

APPEAL OF ADMINISTRATIVELY APPROVED MINOR LAND PARTITION

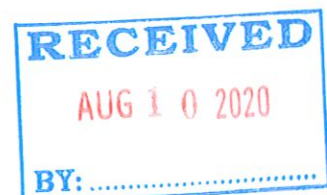
345 Clinton Street
39 1E 04DB; Tax Lots: 401

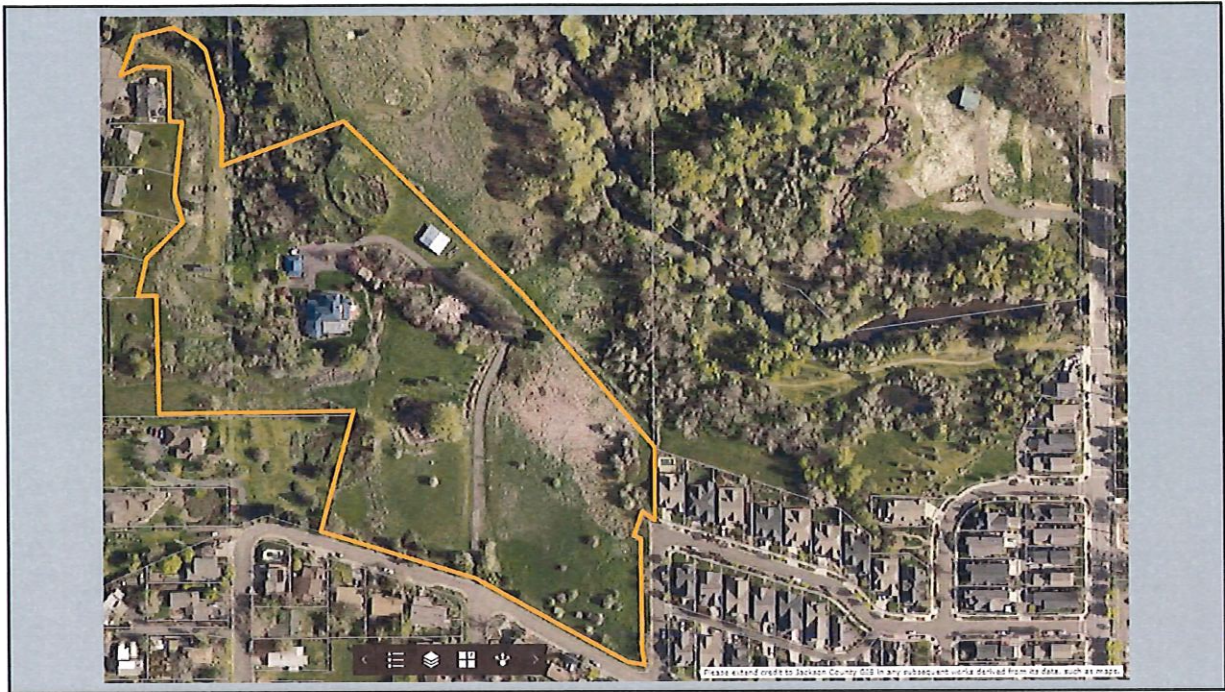
Good evening Planning Commissioners,.

The hearing before you is a request for appeal of a Minor Land Partition which was administratively approved by staff and subsequently appealed by a neighbor with standing. Many of the issues raised by the appellant address procedural issues. The property owner and their agent cannot speak to how, or how much information was provided on the City website nor as to how in person file review was or was not accommodated for. The application form with the property owner's and applicant's signatures, findings of fact and a preliminary partition plat map created by an Oregon Licensed Surveyor were submitted electronically to the City of Ashland on April 30, 2020. Based on the information submitted with the application the application was deemed complete by staff and a notice of application was sent to the property owners within 200-feet.

We believe that there was adequate notice to the neighbors as required by local code and the Oregon Revised Statutes. We believe it can be found that numerous public comments were received in the initial public comment period.

