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*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.*

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**ASHLAND PLANNING DIVISION  
PRE-APPLICATION CONFERENCE  
COMMENT SHEET** August 8, 2025

**SITE:** 639 Tolman Creek Rd.  
**APPLICANT:** Star Collision  
**REQUEST:** Site Design Review

## **PLANNING STAFF COMMENTS:**

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

**Summary:** The application is for a tenant improvement to the existing commercial building at 639 Tolman Creek Rd. for an auto repair facility and associated outdoor storage.



## **CONDITIONAL USE PERMIT**

- “Automotive and Truck Repair, or Service” is a conditionally allowed use in the C-1 zone and therefore requires a CUP.
- “Outdoor Storage of Commodities or Equipment associated with an allowed use” is also a conditionally allowed use.

The criteria of approval for a CUP are essentially: *“That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone”*

- Conditions regarding the number of vehicles and screening / site obscuring fence will be required.
- Conditions regarding the location of the Barb Wire will be required.

## **SPECIAL USE STANDARDS**

### 18.2.3.050 -Automobile and Truck Repair Facility

Where automobile and truck repair facilities are allowed, they are subject to all of the following requirements.

- A. All cars and trucks associated with an automobile or truck repair facility shall be screened from view from the public right-of-way by a total sight-obscuring fence.
- B. Automobile or truck repair facilities of three service bays or larger shall not be located within 200 feet of a residential zone.
- C. Auto body repair and/or painting shall not be located within 200 feet of a residential zone.
- D. Where a use includes auto body repair and/or painting, all objectionable odors associated with the use shall be confined to the lot, to the greatest extent feasible. For the purposes of this provision, the standard for judging "objectionable odors" shall be that of an average, reasonable person with ordinary sensibilities after taking into consideration the character of the neighborhood in which the odor is made and the odor is detected.
- E. The use shall comply with all requirements of the Oregon Department of Environmental Quality.

