December 6, 2023 Wasco County Board of Commissioners Regular Session

Wasco County
511 Washington Street, Suite 302, The Dalles, OR 97058
Dec 6, 2023 9:00 AM - 12:00 PM PST

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AGENDA: REGULAR SESSION

WEDNESDAY, DECEMBER 6, 2023

WASCO COUNTY BOARD OF COMMISSIONERS, 511 WASHINGTON ST. SUITE 302, THE DALLES or VIRTUALLY @

https://wascocounty-org.zoom.us/j/3957734524 OR Dial 1-253-215-8782 Meeting ID: 3957734524#

While these virtual options are provided, we cannot guarantee connection or quality of the call.

PUBLIC COMMENT: Individuals wishing to address the Commission on items not already listed on the Agenda may do so during the first half-hour and at other times throughout the meeting; please wait for the current speaker to conclude and raise your hand to be recognized by the Chair for direction. Speakers are required to give their name and address. Please limit comments from three to five minutes, unless extended by the Chair.

DEPARTMENTS: Are encouraged to have their issue added to the Agenda in advance. When that is not possible the Commission will attempt to make time to fit you in during the first half-hour or between listed Agenda items.

NOTE: With the exception of Public Hearings, the Agenda is subject to last minute changes; times are approximate – please arrive early. Meetings are ADA accessible. For special accommodations please contact the Commission Office in advance, (541) 506-2520. TDD 1-800-735-2900. If you require and interpreter, please contact the Commission Office at least 7 days in advance.

Las reuniones son ADA accesibles. Por tipo de alojamiento especiales, por favor póngase en contacto con la Oficina de la Comisión de antemano, (541) 506-2520. TDD 1-800-735-2900. Si necesita un intérprete por favor, póngase en contacto con la Oficina de la Comisión por lo menos siete días de antelación.

9:00 a.m. *Times are Approximate*	**CALL TO ORDER/PLEDGE OF ALLEGIANCE** Items without a designated appointment may be rearranged to make the best use of time. Other matters may be discussed as deemed appropriate by the Board. **Corrections or Additions to the Agenda** ***Discussion Items***: VSO Updates/VSAC Dissolution; Youth Services – Agreement & LPSCC Appointments; Emergency Management Funding Agreement *(Routine Items or Items of general Commission discussion/action, not otherwise listed on the Agenda)* ***Consent Agenda***: 11.1.2023 Regular Session Minutes; DLCD Housing Grant Agreement; Corona Effects Consulting Contract *(Items of a routine nature: minutes, documents, items previously discussed.)* **Public Comment at the discretion of the Chair (3 minute limit unless extended by Chair)**
9:30 a.m.	Recess to District Meetings
10:00 a.m.	County Audit FY 2022 – Mike Middleton
10:15 a.m.	Revised Records Request Policy – Kathy Clark/Kristen Campbell
10:25 a.m.	Planning Appeals Hearing – Daniel Dougherty
10:30 a.m.	IS Purchases – Andrew Burke
10:45 a.m.	Watershed Councils Report – Drake Gilbert
11:05 a.m.	Work Session: Hood River Road Vacation Report – Arthur Smith
BREAK	**RECESS UNTIL EVENING SESSION**
5:30 p.m.	Kramer Field User Groups Discussion
	COMMISSION CALL
	NEW/OLD BUSINESS
	ADJOURN

If necessary, an Executive Session may be held in accordance with: ORS 192.660(2)(a) – Employment of Public Officers, Employees & Agents, ORS 192.660(2)(b) – Discipline of Public Officers & Employees, ORS 192.660(2)(d) – Labor Negotiator Consultations, ORS 192.660(2)(e) – Real Property Transactions, ORS 192.660(2)(f) To consider information or records that are exempt by law from public inspection, ORS 192.660(2)(g) – Trade Negotiations, ORS 192.660(2)(h) - Conferring with Legal Counsel regarding litigation, ORS 192.660(2)(i) – Performance Evaluations of Public Officers & Employees, ORS 192.660(2)(j) – Public Investments, ORS 192.660(2)(n) –Security Programs, ORS 192.660(2)(n) – Labor Negotiations

WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
DECEMBER 6, 2023
This meeting was held in person and on Zoom
https://wascocounty-org.zoom.us/j/3957734524
or call in to 1-253-215-8782 Meeting ID**: 3957734524#**

PRESENT:	Steve Kramer, Chair Scott Hege, Vice-Chair Phil Brady, County Commissioner
STAFF:	Kathy Clark, Executive Assistant Tyler Stone, Administrative Officer

Chair Kramer opened the session at 9:00 a.m. with the Pledge of Allegiance.

Additions to the Agenda: Executive Session pursuant to ORS 192.660 (2)(e) Real Property Transactions

Discussion Item – Veterans Service Office Updates/VSAC

County Treasurer Elijah Preston explained that the Veterans Services Advisory Committee (VSAC) has been mostly inactive over the last few years. They requested to go on hiatus, but we have determined to close out the Committee. Vice-Chair Hege asked if the members are okay with this decision. Mr. Preston said he is not sure how many active members there are. Ms. Clark stated that there are five appointed to the Committee:

- Mark Fortin
- Pat Combs
- Robert Maxwell (resigned)
- Robert Larsell
- Chris Mumford

Chair Kramer pointed out that the Board can dissolve this now and bring it back at a future date if needed. Mr. Stone said the Committee was originally designed to support the restructuring of VSO services in Wasco County.

Commissioner Brady asked who they were advising. Ms. Clark replied that they were intended to advise the Board of Commissioners. Commissioner Brady said if it is easy enough to spin the Committee back up, he is fine with this action. Mr.

Preston commented that he has never had anyone on the committee reach out to him for anything.

{{{Commissioner Brady moved to approve Resolution 23-014 Dissolving the Wasco County Veterans Services Advisory Committee. Vice-Chair Hege seconded the motion which passed unanimously.}}}

Mr. Preston went on to report that Veterans Service Officer Russell Jones has been working solo for 14 months and done a fabulous job – going above and beyond to serve veterans. We have a new Veterans Service Officer, Devon Casey, who is in training. He is very smart and a hard worker; a great fit for us. He started October 1st and has attended the annual training through the State. He also took a 2-week online course and has already started taking claims and helping veterans.

Mr. Preston announced that Stan Getz has returned to work in the Wasco County Road Department; he had served as the Hood River County Veterans Service Officer. We may take on a little of the Hood River County work until they can fill that position.

Discussion Item – Youth Services

JCP AGREEMENT AMENDMENT

Youth Services Director Molly Rogers explained that she is mostly here to answer questions. This is a contract that started July 1st and we are just now getting the document; we have continued services without a break. This increases the funding from $63,000 to $70,000 for prevention programs. The funding supports the Youth Think "What's Strong with You" program which is primarily run in The Dalles Middle School to address social isolation and classroom behaviors. Youth Services has had a reduction in referrals since the program was implemented.

Vice-Chair Hege observed that this is a marginal increase. Ms. Rogers said these dollars have been in place since 1999; we took a significant reduction in the early 2000's of about 40% in actual dollars. If you consider the cost of living, it was more like a 70% reduction.

{{{Vice-Chair Hege moved to approve the Oregon Department of Education Juvenile Crime Prevention Fund Reinstatement and Amendment 1 for Grant 15692. Chair Kramer seconded the motion which passed unanimously.}}}

LPSCC APPOINTMENT

Commissioner Brady asked if Joyce Orendorff has been at NORCOR for a long time. Ms. Rogers confirmed saying that Ms. Orendorff started at the facility as a Correction Tech and has worked her way up. .

{{{Vice-Chair Hege moved to approve Order 23-073 appointing Joyce Orendorff to the Local Public Safety Coordinating Council. Chair Kramer seconded the motion which passed unanimously.}}}

Consent Agenda – 11.1.2023 Regular Session Minutes

Commissioner Brady noted that a comment he made regarding communications between landowners leasing space to solar/wind power companies was in error and asked that it be removed from the minutes.

{{{Vice-Chair Hege moved to approve the Consent Agenda with noted corrections to the minutes. Commissioner Brady seconded the motion which passed unanimously.}}}

Discussion Item – Emergency Management Funding Agreement

Emergency Manager Sheridan McClellan explained that this is a grant to upgrade communication systems for the Sheriff's Department. The $32,000 will purchase 6 handheld radios.

Chair Kramer asked if we recycle the old radios. Mr. McClellan replied that they will go to partner agencies; we will keep that frequency for them as well as the repeater sites.

Commissioner Brady asked if the communications will be encrypted. Mr. McClellan answered that encryption will not be employed at this time; however, the radios do have that capability. The State may have some encrypted channels and we will be able to communicate with them on those frequencies.

Commissioner Brady asked if this upgrade is a State requirement. Mr. McClellan stated that it is not; however, our study showed that to get better coverage and use ODOT towers, we need to move to this technology. The radios can switch between digital and VHF. He said the end goal is to replace all the vehicle and handheld radios. This is a start; we are doing a phased upgrade to avoid a large on-time cost which could be as much as $500,000.

Vice-Chair Hege asked who will get the 6 radios. Mr. McClellan answered that

the deputies on the road will have the new radios.

{{{Commissioner Brady moved to approve Grant Agreement 23-216 for the State Homeland Security Program Grant. Vice-Chair Hege seconded the motion which passed unanimously.}}}

Chair Kramer reported that he had a meeting with State Senator Elizabeth Steiner and others; she suggested he meet with the State Director of Emergency Management to talk about the Wasco County Fairgrounds as it relates to emergency management. Vice-Chair Hege said QLife has an emergency management project they would like to add to that discussion.

At 9:29 a.m., Chair Kramer recessed from the Regular Session to open meetings for the Wasco County Library Service District and the 4H and Extension Service District.

The Regular Session resumed at 9:55 a.m.

