



STAFF REPORT

DATE:	July 16, 2021
NATURE OF APPLICATION:	Partition
APPLICANT:	Henry and Ruby Torrance
PROPERTY LOCATION:	710 N. 8 th Street
APPLICABLE CRITERIA:	Section(s) 2.320, 3.400, 3.510
ZONING DESIGNATION:	GRA – Low Density Residential
COMP. PLAN DESIGNATION:	Residential
STAFF CONTACT:	Patrick Depa, Associate Planner
FILE NUMBER:	PC21-04

NATURE OF THE PROCEEDING

The applicant is proposing to partition 0.23 acres from their 5.73 acre parcel for the purposes of creating another buildable lot. The new lot will meet the minimum lot size requirement. A Land Division relating to a partition requires a "Limited Land Use Review" in conformance with Section 3.400. The "Limited Land Use Review" shall be conducted by the Planning Commission.

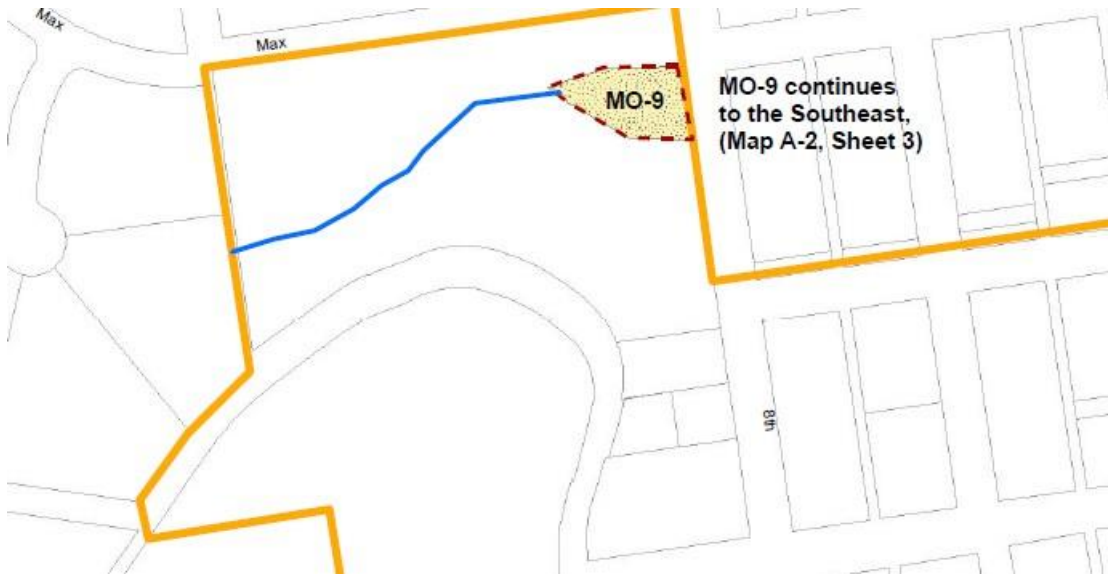
COMMENTS

No public comments have been received at the time the staff report was written. Public Works, Police and Fire did not submit any comments.

BACKGROUND

1. The existing home on the site was built in 1932.
2. The parcel is part of the 2nd Amended Plat to Pacific Addition. The final survey for the partition will have to be in partition plat form.
3. The parcel's north and west property lines are part of the northern city boundary and UGB.
4. The property abuts an unimproved City road to its west and an unimproved County Road to its north.
5. Because this application is for a partition of a single parcel and not a series partition or subdivision, much of the required supplemental information, accompanying statements or existing conditions materials are not required or will be answered within the decision criteria.

6. The parent parcel has some regulated wetlands on it per the Department of State Lands Local Wetland Inventory Map. PUBF - Unconsolidated Bottom, Semi-permanently Flooded.