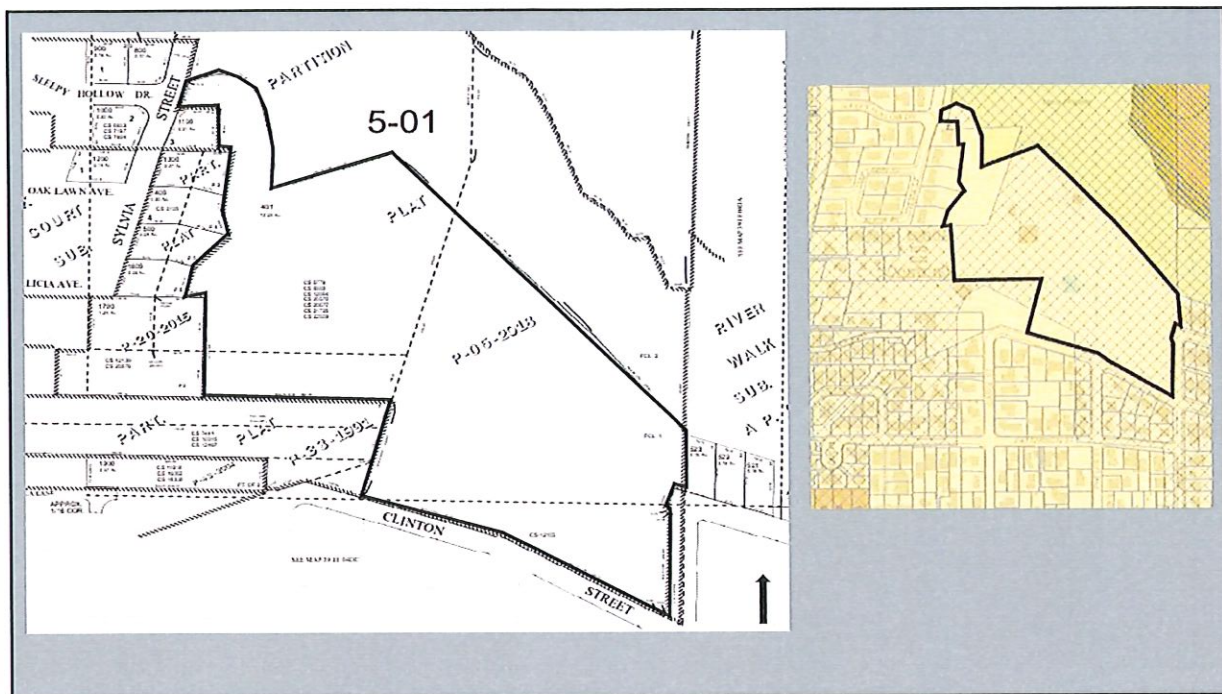
We also believe that the Planning Commission can find that the proposed partition of the property is consistent with the approval criteria from AMC 18.5.3, and that the conditions of approval from the administrative decision are consistent with the state laws (ORS 92) that allow for inclusion of conditions of approval on plats.