Agenda Item – Wasco County Fiscal Year 2022 Audit

Finance Director Mike Middleton reviewed the audit documents included in the Board Packet. He stated that the auditor is tied up with the 2023 audit but will answer any questions submitted.

Mr. Middleton reported that this is a clean audit with no findings and only 2 exceptions which the auditor flagged for our awareness so they are not repeated. The first exception is due to the delay in getting the 2022 audit completed. The second exception is a budget overage of $84 for the Fair Fund.

Mr. Middleton noted that there have been some changes to future auditing standards that will impact our next audit. These include the usage of subscription based software.

Mr. Middleton pointed out that the audit included comments on best practices. He noted that he intentionally keeps an excess in checking to avoid overdrafts in case of an unexpected expense. While we cannot gain interest in the funds in the checking account, we do get a credit which offsets some of the banking fees.

The other comment addressed staffing levels. He stated that was due to the fact that the Office Manager position was vacant for some time and he was splitting his time between the County and Mid-Columbia Center for Living. Both of those circumstances have been remedied.

Vice-Chair Hege asked how the current audit is going. Mr. Middleton said they are back on track and should have the audit report ready by February.

Agenda Item – Revised Records Request Policy

Ms. Clark reviewed the memo included in the Board Packet.

{{{Commissioner Brady moved to approve the revised Records Request Policy. Vice-Chair Hege seconded the motion which passed unanimously.}}}

Chair Kramer opened the floor to public comment. There was none.

Agenda Item – IS Purchases

Information Services Director Andrew Burke stated this purchase is to complete the network upgrade. He reviewed the memo included in the Board Packet.

Commissioner Brady asked if the reason for 2 is redundancy. Mr. Burke replied that it is for resiliency and high availability. If one fails, the other can automatically and near instantly take over. There is a device in place using Albert Technologies for passive security.

Commissioner Brady pointed out that the quote was issued in September and is only good for 30 days. Mr. Burke explained that it gets refreshed as they move through the details of the purchase.

Commissioner Brady asked if there is a market for the old equipment. Mr. Burke said that there could be but we generally use it for testing or surplus it.

{{{Commissioner Brady moved to approve the Cerium Network Master Service Agreement, the purchase of Cisco 3130 Next-Generation FireWall devices, and the Statement of Work for the implementation of said devices. Vice-Chair Hege seconded the motion which passed unanimously.}}}

Vice-Chair Hege asked about the consulting services agreement included on the Consent Agenda. Mr. Stone explained that the Management Team has had discussions and meetings around facilitating the move to the 3rd Street offices and how to mitigate the challenges of such a transition for staff. They have asked for tools to support that effort. The 2024 Leadership Summit will be educational for change management. The contractor will do a 2-day work shop to give us those tools. We solicited 3 quotes and received 2 responses.

Commissioner Brady commented that the Navigation Center will have many entities housed under the same roof; they may benefit from such training.

Chair Kramer called for a recess at 10:18 a.m.

The Session resumed at 10:25 a.m.

Agenda Item – Continuation of Planning Commission Appeal Hearing

At 10:27 a.m., Chair Kramer resumed the Board of Commissioners Quasi-Judicial Appeal Hearing on agenda item 921-23-000023-PLNG, a National Scenic Area request for a Replat (Prince Heights Subdivision) of existing subdivision lots within the Columbia Crest Addition Subdivision.

Chair Kramer asked if any commissioner wished to disqualify themselves for any personal or financial interest in this matter. There were none

Chair Kramer asked if any commissioner wished to report any significant ex parte or pre-hearing contacts. There were none

Chair Kramer asked if any commissioner had made a site visit. Commissioner Brady reported that he lives in view of the site.

Senior Planner Daniel Dougherty stated that he has been in communication with the applicant's attorney and expects a request for a continuance.

Chair Kramer asked if the Applicant and/or their representative want to request a continuance of the hearing. Jay Harris, representing the Applicant, stated that the Applicant would like to request a continuance. Steve McCoy, representing the Appellant, concurred with the request.

Mr. Harris reported that they have made considerable progress thus far.

Chair Kramer expressed his appreciation for both sides coming together to work this out.

Discussion ensued regarding a date for the continued hearing. February 7, 2024 was determined to be acceptable by all.

Planning Director Kelly Howsley-Glover said that because the Applicant and Appellant are working toward a settlement, the Planning Department would ask

that the record be closed at this time.

Mr. Harris asked if it could be reopened should there not be a complete resolution. County Counsel Joanna Lyons-Antley replied that a motion to reopen can be made if the parties do not come to an agreement.

{{{Chair Kramer moved to continue the appeal hearing on agenda item 921-23-000023-PLNG to 9:30 a.m. on February 7, 2024, closing the record. Vice-Chair Hege seconded the motion, which passed unanimously.}}}

The hearing was recessed at 9:36 a.m.

Agenda Item – Watershed Councils Report

Soil and Water Conservation District Watershed Coordinator Drake Gilbert reviewed the report included in the Board Packet. He said they will be doing another grant-funded round of comingling well repairs; 14 have been completed and they hope to do another 9. The work is prioritized by each well's impact on the watershed.

Commissioner Brady asked the source of the funding. Mr. Gilbert responded that it is coming from the State.

Vice-Chair Hege asked who is managing the project. Mr. Gilbert replied that Josh Thompson is working with GSI Solutions on the project. Ken Bailey, Co-Chair of the Watersheds Coordinating Council, noted that the priority list is coming from the State Water Resource Department.

Commissioner Brady asked the purpose of filtering stored stream water before returning it to the stream from winter storage in the 15-Mile Creek Underground Storage Project. Mr. Gilbert answered that it is to prevent any contamination; even turbidity can create issues.

Mr. Gilbert reported that they have partnered with DEQ for data analysis in regard to the persistent E.coli contamination in Mill Creek. They have done more sampling of creek tributaries with high levels of contamination and will be doing some winter sampling which has not been done previously. Once they have narrowed the possibilities they can do DNA sampling to determine if it is human or livestock contamination.

Commissioner Brady noted that Public Health would be the enforcement agency for E.coli; he asked if they are aware. Mr. Gilbert said that DEQ is also an

enforcement agency. He said he has not spoken to Public Health but would not be surprised if DEQ has reached out to them. Chair Kramer stated that he knows Public Health was involved at some point; hopefully, they still have it flagged.

Mr. Bailey commented that landowners are pretty protective and their cooperation is necessary to resolve this issue. The enforcement agencies are also sensitive to that. Mr. Gilbert added that Soil and Water Conservation is a non-regulatory agency and likes to use a cooperative approach.

Mr. Gilbert reported that Mill Creek produces a significant number of smolt each year. Vice-Chair Hege asked who tags the fish. Mr. Gilbert answered that the Oregon Department of Fish and Wildlife does that work.

Mr. Gilbert continued to review the report adding that work is ongoing in an effort to create a network of fire breaks. Mr. Bailey noted that that work is going on elsewhere in the state as well. Chair Kramer said that he thinks we will see more funding for that work. Mt. Bailey agreed, saying that the State has had to spend so much money fighting fires; it would be better spent preventing them.

Agenda Item – Work Session: Hood River Road Vacation

Ms. Clark noted that a comment from Hood River County was misplaced in the packet – it is in the Kramer Field section and should be with the comments for the Hood River Road Vacation.

Public Works Director Arthur Smith reviewed the report included in the Board Packet. He said there are a lot of stakeholders involved. From our records, there has been some route from The Dalles to Hood River along this section since the 1860s. In 1908, Hood River became its own county and now most of that road is under Hood River County jurisdiction. He stated that there are very few maintenance records from that time.

Mr. Smith went on to say that he found 1993 correspondence from a landowner to the Public Works Director complaining about trespassers and requesting to gate the road; that request was granted and they closed it to motorized vehicles. A gate is still on that section and has been for nearly 30 years with our approval.

Mr. Smith reported that in January of this year he was approached about bicycling and hiking as it pertains to the gate and status of the road. The current landowners became aware of the heightened interest and made a formal request to vacate the road. He said he has been working on this through the summer and communicating with the various stakeholders.

Commissioner Brady asked if the landowner's residence is behind that gate. Mr. Smith replied that it is.

Mr. Stone asked if there is an order banning motorized traffic. Mr. Smith stated that nothing official has been found in either Hood River or Wasco County records. He said that a road official can close the road for the public good but it is often reopened and not left to sit for 30 years. He said to move forward with the vacation would require a public hearing. You can also decide to not move forward with the request but can make some determination regarding our portion of the road.

County Counsel Joanna Lyons-Antley stated that Under ORS 368.346, once the report is received, a hearing must be held to grant or deny the vacation request.

Dustin Posner of Hood River Road said he is one of the 4 petitioners and here to answer questions. He said if it becomes clear that the vacation will not be granted, they are willing to withdraw the petition rather than force a public hearing. He noted that theirs is not the only gate, there are 3 in total. The "county line" gate is technically in Hood River County. It is a complicated issue.

Commissioner Brady observed that while a property line is fixed, roads tend to drift over time. He asked if the road near Mr. Posner's property has deviated over time. Mr. Posner said that is impossible to know. There are 2 or 3 roads coming into it. When the Campbell and Posner deeds were filed they describe the property line to be at the centerline of the road. He said that prior to some construction on his property, he hired private surveyor Bradley Cross, now the County Surveyor, to do the survey with a legal description that would define the centerline.

Vice-Chair Hege asked how the actual road bed relates to the right of way. County Surveyor Bradley Cross said the boundary of the road would have been where it was at that time. It shows on BPA maps of the time. It is an extremely old right of way. The road itself serves as the monument.

Vice-Chair Hege said that if you look on the GIS map, there seems to be a lot that is not accurate in that area. Mr. Cross said it would depend on the Assessor's map as his team is not resurveying every property. There will still be problems on the aerial imagery and they will fix those as they can. Mr. Posner added that there is a barbed wire fence that is, in theory, the county line but is likely not accurate. He said that it is usually Pacific Power coming through to do maintenance on their polls and fire prevention. He explained that the intent of the

vacation is not to limit the public's need to access for utility or emergency uses.

