
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**

March 19, 2025

SITE: 1348 & 1382 Ashland Mine Rd.
APPLICANT: Rogue Planning for Lecomte
and Village Keeper
REQUEST: Annexation, Outline Plan
PSO Subdivision

PLANNING DIVISION COMMENTS

The land use ordinance requires that an application for annexation develop to at least 90% of the base density of the zone. It also requires that 25% of the dwelling units proposed be affordable housing

- The process is a type 3 action with a hearing before the Planning Commission and final decision by City Council. Type-3 flow chart for process is attached at the end of this document.
- Type-3 actions are by definition legislative and are therefore not subject to the 120-day rule. The timeline for complete approval will be highly dependent on the applicant as well as the City Council agenda.
- The fee for annexation is \$5,288.75 and Outline Plan PSO subdivision is \$2,756.25 plus \$176 per lot. (total = \$15,613)
- Applicable standards include
 - Annexation: AMC 18.5.8.050
 - PSO Subdivision Standards: AMC 18.3.9
- **Proposed extension of North Main will require participation of the Knight Property (38-1E-32 TL 2200).** Based on the proposed location of the future right of way it appears that approximately 0.7 Acres will need to be acquired. The applicant should consult with the County regarding plating to ensure the remnant in the county meets their standards and if any County planning action is required.



A – UGB

The annexed area is within the City's Urban Growth Boundary.

So long as the proposal matches the edge of the UGB, as shown, the city feels confident that the application can be approved. Again, the applicant should consult with the County regarding plating to ensure they will be willing to record and if any County planning action is required to approve the property line adjustment.

B – Comprehensive Plan

The annexation proposal is consistent with the Comprehensive Plan designations

The property has a comprehensive plan designation of Single Family Residential

Staff presumes that an R-1-7.5 zone is requested which allows for 3.6 du/ac

Base density is determined by the area of land multiplied by a value provided at AMC 18.3.9.

$$6.26 + 4.61 + 0.71 \text{ (for proposed ROW)} = 11.57 \text{ acres} \times 3.6 \text{ du/ac} = 41.65$$

The required affordable housing will provide sufficient density bonus for the proposed 43 lots.

C – City Limits

The annexed area is contiguous with the City limits.

Because of the requirements for improvements along the annexed area the annexation will be required to include the portion of the Ashland Mine ROW [highlighted in green] below, as well as any ROW / improvements related to the extension of North Main [orange circle].

A complete application is required to include a map of the complete area to annex as well as a written legal description.



D – Adequate City facilities

Adequate City facilities for the provision of water to the annexed area as determined by the Public Works Department

The city facilities specifically listed include sewer, water, storm drain, and electrical.

- The existing 4” water main will be required to be upsized to standard 8” water main.
 - SDC credits will be available for required upsizing.
- Public Works have concerns regarding the size of the sewer lift station at the intersection of North Main. The project engineer should consult with Public Works regarding capacity existing capacity. The capacity analysis should consider other lands that could eventually urbanize in the area that are served by the lift station.

E – Transportation & Public

Adequate transportation can and will be provided to serve the annexed area.

Demonstration of compliance with this approval criteria is of central importance. The standards require “safe and accessible bicycle facilities according to the safety analysis and standards of the [City]” and provide different minimums for within the annexed area as well as offsite improvements.

- Fire, Emergency Management, Public Works and Planning Staff all feel strongly that to show compliance with development standards for “Adequate transportation” including, but not limited to, block length, gridded street network, etc. that a road connection to Ashland Mine Road will be required.
 - It appears that the proposed cul-de-sac could instead connect to the ‘High View Way’ ROW rather than vacating it.
- Demonstrating “Adequate transportation” for pedestrians may be difficult without providing sidewalk to the intersection of Highway 99/N Main St where the bus station is located. This is within a quarter of a mile and is obviously a location that would be considered not only a transportation amenity but also a destination “with a significant pedestrian activity”
 - In review of the ROW of North Main between the subject property and the intersection of Highway 99 the installation of sidewalk will present significant challenges and may require:
 - reconstruction of private improvements
 - Acquisition of ROW / possible exceptions to street cross sections based on ROW constraints.
 - removal of significant trees
 - potentially the removal of existing on street parking
- Frontage improvements (half street) along Ashland Mine Road for that section of the subject property will be required as well, including extension of water, sewer, and storm water.
- A civil engineer will need to prepare plans for all frontage improvements for review by public works.
- All proposed new public streets will be required to be on land to be annexed.