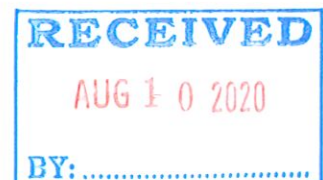


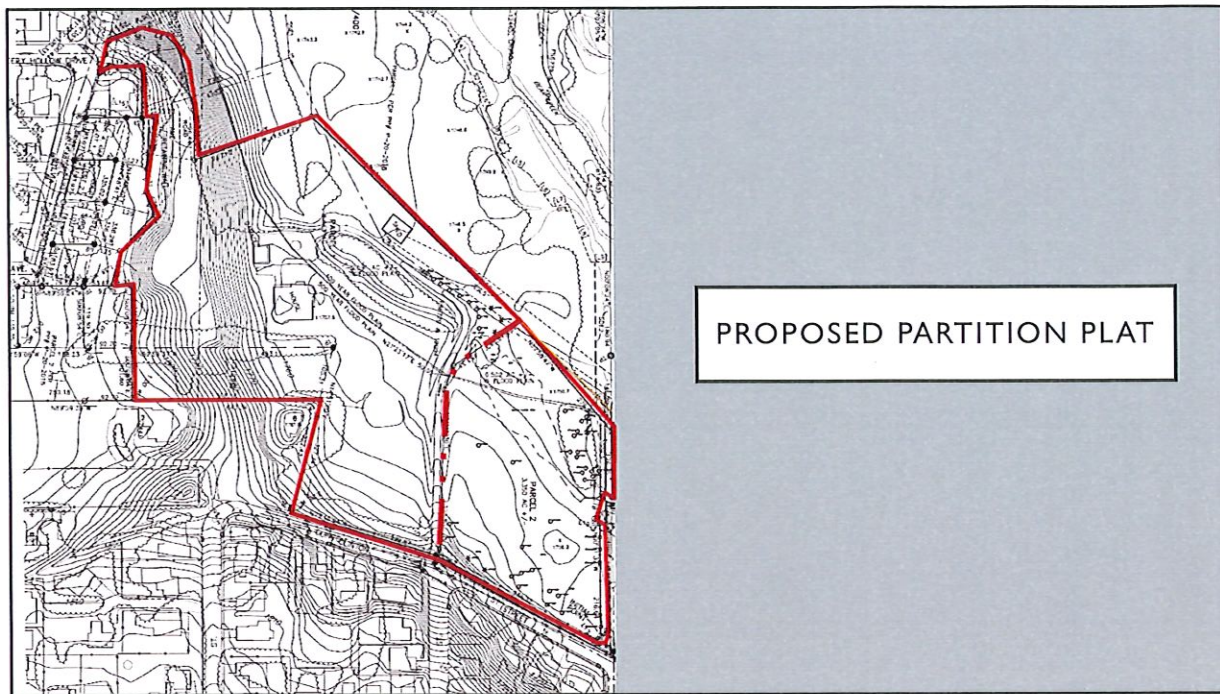
The 12.29-acre property is on the north side of Clinton Street. The property is occupied by a single-family residential home, a detached garage, and a pole barn. The residence is accessed via a paved, private driveway that extends from Clinton Street to the residence.





The subject property and the adjacent properties are R-1-5-P and are generally developed with single-family residences and their outbuildings.

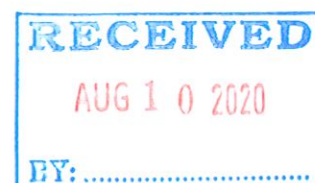




The request is to divide the property into two parcels.

Proposed Parcel 1 is 8.36 acres. This parcel would retain the residence, garage and pole barn at 345 Clinton Street. The vehicular access will be retained from Clinton Street utilizing the private driveway. The east side of the existing private driveway is the approximate east property line of proposed Parcel 1.

Proposed Parcel 2 is a vacant, developable, approximately 3.35-acre parcel northwest of the intersection of Clinton Street and Ann Street. The parcel is proposed to have 358.32 feet of frontage along Clinton Street and extends 240 feet



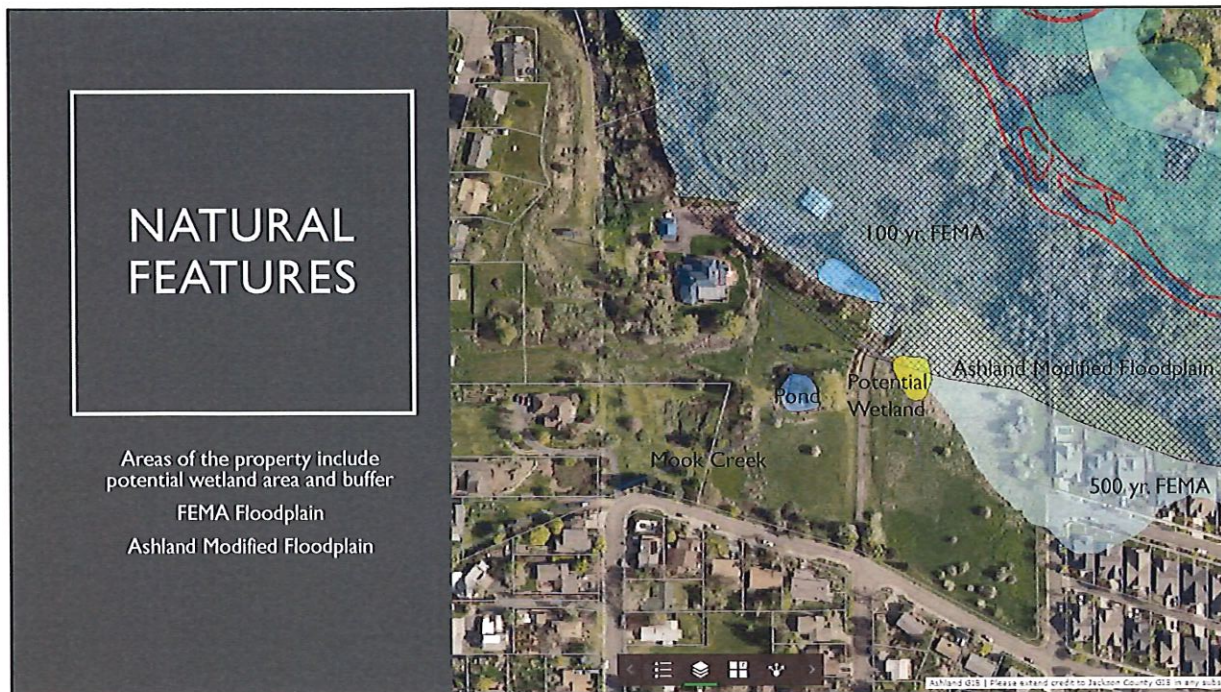
along Anne Street. Briscoe Place T's into the east side of Proposed Parcel 2.

