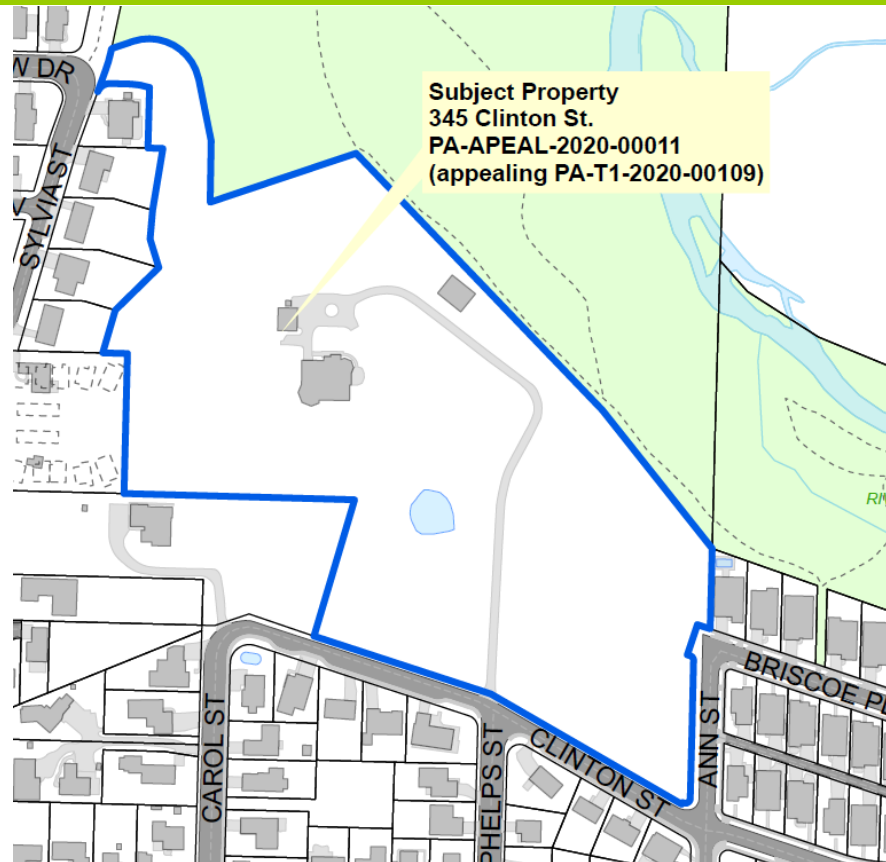


345 Clinton Street Minor Land Partition

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Planning Commission Appeal Hearing
August 11, 2020



345 Clinton St. Appeal

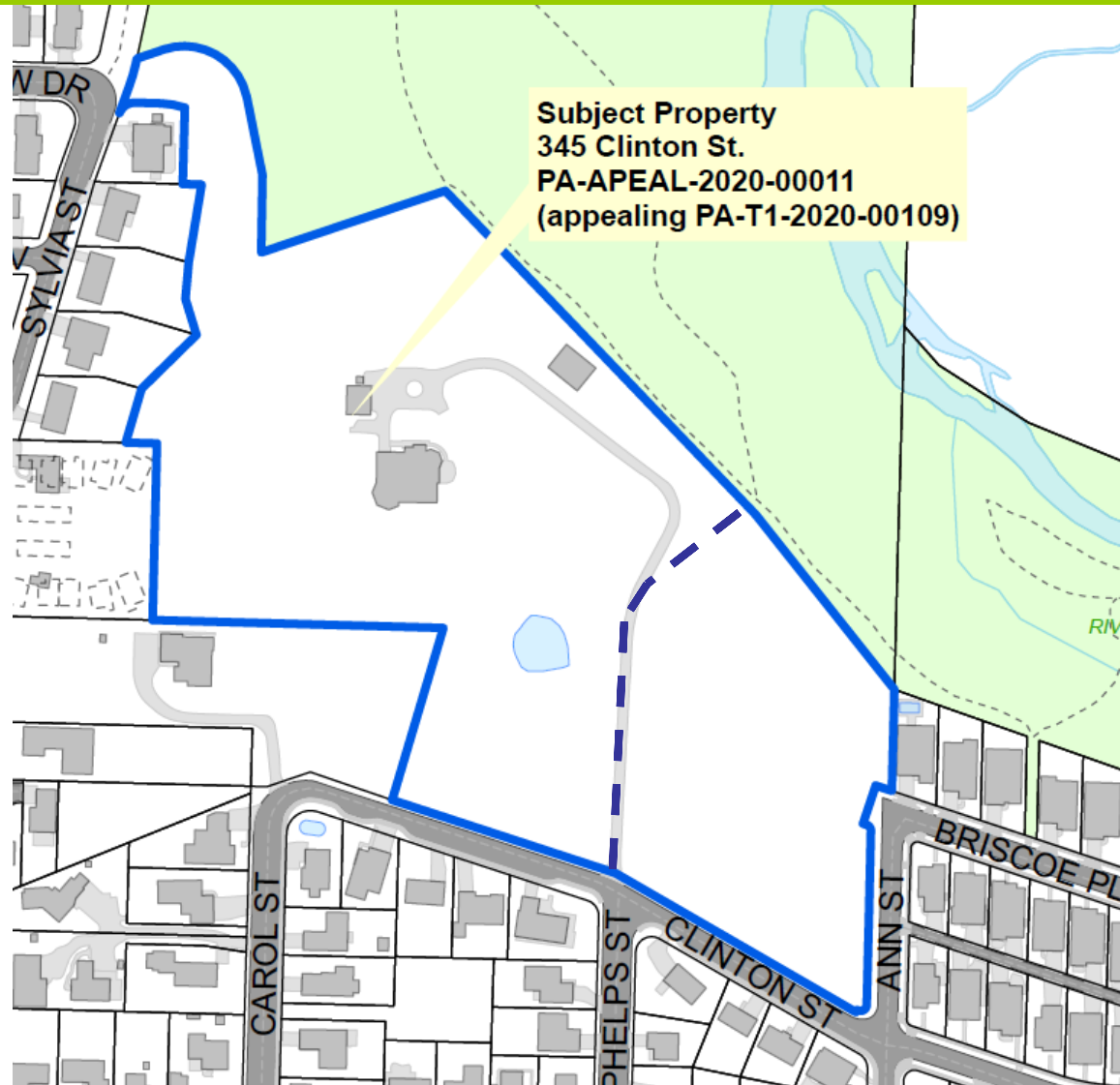
An appeal of the Staff Advisor's approval of a request for a **Land Partition** to partition the property into two lots.