F – Minimum Density

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

Base density is determined by the area of land multiplied by a value provided at AMC 18.3.9. Staff presumes that an R-1-7.5 zone is requested which allows for 3.6 du/ac
 $6.26 + 4.61 + 0.71$ (for proposed ROW) = 11.57 acres x 3.6 du/ac = 41.65

G – Affordability

Annexations with a density or potential density of four residential units or greater and involving residential zoned lands, ... shall [provide] ... affordable units ... equal to or exceed 25 percent of the base density

For this calculation you can exclude any unbuildable lots, parcels, or portions of the annexed area such as existing streets and associated rights-of-way, railroad facilities and property, wetlands, floodplain corridor lands, water resource areas, slopes greater than 35 percent, or land area dedicated as a public park.

- alternative to providing affordable units per section 18.5.8.050.G.1, above, the applicant may provide title to a sufficient amount of buildable land for development complying with subsection 18.5.8.050.G.1.b, above, through transfer to a non-profit (IRC 501(3)(c)) affordable housing developer or public corporation created under ORS 456.055 to 456.235.
- *Linda Reid linda.reid@ashland.or.us is available for information on partnering with relevant agencies and organizations.*

Presuming that no land is excluded: Base density of 41.62 times 0.25 for affordability requirement:
 $41.65 \times 0.25 = 10.4$ rounds up ~ 11.

9 units of 80% AMI will satisfy the requirement ($11 \times 1.25 = 8.8 \sim 9$)

15 units of 120% AMI will satisfy the requirement ($11 \times 0.75 = 14.6 \sim 15$)

Affordability requirements will need to be addressed with a final application. Including:

- *Bedroom Mix*
- *Development Schedule*
- *Information on addressing comparable building materials and include equivalent amenities as the market rate units.*

H – Standard to meet

This provision allows for annexation under certain circumstances where the comp plan is not met (e.g. public health, inadequate water, etc.) Because this application would be shown to be in compliance with the comp plan no other finding would be required. Essentially this approval criteria is not applicable.

I – Exceptions and Variances to the 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.

In 2020 the City approved an annexation that was appealed to LUBA and reversed as they found that the “*city's decision improperly construed the relevant provisions of the AMC, and that the city may not rely on the Exception standards to approve an annexation application that fails to comply with the applicable approval criteria.*” *Rogue Advocates v. City of Ashland* – (LUBA No. 2021-009, May 12, 2021)

The City Council amended our ordinance in response (Ord. 3204 § 3, amended, 12/21/2021) Specifically allowing Variances and Exceptions.

The application was approved a second time, and again appealed to LUBA where they sustained the second subassignment of the first assignment of error, agreeing that the City’s interpretation of its provisions for allowing exceptions to on-street parking was inconsistent with the express language. They also sustained the second subassignment of the fourth assignment of error, that the proposed affordable units did not comply with the square footage requirements of the local code. *Rogue Advocates v. City of Ashland* – (LUBA No. 2029-007, May 9, 2023)

The City Council again amended our ordinance in response (Ord. 3229 § 7, amended, 12/19/2023) which among other things changed the requirement for on street parking limiting it for out of jurisdiction roads and limits it to available street frontage.

The applicant withdrew the application at the remand hearing.

The reason for disclosing these previous approvals and appeals is to underline that there is a high likelihood of appeal, especially if there is the appearance that the city is not closely following our own ordinance and standards.

As it relates to on street parking, the standard at 18.3.9.060 reads as follows:

A. On-Street Parking Required. For all performance standards subdivisions in R-1 zones, and for all performance standards subdivisions in R-2 or R-3 zones which create or improve city streets, at least one on-street parking space per proposed lot shall be provided with the following exceptions:

1. Where on-street parking is provided on newly created or improved streets, the total number of on-street spaces required should not surpass the available street frontage, with each parking space being considered equivalent to 22 feet in length without interruption and exclusive of designated no-parking areas.

Based on the above staff feels that any application that cannot meet this requirement should address the exception to street standard approval criteria.