Discussion ensued as to next steps for both the possibility of a hearing and the possibility of a withdrawal of the application. Vice-Chair Hege reported that he has spoken to 2 Hood River County Commissioners, both of whom are opposed to the vacation due to connectivity issues. He noted that when he was there recently, the road was in remarkably good condition. Mr. Posner stated that during a fire in 2022, the gates were unlocked but most of the equipment could not get through due to the mud and water. He said that Wasco County maintains the road up to his driveway; he gravels another 500 feet.

Vice-Chair Hege said that if Hood River County is not going to support this, he has no desire to vacate it but wants it useable without being a problem for the landowners. He said utilities and emergency vehicles still need to get through and the language will need to allow for that. Mr. Posner said his issue come when people climb over the gate onto his property. Vice-Chair Hege commented that it is pretty remote and not likely to become a thoroughfare.

Commissioner Brady said he sees this as place where we don't want folks out there on vehicles that do not belong there.

Mr. Stone recommended that the Board set a hearing far enough out to allow staff the time to figure out a path, in conjunction with Hood River County, to reach the desired outcome.

*****The Board was in consensus to set a hearing date for the Hood River Road Vacation Application to be held on March 6, 2023 at 9:30 a.m.*****

Executive Session

At 12:04 p.m. Chair Kramer recessed from the Regular Session to open an Executive session pursuant to ORS 192.660(2)(e) Real Property Transactions. He explained the process and directed to media to not report on anything discussed in Executive Session except to state the general topic as previously announced.

Regular Session Reconvened at 12:36 p.m.

Commission Call

Commissioner Brady said that MCCAC is doing amazing things to address the houseless issues but the hardcore houseless are still on the street. There are 65 beds available; 40 of those are year-round. Some are overnight, cold-weather beds. The facilities require residents to follow rules and there is security on-site.

They work with the clients only if help is needed. If there is misbehavior, the offender is removed. He commented that it is important for couples or families who are coming off of the street have a safe place to go. The volunteers at the warming shelter receive training on de-escalation.

Commissioner Brady said that staff at North Central Public Health are revitalized now that they have made the decision to remain a District. They understand their responsibilities. They would like the IGA to continue while they make the transition.

Commissioner Brady stated that the Deschutes Rim Clinic has struggled with low staffing. They have decided to hire a clinic manager first to help with some of the operational decisions.

Commissioner Brady said that he met with Gorge Commissioner Elaine Albrich. There is ongoing litigation on the east coast in regard to the State Compact. That can have implications for us. Mr. Stone said he will have a presentation for the Board at an upcoming session.

Vice-Chair Hege stated that the Outreach Team is working on defining their mission. Urban Renewal is updating their plan again.

Vice-Chair Hege said he is looking forward to moving Commission meetings to the new building; he said he thinks that should happen in short order so we are not so cramped. Mr. Stone said he has asked Mr. Burke to set it up but that takes time.

Chair Kramer said he has asked the Hazardous Waste Steering Committee to focus their efforts on hazardous waste rather than recycling. He said they will wait to see what comes out of the Recycling Modernization Act. Until that time they will work on better outreach and hazardous waste.

Chair Kramer reported that the AOC committee on Health and Human Services will be holding monthly meetings in conjunction with the Public Safety Committee to discuss Measure 110.

Chair Kramer announced that he will be meeting with Representative Helfrich next week to talk about lottery funding for the Resolution Center.

At 12:51 p.m., Chair Kramer called a recess.

The Session reconvened at 5:30 p.m.

Agenda Item – Kramer Field User Groups Discussion

Chair Kramer asked The Dalles Little League President Katie Kelley to open with comments. Ms. Kelley thanked the Board for coming back to this discussion. She said she is curious as to what the heartburn may be regarding their request for the County to manage the facility.

Commissioner Brady asked what the most important improvements the users would want to see at Kramer Field. Ms. Kelley replied that the safety improvements would have to come first – field conditions that are playable, safe, lighting, and safer dugouts.

Chair Kramer asked if Ms. Kelley believes the relationship with the Parks District is repairable. Ms. Kelley said that the users have been reasonable and made every effort to work things out with the Parks District; but she would not go so far as to say that anything is unrepairable.

Chair Kramer asked who they have talked to at the Parks District – the Executive Director? Staff? The Board? Ms. Kelley replied that they have spoken to all of the above.

Patrick Urain, Chief Umpire and Coach, said they have tried countless times to make this work but they do not have a willing partner.

Vice-Chair Hege observed that the users are asking the County to step in and somewhat supplant what the Parks District has done for decades. What is being asked is for the County to do something it has never done before. He said that until recently, we have not heard about these issues. He said he does not doubt that we could learn to do it, but that is his concern.

Ms. Kelley said she is sorry that this is the first Vice-Chair Hege has heard of this. She said there is an entity to provide this service. There is a lot of opportunity for improvement but it does not appear to be a priority for them. She said she has heard a suggestion that the County provide some funding; however, for the County to have oversite and control of how that funding is applied is in the County's best interest.

Mr. Urain stated that at the last meeting the Wasco County Facilities Manager stated that his staff has the capacity to take this on. What is being requested is weed abatement, watering, and mowing. He encouraged the Commissioners to

take the time to walk the property and observe the conditions. Commissioner Brady said he went to the property on his bike and came back with goat heads.

Former City of The Dalles Mayor Steve Lawrence said the County just needs to make a decision; it is County property and the County needs to make it the best field they can to bring in the tournaments. This has languished for a year; the County has the money to do this. He went on to say that the County should have monitored what the Parks District was doing with the property and did not. The County needs to put a plan together and do this. It is the County's field; they need to make it a success.

Butch Hert, with the Babe Ruth League, said he has had a good relationship with the Parks District, although there have been disagreements. The Leagues have tried to fix the safety issues themselves. The biggest concern is the Little League fields, especially Field 2. The Little League fields are unplayable and unsafe. He said he mows the fields a lot and reported that it is so rough, it almost shakes your teeth out – there must be at least 200 gopher holes. He said he has trapped quite a lot but it is too much for one person. He said there is a lack of accountability. He stated that he does not know the expectations the County has of the District, but they are not being met. He said they try to maintain the Babe Ruth field themselves but it is also becoming hazardous. He said that the water system is old and needs to be continuously monitored – it is extremely bad on the Little League side.

Commissioner Brady asked if the sprinkler system can be repaired. Mr. Hert replied that it probably can be on the Babe Ruth side but he does not think the rest can. He said the issues with the District need to be worked out; there are kids signing up to play and we don't know what is going to happen.

High School Baseball Coach Pat Clark said he supports the request. It is a travesty that a town this size does not have an adequate facility for Little League. We cannot even host a tournament. He said he is trying to grow the game and this circumstance is starting to take kids away from baseball. Whatever the District has been doing is not enough.

Travis Dray, The Dalles Sluggers Board Member, said we need to thank the volunteers like Mr. Hert – without them, we could not play at all. The Sluggers are kind of a farm team for the High School. Last year they were able to play a couple of games at the Quinton Street field. He said they have the connections to bring in other teams but cannot do so due to the conditions of the field. He said he served on the Parks District Board 7 or 8 years ago; their focus is Sirosis Park.

He said he does not think it is useful to look back; we need to look forward and get a field that is playable. There is a return on investment if we can bring other teams here. The users will contribute in any way they can.

Mr. Clark pointed out that mowing cannot be Mr. Hert's job forever. Right now he cannot put a High School pitcher on the Kramer Field mound – it is too dangerous. He added that scheduling games at Quinton Field means stacking the games into the night.

Ms. Clark read the following from the Zoom chat: My name is Tiffany Gardipee. I am the safety officer on the The Dalles Little League Board. I encourage ALL of you to walk the grounds of Kramer field and get a first-hand glance before any decisions are made. It saddens me that the safety of our youth is such a low priority. Thank you for time and consideration in the requests of The Dalles Little League.

Commissioner Brady said it is well-known that there is a future plan for Kramer Field to have another use. He said he has not heard anyone speak about nostalgia. He asked if what they really want is just good fields.

Mr. Lawrence said it is about having safe fields. Quinton Street Field is historic and should be on the registry. The Sports Complex is 10 years out. The County needs to make a decision now about the field that exists now.

Mr. Urain said there is a personal level of nostalgia. Around the state, everyone has upgraded their facility. He asked what is the bridge between now and the new complex in providing a safe space for the kids.

Mr. Hert said that is also his main concern. He said he was part of the negotiating committee to get that field in place. For the first few years it was under the control of the City and was a fiasco. Then the Parks District took it over and did a good job for a long time. Over the years, it has deteriorated. It needs maintenance and not enough effort was put into that. If you look around the country, we are nowhere close to what others are doing. He said he could put on a state and probably a regional tournament every year if we had a field to support that.

Chair Kramer commented that the County does not have park managers. He said he liked Mr. Urain's OpEd and would like to see an extended management plan that builds on that. The County would need help as this is not what we do and the users know what it takes. We have to have a new model. He said he is optimistic

but it will take everyone. He noted that there are more partners than just the County and the Leagues. We will need to get those other partners on board to help us eliminate some of the other issues at the field.

Mr. Lawrence asked who those partners are. Chair Kramer replied that the City and School District also have a share in raising our youth. Mr. Lawrence said that the County can say it is working with partners forever. Chair Kramer responded that we need help from our partners inside the City limits; we have to work together. Mr. Lawrence said he does not want to see this become the excuse to do nothing; he said he is asking that the County move this forward under leadership.

Mr. Urain said he recognizes that we need community. It will take all of us coming to the table. The Leagues are looking for the lowest cost opportunity. He said he is committed to this and will work to help it happen.

Mr. Clark added that they are not asking for a huge investment; they are asking for basic maintenance.