- The parent parcel is a 12.29-acre lot.
- The tentative partition plat submitted with the application indicates that the two proposed parcels will be 8.94 acres and 3.35 acres in size with the smaller parcel situated in the southeast of the parent parcel.

345 Clinton St. Appeal

Vicinity Map

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Aerial Photo

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345 Clinton St. Appeal

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Photo from the corner of Clinton/Ann



345 Clinton St. Appeal

Photo from end of Briscoe Place

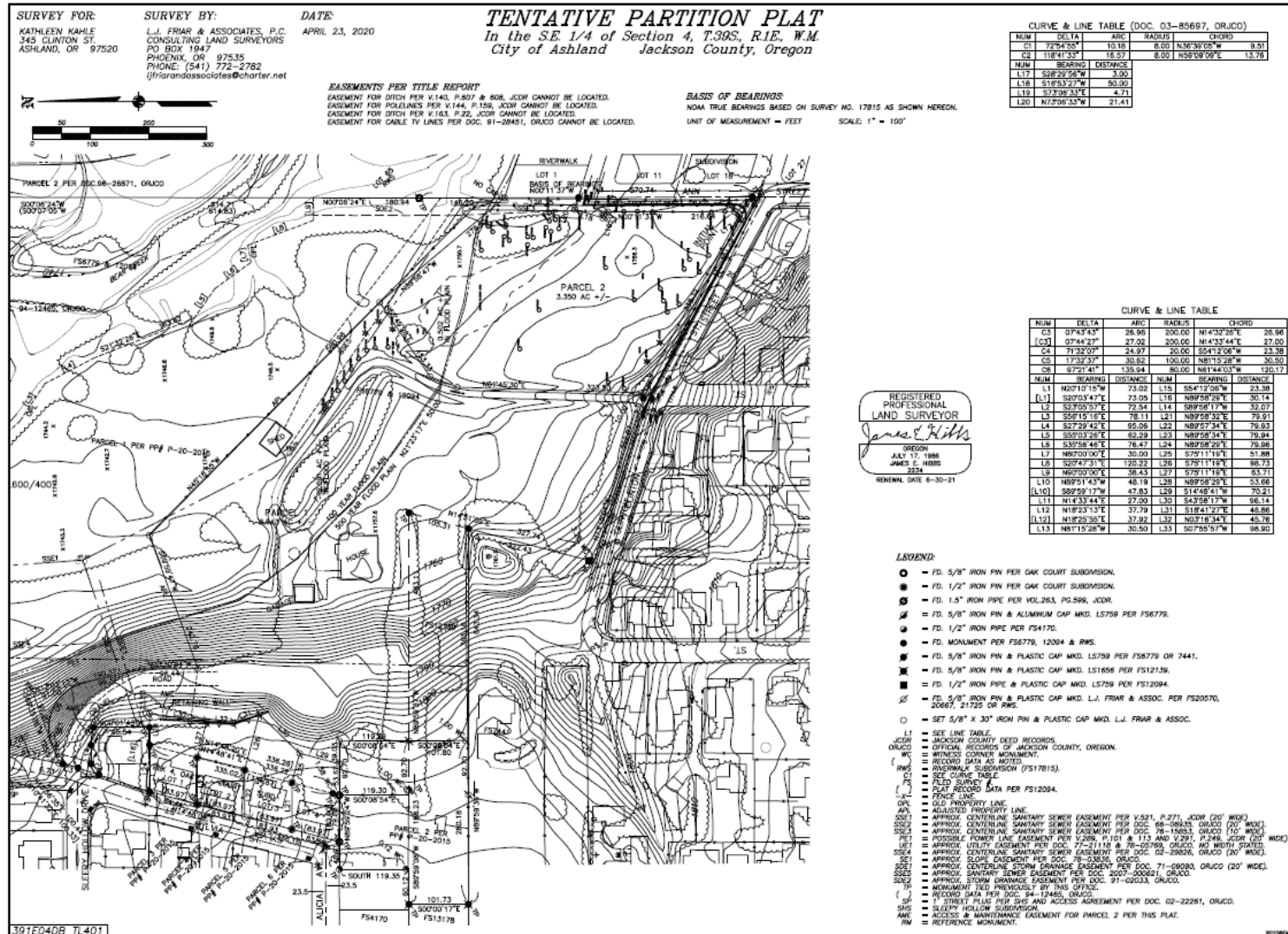
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345 Clinton St. Appeal

Preliminary Plat

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This topographic map depicts a residential area with various features and flood zones. Key elements include:

