



# CITY OF TALENT • COMMUNITY DEVELOPMENT

PO Box 445, Talent, Oregon 97540  
Phone: (541) 535-7401 Fax: (541) 535-7423 [www.cityoftalent.org](http://www.cityoftalent.org)

## PRELIMINARY/FINAL PLAT APPLICATION

Number of Lots:	Associated Files:	
Property Owner THOMAS KENNEDY	Mailing Address (include zip) PO BOX 3101, ASHLAND, OR 97520	Phone 541-821-8154
Street Address or Property Location 6405 FROST LANE, TALENT, OR 97540	Email Address Sirrthomas@gmail.com	
Applicant/Consultant (if not owner) LJ FRIAR & ASSOC. PC	Mailing Address (including zip) PO BOX 1947, PHOENIX, OR 97535	Phone 541-772-2782

Assessor's Map Number (Township, Range, Section, Quarter Section)	Tax Lots	Acres	Zone
38-1W- 26CB	800	0.29	RS-MH
38-1W-			

Subzone (if applicable)

### Type of Application

(Application fees are calculated by ACTUAL PROCESSING COSTS)

<input type="checkbox"/> Subdivision	<input checked="" type="checkbox"/> Partition PRELIMINARY
<input type="checkbox"/> Flag Lot Partition	<input type="checkbox"/> Plat Vacation
<input type="checkbox"/> Subdivision or Partition Replat	<input type="checkbox"/> Final Plat

### Required Submittals

- Pre-Application Conference Completed (if yes, then date) 11/06/17
- Application Form (signed).
- Tentative Plat (15 copies/subdivision or 3 copies/partition) – Drawn to scale, including ALL applicable provisions of 8-2.320 of the Talent Subdivision Code.
- Applicant's Statement (15 copies/subdivision or 3 copies/partition) – Including ALL applicable provisions of 8-2.330 of the Talent Subdivision Code.
- One electronic copy of plat and applicant's statement in PDF format. Plat shall be reduced to 11x17.
- Tree Removal Permit (if applicable).
- Supplementary information as required by the Talent Subdivision Code or the Talent Zoning Code.

I hereby certify that the statements and information contained in this application, including the enclosed drawings and the required findings of fact, are in all respects, true and correct. I understand that all property pins must be shown on the drawings and visible upon the site inspection. In the event the pins are not shown or their location is found to be incorrect, the owner assumes full responsibility.

**James E. Hibbs**

Digitally signed by: James E. Hibbs  
DN: CN = James E. Hibbs email = james@lfr.com C = US O = L.J. Friar & Associates,  
P.C. OU = Oregon PLS2234  
Date: 2019.02.18 15:51:18 -0800

Applicant's Signature

Date

4-10-19

Property Owner's Signature (required)

Date

**APPLICATION FEES & DEPOSITS**

Fees and deposits are intended to cover the full cost for processing applications. Applicants seeking development which requires more than one type of review (such as site plans and conditional use permits) must pay all applicable fees and deposits.

**Application Deposits:** Certain application fees are represented by a deposit amount. Applicants shall be charged for actual processing costs incurred by the City. The actual costs charged to the City for technical review of land use applications, including but not limited to City's planning, public works, engineering, administration, legal, wetland specialists, geologists, biologists, arborist, and any other services provided in processing applications, shall be charged to Applicant, at the rate(s) charged to the City. In addition, the actual costs of preparing and mailing notices to abutting property owners or others required to be notified, the costs of publishing notices in newspapers, and any other mandated costs shall be charged to applicant. Any additional costs incurred beyond the deposit amount shall be charged to and paid by the applicant on a monthly basis. The applicant agrees that any deficiencies shall be collected from applicant, and that applicant's failure to pay these amounts triggers the City's option to pursue any or all remedies, as listed below.

**Fixed Fee Applications:** Fees are non-refundable and are based on average application processing costs rounded to the nearest dollar.

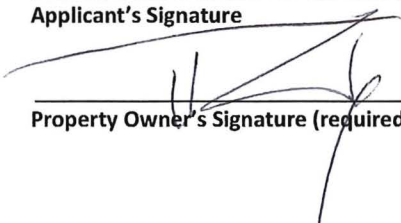
Applicant acknowledges and agrees that Applicant's failure to pay City costs over the deposit fee amounts, as charged monthly by the City, may result in the City pursuing any or all legal remedies available, including but not limited to liening property in the amount owed; prosecution for violation of the City's current fee resolution and City land development or division ordinances; issuance of a stop work order, non-issuance of building permits for property, or cessation of related proceedings; set-off against any reimbursement owed; and turning amounts owed over to a collection agency.