Other

- Prior to a final application the applicant will be required to schedule appearances before both the **Transportation Commission** for their input, as well as the **Housing and Human Services commission. TID / Billings Siphon**
- The applicant should contact both TID and BoR to understand the restrictions that relate to the billings siphon

- **Road Name** The applicant should consult with the Public Works Dept. regarding the extension of North Main and whether it should change names to Wildcat or continue as North Main.
- **Lot coverage** will need to be met with individual lot development. The Zone allows for 45% Lot coverage.

Fire Code / Evacuation

The following remarks are from the Fire Marshal: For subdivisions with 30 or more units, two fire apparatus access roads are required with remoteness. The exception is if all of the houses are sprinklered. Based on the grade of the road Fire will be asking for all homes to be sprinklered regardless (Uniform Alternate Construction Standard). If they sprinkler all of the homes, Fire can't require a second access road even though we would like one.

The Emergency Manager also suggested that a plan ought to be developed for a second way out (north across the railroad) in the future as concerns regarding evacuation will persist.

D107.1 One- or two-family dwelling residential developments.

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

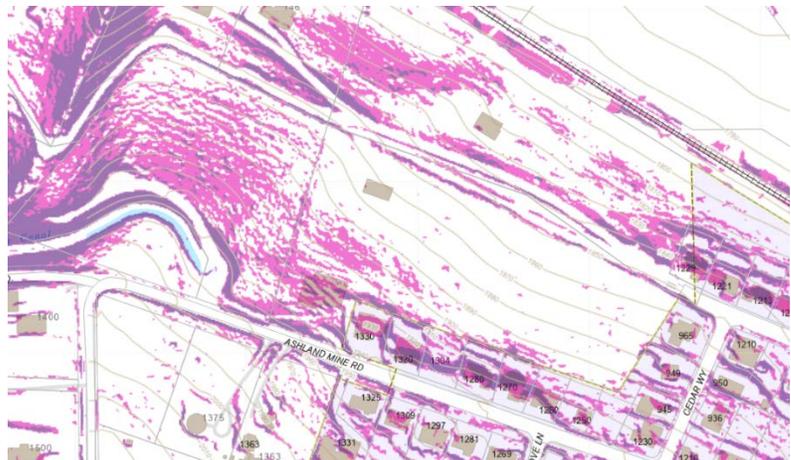
- 1. Where there are more than 30 dwelling units accessed from a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.*
- 2. The number of dwelling units accessed from a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.*

D106.3 Remoteness.

Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

Topography / Future Physical & Environmental Constraints permit required for some lots.

Shown below is topography for the subject parcels. The light shaded purple represents slopes between 25-35%. A final application will need to include slope analysis for site with slopes greater than 25%. All building envelopes will be required to be outside of lands sloped greater than 35-percent



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, the Performance Standards Options chapter, and more broadly in terms of the discretion in Annexations, and any tree removal should be carefully considered.

There do not appear to be any trees on the subject lot that are above 6" DBH, however if there are they will require a tree removal permit.

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.

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 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

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.

COMPLETE APPROVAL CRITERIA

18.3.9.040.A.3 Approval Criteria for Outline Plan.

3. Approval Criteria for Outline Plan. The Planning Commission shall approve the outline plan when it finds all of the following criteria have been met:

- a. The development meets all applicable ordinance requirements of the City.
- b. Adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection, and adequate transportation; and that the development will not cause a City

facility to operate beyond capacity.

- c. The existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the common open space, common areas, and unbuildable areas.
- d. The development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.
- e. There are adequate provisions for the maintenance of common open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.
- f. The proposed density meets the base and bonus density standards established under this chapter.
- g. The development complies with the street standards.
- h. The proposed development meets the common open space standards established under section [18.4.4.070](#). Common open space requirements may be satisfied by public open space in accordance with section [18.4.4.070](#) if approved by the City of Ashland.

18.5.8.050 Annexation 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, unless reductions in the total number of units are necessary to accommodate significant natural features, topography, access limitations, or similar physical constraints. The owner or owners of the annexed area shall sign an agreement, to be recorded with the County Clerk after approval of the annexation, ensuring that future development will occur in accord with the minimum density indicated in the development plan. For purposes of computing maximum density, portions of the annexed area containing unbuildable lots, parcels, or portions of the annexed area such as existing streets and associated rights-of-way, railroad facilities and property, wetlands, floodplain corridor lands, slopes greater than 35 percent, or land

area dedicated as a public park, shall not be included.