- Topography:** Contour lines indicate elevation, with labels such as 1740.0, 1745.0, 1750.0, 1755.0, 1760.0, 1765.0, 1770.0, 1775.0, 1780.0, 1785.0, 1790.0, 1795.0, 1800.0, 1805.0, 1810.0, 1815.0, 1820.0, 1825.0, 1830.0, 1835.0, 1840.0, 1845.0, 1850.0, 1855.0, 1860.0, 1865.0, 1870.0, 1875.0, 1880.0, 1885.0, 1890.0, 1895.0, 1900.0, 1905.0, 1910.0, 1915.0, 1920.0, 1925.0, 1930.0, 1935.0, 1940.0, 1945.0, 1950.0, 1955.0, 1960.0, 1965.0, 1970.0, 1975.0, 1980.0, 1985.0, 1990.0, 1995.0, 2000.0, 2005.0, 2010.0, 2015.0, 2020.0, 2025.0, 2030.0, 2035.0, 2040.0, 2045.0, 2050.0, 2055.0, 2060.0, 2065.0, 2070.0, 2075.0, 2080.0, 2085.0, 2090.0, 2095.0, 2100.0, 2105.0, 2110.0, 2115.0, 2120.0, 2125.0, 2130.0, 2135.0, 2140.0, 2145.0, 2150.0, 2155.0, 2160.0, 2165.0, 2170.0, 2175.0, 2180.0, 2185.0, 2190.0, 2195.0, 2200.0, 2205.0, 2210.0, 2215.0, 2220.0, 2225.0, 2230.0, 2235.0, 2240.0, 2245.0, 2250.0, 2255.0, 2260.0, 2265.0, 2270.0, 2275.0, 2280.0, 2285.0, 2290.0, 2295.0, 2300.0, 2305.0, 2310.0, 2315.0, 2320.0, 2325.0, 2330.0, 2335.0, 2340.0, 2345.0, 2350.0, 2355.0, 2360.0, 2365.0, 2370.0, 2375.0, 2380.0, 2385.0, 2390.0, 2395.0, 2400.0, 2405.0, 2410.0, 2415.0, 2420.0, 2425.0, 2430.0, 2435.0, 2440.0, 2445.0, 2450.0, 2455.0, 2460.0, 2465.0, 2470.0, 2475.0, 2480.0, 2485.0, 2490.0, 2495.0, 2500.0, 2505.0, 2510.0, 2515.0, 2520.0, 2525.0, 2530.0, 2535.0, 2540.0, 2545.0, 2550.0, 2555.0, 2560.0, 2565.0, 2570.0, 2575.0, 2580.0, 2585.0, 2590.0, 2595.0, 2600.0, 2605.0, 2610.0, 2615.0, 2620.0, 2625.0, 2630.0, 2635.0, 2640.0, 2645.0, 2650.0, 2655.0, 2660.0, 2665.0, 2670.0, 2675.0, 2680.0, 2685.0, 2690.0, 2695.0, 2700.0, 2705.0, 2710.0, 2715.0, 2720.0, 2725.0, 2730.0, 2735.0, 2740.0, 2745.0, 2750.0, 2755.0, 2760.0, 2765.0, 2770.0, 2775.0, 2780.0, 2785.0, 2790.0, 2795.0, 2800.0, 2805.0, 2810.0, 2815.0, 2820.0, 2825.0, 2830.0, 2835.0, 2840.0, 2845.0, 2850.0, 2855.0, 2860.0, 2865.0, 2870.0, 2875.0, 2880.0, 2885.0, 2890.0, 2895.0, 2900.0, 2905.0, 2910.0, 2915.0, 2920.0, 2925.0, 2930.0, 2935.0, 2940.0, 2945.0, 2950.0, 2955.0, 2960.0, 2965.0, 2970.0, 2975.0, 2980.0, 2985.0, 2990.0, 2995.0, 3000.0, 3005.0, 3010.0, 3015.0, 3020.0, 3025.0, 3030.0, 3035.0, 3040.0, 3045.0, 3050.0, 3055.0, 3060.0, 3065.0, 3070.0, 3075.0, 3080.0, 3085.0, 3090.0, 3095.0, 3100.0, 3105.0, 3110.0, 3115.0, 3120.0, 3125.0, 3130.0, 3135.0, 3140.0, 3145.0, 3150.0, 3155.0, 3160.0, 3165.0, 3170.0, 3175.0, 3180.0, 3185.0, 3190.0, 3195.0, 3200.0, 3205.0, 3210.0, 3215.0, 3220.0, 3225.0, 3230.0, 3235.0, 3240.0, 3245.0, 3250.0, 3255.0, 3260.0, 3265.0, 3270.0, 3275.0, 3280.0, 3285.0, 3290.0, 3295.0, 3300.0, 3305.0, 3310.0, 3315.0, 3320.0, 3325.0, 3330.0, 3335.0, 3340.0, 3345.0, 3350.0, 3355.0, 3360.0, 3365.0, 3370.0, 3375.0, 3380.0, 3385.0, 3390.0, 3395.0, 3400.0, 3405.0, 3410.0, 3415.0, 3420.0, 3425.0, 3430.0, 3435.0, 3440.0, 3445.0, 3450.0, 3455.0, 3460.0, 3465.0, 3470.0, 3475.0, 3480.0, 3485.0, 3490.0, 3495.0, 3500.0, 3505.0, 3510.0, 3515.0, 3520.0, 3525.0, 3530.0, 3535.0, 3540.0, 3545.0, 3550.0, 3555.0, 3560.0, 3565.0, 3570.0, 3575.0, 3580.0, 3585.0, 3590.0, 3595.0, 3600.0, 3605.0, 3610.0, 3615.0, 3620.0, 3625.0, 3630.0, 3635.0, 3640.0, 3645.0, 3650.0, 3655.0, 3660.0, 3665.0, 3670.0, 3675.0, 3680.0, 3685.0, 3690.0, 3695.0, 3700.0, 3705.0, 3710.0, 3715.0, 3720.0, 3725.0, 3730.0, 3735.0, 3740.0, 3745.0, 3750.0, 3755.0, 3760.0, 3765.0, 3770.0, 3775.0, 3780.0, 3785.0, 3790.0, 3795.0, 3800.0, 3805.0, 3810.0, 3815.0, 3820.0, 3825.0, 3830.0, 3835.0, 3840.0, 3845.0, 3850.0, 3855.0, 3860.0, 3865.0, 3870.0, 3875.0, 3880.0, 3885.0, 3890.0, 3895.0, 3900.0, 3905.0, 3910.0, 3915.0, 3920.0, 3925.0, 3930.0, 3935.0, 3940.0, 3945.0, 3950.0, 3955.0, 3960.0, 3965.0, 3970.0, 3975.0, 3980.0, 3985.0, 3990.0, 3995.0, 4000.0, 4005.0, 4010.0, 4015.0, 4020.0, 4025.0, 4030.0, 4035.0, 4040.0, 4045.0, 4050.0, 4055.0, 4060.0, 4065.0, 4070.0, 4075.0, 4080.0, 4085.0, 4090.0, 4095.0, 4100.0, 4105.0, 4110.0, 4115.0, 4120.0, 4125.0, 4130.0, 4135.0, 4140.0, 4145.0, 4150.0, 4155.0, 4160.0, 4165.0, 4170.0, 4175.0, 4180.0, 4185.0, 4190.0, 4195.0, 4200.0, 4205.0, 4210.0, 4215.0, 4220.0, 4225.0, 4230.0, 4235.0, 4240.0, 4245.0, 4250.0, 4255.0,