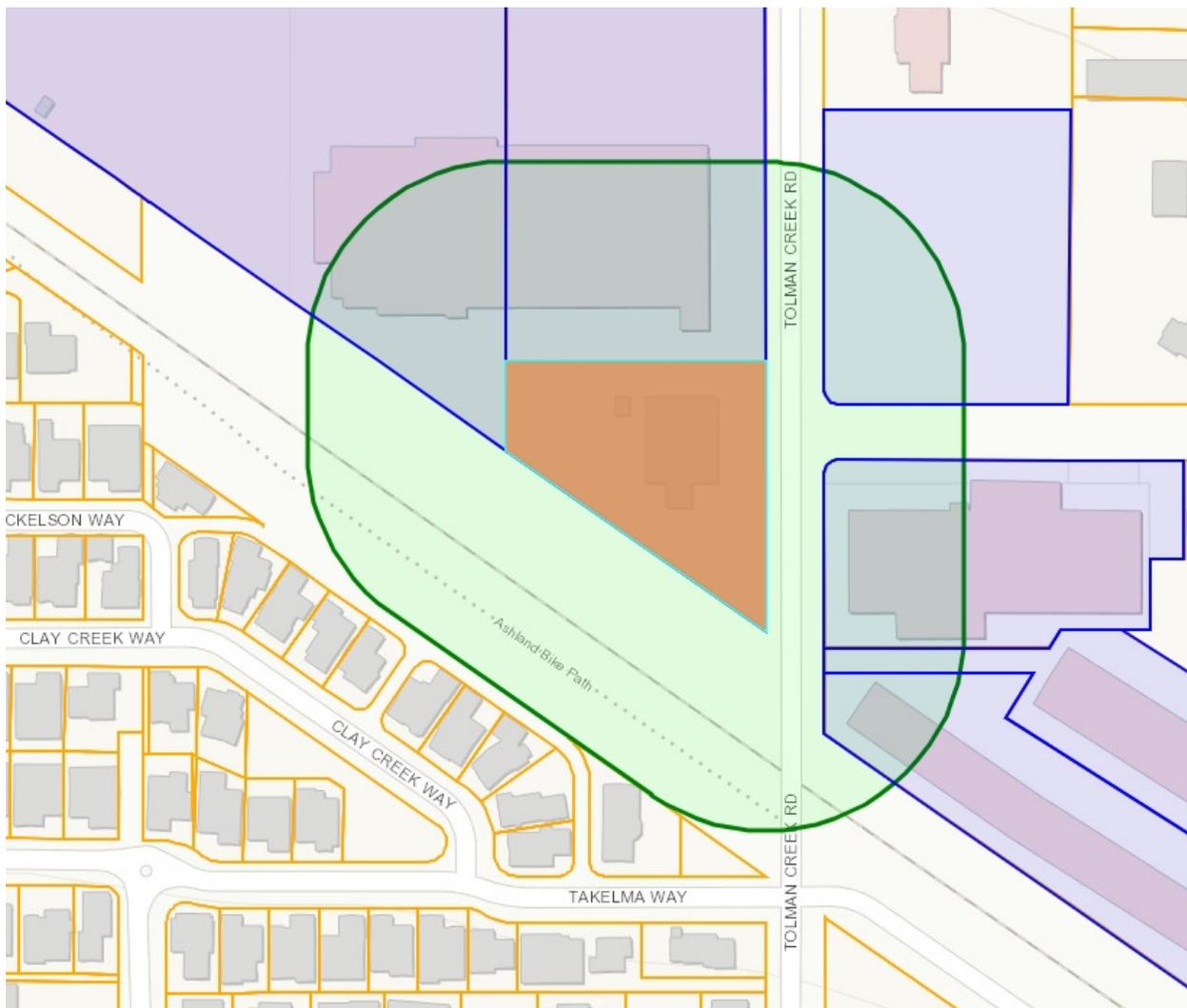


We will support the interpretation that the distance to the next residential lot rather than the zone boundary, however this would also be a point that might fail if there were to be an appeal.

### 18.2.1.030 Determination of Zoning Boundaries

Unless otherwise specified, zoning boundaries are lot lines, the centerlines of streets, and railroad right-of-way, or such lines extended. Where due to the scale, lack of scale, lack of detail or illegibility of the Zoning Map, or due to any other reason, there is uncertainty, contradiction or conflict as to the intended location of a zoning boundary, the Staff Advisor or, upon referral, the Planning Commission or City Council, shall determine the boundary as follows:

**A. Rights-of-Way.** Boundaries that approximately follow the centerlines of a street, highway, alley, bridge, railroad, or other right-of-way shall be construed to follow such centerlines. Whenever any public right-of-way is lawfully vacated, the lands formerly within the vacated right-of-way shall automatically be subject to the same zoning designation that is applicable to lands abutting the vacated areas. In cases where the right-of-way formerly served as a zoning boundary, the vacated lands within the former right-of-way shall be allocated proportionately to the abutting zones.



- Barbed Wire, the code provides the following

AMC 18.45.4.060.B.5 - Restricted Materials. The use of **barbed wire**, razor wire, electrified wire, and similar security fencing materials shall be restricted as follows.

- Such materials shall not be located adjacent to a sidewalk, a public way, **or along the adjoining property line of another person.**
- Such materials shall **not be erected or maintained at less than 6 ½ feet** above grade.
- Such materials may be located in commercial, employment, or industrial lands if not visible from the public right of way, or with approval from the Community Development Director on properties deemed to be hazardous or in need of additional security

An application for a CUP should provide specific detail on the height and location of the fencing that is proposed to have barb wire so that this can be memorialized in the planning application.

**Target Use of the Zone:** General retail commercial uses developed at an intensity of 0.50 floor to area ratio within the Detailed Site Review overlay

1.08 acre > 47,044 sq ft. x 0.5 = 23,522 sq. ft.

10-50 trips per KSF dependent on use.

Furniture store	23.5 x 10 = 235
Discount Retail	23.5 x 50 = 1175

- That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone
  - Similarity in scale, bulk, and coverage.
  - Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
  - Architectural compatibility with the impact area.
  - Air quality, including the generation of dust, odors, or other environmental pollutants.
  - Generation of noise, light, and glare.
  - The development of adjacent properties as envisioned in the Comprehensive Plan.
  - Other factors found to be relevant by the approval authority for review of the proposed use.

## SITE DESIGN REVIEW

- “New structures, additions, or expansions in C-1, E-1, HC, CM, and M-1 zones.” Require Site Design Review (AMC 18.5.2.020)

The approval criteria for Site Design Review include five items which are summarized as follows:

- 1) The proposal complies with the underlying zone (part 18.2).
- 2) The proposal complies with applicable overlay zone (part 18.3)
- 3) The proposal complies with Site Development and Design Standards (part 18.4)
- 4) The proposal complies with the requirements for City Facilities in section 18.4.6
- 5) Addresses any required Exception to the Site Development and Design Standards.

AMC 18.4.2.040.B.6. Expansion of Existing Sites and Buildings. For sites that do not conform to the standards of section 18.4.2.040 (i.e., nonconforming developments), an equal percentage of the site must be made to comply with the standards of this section as the percentage of building expansion. For example, if a building area is expanded by 25 percent, then 25 percent of the site must be brought up to the standards required by this document.

In looking at the site some improvements in the landscaping and installation of additional trees would go a long way to bringing the site into greater conformance.

## SIGN PERMITs

While there is no requirement to process proposed signs with Site Design Review doing so can help alleviate considerable headache down the road as COA’s sign regulations can be seen as restrictive.