**James E. Hibbs**

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 P.C. OU = Oregon PLS2234  
 Date: 2019.02.18 15:51:38 -08'00'

Applicant's Signature

Date



4-10-19

Property Owner's Signature (required)

Date

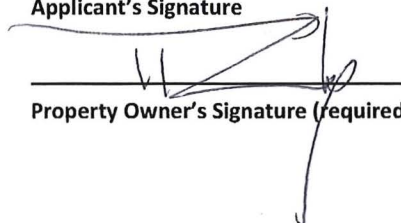
I hereby acknowledge that my applications may be consolidated. When an applicant applies for more than one type of land use or development permit (e.g., Type-II and III) for the same one or more parcels of land, the proceedings shall be consolidated for review and decision. If more than one approval authority would be required to decide on the applications if submitted separately, then the decision shall be made by the approval authority having original jurisdiction over one of the applications in the following order of preference: (1) City Planner, (2) the Planning Commission, and (3) the City Council. Joint meetings between governing bodies may be held to streamline the decision process.

**James E. Hibbs**

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 DN: CN = James E. Hibbs email = james@jfrar.com C = US O = L.J. Friar &  
 Associates, P.C. OU = Oregon PLS2234  
 Date: 2019.02.18 15:51:56 -08'00'

Applicant's Signature

Date



4-10-19

Property Owner's Signature (required)

Date

FOR OFFICE USE ONLY			
Deposit Paid (Amount):	Date:	Received By:	File Number:
\$518	4/10/19	JEFF WILCOX	MLP 2019-001

In compliance with the Americans with Disabilities Act, if you need special assistance, please contact TTY phone number 1-800-735-2900 for English and for Spanish please contact TTY phone number 1-800-735-3896.

*The City of Talent is an Equal Opportunity Provider*

**APPLICANTS STATEMENT FOR PROPOSED PARTITION**

APPLICANT & OWNER: Thomas Kennedy  
PO Box 3101  
Ashland, OR 97520

CONSULTANT: L.J. Friar & Associates, P.C.  
Consulting Land Surveyors  
PO Box 1947  
Phoenix, OR 97535

PROPERTY INFORMATION: 381W26CB TL800  
0.29 Acre = 12480 sq ft

PROPERTY ZONING: RS-MH  
Minimum Size: 6000 sq ft, 7000 sq ft (corner)  
Minimum Width: 50'

**8-2.330 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 and the provisions of the Planned Unit Development Section, when applicable, shall apply. Where a variance is necessary to receive preliminary plat approval, the application shall also comply with the relevant sections of 8-3L.4-Variances;

APPLICANT'S RESPONSE: The submitted preliminary plat complies with Section 8-2.320. Both proposed Parcels comply with the underlying RS-MH zoning. A Planned Unit Development is not being proposed. A variance is not being requested for this partition. **CRITERIA MET.**

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

APPLICANT'S RESPONSE: This criteria does not apply as this is a proposed Partition. **CRITERIA MET.**

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.

APPLICANT'S RESPONSE: The property is currently fronted by Frost Lane which is currently partially improved with paved width of approximately 18'. No new streets, public improvements or dedications are being proposed. **CRITERIA MET.**

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

APPLICANT'S RESPONSE: No private common areas or improvements are being proposed by this Partition. **CRITERIA MET.**

B. Residential Density

1. Minimum and Maximum Density Requirements. When lots are created through a planned unit development or subdivision, the development shall achieve a minimum of forty percent (40%) and a maximum of one hundred percent (100%) of the dwelling unit density permitted by the applicable zoning district. The minimum density provision shall not apply to parcels that are smaller than one (1) acre. For purposes of this section, the minimum number of dwelling units required shall be determined by multiplying the maximum density by 0.4. The result shall be rounded up for any product with a factor of 0.5 or greater and rounded down for any product with a fraction of less than 0.5.