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This topographic map shows a property boundary highlighted in blue. The map includes contour lines indicating elevation, with labels such as 1740, 1750, 1760, 1770, 1780, 1790, 1800, 1810, 1820, 1830, 1840, 1850, 1860, 1870, 1880, 1890, 1900, 1910, 1920, 1930, 1940, 1950, 1960, 1970, 1980, 1990, 2000, 2010, 2020, 2030, 2040, 2050, 2060, 2070, 2080, 2090, 2100, 2110, 2120, 2130, 2140, 2150, 2160, 2170, 2180, 2190, 2200, 2210, 2220, 2230, 2240, 2250, 2260, 2270, 2280, 2290, 2300, 2310, 2320, 2330, 2340, 2350, 2360, 2370, 2380, 2390, 2400, 2410, 2420, 2430, 2440, 2450, 2460, 2470, 2480, 2490, 2500, 2510, 2520, 2530, 2540, 2550, 2560, 2570, 2580, 2590, 2600, 2610, 2620, 2630, 2640, 2650, 2660, 2670, 2680, 2690, 2700, 2710, 2720, 2730, 2740, 2750, 2760, 2770, 2780, 2790, 2800, 2810, 2820, 2830, 2840, 2850, 2860, 2870, 2880, 2890, 2900, 2910, 2920, 2930, 2940, 2950, 2960, 2970, 2980, 2990, 3000, 3010, 3020, 3030, 3040, 3050, 3060, 3070, 3080, 3090, 3100, 3110, 3120, 3130, 3140, 3150, 3160, 3170, 3180, 3190, 3200, 3210, 3220, 3230, 3240, 3250, 3260, 3270, 3280, 3290, 3300, 3310, 3320, 3330, 3340, 3350, 3360, 3370, 3380, 3390, 3400, 3410, 3420, 3430, 3440, 3450, 3460, 3470, 3480, 3490, 3500, 3510, 3520, 3530, 3540, 3550, 3560, 3570, 3580, 3590, 3600, 3610, 3620, 3630, 3640, 3650, 3660, 3670, 3680, 3690, 3700, 3710, 3720, 3730, 3740, 3750, 3760, 3770, 3780, 3790, 3800, 3810, 3820, 3830, 3840, 3850, 3860, 3870, 3880, 3890, 3900, 3910, 3920, 3930, 3940, 3950, 3960, 3970, 3980, 3990, 4000, 4010, 4020, 4030, 4040, 4050, 4060, 4070, 4080, 4090, 4100, 4110, 4120, 4130, 4140, 4150, 4160, 4170, 4180, 4190, 4200, 4210, 4220, 4230, 4240, 4250, 4260, 4270, 4280, 4290, 4300, 4310, 4320, 4330, 4340, 4350, 4360, 4370, 4380, 4390, 4400, 4410, 4420, 4430, 4440, 4450, 4460, 4470, 4480, 4490, 4500, 4510, 4520, 4530, 4540, 4550, 4560, 4570, 4580, 4590, 4600, 4610, 4620, 4630, 4640, 4650, 4660, 4670, 4680, 4690, 4700, 4710, 4720, 4730, 4740, 4750, 4760, 4770, 4780, 4790, 4800, 4810, 4820, 4830, 4840, 4850, 4860, 4870, 4880, 4890, 4900, 4910, 4920, 4930, 4940, 4950, 4960, 4970, 4980, 4990, 5000, 5010, 5020, 5030, 5040, 5050, 5060, 5070, 5080, 5090, 5100, 5110, 5120, 5130, 5140, 5150, 5160, 5170, 5180, 5190, 5200, 5210, 5220, 5230, 5240, 5250, 5260, 5270, 5280, 5290, 5300, 5310, 5320, 5330, 5340, 5350, 5360, 5370, 5380, 5390, 5400, 5410, 5420, 5430, 5440, 5450, 5460, 5470, 5480, 5490, 5500, 5510, 5520, 5530, 5540, 5550, 5560, 5570, 5580, 5590, 5600, 5610, 5620, 5630, 5640, 5650, 5660, 5670, 5680, 5690, 5700, 5710, 5720, 5730, 5740, 5750, 5760, 5770, 5780, 5790, 5800, 5810, 5820, 5830, 5840, 5850, 5860, 5870, 5880, 5890, 5900, 5910, 5920, 5930, 5940, 5950, 5960, 5970, 5980, 5990, 6000, 6010, 6020, 6030, 6040, 6050, 6060, 6070, 6080, 6090, 6100, 6110, 6120, 6130, 6140, 6150, 6160, 6170, 6180, 6190, 6200, 6210, 6220, 6230, 6240, 6250, 6260, 6270, 6280, 6290, 6300, 6310, 6320, 6330, 6340, 6350, 6360, 6370, 6380, 6390, 6400, 6410, 6420, 6430, 6440, 6450, 6460, 6470, 6480, 6490, 6500, 6510, 6520, 6530, 6540, 6550, 6560, 6570, 6580, 6590, 6600, 6610, 6620, 6630, 6640, 6650, 6660, 6670, 6680, 6690, 6700, 6710, 6720, 6730, 6740, 6750, 6760, 6770, 6780, 6790, 6800, 6810, 6820, 6830, 6840, 6850, 6860, 6870, 6880, 6890, 6900, 6910, 6920, 6930, 6940, 6950, 6960, 6970, 6980, 6990, 7000, 7010, 7020, 7030, 7040, 7050, 7060, 7070, 7080, 7090, 7100, 7110, 7120, 7130, 7140, 7150, 7160, 7170, 7180, 7190, 7200, 7210, 7220, 7230, 7240, 7250, 7260, 7270, 7280, 7290, 7300, 7310, 7320, 7330, 7340, 7350, 7360, 7370, 7380, 7390, 7400, 7410, 7420, 7430, 7440, 7450, 7460, 7470, 7480, 7490, 7500, 7510, 7520, 7530, 7540, 7550, 7560, 7570, 7580, 7590, 7600, 7610, 7620, 7630, 7640, 7650, 7660, 7670, 7680, 7690, 7700, 7710, 7720, 7730, 7740, 7750, 7760, 7770, 7780, 7790, 7800, 7810, 7820, 7830, 7840, 7850, 7860, 7870, 7880, 7890, 7900, 7910, 7920, 7930, 7940, 7950, 7960, 7970, 7980, 7990, 8000, 8010, 8020, 8030, 8040, 8050, 8060, 8070, 8080, 8090, 8100, 8110, 8120, 8130, 8140, 8150, 8160, 8170, 8180, 8190, 8200, 8210, 8220, 8230, 8240, 8250, 8260, 8270, 8280, 8290, 8300, 8310, 8320, 8330, 8340, 8350, 8360, 8370, 8380, 8390, 8400, 8410, 8420, 8430, 8440, 8450, 8460, 8

