
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** December 3, 2025

SITE: 256 N Laurel Street
APPLICANT: Rogue Planning for Eric &
Emily Strong Trust
REQUEST: Middle Housing Land Division

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 proposal is for a middle housing land division (MHLD) to partition the existing lot into two "MHLD lots" through a MHLD-specific process which allows for lots to be created without meeting minimum dimension or area requirements. The lots created remain units of the parent development, with lot coverage, setbacks, etc. based on the parent parcel. As a tradeoff for creating these MHLD lots in established single family neighborhoods, city standard street frontage improvements are required to be installed, where applicable. As proposed, the main points of focus for the MHLD are whether or not street improvements are required on the unnamed alley, identifying setbacks for the zone and demonstrating that structures on the lot meet the Oregon Residential Specialty Code.

Middle Housing Land Divisions Preliminary Plat Approval Process [AMC 18.5.3.140](#).

1. Approval Criteria. *The Staff Advisor shall approve a middle housing land division preliminary plat upon finding:*

- a. *The parent parcel is developed with middle housing allowed under ORS [197.758\(3\)](#) or the application for a middle housing land division is being made concurrently with a building permit application for construction of middle housing under ORS [197.758\(3\)](#) on the parcel.*
- b. *Each resulting middle housing lot or parcel shall contain no more than one middle housing dwelling unit except for lots, parcels, or tracts proposed as common area.*
- c. *Accessory residential units (ARU) are not permitted on middle housing lots or parcels created under this section.*
- d. *Each lot is served with its own separate utilities.*
- e. *All easements necessary for each middle housing dwelling unit shall be identified on the plat. Easements shall be provided to ensure:*
 - i. *Provision of and access for maintenance and replacement of all utilities;*
 - ii. *Pedestrian access from each dwelling unit to a public or private street;*
 - iii. *All dedicated driveways, parking, common use areas or shared building elements and dedicated common areas can be accessed and used.*
- f. *Evidence submitted by the applicant demonstrates how buildings or structures on the resulting lots or parcels will comply with applicable building codes provisions relating to new property lines and, notwithstanding the creation of new lots or parcels, how structures or buildings located on the newly created lots or parcels will comply with the Oregon Residential Specialty Code.*

Tree Preservation/Protection/Removal: While the application for an MHLD is not a land use action, tree removal permitting requirements apply for all vacant R-3 properties under AMC 18.5.7.040. If any trees over 6” diameter at breast height (DBH) are proposed to be removed prior to the construction of the duplex on this site, they would be subject to a separate tree removal permit.

Development Standards for Wildfire Lands (AMC 18.3.10.100): The property is located within the designated Wildfire Lands Overlay. As a result, a Fire Prevention and Control Plan, prepared at the same scale as the building permit plans, addressing the General Fuel Modification Area requirements in AMC 18.3.10.100.B is required. Additionally, any new landscaping proposed is required to meet the General Fuel Modification Area standards and not include plants listed on the Prohibited Flammable Plant List per Resolution 2018-028.

Public Facilities: The application will need to identify existing and proposed public facilities including water, sewer, electric, and storm water. Capacity of the existing facilities should be addressed and necessary upgrades identified. Connection locations and routes of all lines should be addressed in the application submittal as well, with particular attention to how the trenching of utility lines may effect trees. Each lot is required to be served by its own separate utilities, and necessary easements will need to be identified in the MHLD application.

Street Improvements & Paving: This property is accessed via an unnamed alley off N Laurel Street. N Laurel Street is fully improved from W Hersey Street south to the intersection with the alley. The majority of the unnamed alley is also paved, including in front of the subject property. The existing improvements in place satisfy the requirements for an MHLD.

Setbacks: For standard shaped lots, setbacks include fifteen (15) feet for front yards or twenty (20) feet for front-facing garages; six (6) feet for side yards; ten (10) feet per story and five (5) feet per half-story for rear yards. For this irregularly shaped lot, the rear lot line is identified as, “*a line ten feet in length within the lot parallel to and at a maximum distance from the front lot line*” which would mean the property line parallel to the railroad on the northeast side, as well as the west and east property lines are all considered a “side” yard instead of rear, as shown in the proposal. In addition, the setbacks must comply with the solar access requirements (*the railroad to the north will fulfill the solar requirements*).

Easements: All easements necessary for each middle housing dwelling unit shall be identified on the plat. Easements shall be provided to ensure access for maintenance and replacement of all utilities; pedestrian access from each dwelling unit to a public or private street; and all dedicated driveways, parking, common use areas or shared building elements and dedicated common areas can be accessed and used.

Building Permits: Evidence will need to be provided with the MHLD application submittal demonstrating that as proposed, structures on the newly created lots will comply with the Oregon Residential Specialty Code. This would likely mean providing building permit submittals prior to or concurrent with the application submittal.

Neighborhood Outreach: Projects involving changes to established neighborhood patterns can be a concern for neighbors, and staff always recommends that applicants approach the affected neighbors, make them aware of the proposal, and try to address any concerns as early in the process as possible. Notices are sent to neighbors within a 100-foot radius of the property.