APPLICANT RESPONSE: Property is currently 0.29 acre (12476 sq ft) in size. The minimum density criteria does not apply to parcels under one acre. **CRITERIA MET.**

2. Residential Density Calculation Procedure. The number of dwelling units permitted on a parcel of land is calculated after determining how much of the area is unconstrained. Constraints include undevelopable lands, area devoted to street rights-of-way and other infrastructure, and area devoted to non-residential uses. Dedicated parkland (when accepted by the City) is not considered constrained land for the purposes of calculating density. The Zoning Ordinance permits limited density transfers in the case of steep slopes (8-3J.140) and wetlands and riparian setbacks (8-3H.240), subject to conditions described in those Articles. The following steps describe how to calculate density (For density calculation in the R2 zone, refer to Zoning Code, 8-3C.460. Do not use the method below for the RM-22 zone):

Step 1. Determine the amount of land, in acres, intended for development.

Step 2. Subtract areas either devoted to or to be developed as commercial and other non-residential developed uses.

Step 3. Subtract undevelopable lands (as defined in the Zoning Code, 8-3B.1).

Step 4. Multiply the result of Step 3 by 0.76 to account for a 24-percent standard deduction for infrastructure.

Step 5. Multiply the result of Step 4 by the gross base density, which is determined by dividing 43,560 (one acre) by the minimum lot size of the zone in question (e.g., in the RS-5 zone, gross base density is 5.445; in the RS-7 and RS-MH zones it is 7.26).

Step 6. Round the result of Step 5 to nearest whole number. The preceding steps may expressed by the following formula:

$$D = (A - N - U)RB,$$

where

D = density permitted (in nos. of dwelling units)

A = total site area (in acres)

N = area devoted to non-residential uses (not including parks, open space, infrastructure or undevelopable lands)

U = undevelopable lands

R = 0.76 standard deduction for right-of-way and other infrastructure

B = base density (43,560 ÷ min. lot size of the zone)

The resulting density (D) is the number of units that may be distributed on the developable portions of the site.

APPLICANT RESPONSE: Using the above formula  $D=(0.29-0-0)(0.76)(7.26)$ , yields 1.6 which rounds to 2 dwelling units permitted for this property. This proposal is for two parcels. Both parcels will be vacant when final plat is submitted. **CRITERIA MET.**

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 Section 250(J)–Street Connectivity and Formation of Blocks.

a. Single-family residential lot sizes may be averaged to allow lots less than the minimum lot size in the RS-5 and RS-7 residential districts, as long as the average area for all lots is not less than allowed by the district. In order to prevent exceeding the maximum allowable densities, no lot shall be created that can be divisible in the future unless a re-division plan is filed for the subject lot, pursuant to Section 330(F). No lot created under this provision shall be less than eighty-five (85%) percent of the minimum lot size allowed in the zone. **(Not Applicable)**

b. In the High-Density S&MF Residential (RM-22) zoning district, individual lots may not be created that are too small to provide a residential building footprint, adequate access, any required undeveloped or landscaped areas, and covered off-street parking for at least two dwelling units. **(Not Applicable)**

2. Setbacks shall be as required by the applicable zoning district, unless a PUD is approved with different setbacks.

3. Each lot shall conform to the standards of Section 260–Vehicular Access and Circulation.

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 the Zoning Code, Subdivision Code, and 8-3J.4. **(Not Applicable)**

5. In conformance with the Uniform Fire Code, a 20-foot width 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, Section 260–Vehicular Access and Circulation. **(Not Applicable)**

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. **(Not Applicable)**

APPLICANT RESPONSE: Both proposed Parcels will be 78' wide and 80' in depth and 6238 sq ft in size. Both proposed Parcels will meet minimum size requirements for the RS-MH zone. Minimum setbacks to existing structures will be addressed as a final plat condition. The existing manufactured home on the property will be moved or removed as a condition of final plat approval. Each parcel will have frontage on a public street to be used as access. **CRITERIA 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, and other applicable ordinances and regulations. When not voluntarily accepted by the applicant, conditions shall be roughly proportional to the impact of development, and the written findings and decision shall include findings of proportionality.

APPLICANT RESPONSE: Applicant will address conditions of approval when they arise. **CRITERIA MET.**

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

APPLICANT RESPONSE: This criteria does not apply as the property to the East and South is currently developed. **CRITERIA MET.**

F. Future Re-division 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 re-division in accordance with the requirements of the zoning district and this Code. A re-division plan shall be submitted that identifies:

1. Potential future lot division(s) in conformance with the housing and density standards of the underlying zoning district;
2. Potential street right-of-way alignments to serve future development of the property and connect to adjacent properties, including existing or planned rights-of-way.
3. A disclaimer that the plan is a conceptual plan intended to show potential future development. It shall not be binding on the City or property owners, except as may be required through conditions of land division approval. Development activities that prevent implementation of the re-division plan shall not be permitted unless they achieve the housing densities and street connections required by the applicable zoning district and this ordinance. The City may require dedication and improvement of rights-of-way within the future plan area to provide needed secondary access and circulation.