- The property is within the newly adopted **Climate Friendly Area (CFA)**.
- **Walkable Design Standards** will be adopted shortly and will require additional design considerations, including additional windows (50% glazing), and awning / overhangs for a prescribed amount of the building frontage. These will be adopted sometime this summer.
- The proposed building will need to meet **Detail Site Review** standards as well as **Additional Standards for Large Scale Development**
- The proposed building does not appear to meet the requirements of a 0.5 Floor to Area ratio (FAR). *Would you consider a second story? Apartments?*
- The land use ordinance no longer has minimum parking requirements but there are maximums. Where automobile parking is voluntarily provided, it must meet the requirements of 18.4.3.
- <https://ashlandoregon.gov/1053/Change-of-UseOccupancy>

## Site Development and Design Standards

### PART 18.4 – Site Development and Design Standards

#### 18.4.2 Building Placement, Orientation, and Design

##### 18.4.2.040 Non-Residential Development

##### B. Basic Review Standards

##### **C. Detail Site Review**

##### **D. Additional Standards for Large Scale Development**

#### 18.4.3 Parking, Access, and Circulation

#### 18.4.4 Landscaping, Lighting, and Screening

#### 18.4.5 Tree Preservation and Protection

#### 18.4.6 Public Facilities

#### 18.4.7 Signs

### **within the Detail Site Review zone the following standards apply (paraphrased):**

- Building shall have their primary orientation to the street and not a parking area, and automobile circulation and parking are not allowed between buildings and the street. Parking is to be located behind buildings or to one side.
- Building entrances are to be oriented to the street and accessed from a public sidewalk.
- Building entrances are to be within 5 feet of the right of way.
- Buildings shall have a minimum floor area ratio of 0.50. Site of one-half acre or more in size may propose a shadow plan to address the floor area ratio.
- Buildings greater than 100 feet in length shall have off-sets, jogs or other distinctive changes in the building façade.
- Any wall within 30 feet of the street, plaza or other public open space shall contain at **least 20 percent of the wall area facing the street in display areas, windows or doorways.**
- Buildings shall incorporate lighting, changes in mass, surface or finish to give emphasis to entries.
- Buildings shall incorporate arcades, roofs, alcoves, porticoes, and awnings that protect pedestrians from rain and sun.
- Building shall include changes in relief such as cornices, bases, fenestration and fluted masonry for at least 15 percent of the exterior wall area.
- Large building masses are to be divided into heights and sizes that relate to the human scale with changes in mass or direction, sheltering roofs, or with a distinct pattern of division on surfaces, windows, trees and small scale lighting.
- One square foot of plaza or public space is to be provided for every ten feet of gross floor area, and must incorporate at least four of six requisite elements which include: seating, mixture of areas that provide sun and shade, protection from wind, trees, water features or public art, and outdoor eating areas or food vendors.

**Written Findings/Burden of Proof:** Applicants should be aware that written findings addressing the ordinance and applicable criteria are required, and are heavily depended on when granting approval for a planning action.

Findings must identify the relevant approval standards, (2) set out the facts which are believed and relied upon, and (3) explain how those facts lead to the decision on compliance with the approval standards. Heiller v. Josephine County, 23 Or LUBA 551 (1992).

#### **Site Design Review Approval Criteria**

The application submittal would need to address the criteria for Site Design Review and the applicable Site Development and Design Standards:

- A. Underlying Zone.** The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.
- B. Overlay Zones.** The proposal complies with applicable overlay zone requirements (part 18.3).
- C. Site Development and Design Standards.** The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.
- D. City Facilities.** The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.
- E. Exception to the Site Development and Design Standards.** The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.

#### **CUP Approval Criteria**

- A. Approval Criteria.** A Conditional Use 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.
  - 1. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.
  - 2. That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the development, and adequate transportation can and will be provided to the subject property.
  - 3. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection 18.5.4.050.A.5, below. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.
    - a. Similarity in scale, bulk, and coverage.
    - b. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
    - c. Architectural compatibility with the impact area.
    - d. Air quality, including the generation of dust, odors, or other environmental pollutants.
    - e. Generation of noise, light, and glare.
    - f. The development of adjacent properties as envisioned in the Comprehensive Plan.

