fir trees in poor condition that are smaller than 18 inches in diameter at breast height, fourteen (14) Douglas Fir trees in poor condition that are smaller than 18 inches in diameter at breast height.*” With that said, the application includes a request a Tree Removal permit for sixty-seven (67) regulated trees, including four (4) significant trees, and eight (8) dead trees.

The City’s Tree Management Advisory Committee will review the proposed tree removals at their meeting on March 6th, and staff will provide their recommendations for Planning Commission consideration at the March 11th, 2025 public hearing.

In staff’s assessment, a finding can be made that with any conditions imposed by the Planning Commission, all relevant approval criteria are satisfied.

V. Approval Criteria

AMC 18.3.10.050 Physical & Environmental Constraints Review Permit Approval Criteria. *The planning commission shall approve the physical and environmental constraints review permit when it finds all of the following criteria have been met:*

A. Through the application of the development standards of this chapter, the potential impacts to the property and nearby areas have been considered, and adverse impacts have been minimized.

B. That the applicant has considered the potential hazards that the development may create and implemented measures to mitigate the potential hazards caused by the development.

C. That the applicant has taken all reasonable steps to reduce the adverse impact on the environment. Irreversible actions shall be considered more seriously than reversible actions. The Staff Advisor or Planning Commission shall consider the existing development of the surrounding area, and the maximum development permitted by this ordinance.

AMC 18.3.10.090.H. Exception to the Development Standards for Hillside Lands Approval Criteria. *The planning commission shall approve the exceptions to design standards for hillside lands when it finds all of the following criteria have been met:*

- 1. There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site.*
- 2. The exception will result in equal or greater protection of the resources protected under this chapter.*
- 3. The exception is the minimum necessary to alleviate the difficulty.*
- 4. The exception is consistent with the stated Purpose and Intent of chapter [18.3.10](#), Physical and Environmental Constraints Overlay, and section [18.3.10.090](#), Development Standards for Hillside Lands.*

18.5.3.060 Additional Preliminary Flag Lot Partition Plat Criteria

The approval authority shall approve a preliminary plat application for a flag lot partition only where all of the following criteria are met.

A. The criteria of section [18.5.3.050](#) are met.

B. For the purpose of meeting the minimum lot area requirement, the lot area, exclusive of the flag drive area, must meet the minimum square footage requirements of the zoning district.

C. Flag drives shall be in the same ownership as the flag lots served. Where two or more lots are served by the same flag drive, the flag drive shall be owned by one of the lots and an easement for access shall be granted to the other lot or lots.

D. Except as provided in subsection [18.5.3.060.H](#), below, the flag drive serving a single flag lot shall have a minimum width of 15 feet and contain a 12 foot wide paved driving surface. For drives serving two flag lots, the flag drive shall be 20 feet wide, with a 15 foot wide driving surface to the back of the first lot, and a 12 foot wide driving surface to the

rear lot. Drives shared by adjacent properties shall have a width of 20 feet, with a 15 foot paved driving surface. Width shall be increased on turns where necessary to ensure fire apparatus remain on a paved surface during travel.

E. Curb cuts have been minimized, where possible, through the use of common driveways. No more than two flag lots are served by the flag drive.

F. Flag drive grades shall not exceed a maximum grade of 15 percent. Variances may be granted for flag drives for grades in excess of 15 percent but no greater than 18 percent; provided, that the cumulative length of such variances across multiple sections of the flag drive does not exceed 200 feet. Such variances shall be required to meet all of the criteria for approval in chapter [18.5.5](#), Variances.

G. Flag drives shall be constructed to prevent surface drainage from flowing over sidewalks or other public ways.

H. Flag lots adjacent to an alley shall meet all of the requirements of this section, except that:

1. Vehicle access shall be from the alley only where required as a condition of approval.
2. No screening and paving requirements shall be required for the flagpole.
3. A four foot pedestrian path shall be installed within the flagpole and improved and maintained with either a concrete, asphalt, brick, or paver block surface connecting the street to the buildable area of the flag lot.
4. The flag pole width shall be no less than eight feet wide and the entrance of the pole at the street shall be identified by the address of the flag lot clearly visible from the street on a four-inch by four-inch post that is 3½ feet high. The post shall be painted white with black numbers three inches high running vertically down the front of the post. For flagpoles serving two or more dwellings, the addresses of such dwellings shall be on a two foot by three foot white sign clearly visible from the street with three-inch black numbers.

I. Flag drives and fire work areas shall be deemed Fire Apparatus Access Roads under the Oregon Fire Code and subject to all requirements thereof.