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 requirements:

1. The total number of affordable units provided to qualifying buyers, or to qualifying renters, shall be equal to or exceed 25 percent of the base density as calculated using the unit equivalency values set forth herein. The base density of the annexed area for the purpose of calculating the total number of affordable units in this section shall exclude any unbuildable lots, parcels, or portions of the annexed area such as existing streets and associated rights-of-way, railroad facilities and property, wetlands, floodplain corridor lands, water resource areas, slopes greater than 35 percent, or land area dedicated as a public park.

a. Ownership units restricted to households earning at or below 120 percent of the area median income shall have an equivalency value of 0.75 unit.

b. Ownership units restricted to households earning at or below 100 percent of the area median income shall have an equivalency value of 1.0 unit.

c. Ownership or rental units restricted to households earning at or below 80 percent of the area median income shall have an equivalency value of 1.25 unit.

2. As an alternative to providing affordable units per section [18.5.8.050.G.1](#), above, the applicant may provide title to a sufficient amount of buildable land for development complying with subsection [18.5.8.050.G.1.b](#), above, through transfer to a non-profit (IRC 501(3)(c)) affordable housing developer or public corporation created under ORS [456.055](#) to [456.235](#).

a. The land to be transferred shall be located within the project meeting the standards set forth in sections [18.5.8.050.G.5](#) and [18.5.8.050.G.6](#).

b. All needed public facilities shall be extended to the area or areas proposed for transfer.

c. Prior to commencement of the project, title to the land shall be transferred to the City, an affordable housing developer which must either be a unit of government, a non-profit 501(c)(3) organization, or a public corporation created under ORS [456.055](#) to [456.235](#).

d. The land to be transferred shall be deed restricted to comply with Ashland's affordable housing program requirements.

e. Transfer of title of buildable land in accordance with this subsection shall exempt the project from the development schedule requirements set forth in subsection [18.5.8.050.G.4](#).

3. The affordable units shall be comparable in bedroom mix with the market rate units in the development.

a. The number of bedrooms per dwelling unit in the affordable units within the residential development shall be in equal proportion to the number of bedrooms per dwelling unit in the market rate units within the residential development. This provision is not intended to require the same floor area in affordable units as compared to market rate units. The minimum square

footage of each affordable unit shall comply with the minimum required floor area based as set forth in Table [18.5.8.050.G.3](#), or as established by the U.S. Department of Housing and Urban Development (HUD) for dwelling units developed under the HOME program.

Table 18.5.8.050.G.3. omitted

4. A development schedule shall be provided that demonstrates that the affordable housing units per subsection [18.5.8.050.G](#) shall be developed, and made available for occupancy, as follows:
 - a. That 50 percent of the affordable units shall have been issued building permits prior to issuance of a certificate of occupancy for the last of the first 50 percent of the market rate units.
 - b. Prior to issuance of a building permit for the final ten percent of the market rate units, the final 50 percent of the affordable units shall have been issued certificates of occupancy.
5. That affordable housing units shall be constructed using comparable building materials and include equivalent amenities as the market rate units.
 - a. The exterior appearance of the affordable units in any residential development shall be visually compatible with the market rate units in the development. External building materials and finishes shall be substantially the same in type and quality for affordable units as for market rate units.
 - b. Affordable units may differ from market rate units with regard to floor area, interior finishes and materials, and housing type; provided, that the affordable housing units are provided with comparable features to the market rate units, and shall have generally comparable improvements related to energy efficiency, including plumbing, insulation, windows, appliances, and heating and cooling systems.
6. Exceptions to the requirements of subsections [18.5.8.050.G.2](#) through [18.5.8.050.G.5](#), above, may be approved by the City Council upon consideration of one or more of the following:
 - a. That an alternative land dedication as proposed would accomplish additional benefits for the City, consistent with the purposes of this chapter, than would development meeting the on-site dedication requirement of subsection [18.5.8.050.G.2](#).
 - b. That the alternative phasing proposal not meeting subsection [18.5.8.050.G.4](#) provided by the applicant provides adequate assurance that the affordable housing units will be provided in a timely fashion.
 - c. That the materials and amenities applied to the affordable units within the development, that are not equivalent to the market rate units per subsection [18.5.8.050.G.5](#), are necessary due to local, state, or federal affordable housing standards or financing limitations.
7. The total number of affordable units described in this subsection shall be determined by rounding up fractional answers to the nearest whole unit. A deed restriction or similar legal instrument shall be used to guarantee compliance with affordable criteria for a period of not less than 60 years for units qualified as

affordable rental housing, or 30 years for units qualified as affordable for-purchase housing.