345 Clinton St. Appeal



18.5.3.050 Preliminary Partition Plat Criteria

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

- A. The future use for urban purposes of the remainder of the tract will not be impeded.**
 - Staff found that the future development potential was not impeded based on the two lots being significantly oversized, having frontage on adjacent streets, and being configured to allow the future extensions of Briscoe Place and Phelps Street.*
- B. The development of the remainder of any adjoining land or access thereto will not be impeded.**
 - Adjacent properties are largely built out, or are separated by physical features (creek, floodplain or slope). The partition proposed will not impede development of or access to adjacent land.
- C. The partition plan conforms to applicable City-adopted neighborhood or district plans, if any, and any previous land use approvals for the subject area.**
 - There is no neighborhood or district plan or condition of approval from previous land use actions that apply to the subject property.
- D. The tract of land has not been partitioned for 12 months.**
 - The tract of land has not been partitioned for 12 months.

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Proposed Add'l Condition

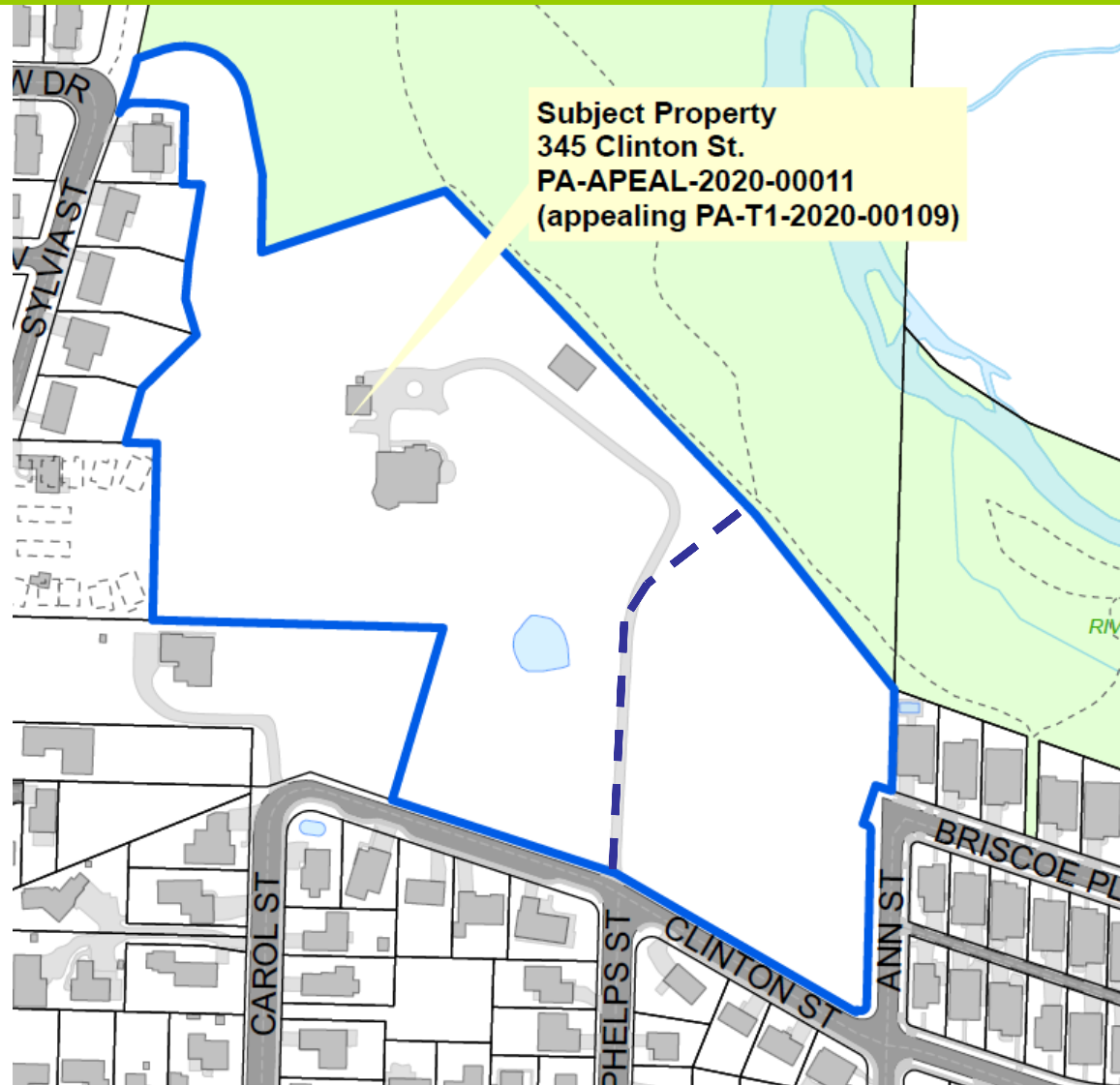


That prior to the signature of the final survey plat, the lot configuration shall be modified to allow the future extension of Phelps Street in alignment with its current terminus across Clinton.

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Adjoining Land

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Street Dedication Map (TSP Figure 10-1)



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North Mountain Neighborhood Plan (NMNP) Street Layout Map

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18.5.3.050 Preliminary Partition Plat Criteria

- E. Proposed lots conform to the requirements of the underlying zone, per part [18.2](#), any applicable overlay zone requirements, per part [18.3](#), and any applicable development standards, per part [18.4](#) (e.g., parking and access, tree preservation, solar access and orientation).
- The proposed lots conform to the base standards of the zone including lot size, lot coverage, etc.