The future subdivision of Parcel 2 will be subject to review by either staff or the Planning Commission depending on the number of parcels. The future density is dependent upon the goals of the future developer. There is no minimum density in the R-1-5-P zone and the maximum density can be increased through density bonuses. Base density of the 3.350-acre parcel is 4.5 du/acre or 15 dwelling units.

The proposed partition demonstrates compliance with AMC 18.5.3 and future development will address the specific codes applicable at the time of application these include the physical and environmental constraints review chapter, the water resources protections zone, outline and final plan, possibly site design review, tree removal or, protection and preservation.

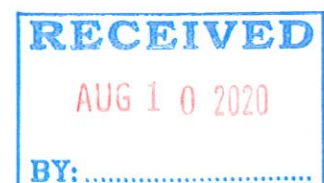
The findings of fact address how the proposal compiles with 18.5.3. The findings of fact advise that the future development will need to comply with applicable city standards in the development proposal.





There are natural features identified on the property. Mook aka Clear Creek enters the property near the southwest corner, traverses the site leading to the pond and continuing to Bear Creek (Mook Creek is an intermittent or ephemeral stream which has a 20-foot riparian buffer zone (Mook Creek is located on proposed Parcel #1.))

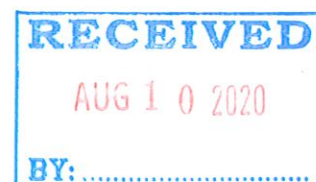
Along the north portion of proposed Parcel 2, approximately .530 acres are within the Bear Creek, FEMA floodplain and the Ashland Modified Floodplain of Bear Creek. Ashland Modified floodplain hashed area; FEMA 100 Year floodplain darker blue under the hashed area; FEMA 500 year floodplain (not regulatory) light blue area.



There is also a potential wetland (yellow circle) and a preliminary Wetland Delineation report has been completed but not filed with the Department of State Lands.

The floodplains and wetlands will be further evaluated and planned for as required by state and local ordinances and future impacts mitigated through the site development of the residential homes. There is adequate area for the development of residential lots and the preservation of the significant natural features.

Future development of Parcel #2 would need to address the Physical Constraints Review Chapter which is triggered with the development of properties per 18.3.10.020. No development is proposed at this time with the partition request.

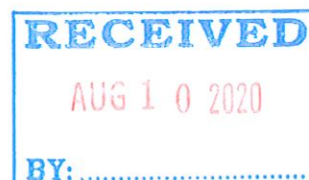


CONCLUSION

- The proposed partition is to create a discrete parcel of record.
- Both parcels area and dimensions exceed the minimum lot size in the R-1-5-P zone.
- Adequate vehicular access presently exists to the property and future development will extend the public streets through the future development area of Parcel #2.
- The parcels do have natural features such as floodplains and potential wetlands, as addressed in the findings. The future development will be required to consider the physical constraints as part of the future subdivision.
- The City of Ashland has adopted numerous documents addressing the need to additional housing. This partition creates a developable parcel that allows for the future development of needed housing within the city limits.