APPLICANT RESPONSE: This criteria does apply to this proposal. **CRITERIA MET.**

G. Compliance. All submittals shall demonstrate compliance with Article 2, Development and Design Standards of the Talent Subdivision Code and 8-3H.2 of the Talent Zoning Code.

APPLICANT RESPONSE: All submittals comply. Section 8-3H.2 does not apply to this property as it lies in FEMA Zone X (Unshaded) per FIRM Panel #41029C2181F, effective May 3, 2011. **CRITERIA MET.**

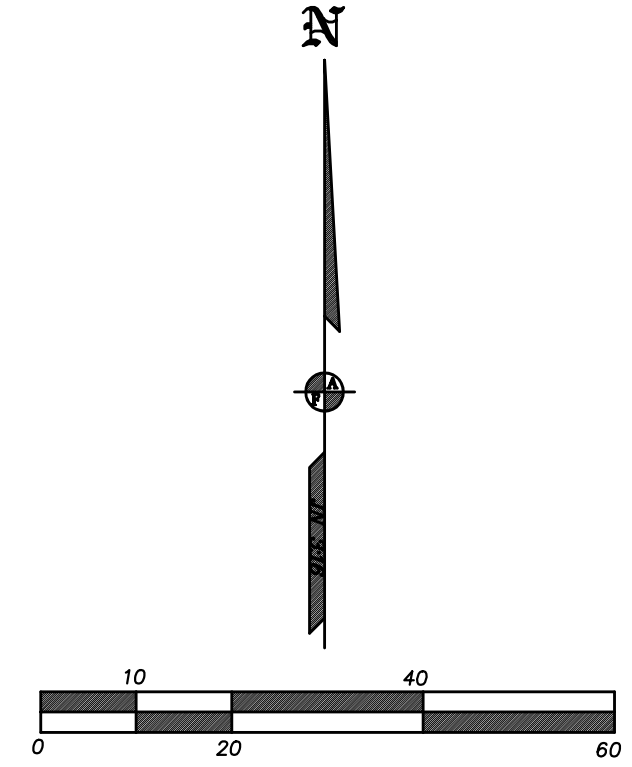
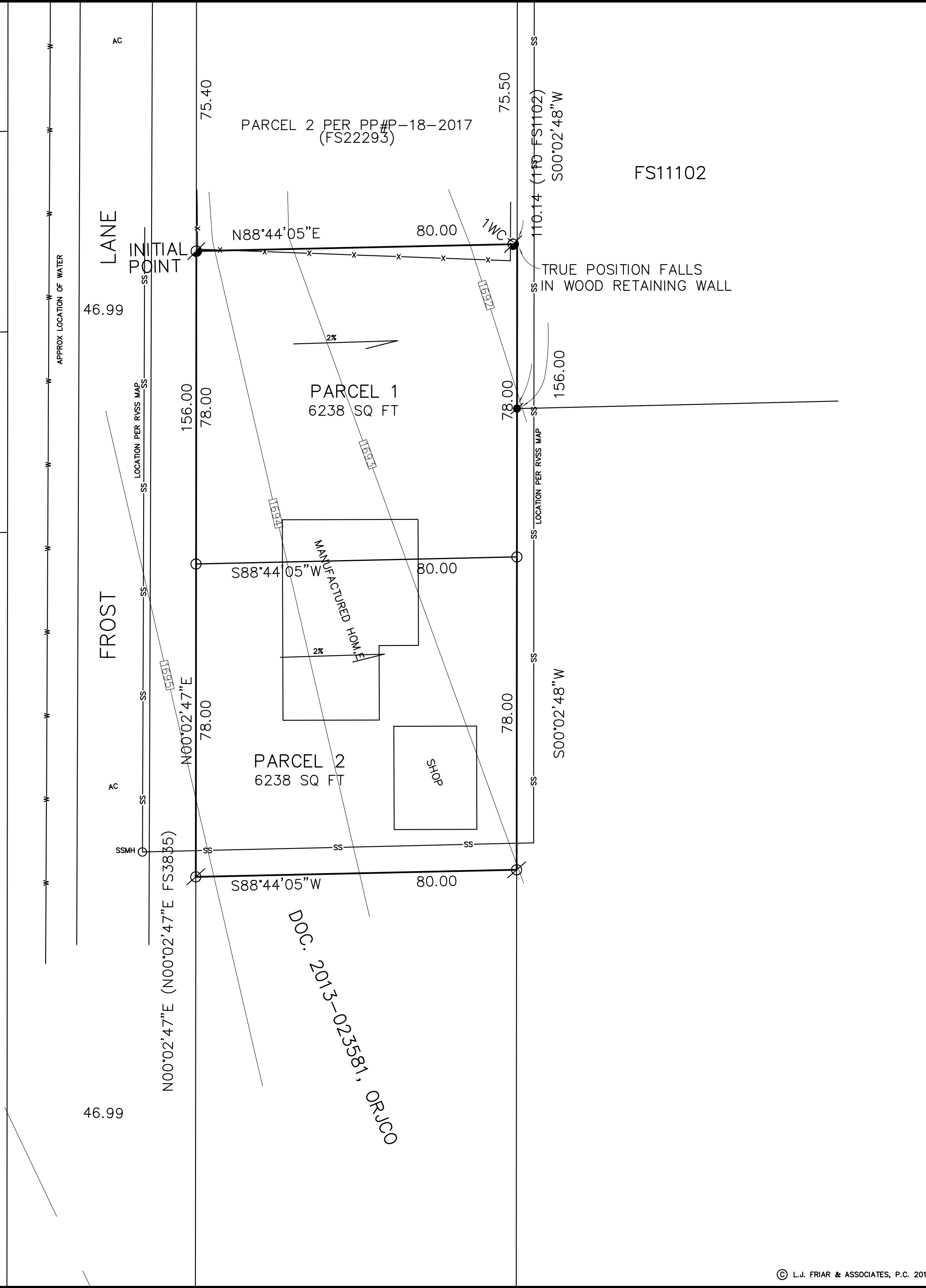
Based upon the above responses to criteria the City of Talent Planning Commission can approve the proposed Partition.

