

II. FINDINGS

Thank you for reviewing the attached application for a Type 2 permit. It is consistent with all applicable requirements of the Talent Subdivision and Zoning Code addressed in the findings below:

17.10.040 Street trees

B. Plantings. Street trees shall be planted in planter strips on all arterial and collector streets, for all developments that are subject to land division or site design review, except that street trees may be planted in planter wells as provided in subsection (E) of this section. Street trees are encouraged, but not required, for local streets. When provided on local streets, street trees shall be in planter strips. Additional requirements for tree planting are provided in TMC 18.105.030. Planting on unimproved streets shall be deferred until the construction of curbs and sidewalks.

FINDING: The South end of Talent Ave does not have curb and gutter, sidewalks or planter strips. It is undeveloped at this time. As per 17.10.040 B. above planting shall be deferred until construction of sidewalks. **The provisions of this section are not applicable.**

17.10.050 Transportation facility standards.

B. Development Standards. No development shall occur unless the development has frontage or approved access to a public street, in conformance with the provisions of TMC 17.10.060, Vehicular access and circulation, as well as Chapter 18.115 TMC, and the following standards are met:

3. The city may accept a future improvement guarantee (e.g., owner agrees not to remonstrate (object) against the formation of a local improvement district in the future) in lieu of street improvements if one or more of the following conditions exists:

d. The improvement is associated with an approved land partition on property zoned residential and the proposed land partition does not create any new streets.

FINDING: The subject property has Talent Ave frontage but no curbs, gutters or sidewalks. Although no additional streets are proposed as part of this request, the applicant acknowledges that Talent Avenue may eventually need to be improved to the specs found in the Transportation System Plan. The applicant agrees not to remonstrate against the formation of local improvements in the future. **The provisions of this section can be met.**

17.10.060 Vehicular access and circulation.

C. Access Permit Required. A new or modified connection to a public street requires an access permit in accordance with the following procedures:

1. *Permits for access to city streets shall be subject to review and approval by the public works director based on the standards contained in this section and the provisions of TMC 17.10.050, Transportation facility standards...*

FINDING: The subject property can meet requirements of a single vehicle access point. Access point, width and design have been discussed with the city engineer (1/11/2023) and on site with the City of Talent Public Works Superintendent (1/12/2023). **The provisions of this section can be met.**

D. Traffic Study Requirements. The City or other agency with access jurisdiction may require a traffic impact study (TIS) prepared in accordance with Chapter 18.185, Traffic Impact Study.

FINDING: The application is for a partition; no development is proposed. There are no known safety, congestion or capacity problems in this area. A TIS is not required in accordance with TMC §18.185.020. **The provisions of this section are not applicable.**

F. Access Options. When vehicle access is required for development, access shall be provided by one of the following methods (a minimum of 10 feet per lane is required). These methods are "options" to the developer/subdivider.

2. *Option 2. Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., shared driveway). A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive.*

FINDING: The subject property has access from Talent Ave. A shared access agreement meeting the minimum width requirement will serve parcel 2. **The provisions of this section can be met.**

17.15.010 Review procedures and approval process.

A. Subdivision and Partition Approval through Three-Step Process. Applications for subdivision or partition approval shall be processed through a three-step process: the pre-application conference, the preliminary plat, and the final plat.

1. *A pre-application conference is required for all partitions and subdivisions...*

B. *The preliminary plat for a partition shall be an administrative review with public notice. The preliminary plat for a subdivision shall be a quasi-judicial hearing with public notice.*

FINDING: The applicant is submitting this as a requirement for a pre application conference, along with a tentative plat/ site plan and application form provided by the city planning office. **The provisions of this section are met.**

17.15.030 Approval Criteria: Preliminary Plat

A. General Approval Criteria. The City may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:

1. *The proposed preliminary plat complies with all of the applicable code sections and other applicable ordinances and regulations. At a minimum, the provisions of this Chapter, the provisions of the underlying zoning district ... shall apply...*

FINDING: The proposed partition complies with the Talent Subdivision and Zoning Code through the application of conditions of approval. **The provisions of this section can be met.**

2. *The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92.*

FINDING: The proposed plat is a partition and does not have any naming requirements. **The provisions of this section are not applicable.**

3. *The proposed streets, roads, sidewalks, bicycle lanes, pathways, utilities, and surface water management facilities are laid out so as to conform or transition to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction, and in all other respects; and are consistent with the city's transportation system plan. All proposed public improvements and dedications are identified on the preliminary plat; and*

FINDING: No streets, roads, sidewalks, bicycle lanes, or pathways are proposed. **The provisions of this section are not applicable.**

4. *All proposed private common areas and improvements (e.g., home owner association property) are identified on the preliminary plat.*

FINDING: There are no common areas required or proposed as part of this partition request. **The provisions of this section are not applicable.**