The City of Ashland Planning Commission can find that the proposed partition to create two discrete parcels of record conforms to the Partitions Chapter of the Ashland Municipal Code and that the Community Development Department Director Decision is consistent with local and state Oregon Revised Statutes that allow for the partitions and subdivisions within the city limits.

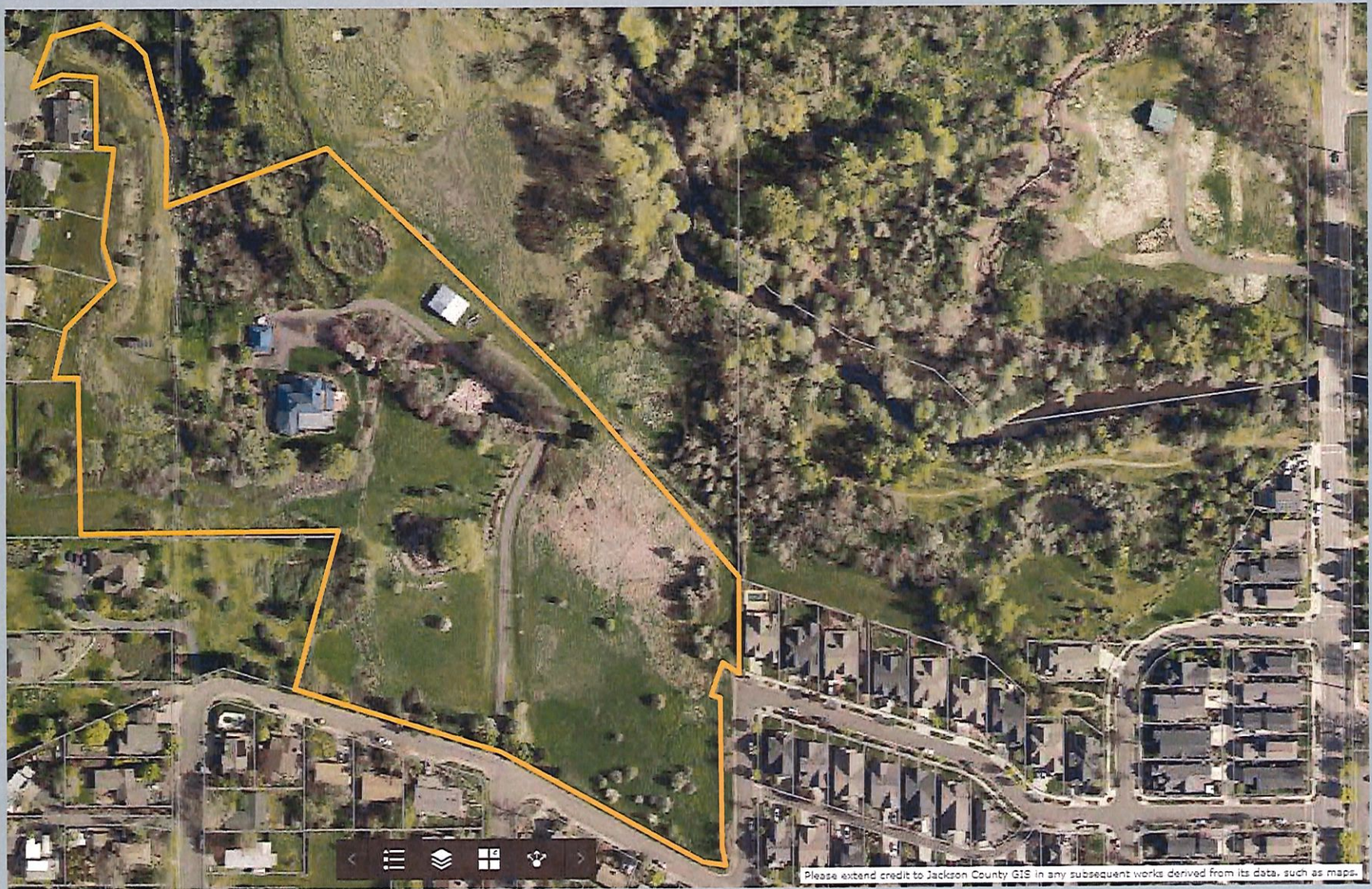
Thank you for your consideration.