- g. Other factors found to be relevant by the approval authority for review of the proposed use.
- 4. A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.
- 5. For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of this subsection, the target uses of each zone are as follows.
  - d. C-1. The general retail commercial uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and within the Detailed Site Review overlay, at an intensity of 0.50 floor to area ratio, complying with all ordinance requirements.
- B. Conditions of Approval. The approval authority may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, one or more of the following.
  - 1. Limiting the hours, days, place, and/or manner of operation.
  - 2. Specifying the period of time within which the proposed use shall be developed.
  - 3. Limiting the duration of use.
  - 4. Requiring site or architectural design features that minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor and/or dust, in addition to the requirements of part 18.4 Site Development and Design Standards.
  - 5. Requiring larger setback areas, and/or building separation.
  - 6. Requiring architectural design features such as building materials, textures, colors, and architectural features that address architectural compatibility with the impact area.
  - 7. Designating the size, number, location, design, and screening of vehicle and pedestrian access points and applicant-proposed parking and loading areas.
  - 8. Requiring street right-of-way to be dedicated and street improvements made, or the installation of pathways or sidewalks, as applicable, consistent with the requirements of chapter 18.4.6 Public Facilities. Alternatively, the City may require the owner sign a non-remonstrance agreement and consent to participate in the costs of providing such improvements, per section 18.4.6.030.
  - 9. Requiring landscaping, screening, drainage, water quality facilities, and/or improvement of parking and loading areas, in addition to the requirements of part 18.4 Site Development and Development Standards.
  - 10. Regulation of building materials, textures, colors, and architectural features.
  - 11. Limiting the number, size, location, height and/or lighting of signs;
  - 12. Limiting or setting standards for the location, type, design, and/or intensity of outdoor lighting.
  - 13. Requiring berms, screening, or landscaping and the establishment of standards for their installation and maintenance.
  - 14. Requiring and designating the size, height, location, and/or materials for fences and walls.
  - 15. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, cultural resources, and/or sensitive lands.
  - 16. Requiring improvements to water, sanitary sewer, or storm drainage systems, in conformance with City standards
  - 17. The approval authority may require renewal of Conditional Use Permits annually or in accordance with another timetable as approved pursuant to this chapter. Where applicable, the timetable shall provide for periodic review and renewal, or expiration, of the Conditional Use Permit to ensure compliance with conditions of approval; such period review may occur through a Type I or Type II review process, pursuant to chapter 18.5.1.

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## OTHER DEPARTMENTS' COMMENTS

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

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

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

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

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

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**PROCEDURE:** Site Review for new buildings or additions greater than 10,000 square feet / longer than 100' is subject to a "Type II" application procedure which requires a decision by the Planning Commission through a public hearing. (Conditional Use Permits for new buildings and Outline Plan approval are also subject to "Type II" procedures.)

1. **Application Form and Fee.** Applications for Type II review shall be made on forms provided by the Staff Advisor. One or more property owners of the property for which the planning action is requested, and their authorized agent, as applicable, must sign the application. The required application fee must accompany the application for it to be considered complete.
2. **Submittal Information.** The application shall include all of the following information.
  - a. The information requested on the application form.
  - b. Plans and exhibits required for the specific approvals sought.
  - c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail.
  - d. Information demonstrating compliance with all prior decision(s) and conditions of approval for the subject site, as applicable.
  - e. The required fee.

The Ashland Land Use Ordinance in its entirety is available on-line at:  
<https://ashland.municipal.codes/LandUse>

**Plan Requirements**

Plans can be submitted electronically (PDF), however if you choose to submit in hard copy then please provide Two (2) *readable* copies of the plans below on paper no larger than 11-inches by 17-inches are required, in addition to at least one full-sized set of plans. Note: The 11x17 copies are used for the Planning Commission packets and for the notices mailed to neighbors. Please submit clear, reproducible copies drawn to a standard scale. The final application submittal need to include scalable drawings with a graphic scale to facilitate review by staff, commissioners and the public.

- the materials required for a Site Design Review application as detailed in LUO 18.5.2.040.**

**Narrative Submittal Requirements:**

Applicants are advised that in addition to required plans, written findings addressing how the ordinance criteria are satisfied in narrative format are required. The applicable criteria are referenced below:

- written findings addressing the approval criteria for Site Design Review, as detailed in LUO 18.5.2.050. Exceptions to the Site Development and Design Standards are addressed in these criteria as well.**

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**UPCOMING APPLICATION DEADLINES:** First Friday of each month  
**UPCOMING PC MEETINGS:** Second Tuesday of each month

<b>FEES:</b>	Commercial Site Review (Type I)	\$1,349.60 + ½ % of valuation
	Conditional Use Permit (Type I)	\$1,349.60
	Tree Removal Permits/Exceptions	\$0

**\*NOTE:**

- o *Building valuation is based on the building valuation data table maintained in state building code.*
- o *Applications are accepted on a first come-first served basis.*
- o *All applications received are reviewed by staff, and must be found to be complete before being processed or scheduled at a Planning Commission meeting.*
- o *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.*
- o *Applications are reviewed for completeness in accordance with ORS 227.178.*
- o *Applications submitted are processed in the order received, and complete actions are scheduled at the next available Planning Commission meeting.*

**For further information, please contact:**

Aaron Anderson, *Senior Planner*  
 City of Ashland, Department of Community Development  
 Phone: 541-552-2052 or e-mail: [aaron.anderson@ashland.or.us](mailto:aaron.anderson@ashland.or.us)

August 8, 2025  
 Date