C. Block and Lot Standards. All proposed blocks (i.e., one or more lots bound by public streets), lots, and parcels conform to the specific requirements below:

1. *All lots shall comply with the lot area, setback, and dimensional requirements of the applicable zone district, and the standards of TMC §17.10.050(J), Street Alignment and Connections.*

2. *Setbacks shall be as required by the applicable zoning district...*

FINDING: The subject property is zoned RLD. The minimum lot area for single-family and duplex dwellings is 6,000ft². As proposed on the Preliminary Plat, lot area for Parcel 1 is 10,307sf and Parcel 2 is 17,223sf. The applicant agrees to comply with prescribed building coverage, setback and height requirements with any development, consistent with TMC Chapter 18.25. **The provisions of this standard can be met.**

3. *Each lot shall conform to the standards of TMC 17.10.060, Vehicular access and circulation.*

FINDING: The subject property has access from Talent Ave, a shared access easement will serve parcel 2. **The provisions of this section can be met.**

4. Landscape or other screening may be required to maintain privacy for abutting uses and buffering for pathways, through lots abutting an arterial or collector street, grade changes and retaining walls, development on flag lots, and similar situations, consistent with the provisions of TMC Titles 17 and 18 and Chapter 18.105 TMC.

FINDING: The subject property is surrounded by similarly zoned parcels (RLD). No pathways, through lots, grade changes, retaining walls or flag lots apply. **The provisions of this section can be met.**

5. In conformance with the Uniform Fire Code, a 20-foot-wide fire apparatus access drive shall be provided to serve all portions of a building that are located more than 150 feet from a public right-of-way or approved access drive. See also TMC 17.10.060, Vehicular access and circulation.

FINDING: The proposed lots are fronted by an approved access drive. Any future building on either parcel will be within 150' of a fire apparatus access drive. **The provisions of this section have been met.**

6. Where a common drive is to be provided to serve more than one lot, a reciprocal easement, which will ensure access and maintenance rights, shall be recorded with the approved subdivision or partition plat.

FINDING: The subject property has access from Talent Ave. As per attached tentative plat map, there is a 20' shared access agreement to access parcel 2. **The provisions of this section can be met.**

D. Conditions of Approval. City staff, planning commission, or city council may attach such conditions as are necessary to carry out provisions of this code...

FINDING: The applicant understands the clear and objective standards required for a minor land partition feels code supports this application. **The provisions of this section can be met.**

E. The city may require that reserve strips be granted to the city for the purpose of controlling access to adjoining undeveloped properties.

FINDING: The subject property does not adjoin undeveloped properties. **The provisions of this section are not applicable.**

F. Future Redivision Plan. When subdividing or partitioning tracts into large lots (i.e., greater than two times or 200 percent the minimum lot size allowed by the underlying land use district), the city shall require that the lots be of such size, shape, and orientation as

to facilitate future redivision in accordance with the requirements of the zoning district and this code...

FINDING: The subject property is zoned RLD. The minimum lot area for single-family and duplex dwellings is 6,000ft². As proposed on the Preliminary Plat, the lot area for Parcel 1 is 10,307sf, Parcel 2 is 17,223sf. Parcel 1 cannot be redivided due to minimum lot size requirements. The size, shape and orientation of parcel 2 meets requirements of (F.) above. **The provisions of this section can be met**

G. Compliance. All submittals shall demonstrate compliance with Chapter 17.10 TMC, Development and Design Standards, and Chapter 18.85 TMC.

FINDING: The proposal demonstrates compliance with TMC Chapter 17.10 and 18.85 is not applicable. **The provisions of this section can be met.**