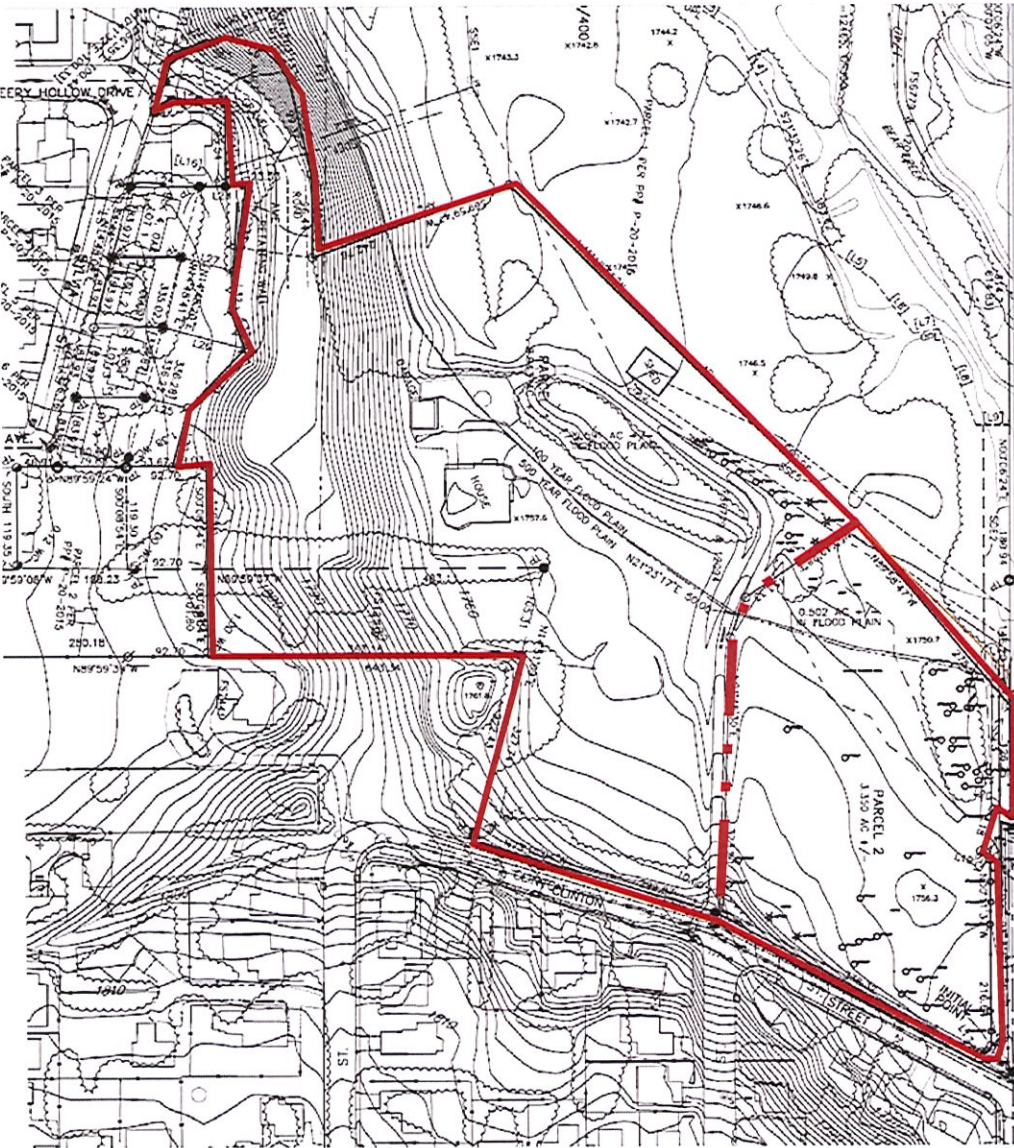
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RECEIVED
AUG 10 2020
BY:



PROPOSED PARTITION PLAT

RECEIVED

AUG 10 2020

BY:

NATURAL FEATURES

Areas of the property include
potential wetland area and buffer

FEMA Floodplain

Ashland Modified Floodplain



RECEIVED

AUG 10 2020

BY:

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