Respectfully submitted,

*James E. Hibbs*

James E. Hibbs, PLS  
L.J. Friar & Associates, PC

**PRELIMINARY PARTITION PLAT**  
 In the S.W. 1/4 of Sec. 26, T.38S., R.1W., W.M.  
 City of Talent Jackson County, Oregon



**BENCHMARK NOTE:**

NGS BM NZ0194, BRASS DISK IN CONCRETE AT THE APPROXIMATE P.I. OF RAPP ROAD SOUTH OF ITS CROSSING OF THE CENTRAL OREGON & PACIFIC RAILROAD. ELEV. 1668.34 (NAVD88)

**FLOOD PLAIN NOTES:**

EFFECTIVE FIRM: 41029C2181F DATED MAY 3, 2011.  
 PROPERTY NOT LOCATED IN FEMA 100 YEAR FLOOD ZONE AE.

**UTILITY NOTES:**

PROPERTY SERVED BY RVSS (SEWER), AVISTA (GAS), PACIFICORP (POWER), QWEST (PHONE) AND CITY OF TALENT (WATER).

- SS- = SANITARY SEWER LINE.
- OHU- = OVERHEAD UTILITY LINES.
- WM = WATER METER.
- W- = WATER LINE.
- WV = WATER VALVE.
- X- = FENCE LINE.
- TELPED = TELEPHONE PEDESTAL.
- PPOLE = UTILITY POLE.

DOC. 2013-023581, ORJCO

REGISTERED PROFESSIONAL LAND SURVEYOR <i>James E. Hibbs</i> OREGON JULY 17, 1986 JAMES E. HIBBS 2234 RENEWAL DATE 6-30-19	TITLE: PRELIMINARY PARTITION PLAT ASSESSOR'S MAP #: 381W26CB TL800	DATE: 2019 FEB 18 SCALE: 1 inch : 20 feet
	FOR: THOMAS KENNEDY PO BOX 3101 ASHLAND, OR 97520	DRAWN BY: JEH CHK BY:
L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS P.O. BOX 1947 PHOENIX, OR 97535 Phone: (541) 772-2782 Email: ljfriar@charter.net		Sheet 1 of 1.