Mr. Hert said that the environment has changed at Kramer Field over the last 10 years. In the beginning, there was collaboration to make it better and the Leagues invested a lot into the field. We never used to have the transient problems we have now. There has been a lot of effort; volunteers are doing the field maintenance. We don't know who is accountable. Someone needs to take the bull by the horns.

Mr. Stone said we have been meeting with the user groups for a year trying to find a path forward. County Facilities has locked the dugouts.

Stevie Elledge, The Dalles Little League Vice-President, said that this is her 3rd season on the Board and 9th season with Little League. She said she has been in contact with The Dalles Police Chief; they have committed to nightly drive-bys and walk the field as they can. They have been a willing partner. In order for them to see the dugouts, they have to walk to the middle of the field. The League is working to make changes that will make it easier for them. She said she appreciates the view to include community partners and acknowledges that the County is not experienced in this. She said she has seen counties take on public golf courses, ball fields, etc. It seems within reason to make this request.

Vice-Chair Hege said that he sees there are a lot of issues and long-term deterioration. The first time the Board of Commissioners has discussed this is

within the last 3 months; this is a new issue for the Board. The County is the landowner but that does not mean that we are a park district. He said we can do a great job at anything we want to do, but we do have a Parks and Recreation District. They are a partner of ours and they still have that mission. He said we do not do our best when we peel off and do our own thing. He said he is not interested in running a park. He stated he is interested in solving all the problems being discussed and doing it soon. He said he has worked with the Parks District for 30 years in various capacities. He said we are all fallible; perhaps we have not made it that easy for them to be successful. Their Board is doing the best they can. He said he wants to figure out how to move forward and help them be successful. Perhaps they do not want to do this and then we will look at it differently. Many of the problems are not going to be solved by better maintenance; there are social problems to consider. If we want to succeed at the highest level we have to work together. He said he wants to make decisions quickly and move forward collectively. He said he thinks that is the best way, not for the County to take it over just because there are some difficulties. He said he thinks there is a possibility to move forward with the District; the City also has some responsibility in this as it mostly serves The Dalles.

Commissioner Brady said his long range concern is how do we get to a sports facility. That is not a guarantee, although we do have a 35-acre site that could serve that purpose. He said he applauds Commissioner Hege's willingness to negotiate and that would be great; but, he wants to get to a simple bridge. We are not going to do the least but not much more than that. His thought is that we can tell the District what they *should* do but not what they *shall* do. We can engage others for landscaping rather than ramp up our staff. The other issues such as the houseless population will have to be solved using other tactics.

Chair Kramer said that Vice-Chair Hege has agreed to go to the Parks and Recreation District meeting in January to ask them if they want to work with us. In the meantime, he said he would like to see a plan from the users so he can act as their champion. He said he wants to support the efforts.

Vice-Chair Hege said he would like the users to determine specifically what the highest priority items are in order to be ready for the next season. He said we will need to hit the ground running. Mr. Urain said they would have the list to him prior to the January meeting.

Mr. Dray added that it would be helpful to have a phased approach so expectations can be met; together, we can move the needle.

Chair Kramer adjourned the meeting at 6:32 p.m.

Summary of Actions

MOTIONS

- **To approve Resolution 23-014 Dissolving the Wasco County Veterans Services Advisory Committee.**
- **To approve the Oregon Department of Education Juvenile Crime Prevention Fund Reinstatement and Amendment 1 for Grant 15692.**
- **To approve Order 23-073 appointing Joyce Orendorff to the Local Public Safety Coordinating Council.**
- **To approve Grant Agreement 23-216 for the State Homeland Security Program Grant.**
- **To approve the Consent Agenda: 11.1.2023 Regular Session Minutes.**
- **To approve the revised Records Request Policy.**
- **To approve the Cerium Network Master Service Agreement, the purchase of Cisco 3130 Next-Generation FireWall devices, and the Statement of Work for the implementation of said devices.**
- **To continue the appeal hearing on agenda item 921-23-000023-PLNG to 9:30 a.m. on February 7, 2024, closing the record.**

CONSENSUS

- **To set a hearing date for the Hood River Road Vacation Application to be held on March 6, 2023 at 9:30 a.m.**

Wasco County
Board of Commissioners

Steven D. Kramer, Commission Chair

Scott C. Hege, Vice-Chair

Philip L. Brady, County Commissioner

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE DISSOLUTION OF THE WASCO COUNTY VETERANS SERVICES ADVISORY COMMITTEE (VSAC)

RESOLUTION #23-014

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board of Commissioners being present; and

WHEREAS, The Wasco County Veterans Services Advisory Committee (VSAC) was established in 2004; and

WHEREAS, Since the establishment of the Wasco County Veterans Services Advisory Committee, Wasco County, with the support of the VSAC, has established a robust Veterans Services Office; and

WHEREAS, Over the last several years the VSAC has become largely inactive.

NOW, THEREFORE, BE IT RESOLVED BY THE WASCO COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

1. That the current, standing Wasco County Veterans Services Advisory Committee shall be, and is hereby dissolved; and
2. That the existing members of the Wasco County Veterans Services Advisory Committee be and are hereby relieved of their duties on the committee with the sincere gratitude of the Board of Commissioners for their years of service to the Veterans of Wasco County.

Passed by the Board of Commissioners this 6th day of December, 2023.

WASCO COUNTY
BOARD OF COMMISSIONERS

_____
Steven D. Kramer, Chair

APPROVED AS TO FORM:

_____
Scott C. Hege, Vice-Chair

_____
Kristen Campbell, County Counsel

_____
Philip L. Brady, County Commissioner

MOTION

SUBJECT: **Veterans Services Advisory Committee Dissolution**

I move to approve Resolution 23-014 Dissolving the Wasco County Veterans Services Advisory Committee.

Reinstatement and Amendment No. 1 to Grant No. 15692

This is Reinstatement and Amendment No. 1 to Grant Agreement No. 15692, effective July 1, 2023 (as amended from time to time, the "Grant"), between the State of Oregon, acting by and through its Oregon Department of Education ("Agency") and Wasco County ("Grantee"), each a "Party" and together, the "Parties". Upon receipt of all required approvals and execution by both Parties, this Reinstatement and Amendment shall be effective on July 1, 2023 ("Amendment Effective Date").

The Grant expired on June 30, 2023 and the Parties now desire to reinstate the Grant in its entirety and amend the Grant provided herein.

The Parties acknowledge and agree that Agency has not made any payment for activities performed after June 30, 2023.

The Grant is amended as follows (new language is indicated by **underlining and bold** and deleted language is indicated by ~~strikethrough~~):

1. Section 3 of the Grant is amended as follows:

   SECTION 3: EFFECTIVE DATE AND DURATION

   When all Parties have executed this Grant, and all necessary approvals have been obtained ("Executed Date"), this Grant is effective and has a Grant funding start date as of July 1, 2021 ("Effective Date"), and, unless extended or terminated earlier in accordance with its terms, will expire on ~~June 30, 2023~~ **June 30, 2025**.

2. Section 6 of the Grant is amended as follows:

   SECTION 6: GRANT FUNDS

   In accordance with the terms and conditions of this Grant, Agency will provide Grantee up to ~~$63,000.00~~ **$70,000.00** ("Grant Funds") for the Project. Agency will pay the Grant Funds from monies available through its General Fund ("Funding Source").

3. Exhibit A Section V of the Grant is deleted and replaced with the following revised Exhibit A Section V, effective as of the Amendment Effective Date.

SECTION V. PROJECT EVALUATION/REPORTING REQUIREMENTS

Using Agency provided reporting templates, Grantee will submit required reports, related reports and information as Agency may reasonably require. Required reports include Quarterly Reports and the Final Report. Grantee must submit the reports as indicated below:

REPORT	DUE DATE
Quarterly Reports	Within 30 days after the end of each quarter listed below: Quarter 1: July 1, 2023 – September 30, 2023 Quarter 2: October 1, 2023 - December 31, 2023 Quarter 3: January 1, 2024 – March 31, 2024 Quarter 4: April 1, 2024 - June 30, 2024 Quarter 5: July 1, 2024 – September 30, 2024 Quarter 6: October 1, 2024 - December 31, 2024 Quarter 7: January 1, 2025 – March 31, 2025 Quarter 8: April 1, 2025 - June 30, 2025
Final Report	By August 1, 2025

Except as expressly amended above, all other terms and conditions of the Grant are still in full force and effect. Grantee certifies that the representations, warranties and certifications contained in the Grant are true and correct as of the Amendment Effective Date and with the same effect as though made at the time of this Amendment.

[Signature on next page]

EACH PARTY, BY SIGNATURE OF ITS AUTHORIZED REPRESENTATIVE, HEREBY ACKNOWLEDGES IT HAS READ THIS REINSTATEMENT AND AMENDMENT, UNDERSTANDS IT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS. The Parties further agree that by the exchange of this Reinstatement and Amendment electronically, each has agreed to the use of electronic means, if applicable, instead of the exchange of physical documents and manual signatures. By inserting an electronic or manual signature below, each authorized representative acknowledges that it is their signature, that each intends to execute this Reinstatement and Amendment, and that their electronic or manual signature should be given full force and effect to create a valid and legally binding agreement.

IN WITNESS WHEREOF, the Parties have executed this Reinstatement and Amendment as of the dates set forth below.

STATE OF OREGON acting by and through its Department of Education

By: _____ _____
Contracting Officer Date

Wasco County

By: _____ _____
Authorized Signature Date

_____ _____
Printed Name Title

_____
Federal Tax ID Number

Approved for Legal Sufficiency in accordance with ORS 291.047

By: via email 09/25/2023
Kevin Gleim, Assistant Attorney General Date

MOTION

SUBJECT: **JCP Fund Reinstatement & Amendment 1**

I move to approve the Oregon Department of Education Juvenile Crime Prevention Fund Reinstatement and Amendment 1 for Grant 15692.