- F. Accesses to individual lots conform to the standards in section [18.4.3.080](#) Vehicle Area Design. See also, [18.5.3.060](#) Additional Preliminary Flag Lot Partition Plat Criteria.
- The larger parcel will retain its existing flag driveway access, which has at least three parking spaces which can turn and exit to the street in a forward manner. The other parcel is to remain vacant at this time, but has direct frontage on two adjacent streets.
- G. The proposed streets, utilities, and surface water drainage facilities conform to the street design standards and other requirements in part [18.4](#), and allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications.
- Adjacent rights-of-way have city services with adequate capacity to serve one new lot. No public improvements are proposed with the current land use action, and the applicant has proposed to sign-in favor of a future Local Improvement District for the future improvements to both Clinton and Ann Streets.

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18.5.3.050 Preliminary Partition Plat Criteria (cont'd)

H. Unpaved Streets.

1. **Minimum Street Improvement.** When there exists a 20-foot wide access along the entire street frontage of the parcel to the nearest fully improved collector or arterial street, as designated in the Comprehensive Plan, such access shall be improved with an asphaltic concrete pavement designed for the use of the proposed street. The minimum width of the street shall be 20-feet with all work done under permit of the Public Works Department.

- Frontage streets are paved, and the curb-to-curb width of Clinton and Ann Streets is twenty-seven feet which exceeds the required amount for local access streets and allows for parking on both sides.
- Clinton and Ann Streets both lack park row and sidewalks adjacent to the new parcel. The applicant requests to sign in favor of a Local Improvement District (LID) for future the future improvement of Clinton and Ann Streets.

I. **Where an alley exists adjacent to the partition, access may be required to be provided from the alley and prohibited from the street.**

- Not applicable - there is no alley adjacent to the proposed partition.

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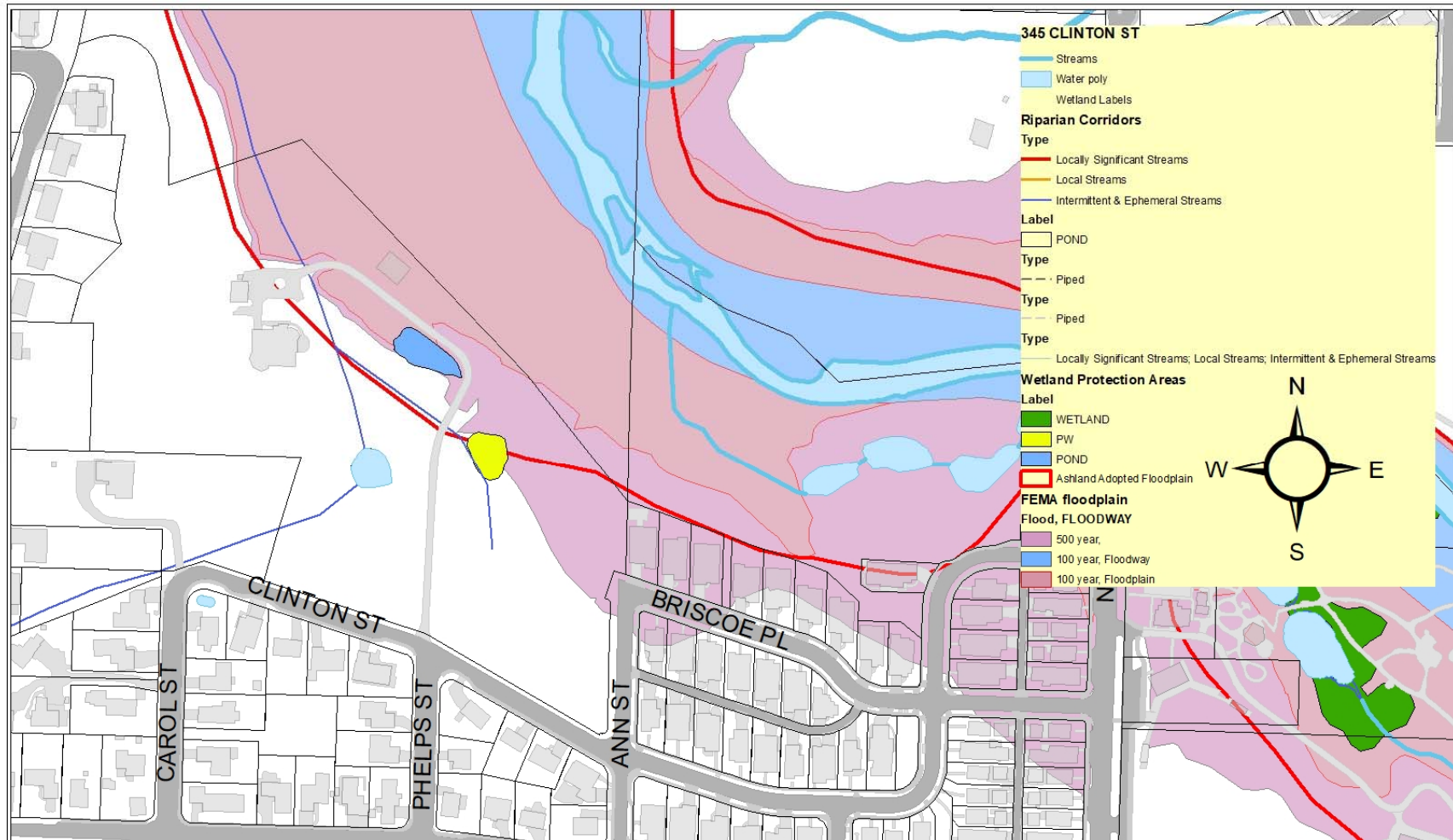
18.5.3.050 Preliminary Partition Plat Criteria (con't)