J. When required by the Oregon Fire Code, flag drives greater than 150 feet in length shall provide a turnaround (see Figure [18.4.6.040.G.5](#)). The Staff Advisor, in coordination with the Fire Code Official, may extend the distance of the turnaround requirement up to a maximum of 250 feet in length as allowed by Oregon Fire Code access exemptions.

K. Where off-street parking is voluntarily provided on a flag lot, it shall be situated to eliminate the necessity for vehicles backing out.

L. There shall be no parking within ten feet of the centerline of the drive on either side of the flag drive entrance.

M. Flag drives serving structures greater than 24 feet in height, as defined in part [18.6](#), shall provide a fire work area of 20 feet by 40 feet clear of vertical obstructions and within 50 feet of the structure. The fire work area requirement shall be waived if the structure served by the drive has an approved automatic sprinkler system installed.

N. Both sides of the flag drive have been screened with a sight-obscuring fence, wall or fire-resistant broadleaf evergreen sight-obscuring hedge to a height of from four to six feet, except in the front yard setback area where, starting five feet from the property line, the height shall be from 30 to 42 inches in the remaining setback area. Such fence or landscaping shall be placed to ensure fire apparatus access is not obstructed by the encroachment of mature landscaping.

O. The applicant has executed and filed with the Community Development Department an agreement between applicant and the City for paving and screening of the flag drive. Such an agreement shall specify the period within which the applicant, or agent for applicant, or contractor shall complete the paving to standards as specified by the Public Works Director and screening as required by this section, and providing that if applicant should fail to complete such work within such period, the City may complete the same and recover the full cost and expense thereof from the applicant. An agreement shall also provide for the maintenance of the paving and screening pursuant to this section, and assurance ongoing maintenance.

P. Flag lots shall be required to provide a useable yard area that has a minimal dimension of 20 feet wide by 20 feet deep. As used in this chapter, the term "useable yard area" means a private yard area which is unobstructed by a structure or automobile from the ground upward.

AMC 18.5.5.050 Variance Approval Criteria. *The planning commission shall approve the variance when it finds all of the following criteria have been met:*

A. The approval authority through a Type I or Type II procedure, as applicable, may approve a variance upon finding that it meets all of the following criteria.

1. The variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance.

2. The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.

3. The proposal's benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.

4. *The need for the variance is not self-imposed by the applicant or property owner. For example, the variance request does not arise as result of a property line adjustment or land division approval previously granted to the applicant.*

B. In granting a variance, the approval authority may impose conditions similar to those provided for conditional uses to protect the best interests of the surrounding property and property owners, the neighborhood, or the City as a whole.

AMC 18.5.7.040 Tree Removal Approval Criteria. *The planning commission shall approve the tree removals when it finds all of the following criteria have been met:*

B. Tree Removal Permit.

1. **Hazard Tree.** *A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.*

a. *The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.*

b. *The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.*

2. **Tree That is Not a Hazard.** *A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.*

a. *The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.3.10.*

b. *Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.*

c. *Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.*

d. *Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination,*

the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.

e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

In staff's assessment, a finding can be made that with any conditions imposed by the Planning Commission, all relevant approval criteria are satisfied.

VI. Conclusion and Recommendations

Staff recommend that the Planning Commission approve the Physical and Environmental Constraints review permit for new single-family dwelling in the hillside overlay, including the requested variance to driveway grade, exceptions to the hillside design standards, and the requested 67 tree removals.

If the Planning Commission approves the application, staff recommends including the following conditions of approval below:

1. That all proposals of the applicant become conditions of approval.
2. That a Verification Permit shall be applied for and approved by the Ashland Planning Division prior to site work, tree removal, building demolition, and/or storage of materials. The Verification Permit is to inspect the identification of the 67 trees to be removed and the installation of tree protection fencing for the remaining trees on and adjacent to the site. The tree protection shall be chain link fencing six feet tall and installed in accordance with 18.61.200.B.
3. That all recommendations of the Tree Management Advisory Committee, where consistent with the applicable ordinances and standards and with final approval of the Staff Advisor, shall be conditions of approval unless otherwise modified herein.
4. Prior to building permit issuance:
 - a. That the plans submitted for the building permit shall be in substantial 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 the Variance and Physical and Environmental Constraints Review permit approval shall be submitted and approved prior to issuance of a building permit.
 - b. Identification of all easements, including public and private utility easements, mutual access easements, public pedestrian access easements, and fire apparatus access easements.