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE APPOINTMENT OF JOYCE ORENDORFF TO THE WASCO COUNTY LOCAL PUBLIC SAFETY COORDINATING COUNCIL

ORDER #23-073

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board of Commissioners being present; and

IT APPEARING TO THE BOARD: That the governing body of Wasco County, Oregon, is required by ORS 423.560 to appoint individuals to represent specific areas on the Wasco County Local Public Safety Coordinating Council; and

IT FURTHER APPEARING TO THE BOARD: That Daniel Lindhorst retired from his position as Adult Corrections Manager at NORCOR; and

IT FURTHER APPEARING TO THE BOARD: That Joyce Orendorff is the current Adult Corrections Manager at NORCOR; and

IT FURTHER APPEARING TO THE BOARD: That Joyce Orendorff is willing and is qualified to be appointed to the Wasco County Local Public Safety Coordinating Council to a Lay Person Position on said Council.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Joyce Orendorff be and is hereby appointed to the Wasco County Local Public Safety Coordinating Council in an at-large position, said term set to expire on December 31, 2024.

DATED this 20th day of December, 2023.

APPROVED AS TO FORM:

_____
Kristen Campbell, County Counsel

WASCO COUNTY BOARD OF COMMISSIONERS

_____
Steven D. Kramer, Commission Chair

_____,
Scott C. Hege, Vice-Chair

_____
Philip L. Brady, County Commissioner

MOTION

SUBJECT: **LPSCC Appointment**

I move to approve Order 23-073 appointing Joyce Orendorff to the Local Public Safety Coordinating Council.

OREGON DEPARTMENT OF EMERGENCY MANAGEMENT
HOMELAND SECURITY GRANT PROGRAM
STATE HOMELAND SECURITY PROGRAM
CFDA # 97.067

Wasco County

$32,076

Grant No: 23-216

This Agreement is made and entered into by and between the **State of Oregon,** acting by and through its Department of Emergency Management, hereinafter referred to as "OEM," and **Wasco County,** hereinafter referred to as "Subrecipient," and collectively referred to as the "Parties."

1. **Effective Date.** This Agreement shall become effective on the date this Agreement is fully executed and approved as required by applicable law. Reimbursements will be made for Project Costs incurred beginning on **October 1, 2023,** and ending, unless otherwise terminated or extended, on **September 30, 2025** (the "Grant Award Period"). No Grant Funds are available for expenditures after the Grant Award Period. OEM's obligation to disburse Grant Funds under this Agreement is subject to Sections 6 and 10 of this Agreement.

2. **Agreement Documents.** This Agreement consists of this document and the following documents, all of which are attached hereto and incorporated herein by reference:

   Exhibit A: **Project Description and Budget**
   Exhibit B: **Federal Requirements and Certifications**
   Exhibit C: **Subagreement Insurance Requirements**
   Exhibit D: **Information required by 2 CFR 200.332(a)**

   In the event of a conflict between two or more of the documents comprising this Agreement, the language in the document with the highest precedence shall control. The precedence of each of the documents comprising this Agreement is as follows, listed from highest precedence to lowest precedence: Exhibit B; this Agreement without Exhibits; Exhibit A; Exhibit C.

3. **Grant Funds.** In accordance with the terms and conditions of this Agreement, OEM shall provide Subrecipient an amount not to exceed $32,076 in Grant Funds for eligible costs described in Section 6 hereof. Grant Funds for this Program will be from the Fiscal Year 2023 State Homeland Security Program (SHSP) grant.

4. **Project.** The Grant Funds shall be used solely for the Project described in Exhibit A and shall not be used for any other purpose. No Grant Funds will be disbursed for any changes to the Project unless such changes are approved by OEM by amendment pursuant to Section 11.d hereof.

5. Fiscal and Programmatic Performance Reports.

a. Subrecipient agrees to submit fiscal and programmatic performance reports, using a form provided by OEM, on its progress in meeting each of the agreed upon milestones. The narrative reports will address specific information regarding the activities carried out under the FY 23 State Homeland Security Program. This report will also provide space to disclose financial activities during that reporting period.

b. Reports are due to OEM on or before the 15th day of the month following each subsequent calendar quarter (ending on March 31, June 30, September 30, and December 31).

c. Subrecipient may request from OEM prior written approval to extend a performance report requirement past its due date. OEM, in its sole discretion, may approve or reject the request.

d. Failure of Subrecipient to submit the required program, financial, or audit reports, or to resolve program, financial, or audit issues may result in the suspension of grant payments, termination of this Agreement, or both.

6. Disbursement and Recovery of Grant Funds.

a. Disbursement Generally. OEM shall reimburse eligible costs incurred in carrying out the Project, up to the Grant Fund amount provided in Section 3. Reimbursements shall be made by OEM upon approval by OEM of an RFR. Eligible costs are the reasonable and necessary costs incurred by Subrecipient for the Project, in accordance with the State Homeland Security Program guidance and application materials, including without limitation the United States Department of Homeland Security Notice of Funding Opportunity (NOFO), that are not excluded from reimbursement by OEM, either by this Agreement or by exclusion as a result of financial review or audit. The guidance, application materials and NOFO are available at http://www.oregon.gov/oem/emresources/Grants/Pages/HSGP.aspx.

b. Reimbursement Process.

i. To receive reimbursement, Subrecipient must submit a signed Request for Reimbursement (RFR), using a form provided by OEM that includes supporting documentation for all grant expenditures. RFRs may be submitted monthly but no less frequently than quarterly, if expenses occurred during that quarter, during the term of this Agreement. RFRs must be submitted on or before 15 days following each subsequent calendar quarter (ending on March 31, June 30, September 30, and December 31). The final RFR must be submitted no later than 30 days following the end of the Grant Award Period (the "RFR Deadline"). OEM has no obligation to reimburse Subrecipient for any RFR submitted after the RFR Deadline.

ii. Reimbursements for expenses will be withheld if performance reports are not submitted by the specified dates or are incomplete.

iii. Reimbursement rates for travel expenses shall not exceed those allowed by the State of Oregon. Requests for reimbursement for travel must be supported with a detailed statement identifying the person who traveled, the purpose of the travel, the dates, times, and places of travel, and the actual expenses or authorized rates incurred.

iv. Reimbursements will only be made for actual expenses incurred during the Grant Award Period. Expenses incurred before or after the Grant Award Period are not eligible for reimbursement.

c. Conditions Precedent to Disbursement. OEM's obligation to disburse Grant Funds to Subrecipient is subject to satisfaction, with respect to each disbursement, of each of the following conditions precedent:

i. OEM has received funding, appropriations, limitations, allotments or other expenditure authority sufficient to allow OEM, in the exercise of its reasonable administrative discretion, to make the disbursement.

ii. Subrecipient is in compliance with the terms of this Agreement including, without limitation, Exhibit B and the requirements incorporated by reference in Exhibit B.

iii. Subrecipient's representations and warranties set forth in Section 7 hereof are true and correct on the date of disbursement with the same effect as though made on the date of disbursement.

iv. Subrecipient has provided to OEM a RFR in accordance with Section 5.b of this Agreement.

d. Recovery of Grant Funds. Any funds disbursed to Subrecipient under this Agreement that are expended in violation or contravention of one or more of the provisions of this Agreement ("Misexpended Funds") or that remain unexpended on the earlier of termination or expiration of this Agreement ("Unexpended Funds") must be returned to OEM. Subrecipient shall return all Misexpended Funds to OEM promptly after OEM's written demand and no later than 15 days after OEM's written demand.

7. Representations and Warranties of Subrecipient. Subrecipient represents and warrants to OEM as follows:

a. Organization and Authority. Subrecipient is a political subdivision of the State of Oregon and is eligible to receive the Grant Funds. Subrecipient has full power, authority, and legal right to make this Agreement and to incur and perform its obligations hereunder, and the making and performance by Subrecipient of this Agreement (1) have been duly authorized by all necessary action of Subrecipient and (2) do not and will not violate any provision of any applicable law, rule, regulation, or order of any court, regulatory commission, board, or other administrative agency, (3) do not and will not result in the breach of, or constitute a default or require any consent under any other agreement or instrument to which Subrecipient is a party or by which Subrecipient or any of its properties may be bound or affected. No authorization, consent, license, approval of, filing or registration with or notification to any governmental body or regulatory or supervisory authority is required for the execution, delivery or performance by Subrecipient of this Agreement.

b. Binding Obligation. This Agreement has been duly executed and delivered by Subrecipient and constitutes a legal, valid and binding obligation of Subrecipient,

enforceable in accordance with its terms subject to the laws of bankruptcy, insolvency, or other similar laws affecting the enforcement of creditors' rights generally.

c. No Solicitation. Subrecipient's officers, employees, and agents shall neither solicit nor accept gratuities, favors, or any item of monetary value from contractors, potential contractors, or parties to subagreements. No member or delegate to the Congress of the United States shall be admitted to any share or part of this Agreement or any benefit arising therefrom.

d. NIMS Compliance. By accepting FY 2023 funds, Subrecipient certifies that it has met National Incident Management System (NIMS) compliance activities outlined in the Oregon NIMS Requirements located through OEM at http://www.oregon.gov/oem/emresources/Plans_Assessments/Pages/NIMS.aspx.

The warranties set forth in this section are in addition to, and not in lieu of, any other warranties set forth in this Agreement or implied by law.