- J. Required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development.**
- Development is not proposed at this time.
 - With future development, the applicant will be required to address the Floodplain Corridor and Water Resource Protection Zone standards with delineation of the "Possible Wetland" identified in the Local Wetlands Inventory (LWI) and obtain applicable required local, state and federal permits.
- K. A partition plat containing one or more flag lots shall additionally meet the criteria in section [18.5.3.060](#).**
- Not applicable – the application does not propose to create a flag lot.

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Floodplain & Possible Wetland

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1 inch = 150 feet
0 50 100 200 300 400
Feet

Mapping is schematic only and bears no warranty of accuracy.
All features, structures, facilities, easement or roadway locations
should be independently field verified for existence and/or location.

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1:1,800

345 Clinton St. Appeal

Potential Buildable Areas

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345 Clinton St. Appeal

Staff Decision



APPLICATION DATE:	April 30, 2020
DEEMED COMPLETE ON:	May 15, 2020
STAFF DECISION:	June 30, 2020
APPEALED:	July 13, 2020

Planning staff approved the application administratively on June 30, 2020 subject to several conditions of approval.

On July 13, 2020, a Notice of Intent to Appeal was timely received.

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Appeal Issues



Subsequent to the approval, neighbors Eric Elerath & Betsy A. McLane appealed the application citing the following issues:

- A. Incomplete Application.
- B. Defective Notice.
- C. Failure to provide access to personally inspect the Application File, evidence, and documents.
- D. Failure to provide digital access to Application file, material evidence and documents.
- E. Appellant's request for additional time and the Director's failure to provide such.
- F. Defective submittal analysis.

Appellants stated their intent to address additional items during the *de novo* appeal hearing tonight.

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Appeal Issue #1 – Incomplete Application

Incomplete Application.

- Online materials did not include a receipt for the application fee. Appellants also states that the application itself was missing from the online materials.
- Staff determined the application to be complete, and while the application form and receipt of payment were not included in the materials posted online, staff verified that an application was provided and payment had been made, the application and receipt were included in the physical record and the appellant was offered the opportunity to review the record in the Community Development & Engineering Services Building.
- The appellant has subsequently reviewed the application materials in the Community Development & Engineering Services Building.
- The application submittal requirements of AMC 18.5.1.050.A are not approval criteria applicable to approving or denying a preliminary partition plat.

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Appeal Issue #2 – Defective Notice

- While the posted notice stated that the application materials were available for review in the Community Development Building, with the Governor's Executive Order #20-16 and the city's declared State of Emergency in response to the COVID-19 pandemic, city offices were closed to the public.
- Mailed and posted notices included the name and phone number of a city contact person as required in AMC 18.5.1.050.B.3.h.
- The planning application materials were made available on "What's Happening in My City" on the City web site, and people who called or emailed and were interested in reviewing the file were directed to the City's web site.
- Staff spoke with the appellant multiple times to ensure that he had access to the electronic materials.

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Appeal Issue #3 – Access to Inspect Record

Failure to provide access to personally inspect the Application File, evidence, and documents.

- Staff contacted the appellant multiple times to ensure that he had access to the electronic materials.
- In addition, after the Notice of Decision was sent but prior to the end of the appeal period the city made accommodations to allow the appellant access to the Community Development & Engineering Services Building to review the physical materials prior to the appeal. Despite being contacted multiple times he did not respond to staff or take those opportunities that were available to him to review the application materials in person.
- He has subsequently reviewed the record in the Community Development & Engineering Services Building.

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Appeal Issue #4 – Digital Access



Failure to provide digital access to Application file, material evidence and documents.

- As stated above, all application materials were published on the City of Ashland's web site.

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Appeal Issue #5 – Additional Time



Appellant's request for additional time and the Director's failure to provide such.

- **AMC 18.5.1.050.C** requires that, *"The Staff Advisor shall prepare a decision within 45 days of the City's determination that an application is complete, unless the applicant agrees to a longer time period."*
- In addition, **AMC 18.5.1.090.B** requires that, *"The City shall take final action on Administrative... land use applications, pursuant to this chapter, including resolution of all appeals, within 120 days from the date the Staff Advisor deems the application complete for purposes of processing, unless the applicant requests an extension in writing."*
- There is no allowance in the code to provide additional time for review without written consent of the applicant, and staff's review timeline is constrained by the time limits set by both city ordinance and state law to render a final decision.