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.

OTHER ORDINANCE REQUIREMENTS: See AMC Table 18.2.5.030.A. – Standards for Urban Residential Zones

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.

PUBLIC WORKS: See Public Works remarks at end of document. 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: 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: Please contact Rick Barton in the Electric Department for service and meter location requirements and fee information at (541) 552-2082. A preliminary electric service plan approved by the Electric Department is required with the application.

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.

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 |
| ○ Approval Criteria for Outline Plan | AMC 18.3.9.040.A.3 |
| ○ Street Exception | AMC 18.4.6.020.B |
| ○ 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 |
| ○ Application Submissions PSO Outline | AMC 18.3.9.040.A.2 |
| ○ 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
PSO Outline Plan (Type II)	\$2,756.25 + \$176 per lot

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

March, 19, 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 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.

- ODOT will need to review and approve any improvements in the ODOT right-of-way. City of Ashland must obtain a copy of any ODOT approvals and/or permits that are granted before any work in the ODOT right-of-way begins.

3. TIA (Transportation Impact Analysis) – All land use actions that either propose direct or indirect access to a State highway or a boulevard will need to provide the City of Ashland with the information outlined below. The governing jurisdiction will then inform ODOT of the intended land use action and provide pertinent review material. These guidelines are intended to ensure that developments do not negatively impact the operation and/or safety of the roadway.

A. Applicants must submit a preliminary site plan for review to the City of Ashland, prior to the pre-application conference. At a minimum, the site plan shall illustrate:

1. The location of existing access point(s) on both sides of the road within 500 feet in each direction for Category 4 segments or 5 lane boulevards, and 300 feet for Category 5 segments and 3 lane arterials.

2. Distances to neighboring constructed public access points, median openings, traffic signals, intersections, and other transportation features on both sides of the property (this should include the section of roadway between the nearest upstream and downstream collector).
 3. Number and direction of site access driveway lanes to be constructed, as well as an internal signing and striping plan.
 4. All planned transportation features on the State highway/boulevard (such as auxiliary lanes, signals, etc.).
 5. Trip generation data or appropriate traffic studies (See the following section for the state's traffic impact study requirement thresholds.).
 6. Parking and internal circulation plan.
 7. Plat map showing property lines, right of way, and ownership of abutting properties.
 8. A detailed description and justification of any requested access variances.
- B. Proposed land use actions, new developments, and/or redevelopment accessing a State highway/boulevard, directly or indirectly (via collector or local streets), will need to provide traffic impact studies to the respective local reviewing jurisdiction(s) and ODOT if the proposed land use meets one or more of the following traffic impact study thresholds. A traffic impact study will not be required of a development that does not exceed the stated thresholds.
1. Trip Generation Threshold: 50 newly generated vehicle trips (inbound and outbound) during the adjacent street peak hour.
 2. Mitigation Threshold: Installation of any traffic control device and/or construction of any geometric improvements that will affect the progression or operation of traffic traveling on, entering, or exiting the highway.
 3. Heavy Vehicle Trip Generation Threshold: 20 newly generated heavy vehicle trips (inbound and outbound) during the day.
- All traffic impact studies will need to be prepared by a registered professional engineer in accordance with ODOT's development review guidelines.
- C. Traffic Impact Study Requirements
1. The following is a summary of the Oregon State Highway minimum requirements for a traffic report. ODOT views the following requirements as the minimum considerations to be dealt with by Professional Traffic Engineering Consultants in their analysis of traffic impacts resulting from new developments adjacent to State highways.
 2. The analysis shall include alternates other than what the developer originally submits as a proposal for access to state highways, city streets, and county roads.
 3. The analysis of alternate access proposals shall include:
 - (i) Existing daily and appropriate design peak hour counts by traffic movements, at intersections which would be affected by traffic generated by the development (use traffic flow diagrams).
 - (ii) Projected daily and appropriate design peak hour volumes for these same intersections, and at the proposed access points after completion of the development. If the development is to be constructed in phases, projected traffic volumes at the completion of each phase should be determined.
 - (iii) Trip Generation shall be calculated using the Institute of Transportation Engineers' manual "TRIP GENERATION 5th Edition" or other, more current, and/or applicable information.
 - (iv) A determination of the need for a traffic signal based on warrants in the "Manual on Uniform Traffic Control Devices."