DECISION CRITERIA/FINDING OF FACT

SECTION 2.328 DECISION CRITERIA: A Tentative Plan may be approved by the Planning Commission. Approval shall be based upon compliance with the submittal requirements and the following findings:

(1) Any undeveloped portion of the proposed land division can be developed in accordance with City ordinances.

The remaining 5.5 acres may still be divided and creates no non-conforming structures or setbacks with the current structures on site.

(2) The proposed development and all adjoining land can be developed in accordance with this Code and City Ordinances.

The proposed parcel to be created meets the minimum lot size and well not be land locked. This partition does not preclude any adjoining land from developing in a manner it could if the partition did not take place. No land, structure or use will become non-conforming due to the proposed partition.

(3) The proposed street plan is in conformance with City standards and provides the most economic, safe and efficient circulation of traffic in relation to the existing City street system and future plans.

Currently N. 8th Street is not improved and probably won't see any improvement unless the property to the east gets developed. A non-remonstrance agreement to any objection to the future construction of a road and possible assessment will be condition of approval.

(4) The proposed utility connections are available, adequate and provide the most efficient and convenient connections to the existing utility systems and the proposed utilities can be extended in the future to accommodate future growth beyond the proposed land division.

Pacific power has a line that goes directly up N. 8th Street past the proposed partition. The applicant should be able to connect to the pole at the north point of the proposed partition.

The current building on the parcel 1 has access to the City's existing water and sewer infrastructure. The closest water main is 6" in diameter and runs inside N. 9th Street's right of way. The applicant will require an easement from Parcel 1 to access this line otherwise they would need to bring a new line up N. 8th Street from Ash Street.

There is an existing sewer line that comes up N. 8th Street but ends partially inside Parcel 1's property line. The applicant will have to extend the existing sewer line at the same diameter north to gain access. If the depth of the sewer is inadequate to accept another connection upstream it would more than likely require a sewer ejector pump.

(5) Special site features have been considered and utilized.

The property is flat at the location of the proposed partition. Parcel 2 has been sized to not interfere with the existing structures on site to its east and does not encroach into any required yard setbacks.

(6) Drainage ways are protected and required drainage facilities are provided in conformance with State erosion control regulations.

The site or Parcel 1 is traversed by a natural drainage-way. The proposed partition is south of the drainage way and does not intersect with its natural pattern and flow. The small pond on Parcel 1 is a result of the above said drainage way which continues to flow to the east over N. 8th Street and beyond. It is the obligation of the property owner to provide proper drainage and protect all runoff and drainage ways from disruption or contamination. The Owner of Parcel 2 shall provide proper drainage on their site and shall not direct drainage across another property except within a continuous drainage way.

(7) The extent of possible emission or nuisance characteristics are compatible with the land use zoning district, adjacent properties and the applicable standards of all regulatory agencies having jurisdiction.

The proposed partition for the purposes of creating a buildable lot in a residential district will not create noise, excessive light or any emissions that could be seen as a nuisance.

(8) Potential adverse impacts have been mitigated to the maximum extent possible.

The proposed partition of 0.23 acres from the parent parcel will not have any adverse impacts on the parent parcel or any other adjacent property.

CONCLUSION

Staff concludes that the applicant meets all of the applicable provisions required by Section 2.328 – Tentative Plan decision criteria for the purposes of approving the proposed partition.

RECOMMENDED MOTION AND CONDITIONS

Staff concludes that the proposed partition can be approved as presented with the following conditions:

1. That the applicant/owner sign a non-remonstrance agreement to any objection to the future construction of a N. 8th Street and possible assessment.
2. That the applicant receive an easement from Parcel 1 to access and continue the 6" water main across their property otherwise, the owner of Parcel 2 would need to bring a new water line up N. 8th Street from Ash Street.
3. The applicant will have to extend the existing sewer line 175' north of its current terminus point to gain access.

Recommended Motion:

I MOVE TO APPROVE the application by Mr. & Mrs. Torrance to allow the partition of their property based on the findings of fact and the results of the approval criteria contained in the staff report.