- c. Solar setback calculations demonstrating that all new construction complies with Solar Setback Standard A in the formula $[(\text{Height} - 6)/(0.445 + \text{Slope}) = \text{Required Solar Setback}]$ and elevations or cross section drawings clearly identifying the highest shadow producing point(s) and the height(s) from natural grade.
- d. Lot coverage calculations including all building footprints, driveways, parking, and circulation areas. Lot coverage shall be limited to no more than 20 percent as required in AMC 18.2.5.030.C.
- e. That storm water from all new impervious surfaces and runoff associated with peak rainfalls must be collected on site and channeled to the City storm water collection system (i.e., curb gutter at public street, public storm pipe or public drainage way) or through an approved alternative in accordance with Ashland Building Division policy BD-PP-0029. On-site collection systems shall be detailed on the building permit submittals.
- f. That a revised Tree Protection Plan consistent with the standards described in 18.4.5 be submitted for review by the Tree Commission and approval by the Staff Advisor prior to the issuance of a building permit. The plan shall identify the location and placement of fencing around the drip lines of trees identified for preservation. The amount of fill and grading within the drip line shall be minimized. Cuts within the drip line 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.
- g. That the tree protection fencing shall be installed according to the approved plan prior to any site work, storage of materials or issuance of the building permit. The tree protection shall be inspected and approved by the Ashland Planning Department prior to site work, storage of materials and/or the issuance of a building permit.
- h. 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.
- i. 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 prior to building permit issuance.
- j. That the tree protection and temporary erosion control measures (i.e. silt fence and bale barriers) shall be installed according to the approved plan prior to any site work, storage of materials, issuance of an excavation permit and issuance of a building permit. The erosion control measures shall be installed as identified in the Marquess & Associates' report dated December 5, 2024. The tree protection and temporary erosion control measures shall be inspected and approved by the Ashland Planning Department prior to site work, storage of materials, the issuance of an excavation permit, and/or the issuance of a building permit.

- k. A written verification from the project geotechnical expert addressing the consistency of the building permit submittals with the geotechnical report recommendations (e.g. grading plan, storm drainage plan, foundation plan, etc.) shall be submitted with the building permit.
 - l. That written verification from the project geotechnical experts addressing the consistency of the building permit submittals with the geotechnical report recommendations (e.g. grading plan, storm drainage plan, foundation plan, etc.) shall be submitted with the building permit submittals.
5. Replacement trees to mitigate the trees removed shall be planted and irrigated according to the approved plan.
6. That a preconstruction conference to review the requirements of the Hillside Development Permit shall be held prior to site work, the issuance of an excavation permit or the issuance of a building permit, whichever action occurs first. The conference shall include the Ashland Planning Department, Ashland Building Department, the project engineer, project geotechnical experts (i.e. Marquess & Associates), landscape professional, arborist (i.e. Canopy) and the general contractor. The applicant or applicants' representative shall contact the Ashland Planning Department to schedule the preconstruction conference.
7. That the foundation shall be designed by an engineer or architect with demonstrable geotechnical design experience in accordance with 18.62.080.F.
8. That all measures installed for the purposes of long-term erosion control, including but not limited to vegetative cover, rock walls, retaining walls and landscaping shall be maintained in perpetuity on all areas in accordance with 18.62.089.B.7.
9. Prior to Certificate of Occupancy:
 - a. The landscaping and irrigation for re-vegetation of cut/fill slopes and erosion control shall be installed in accordance with the approved plan prior to issuance of the certificate of occupancy. Vegetation shall be installed in such a manner as to be substantially established within one year of installation.
 - b. That all landscaping in the new landscaped areas shall be installed according to the approved plan, and tied into the existing irrigation system, prior to the issuance of a certificate of occupancy.
 - c. That Marquess & Associates shall inspect the site according to the inspection schedule of the engineering geology report by Marquess & Associates included in the application and date stamped December 5, 2024. Prior to the issuance of the certificate of occupancy, Marquess & Associates shall provide a final report indicating that the approved grading, drainage and erosion control measures were installed as per the approved plans, and that all scheduled inspections were conducted by the project geotechnical expert periodically throughout the project.

- d. That the flag drive shall be paved to 12 feet, a vertical clearance of 13-feet, 6-inches and be able to withstand 44,000 lbs. prior to the certificate of occupancy. The flag drive shall be constructed so as to prevent surface drainage from flowing over the private property lines and / or public way in accordance with 18.76.060.B.
10. Requirements of the Ashland Fire Department shall be met, including that all addressing shall be approved prior to being installed, that fire apparatus access be provided, and that a fuel break is required.
11. That a Fire Prevention and Control Plan addressing the General Fuel Modification Area requirements in AMC 18.3.10.100.A.2 of the Ashland Land Use Ordinance shall be provided prior to bringing combustible materials onto the property, and any new landscaping proposed shall comply with these standards and shall not include plants listed on the Prohibited Flammable Plant List per Resolution 2018-028.