4. The recommendations made in the report should be specific and shall be based on a minimum level of service “D” when the development is in full service. As an example, if a traffic signal is recommended, the recommendations should include the type of traffic signal control and what movements should be signalized. If a storage lane for right turns or left turns is needed, the recommendations should include the amount of storage needed. If several intersections are involved for signalization, and an interconnect system is considered, specific analysis should be made concerning the progression of traffic between intersections.
5. The internal circulation of parking lots must be analyzed to the extent that it can be determined whether the points of access will operate properly.
6. The report shall include an analysis of the impacts to neighboring driveway access points and adjacent streets affected by the proposed new development driveways.
7. The report should include a discussion of bike and pedestrian usage and the availability of mass transit to serve the development.

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. The applicant’s proposed improvements must be reviewed and permitted by the City of Ashland Engineering Department.

6. Public Pedestrian Access – A handicap access ramp will be required at the newly proposed intersections. Where handicap access ramps are required as part of a proposed project, the ramps shall meet current United States Access Board Public Rights-of-Way Accessibility Guidelines (PROWAG) and shall be designed in accordance with the current Oregon Department of Transportation design guidance. Use of the ODOT Standard Drawings for curb ramps as guidance for design is recommended. However, a curb ramp detail sheet, similar to ODOT DET 1721-Example of Minimum Curb Ramp Details, is required for each curb ramp corner that is being proposed. Referencing standard drawings for curb ramps in plans in lieu of curb ramp detail sheets is no longer acceptable. An ODOT ADA Curb Ramp Design Checklist shall also be completed and submitted with the civil design drawings. If the following items are not submitted with the civil design drawings the City of Ashland Engineering Department will view the submittal as incomplete.

Required ADA submittals:

- a. ODOT ADA Curb Ramp Design Checklist
- b. Curb Ramp Detail, similar to ODOT DET 1721, for each proposed curb ramp

7. 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.

8. Sanitary Sewer - The property is currently served by a 6-in sanitary sewer main in N Main Street. The applicant proposed improvements must be reviewed, approved and permitted by the City of Ashland Engineering Department.

9. Water - The property is currently served by a 4-in water main in N Main Street and 6-in water main in Ashland Mine Road. 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.

10. Storm Drainage - The property is currently served by an 8-in storm sewer main in N Main Street. 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.

11. 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.

12. Sign & Traffic Control Devices– Sign installation and visibility MUST be maintained to the requirements of the Manual of Uniform Traffic Control Devices (MUTCD). The applicant proposed signage must be reviewed and approved by the City of Ashland Engineering Department.

13. Street Names – Any new street names must be approved by the City of Ashland Engineering Department and Planning Department. The proposal to change the continuation of N. Main Street to Wildcat Lane needs to be addressed as it does not make sense to change street names as proposed. Would make more sense to use Wildcat Lane on new proposed street.



AF&R Pre-Application Report

PreApp/Land Development Review Inspection Result

Inspected by
Mark Shay

Completed at
03/13/2025 13:44:43

Address	Suite	City	State	Zip
455 SISKIYOU BLVD	Land Development (No Address)	ASHLAND	OR	97520
Business Name				
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This project is approved with the conditions noted below. This plan review is based on information provided only. Fire department comments are based upon the 2022 Oregon Fire Code as adopted by the Ashland Municipal Code, and Ashland Land Use Laws. This plan review shall not prevent the correction of errors or violations that are found to exist during construction.

Information:

ITEM: LD File #:

RESULT: PREAPP-2025-00462

ITEM: Applicant:

RESULT: Rogue Planning & Development

ITEM: Site Name:

RESULT: 1348 and 1382 Ashland Mine Road

ITEM: LD Description:

RESULT: Annexation with a conceptual layout of a 43 lot subdivision.

Address Identification:

✘ Correction Required

ITEM: Address Numbers Provided?

REMARK:

Homes will be required to have address identification per OFC 505.1.

CODE: OFC - 505.1 - Address identification. - New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

Water Supply:

✘ Correction Required

ITEM: Fire Hydrants Provided?

REMARK:

The installation of hydrants per AMC 15.28.070(G) will be required.