III. SUMMARY

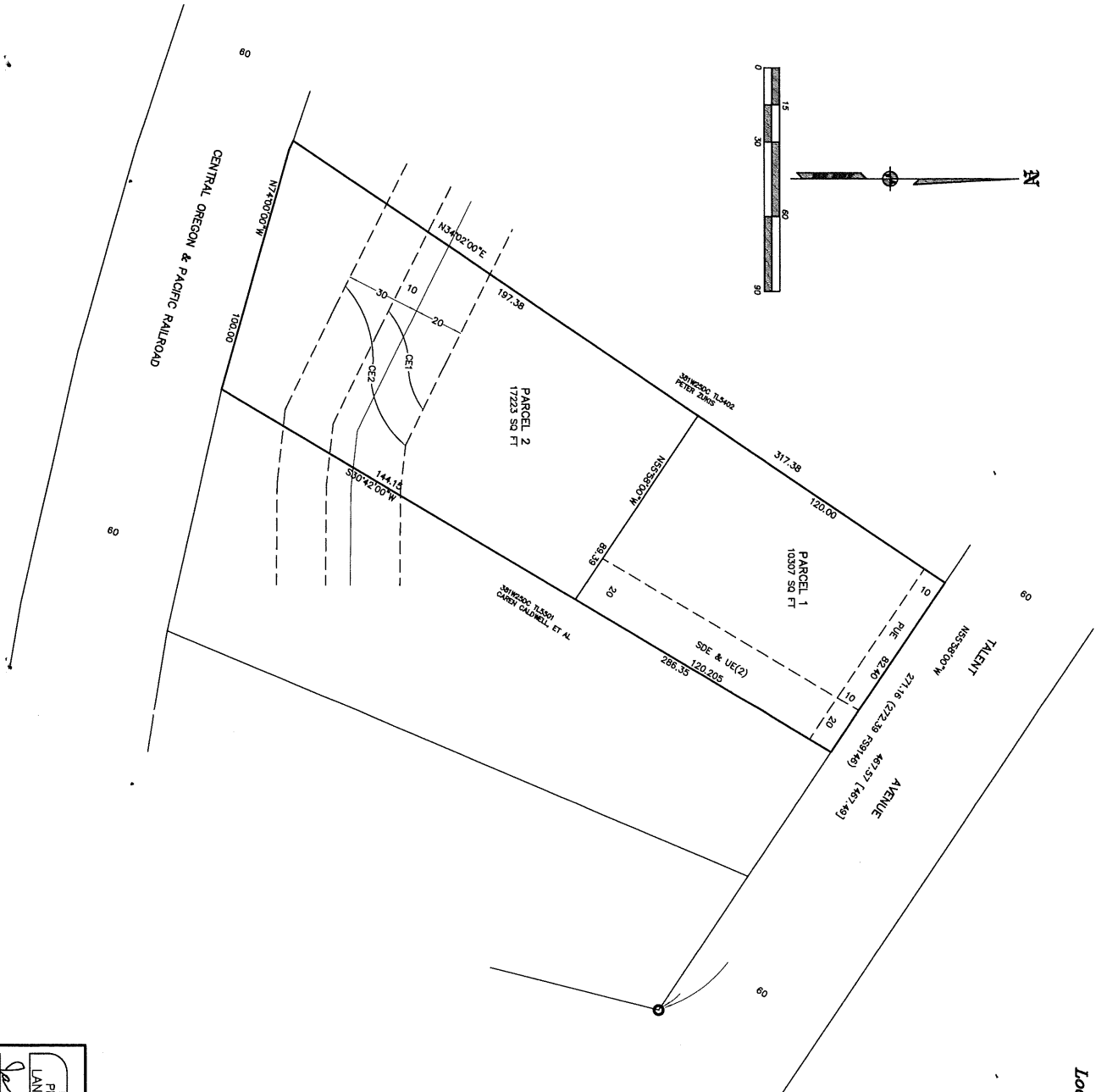
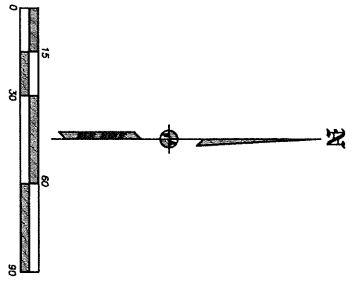
With the above Findings and Tentative Partition plat submission, The City of Talent can find this application for a Minor Land Partition consistent with all requirements of the Talent Subdivision and Zoning Code. The applicant respectfully requests approval of this Partition application.

Thank you,

**Derek Sherrell
Owner/ Builder
541-621-1399**

TENTATIVE PARTITION PLAT

Located in the SE 1/4 of Sec. 25, T.38S, R.1W, W.M.
City of Talent Jackson County, Oregon



NOTES:
 PROPERTY IS VACANT.
 SIZE OF PROPOSED SHARED DRAINAGE EASEMENT PARCEL 2.
 RULE = PROPOSED PUBLIC UTILITY EASEMENT.
 CE2 = PROPOSED PUBLIC UTILITY EASEMENT.
 CE1 = CANAL EASEMENT PER V.459, P.424, J.C.D.B.R.

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<p style="text-align: center;">REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p style="text-align: center;"><i>James E. Hibbs</i></p> <p style="text-align: center;">OREGON JULY 17, 1988 JAMES E. HIBBS RENEWAL DATE: 6-30-23</p>	<p>TITLE: TENTATIVE PARTITION PLAT</p> <p>ASSESSOR'S MAP #: 381W250C T15500</p> <p>FOR: DENEK SHERWELL TALENT, OR 97510</p> <p>L.J. FRANK & ASSOCIATES P.C. 600 Hwy 177, Talent, OR 97530 OR 97530 PHONE: 531-252-2020</p>
<p>DATE: 12 JUN 2023</p> <p>SCALE: AS SHOWN: 1" = 30' MAX</p> <p>DRAWN BY: LJF</p> <p>CHECK BY: LJF</p> <p>ORIGIN: ORDINANCE #</p> <p>REVISION #: NONE</p> <p>SHEET: 1 of 1</p>	<p>REVISION #: NONE</p>