Written Findings/Burden of Proof: Applicants should be aware that written findings addressing the ordinance and all applicable criteria are required for granting approval. In addition, the required plans are explained in writing below. The burden of proof is on the applicant(s) to ensure that all applicable criteria are addressed in writing and that all required plans, written findings, and other materials are submitted

even if those items were not discussed in specific, itemized detail during this initial pre-application conference.

OTHER DEPARTMENTS' COMMENTS

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

ENGINEERING DEPT: See comments at the end of this document. Please contact Karl Johnson of the Engineering Division for any further information at 541-552-2415 or via e-mail to karl.johnson@ashland.or.us.

FIRE DEPARTMENT: No specific comments provided. Please contact Fire Marshal, Mark Shay with Ashland Fire & Rescue for any Fire Department-related information at 541-552-2217 or via e-mail to mark.shay@ashland.or.us.

CONSERVATION: For information on currently available Conservation programs, please contact the City of Ashland Conservation Division at (541) 552-2062 or e-mail Dan.Cunningham@ashland.or.us. Conservation staff are available to provide any further information or assistance on these programs.

WATER AND SEWER SERVICE: Please Contact Steve Walker at 541-552-2326 or via e-mail to walkers@ashland.or.us with any questions regarding water utilities.

ELECTRIC SERVICE: Please contact Rick Barton in the Electric Department at (541) 552-2082 to discuss service requirements and fees.

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UNDERLYING ZONE PROVISIONS (18.2.5.030.A.)

ZONING: R-3, High Density Residential with a 5,000 square foot minimum lot size for one or two dwellings. Minimum lot width is 50 feet. Minimum lot depth of 80 feet. MHLD's do not have minimum area or dimensional requirements for lots resulting from an MHL D.

OVERLAYS: The property is located in the wildfire lands overlay.

SETBACKS: Eight (8) feet for unenclosed porches, fifteen (15) feet for front yards, and twenty (20) feet for front-facing garages; six (6) feet for side yards; ten (10) feet per story and five (5) feet per half-story for rear yards. In addition, the setbacks must comply with the solar access requirements (*the railroad to the north will fulfill the solar requirements*).

LOT COVERAGE: A maximum of 65 percent of the lot may be covered with impervious surface. Please identify on site plan and in text all areas of landscaping, impervious surface, patio space, outdoor recreational space, etc.

PROCEDURE: A Middle Housing Land Division is not a land use action or limited land use action. A duplex is an outright permitted use in this zone and does not require land use approval.

Application Requirements. The application is required to include: 1) clear, legible, scalable drawings of the proposal (i.e. plan requirements), and 2) written findings addressing the applicable approval criteria in accordance with the Ashland Land Use Ordinance (ALUO), Chapter 18 of the Ashland Municipal Code.

The following sections include the requirements for plans and approval criteria which are applicable to the proposal as described in the pre-application submittals. All submittals must also include:

1. **Application Form and Fee.** Applications for Type I 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 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.

1. PLAN & EXHIBIT REQUIREMENTS: *One digital copy of the plans OR one (1) copy of the plans below on paper no larger than 11"x 17". Note: These copies may be used for the Planning Commission packets and for the notices mailed to neighbors - please submit clear, readable, reproducible copies.*

- One (1) Copy of the preliminary plat as required in section [18.5.3.140](#).
- One (1) Copy of proposed building permit plans

2. RELEVANT CRITERIA AND STANDARDS: *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 included below. The Ashland Land Use Ordinance in its entirety may be accessed on-line at: http://www.ashland.or.us/SIB/files/AMC_Chpt_18_current.pdf*

- One (1) copy of written findings addressing the preliminary partition plat criteria found in section [18.5.3.140](#).

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FEES (non-refundable):

Middle Housing Land Division (MHLD)	\$1,349.60
Tree removal – at time of building permit	\$102.60 (if applicable)

***NOTE:** Applications are accepted on a first-come-first-served basis. All applications received are reviewed by staff 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. The first fifteen COMPLETE applications submitted are processed at the next available Planning Commission meeting.

For further information, please contact:

Veronica Allen, *Associate Planner*

City of Ashland, Department of Community Development

Phone (541) 552-2042 or e-mail veronica.allen@ashland.or.us

December 3, 2025

Date

Please see attached Warning for Scammers attempting to collect Payment for your application.

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.
 3. Right-of-Way – No additional right-of-way dedication, beyond that necessary to comply with City Street Standards, will be required at this time.
 4. Street Improvement – No additional street improvements, beyond those necessary to comply with City Street Standards, will be required at this time.
 5. 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.
 6. Sanitary Sewer - The property is currently served by a 6-in sanitary sewer main in the alleyway adjacent to the southerly property line. The applicant proposed improvements must be reviewed, approved and permitted by the City of Ashland Engineering Department.
 7. Water - The property is currently served by a 6-in water main in Van Ness Avenue or a 4-in water main in N Laurel Street. 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.
 8. Storm Drainage - The property is not currently served by storm sewer main. City of Ashland Engineering Department must review an engineered storm drainage plan.
Storm Water Facility Design Requirements

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

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

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

9. 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.