CODE: AF&R - AF&R 5 - Fire hydrant installation timing - When fire hydrants are required, the approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site. In addition, blue reflective fire hydrant markers are required to be installed on the road surface to identify fire hydrant locations at night. Plans and specifications for fire hydrant system shall be submitted to Ashland Fire & Rescue for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).

AF&R - AF&R 8 - Fire Hydrants/Reflectors - Fire hydrants with reflectors will be required for this project. Hydrants must have 3 feet of clearance extending from the center nut of the hydrant all the way around (OFC 507.5.5). Fences, landscaping, and other items may not obstruct the hydrant from clear view. Hydrants must be shown on site plan when submitting for building permits.

AF&R - AF&R 7 - Fire Hydrant Distance to Structures - Hydrant distance is measured from the hydrant, along a driving surface, to the approved fire apparatus operating location. Hydrant distance shall not exceed 300 feet. Hydrant distance can be increased to 600 feet if approved fire sprinkler systems are installed.

Fire Department Road Access:

✘ Correction Required

ITEM: Road Grade within Limits?

REMARK:

Road grades that exceed 10% provide inadequate fire apparatus access per OFC D103.2. The installation of NFPA 13D sprinklers throughout all newly constructed structures may be an acceptable alternative per OFC D108.1.

CODE: OFC - 2022 - D103.2 - Road Grade - Fire apparatus access roads shall not exceed 10 percent in grade.

Exception: Grades steeper than 10 percent as approved by the fire code official.

AF&R - AF&R 24 - Fire Sprinkler System - The installation of a fire sprinkler system may be an acceptable means to mitigate deficiencies related to other fire requirements such as fire flow, hose reach, fire lane width, fire apparatus turn-around, distance to fire hydrants, and fire department work areas.

AF&R - OAR 918-480-0125; OFC 503; OFC - Alternate Method of Protection Construction Standard (Home Fire Sprinkler System - The determination has been made that this project does not meet fire apparatus access requirements as set forth in the Oregon Fire Code section 503. The Building Official has been advised that an alternate method of protection construction standard (home fire sprinkler system) will be required in lieu of the deficiency.

✘ Correction Required

ITEM: Fire Apparatus Access Roads - 1 & 2 Family Development?

REMARK:

Per OFC D107.1, for developments exceeding 30 units two fire apparatus access roads shall be provided. OFC D107.2 provides the requirement for remoteness of the two required fire apparatus access roads. As per OFC D107.1 exception #1, if all dwelling units are equipped with an approved automatic sprinkler system, access from two directions shall not be required.

CODE: OFC - 2022 - D107.2 - Remoteness - Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses. OFC - 2022 - D107.1 - One- or two-family dwelling residential developments - Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.

Exceptions:

1. Where there are more than 30 dwelling units accessed from a single or public fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.

2. The number of dwelling units accessed from a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

This project/development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site. Specific fire protection systems may be required in accordance with the Oregon Fire Code. Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanical Codes and applicable NFPA Standards. Final determination of fire hydrant distance, fire flow, and fire apparatus access requirements will be based upon plans submitted for Building Permit review. Changes from plans submitted with this application can result in further requirements. Any future construction must meet fire code requirements in effect at that time. The fire department contact for this project is Fire Marshal Mark Shay. He may be contacted at (541) 552-2217 or mark.shay@ashland.or.us.

Ashland Fire & Rescue, 455 Siskiyou Blvd, Ashland OR 97520

541-482-2770 www.ashland.or.us

Type III Procedure

Property specific development which would require an ordinance text amendment;