8. Records Maintenance and Access; Audit.

a. Records, Access to Records and Facilities. Subrecipient shall make and retain proper and complete books of record and account and maintain all fiscal records related to this Agreement and the Project in accordance with all applicable generally accepted accounting principles, generally accepted governmental auditing standards and state minimum standards for audits of municipal corporations. Subrecipient acknowledges and agrees, and Subrecipient will require its contractors, subcontractors, sub-recipients (collectively hereafter "contractors"), successors, transferees, and assignees to acknowledge and agree, to provide OEM, Oregon Secretary of State (Secretary), Office of Inspector General (OIG), Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), or any of their authorized representatives, access to records, accounts, documents, information, facilities, and staff. Subrecipient and its contractors must cooperate with any compliance review or complaint investigation by any of the above listed agencies, providing them access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary. The right of access is not limited to the required retention period but shall last as long as the records are retained.

b. Retention of Records. Subrecipient shall retain and keep accessible all books, documents, papers, and records that are directly related to this Agreement, the Grant Funds or the Project for until the latest of (a) six years following termination, completion or expiration of this Agreement, (b) upon resolution of any litigation or other disputes related to this Agreement, or (c) as required by 2 CFR 200.333. It is the responsibility of Subrecipient to obtain a copy of 2 CFR Part 200, and to apprise itself of all rules and regulations set forth.

c. Audits.

i. If Subrecipient expends $750,000 or more in Federal funds (from all sources) in its fiscal year, Subrecipient shall have a single organization-wide audit conducted in

accordance with the provisions of 2 CFR 200 Subpart F. Copies of all audits must be submitted to OEM within 30 days of completion. If Subrecipient expends less than $750,000 in its fiscal year in Federal funds, Subrecipient is exempt from Federal audit requirements for that year. Records must be available for review or audit by appropriate officials as provided in Section 8.a. herein.

ii. Audit costs for audits not required in accordance with 2 CFR 200 Subpart F are unallowable. If Subrecipient did not expend $750,000 or more in Federal funds in its fiscal year, but contracted with a certified public accountant to perform an audit, costs for performance of that audit shall not be charged to the grant.

iii. Subrecipient shall save, protect and hold harmless the OEM from the cost of any audits or special investigations performed by the Secretary or any federal agency with respect to the funds expended under this Agreement. Subrecipient acknowledges and agrees that any audit costs incurred by Subrecipient as a result of allegations of fraud, waste or abuse are ineligible for reimbursement under this or any other agreement between Subrecipient and the State of Oregon.

9. Subrecipient Procurements; Property and Equipment Management and Records; Subcontractor Indemnity and Insurance

a. Subagreements. Subrecipient may enter into agreements (hereafter "subagreements") for performance of the Project. Subrecipient shall use its own procurement procedures and regulations, provided that the procurement conforms to applicable Federal and State law (including without limitation ORS chapters 279A, 279B, 279C, and that for contracts for more than $150,000, the contract shall address administrative, contractual or legal remedies for violation or breach of contract terms and provide for sanctions and penalties as appropriate, and for contracts for more than $10,000 address termination for cause or for convenience including the manner in which termination will be effected and the basis for settlement).

i. Subrecipient shall provide to OEM copies of all Requests for Proposals or other solicitations for procurements anticipated to be for $100,000 or more and to provide to OEM, upon request by OEM, such documents for procurements for less than $100,000. Subrecipient shall include with its RFR a list of all procurements issued during the period covered by the report.

ii. All subagreements, whether negotiated or competitively bid and without regard to dollar value, shall be conducted in a manner that encourages fair and open competition to the maximum practical extent possible. All sole-source procurements in excess of $100,000 must receive prior written approval from OEM in addition to any other approvals required by law applicable to Subrecipient. Justification for sole-source procurement in excess of $100,000 should include a description of the program and what is being contracted for, an explanation of why it is necessary to contract noncompetitively, time constraints and any other pertinent information. Interagency agreements between units of government are excluded from this provision.

iii. Subrecipient shall be alert to organizational conflicts of interest or non-competitive practices among contractors that may restrict or eliminate competition or otherwise restrain trade. Contractors that develop or draft specifications, requirements, statements of work, or Requests for Proposals (RFP) for a proposed procurement

shall be excluded from bidding or submitting a proposal to compete for the award of such procurement. Any request for exemption must be submitted in writing to OEM.

iv. Subrecipient agrees that, to the extent it uses contractors, such contractors shall use small, minority, women-owned or disadvantaged business concerns and contractors or subcontractors to the extent practicable.

b. Purchases and Management of Property and Equipment; Records. Subrecipient agrees to comply with all applicable federal requirements referenced in Exhibit B, Section II.C.1 to this Agreement and procedures for managing and maintaining records of all purchases of property and equipment will, at a minimum, meet the following requirements:

i. All property and equipment purchased under this agreement, whether by Subrecipient or a contractor, will be conducted in a manner providing full and open competition and in accordance with all applicable procurement requirements, including without limitation ORS chapters 279A, 279B, 279C, and purchases shall be recorded and maintained in Subrecipient's property or equipment inventory system.

ii. Subrecipient's property and equipment records shall include: a description of the property or equipment; the manufacturer's serial number, model number, or other identification number; the source of the property or equipment, including the Catalog of Federal Domestic Assistance (CFDA) number; name of person or entity holding title to the property or equipment; the acquisition date; cost and percentage of Federal participation in the cost; the location, use and condition of the property or equipment; and any ultimate disposition data including the date of disposal and sale price of the property or equipment.

iii. A physical inventory of the property and equipment must be taken and the results reconciled with the property and equipment records at least once every two years.

iv. Subrecipient must develop a control system to ensure adequate safeguards to prevent loss, damage, or theft of the property and equipment. Subrecipient shall investigate any loss, damage, or theft and shall provide the results of the investigation to OEM upon request.

v. Subrecipient must develop, or require its contractors to develop, adequate maintenance procedures to keep the property and equipment in good condition.

vi. If Subrecipient is authorized to sell the property or equipment, proper sales procedures must be established to ensure the highest possible return.

vii. Subrecipient agrees to comply with 2 CFR 200.313 pertaining to use and disposal of equipment purchased with Grant Funds, including when original or replacement equipment acquired with Grant Funds is no longer needed for the original project or program or for other activities currently or previously supported by a Federal agency.

viii. Subrecipient shall require its contractors to use property and equipment management requirements that meet or exceed the requirements provided herein applicable to all property and equipment purchased with Grant Funds.

ix. Subrecipient shall, and shall require its contractors to, retain the records described in this Section 9.b. for a period of six years from the date of the disposition or replacement or transfer at the discretion of OEM. Title to all property and equipment purchased with Grant Funds shall vest in Subrecipient if Subrecipient provides

written certification to OEM that it will use the property and equipment for purposes consistent with the State Homeland Security Program.

c. Subagreement indemnity; insurance. Subrecipient's subagreement(s) shall require the other party to such subagreements(s) that is not a unit of local government as defined in ORS 190.003, if any, to indemnify, defend, save and hold harmless OEM and its officers, employees and agents from and against any and all claims, actions, liabilities, damages, losses, or expenses, including attorneys' fees, arising from a tort, as now or hereafter defined in ORS 30.260, caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of the other party to Subrecipient's subagreement or any of such party's officers, agents, employees or subcontractors ("Claims"). It is the specific intention of the Parties that OEM shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of OEM, be indemnified by the other party to Subrecipient's subagreement(s) from and against any and all Claims.

Any such indemnification shall also provide that neither Subrecipient's contractor(s) nor any attorney engaged by Subrecipient's contractor(s) shall defend any claim in the name of OEM or any agency of the State of Oregon (collectively "State"), nor purport to act as legal representative of the State or any of its agencies, without the prior written consent of the Oregon Attorney General. The State may, at any time at its election, assume its own defense and settlement in the event that it determines that Subrecipient's contractor is prohibited from defending State or that Subrecipient's contractor is not adequately defending State's interests, or that an important governmental principle is at issue or that it is in the best interests of State to do so. State reserves all rights to pursue claims it may have against Subrecipient's contractor if State elects to assume its own defense.

Subrecipient shall require the other party, or parties, to each of its subagreements that are not units of local government as defined in ORS 190.003 to obtain and maintain insurance of the types and in the amounts provided in Exhibit C to this Agreement.

10. Termination

a. Termination by OEM. OEM may terminate this Agreement effective upon delivery of written notice of termination to Subrecipient, or at such later date as may be established by OEM in such written notice, if:

i. Subrecipient fails to perform the Project within the time specified herein or any extension thereof or commencement, continuation or timely completion of the Project by Subrecipient is, for any reason, rendered improbable, impossible, or illegal; or

ii. OEM fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow OEM, in the exercise of its reasonable administrative discretion, to continue to make payments for performance of this Agreement; or

iii. Federal or state laws, rules, regulations or guidelines are modified or interpreted in such a way that the Project is no longer allowable or no longer eligible for funding under this Agreement; or

iv. The Project would not produce results commensurate with the further expenditure of funds; or

v. Subrecipient takes any action pertaining to this Agreement without the approval of OEM and which under the provisions of this Agreement would have required the approval of OEM.

vi. OEM determines there is a material misrepresentation, error or inaccuracy in Subrecipient's application.

b. Termination by Subrecipient. Subrecipient may terminate this Agreement effective upon delivery of written notice of termination to OEM, or at such later date as may be established by Subrecipient in such written notice, if:

i. The requisite local funding to continue the Project becomes unavailable to Subrecipient; or

ii. Federal or state laws, rules, regulations or guidelines are modified or interpreted in such a way that the Project is no longer allowable or no longer eligible for funding under this Agreement.

c. Termination by Either Party. Either Party may terminate this Agreement upon at least ten days notice to the other Party and failure of the other Party to cure within the ten days, if the other Party fails to comply with any of the terms of this Agreement.

d. Settlement upon Termination. Immediately upon termination under Sections 10.a.i, v., or vi, no Grant Funds shall be disbursed by OEM and Subrecipient shall return to OEM Grant Funds previously disbursed to Subrecipient by OEM in accordance with Section 6.d and the terminating party may pursue additional remedies in law or equity. Termination of this Agreement does not relieve Subrecipient of any other term of this Agreement that may survive termination, including without limitation Sections 11.a and c.