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Appeal Issue #6 – Multiple Land Use Decisions

Defective submittal analysis / Multiple Land Use Decisions were made.

- The determination that an application meets the ‘Type I’ application submittal requirements of **AMC 18.5.1.050.A** is a procedural component of all ‘Type I’ land use decisions, and **AMC 18.5.1.090.A** requires the Staff Advisor make such a determination for each application within 30 days of submittal.
- Completeness review in and of itself is not treated as a separate land use decision requiring substantial discretion, and as such is not included as a type of Planning Action approval in **AMC Table 18.5.1.010 “*Summary of Approvals by Type of Review Procedures.*”**

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Appeal Issue #7 – Multiple Land Use Decisions

Multiple Land Use Decisions were made.

ORS 197.015(12) “*Limited Land Use Decision*”

- (a) Means a final decision or determination made by a local government pertaining to a site within an urban growth boundary that concerns:
 - (A) The approval or denial of a tentative subdivision or partition plan, as described in ORS 92.040 (Application for approval of subdivision or partition) (1).
 - (B) The approval or denial of an application based on discretionary standards designed to regulate the physical characteristics of a use permitted outright, including but not limited to site review and design review.
- (b) Does not mean a final decision made by a local government pertaining to a site within an urban growth boundary that concerns approval or denial of a final subdivision or partition plat or that determines whether a final subdivision or partition plat substantially conforms to the tentative subdivision or partition plan.

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Appeal Issue #8 – Appeal Noticing

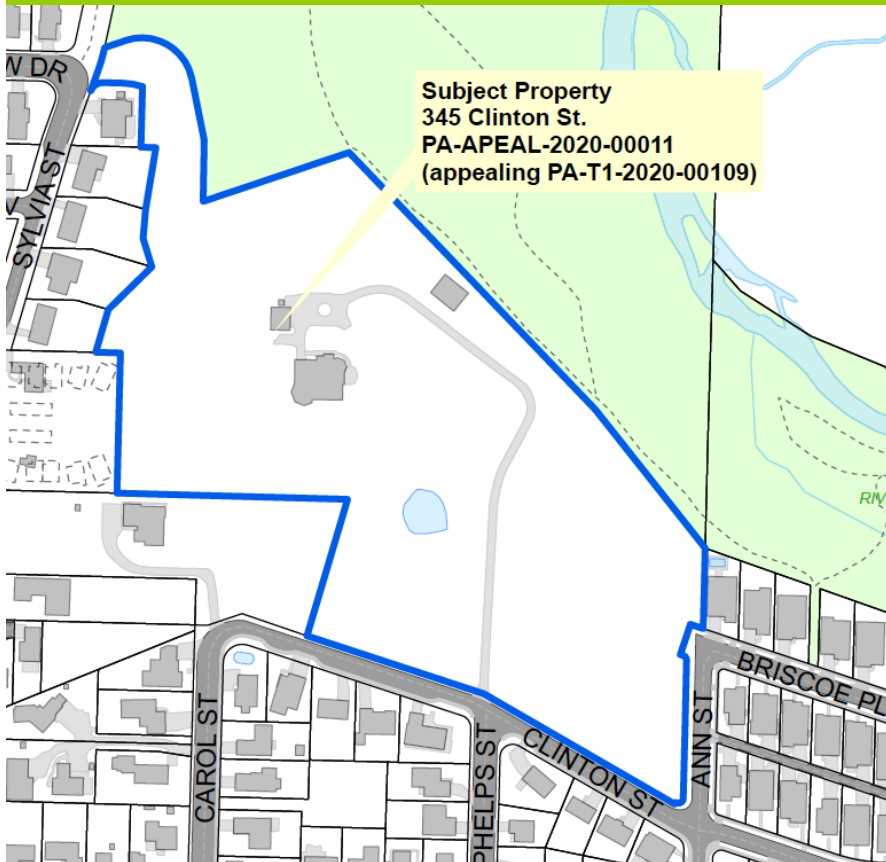
Failure to Notice Appellant Betsy A. McLane

- Betsy McLane was listed as an appellant but did not sign appeal form.
- Per **AMC 18.5.1.050.G.4** , hearings for appeals of Type I decisions follow the Type II hearing procedures in **AMC 18.5.1.060 A-E**.
- **AMC 18.5.1.060.C.2** requires that notices be mailed to owners of record of property on the most recent tax rolls.
- Tax roll lists, and mailing was sent to, “**Elerath, Eric J et al, 419 Clinton St, Ashland, OR 97520**”. See notice received in appellants’ Aug. 10 submittal.
- **AMC 18.5.1.020** speaks to “**Failure to Receive Notice**” noting, “The failure of a property owner to receive notice... shall not invalidate such proceedings if the City can demonstrate by affidavit that such notice was mailed. The failure to receive notice shall not invalidate the decision after the action is final if a good faith attempt was made to notify all persons entitled to receive notice.”

345 Clinton Street Minor Land Partition

CITY OF
ASHLAND

Planning Commission Appeal Hearing
August 11, 2020



Staff Recommendation

Staff recommends that the appeal be denied and that the original staff approval be upheld with the conditions recommended in the staff report, as detailed in your packets.

345 Clinton St. Appeal

Timelines



If record is left open pursuant to ORS 197.763(6)...

New Evidence or Argument/Parties:	August 18, 2020 @ 4:30 p.m.
Argument/Response to New Submittals:	August 25, 2020 @ 4:30 p.m.
Final Legal Argument from Applicant:	September 1, 2020 @ 4:30 p.m.
Next Regular PC Meeting Date:	September 8, 2020 @ 7:00 p.m.

The 120-day Deadline:	September 12, 2020
+ 14 days to Adopt Findings:	September 25, 2020