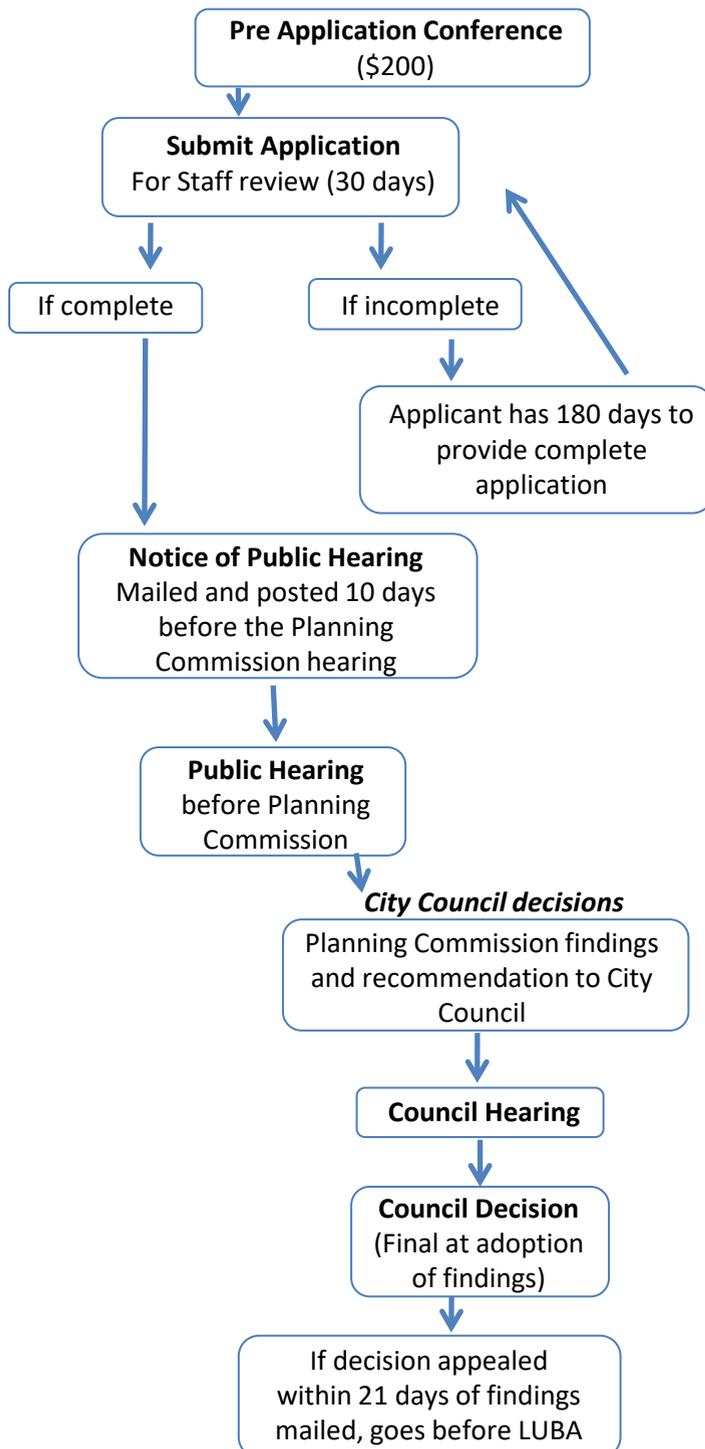
1. Zone Changes or Amendments (\$3,515.75)*
2. Comprehensive Plan Change (\$3,515.75)*
3. Annexation (\$5,288.75)*
4. Urban Growth Boundary (U.G.B.) Amendment (\$5,288.75)*

Planning Comm. decision
 City Council decision

*Fees are cumulative and depend on project specifics.

See AMC 18.5.1.070 for complete information. Contact City of Ashland Community Development Department for any questions or more information. Located at 51 Winburn Way Ashland OR, 97520. 541-488-5305; Planning@ashlandoregon.gov

Priority planning action processing for LEED® certified buildings.



Pre application conference is required and valid for six months. Conferences are Wednesday afternoon, as available. Must be scheduled at least two weeks in advance. Conference may be waived by the Staff Advisor.

The city will review the application and determine if it is complete for not. The City will inform the applicant of any deficiencies within 30 days of application. Fees are paid upon submission of the application.

At least 10 days prior to hearing, the Department will mail and publish notice of hearing. A clearly visible notice shall be posted on the property.

Complete applications are heard at a Planning Commission meeting at least 45 days after N.O.C.A. Public hearing notice must be sent out and posted 10 days before the Planning Commission meeting.

Planning Commission decides zone changes and map amendments. They are subject to City Council appeal.

Planning Commission findings and recommendations are reported to City Council within 45 days of the hearing on U.G.B. amendments and annexations. Council makes final decision.

Staff schedules a hearing and repeats notice mailing and publication. Council holds hearing and makes a decision at that time. The Staff will mail notice of the Council decision to applicant and affected parties. Council decision is final decision of the City at the adoption of findings.

Further appeals are heard by the State Land Use Board of Appeals, (LUBA) www.oregon.gov/LUBA. With adoption of the Regional Plan, U.G.B. Amendments are subject to regional review through the County, and city approval simply agrees to initiate this process.