11. GENERAL PROVISIONS

a. Contribution. To the extent authorized by law, Subrecipient shall defend (subject to ORS chapter 180), indemnify, save and hold harmless OEM and its officers, employees and agents from and against any and all claims, suits, actions, proceedings, losses, damages, liability and court awards including costs, expenses, and attorneys' fees incurred related to any actual or alleged act or omission by Subrecipient, or its employees, agents or contractors. This Section shall survive expiration or termination of this Agreement.

b. Dispute Resolution. The Parties shall attempt in good faith to resolve any dispute arising out of this Agreement. In addition, the Parties may agree to utilize a jointly selected mediator or arbitrator (for non-binding arbitration) to resolve the dispute short of litigation. Each party shall bear its own costs incurred under this Section 11.b.

c. Responsibility for Grant Funds. Subrecipient, pursuant to this Agreement with OEM, shall assume sole liability for its breach of the conditions of this Agreement, and shall, upon its breach of conditions that causes or requires OEM to return funds to DHS or FEMA, hold harmless and indemnify OEM for an amount equal to the funds received under this Agreement; or if legal limitations apply to the Subrecipient's indemnification ability, the indemnification amount shall be the maximum amount of funds available to

Subrecipient for expenditure, including any available contingency funds or other available non-appropriated funds, up to the amount received under this Agreement.

d. Amendments. This Agreement may be amended or extended only by a written instrument signed by both Parties and approved as required by applicable law.

e. Duplicate Payment. Subrecipient is not entitled to compensation or any other form of duplicate, overlapping or multiple payments for the same work performed under this Agreement from any agency of the State of Oregon or the United States of America or any other party, organization or individual.

f. No Third Party Beneficiaries. OEM and Subrecipient are the only Parties to this Agreement and are the only Parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly or indirectly, to a third person unless such a third person is individually identified by name herein and expressly described as an intended beneficiary of the terms of this Agreement.

Subrecipient acknowledges and agrees that the Federal Government, absent express written consent by the Federal Government, is not a party to this Agreement and shall not be subject to any obligations or liabilities to Subrecipient, contractor or any other party (whether or not a party to the Agreement) pertaining to any matter resulting from the this Agreement.

g. Notices. Except as otherwise expressly provided in this Section, any communications between the parties hereto or notice to be given hereunder shall be given in writing by personal delivery, facsimile, email or mailing the same by registered or certified mail, postage prepaid to Subrecipient or OEM at the appropriate address or number set forth on the signature page of this Agreement, or to such other addresses or numbers as either party may hereafter indicate pursuant to this Section. Any communication or notice so addressed and sent by registered or certified mail shall be deemed delivered upon receipt or refusal of receipt. Any communication or notice delivered by facsimile shall be deemed to be given when receipt of the transmission is generated by the transmitting machine. Any communication or notice by personal delivery shall be deemed to be given when actually delivered. Any communication by email shall be deemed to be given when the recipient of the email acknowledges receipt of the email. The parties also may communicate by telephone, regular mail or other means, but such communications shall not be deemed Notices under this Section unless receipt by the other party is expressly acknowledged in writing by the receiving party.

h. Governing Law, Consent to Jurisdiction. This Agreement shall be governed by, construed in accordance with, and enforced under the laws of the State of Oregon without regard to principles of conflicts of law. Any claim, action, suit or proceeding (collectively, "Claim") between OEM (or any other agency or department of the State of Oregon) and Subrecipient that arises from or relates to this Agreement shall be brought and conducted solely and exclusively within the Circuit Court of Marion County in the State of Oregon. In no event shall this section be construed as a waiver by the State of Oregon of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the eleventh amendment to the Constitution of the United

States or otherwise, from any Claim or from the jurisdiction of any court. Each party hereby consents to the exclusive jurisdiction of the Circuit Court of Marion County in the State of Oregon, waives any objection to venue, and waives any claim that such forum is an inconvenient forum.

i. **Compliance with Law.** Subrecipient shall comply with all federal, state and local laws, regulations, executive orders and ordinances applicable to the Agreement or to the implementation of the Project, including without limitation as described in Exhibit B.

j. **Insurance; Workers' Compensation.** All employers, including Subrecipient, that employ subject workers who provide services in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage, unless such employers are exempt under ORS 656.126. Employer's liability insurance with coverage limits of not less than $500,000 must be included. Subrecipient shall ensure that each of its subrecipient(s), contractor(s), and subcontractor(s) complies with these requirements.

k. **Independent Contractor.** Subrecipient shall perform the Project as an independent contractor and not as an agent or employee of OEM. Subrecipient has no right or authority to incur or create any obligation for or legally bind OEM in any way. Subrecipient acknowledges and agrees that Subrecipient is not an "officer", "employee", or "agent" of OEM, as those terms are used in ORS 30.265, and shall not make representations to third parties to the contrary.

l. **Severability.** If any term or provision of this Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if this Agreement did not contain the particular term or provision held to be invalid.

m. **Counterparts.** This Agreement may be executed in two or more counterparts (by facsimile or otherwise), each of which is an original and all of which together are deemed one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart.

n. **Integration and Waiver.** This Agreement, including all Exhibits and referenced documents, constitutes the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. The delay or failure of either Party to enforce any provision of this Agreement shall not constitute a waiver by that Party of that or any other provision. Subrecipient, by the signature below of its authorized representative, hereby acknowledges that it has read this Agreement, understands it, and agrees to be bound by its terms and conditions.

THE PARTIES, by execution of this Agreement, hereby acknowledge that each Party has read this Agreement, understands it, and agrees to be bound by its terms and conditions.

SIGNATURE PAGE TO FOLLOW

Wasco County

By _____

Name _____
(printed)

Date _____

APPROVED AS TO LEGAL SUFFICIENCY
(If required for Subrecipient)

By _____
Subrecipient's Legal Counsel

Date _____

Subrecipient Program Contact:
Sheridan McClellan
Emergency Manager
Wasco County
511 Washington St. Suite 102,
The Dalles, OR 97058
541-980-0200
sheridanm@co.wasco.or.us

Subrecipient Fiscal Contact:
Mike Middleton
Finance Director
Wasco County
511 Washington St. Suite 207,
The Dalles, OR 97058
541-506-2770
mikem@co.wasco.or.us

STATE OF OREGON, acting by and through its Department of Emergency Management

By _____

Name _____
(printed)
Preparedness Section Manager, OEM

Date _____

APPROVED AS TO LEGAL SUFFICIENCY
10/17/23

OEM Program Contact:
Kevin Jeffries
Grants Coordinator
Oregon Department of Emergency Management
PO Box 14370
Salem, OR 97309-5062
Phone: 503-378-3661
Email: kevin.jeffries@oem.oregon.gov

OEM Fiscal Contact:
Yu Chen
Grants Accountant
Oregon Department of Emergency Management
PO Box 14370
Salem, OR 97309-5062
503-378-3734
yu.chen@oem.oregon.gov

EXHIBIT A

Project Description and Budget

I. Project Description

Scope of work: This project will fund the purchase and installation of P25 compliant handheld radios to increase Wasco County's interoperability capabilities.

Core Capability Addressed: Operational Communications
Investment Justification: Emergency Communications

II. Budget

Grant Funds:	$32,076
Total Budget:	**$32,076**
Equipment	$32,076
Total (Grant)	**$32,076**

EXHIBIT B

Federal Requirements and Certifications

I. General.

Subrecipient agrees to comply with all federal requirements applicable to this Agreement. Those federal requirements include, without limitation, financial management and procurement requirements; requirements for maintaining accounting and financial records in accordance with Generally Accepted Accounting Principles (GAAP); and all other financial, administrative, and audit requirements as set forth in the most recent versions of the Code of Federal Regulations (CFR), Department of Homeland Security (DHS) program legislation, and DHS/Federal Emergency Management Agency (FEMA) program regulations and requirements. References below to "recipient" include Subrecipient.

1 - Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. section 2225a, recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, (codified as amended at 15 U.S.C. section 2225.)

2 - Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

3 - Fly America Act of 1974

Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. section 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. section 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942. Article XXXVI - Reporting of Matters Related to Recipient Integrity and Performance If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

4 - Lobbying Prohibitions

Recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any

federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

5 - False Claims Act and Program Fraud Civil Remedies

Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. sections 3729-3733, which prohibit the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. sections 3801-3812, which details the administrative remedies for false claims and statements made.)

6 - Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

7 - Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statues, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

8 - Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its subrecipients is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, you must request instructions from FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. section 200.313.

9 - Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX

Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. section 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at C.F.R. Part 17 and 44 C.F.R. Part 19.

10 – Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

11 - Reporting Subawards and Executive Compensation

Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

12 - Use of DHS Seal, Logo and Flags

Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United

States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

13 - Whistleblower Protection Act

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C section 2409,

II Other Applicable Federal Regulations

1 - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Recipients must comply with Title VI of the *Civil Rights Act of 1964*, (42 U.S.C. section 2000d *et seq*.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: https://www.dhs.gov/guidance- published-help-department- supported-organizations-provide-meaningful-access-peoplelimited and additional resources on http://www.lep.gov.

2- Universal Identifier and System of Award Management

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

3 - Americans with Disabilities Act of 1990

Recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. sections 12101- 12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

4 - SAFECOM

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

5 - Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, Pub. L. 93-112 (1973), (codified as amended at 29 U.S.C. section 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

6 - National Environmental Policy Act

Recipients must comply with the requirements of the *National Environmental Policy Act of 1969 (NEPA)*, Pub. L. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 *et seq*.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

7 - Acknowledgement of Federal Funding from DHS

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

8 - USA PATRIOT Act of 2001

Recipients must comply with requirements of Section 817 of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001* (USA PATRIOT Act), Pub. L. No. 107-56, which amends 18 U.S.C. sections 175-175c.

9 - Age Discrimination Act of 1975

Recipients must comply with the requirements of the *Age Discrimination Act of 1975*, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, section 6101 *et seq*.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

10 - Civil Rights Act of 1964 - Title VI

Recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* (codified as amended at 42 U.S.C. section 2000d *et seq*.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

11 - RESERVED

12 - Notice of Funding Opportunity Requirements

All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.

13 - Trafficking Victims Protection Act of 2000 (TVPA)

Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. section 7104. The award term is located at 2 C.F.R. section 175.15, the full text of which is incorporated here by reference.

14- Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@fema.dhs.gov if you have any questions.

15 - Non-Supplanting Requirement

Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

16 - Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the *Drug-Free Workplace Act of 1988* (41 U.S.C. sections 8101-8106).

16 - Federal Leadership on Reducing Text Messaging while Driving

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

17 - Environmental Planning and Historic Preservation (EHP) Review

DHS/FEMA funded activities that may require an EHP review are subject to the FEMA Environmental Planning and Historic Preservation (EHP) review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state, and local laws.

DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/ FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA EHP screening form and instructions, go to the DHS/FEMA website at: https://www.fema.gov/media-library/assets/documents/90195. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive order, regulations, and policies. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

18 - Best Practices for Collection and Use of Personally Identifiable Information

Recipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance at http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf and Privacy Template at https://www.dhs.gov/sites/default/files/publications/privacy_pia_template 2017.pdf as useful resources respectively.

19 - Civil Rights Act of 1968

Recipients must comply with Title VIII of the *Civil Rights Act of 1968*, Pub. L. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. section 3601 *et seq*.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units-i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)-be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

20- Debarment and Suspension

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

21 - Activities Conducted Abroad

Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

22- Energy Policy and Conservation Act

Recipients must comply with the requirements of the *Energy Policy and Conservation Act*, Pub. L. 94-163 (1975) (codified as amended at 42 U.S.C. section 6201 *et seq*.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

23 - Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act,Pub. L. 89-272 (1965), (codified as amended by the *Resource Conservation and Recovery Act*, 42 U.S.C. section 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

EXHIBIT C

Subagreement Insurance Requirements

GENERAL.

Subrecipient shall require in its first tier subagreements with entities that are not units of local government as defined in ORS 190.003, if any, to: i) obtain insurance specified under TYPES AND AMOUNTS and meeting the requirements under ADDITIONAL INSURED, "TAIL" COVERAGE, NOTICE OF CANCELLATION OR CHANGE, and CERTIFICATES OF INSURANCE before performance under the subagreement commences; and ii) maintain the insurance in full force throughout the duration of the subagreement. The insurance must be provided by insurance companies or entities that are authorized to transact the business of insurance and issue coverage in the State of Oregon and that are acceptable to OEM. Subrecipient shall not authorize work to begin under subagreements until the insurance is in full force. Thereafter, Subrecipient shall monitor continued compliance with the insurance requirements on an annual or more frequent basis. Subrecipient shall incorporate appropriate provisions in the subagreement permitting it to enforce compliance with the insurance requirements and shall take all reasonable steps to enforce such compliance. In no event shall Subrecipient permit work under a subagreement when Subrecipient is aware that the contractor is not in compliance with the insurance requirements. As used in this section, "first tier" means a subagreement in which Subrecipient is a Party.

TYPES AND AMOUNTS.

i. WORKERS COMPENSATION. Insurance in compliance with ORS 656.017, which requires all employers that employ subject workers, as defined in ORS 656.027, to provide workers' compensation coverage for those workers, unless they meet the requirement for an exemption under ORS 656.126(2). Employers' liability insurance with coverage limits of not less than $500,000 must be included.

ii. COMMERCIAL GENERAL LIABILITY.

Commercial General Liability Insurance covering bodily injury, death, and property damage in a form and with coverages that are satisfactory to OEM. This insurance shall include personal injury liability, products and completed operations. Coverage shall be written on an occurrence form basis, with not less than the following amounts as determined by OEM:

Bodily Injury, Death and Property Damage:

Not less than $1,000,000 per occurrence, (for all claimants for claims arising out of a single accident or occurrence) and an annual aggregate limit of not less than $2,000,000.

iii. AUTOMOBILE Liability Insurance: Automobile Liability.

Automobile Liability Insurance covering all owned, non-owned and hired vehicles. This coverage may be written in combination with the Commercial General Liability Insurance (with separate limits for "Commercial General Liability" and "Automobile Liability"). Automobile Liability Insurance must be in not less than the following amounts as determined by OEM:

Bodily Injury, Death and Property Damage:

Not less than $1,000,000 per occurrence (for all claimants for claims arising out of a single accident or occurrence) and an annual aggregate limit of not less than $2,000,000.

ADDITIONAL INSURED. The Commercial General Liability Insurance and Automobile Liability insurance must include OEM, its officers, employees and agents as Additional Insureds but only with respect to the contractor's activities to be performed under the subagreement. Coverage must be primary and non-contributory with any other insurance and self-insurance.

"TAIL" COVERAGE. If any of the required insurance policies is on a "claims made" basis, such as professional liability insurance, the contractor shall maintain either "tail" coverage or continuous "claims made" liability coverage, provided the effective date of the continuous "claims made" coverage is on or before the effective date of the subagreement, for a minimum of 24 months following the later of : (i) the contractor's completion and Subrecipient's acceptance of all Services required under the subagreement or, (ii) the expiration of all warranty periods provided under the subagreement. Notwithstanding the foregoing 24-month requirement, if the contractor elects to maintain "tail" coverage and if the maximum time period "tail" coverage reasonably available in the marketplace is less than the 24-month period described above, then the contractor may request and OEM may grant approval of the maximum "tail " coverage period reasonably available in the marketplace. If OEM approval is granted, the contractor shall maintain "tail" coverage for the maximum time period that "tail" coverage is reasonably available in the marketplace.

NOTICE OF CANCELLATION OR CHANGE. The contractor or its insurer must provide 30 days' written notice to Subrecipient before cancellation of, material change to, potential exhaustion of aggregate limits of, or non-renewal of the required insurance coverage(s).

CERTIFICATE(S) OF INSURANCE. Subrecipient shall obtain from the contractor a certificate(s) of insurance for all required insurance before the contractor performs under the subagreement. The certificate(s) or an attached endorsement must specify: i) all entities and individuals who are endorsed on the policy as Additional Insured and ii) for insurance on a "claims made" basis, the extended reporting period applicable to "tail" or continuous "claims made" coverage. INSURANCE REQUIREMENT REVIEW. Subrecipient agrees to periodic review of insurance requirements by OEM under this Agreement and to provide updated requirements as mutually agreed upon by OEM and Subrecipient.

OEM ACCEPTANCE. All insurance providers are subject to OEM acceptance. If requested by OEM, Subrecipient shall provide complete copies of its contractors' insurance policies, endorsements, self-insurance documents and related insurance documents to OEM's representatives responsible for verification of the insurance coverages required under this Exhibit C.

Exhibit D
Information required by 2 CFR 200.332(a)

1. Federal Award Identification:

(i) Sub-recipient name (which must match registered name in Sam.gov): Wasco County

(ii) Sub-recipient's Unique Entity Identifier (UEI): EMKLL2MZ2NH9

(iii) Federal Award Identification Number (FAIN): EMW-2023-SS-00004

(iv) Federal Award Date: September 1, 2023

(v) Sub-award Period of Performance Start and End Date: From October 1, 2023, to September 30, 2025

(vi) Sub-award Budget Period State and End Date: From October 1, 2023, to September 30, 2025

(vii) Amount of Federal Funds Obligated by this Agreement $32,076

(viii) Total Amount of Federal Funds Obligated to the Subrecipient by the pass-through entity including this agreement *: $32,076

(ix) Total Amount of Federal Award committed to the Subrecipient by the pass-through entity: $32,076

(x) Federal award project description: State Homeland Security Program Grant plays an important role in the implementation of the National Preparedness System by supporting the building, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation.

(xi) (a) Name of Federal awarding agency: U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA)
(b) Name of Pass-through entity: Oregon Department of Emergency Management
(c) Contact information for awarding official: Erin McMahon, Director – Oregon Department of Emergency Management, PO Box 14370, Salem, OR 97309-5062

(xii) Assistance Listings Number and Title: 97.067 Homeland Security Grant Program
Amount: $ 8,647,500.00

(xiii) Is Award R&D? No

(xiv) Indirect cost rate for the Federal award: 0%

2. Subrecipient's indirect cost rate: 0%

*The Total amount of Federal Funds Obligated to the Subrecipient by the pass-through entity is the Total Amount of Federal Funds Obligated to the Subrecipient by the pass-through entity during the current fiscal year

MOTION

SUBJECT: **State Homeland Security Program Grant**

I move to approve Grant Agreement 23-216 for the State Homeland Security Program Grant..

MEMORANDUM

SUBJECT: Department of Land Conservation and Development

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KATHY CLARK

DATE: NOVEMBER 27, 2023

BACKGROUND INFORMATION:

Planning Department Director Kelly Howsley-Glover has mentioned the attached agreement in previous Board Sessions. We have been waiting for some time to get this agreement from the state; however, the turnaround time was prior to the next Board Session. After consulting with County Counsel, the Planning Director, and Administrative Officer, we requested the Chair's consent to apply his signature and place the agreement on the Consent Agenda for ratification.

STATE OF OREGON
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT

2023-2025 HOUSING PLANNING ASSISTANCE GRANT

AGREEMENT COVER SHEET **This cover sheet is informational and not a part of the agreement**	
Offer Date: November 3, 2023	
Grantee Wasco County 2705 E 2nd Street The Dalles, Oregon 97058	**Grant No.** HA-25-017
Project Title: Wasco County Housing Code Amendments	
Grantee Representative Kelly Howsley Glover, Planning Director 541-506-2565 kellyg@co.wasco.or.us	**DLCD Grant Manager** Angie Brewer 541-306-8530 Angie.brewer@dlcd.oregon.gov
GRANT AMOUNT: $53,000	**CLOSING DATE:** May 31, 2025
Last day to amend agreement: March 1, 2025	

Signature
Grantee shall return a signed agreement to DLCD by e-mail within thirty (30) days of the Offer Date. If not signed and returned without modification by Grantee within thirty (30) days of the Offer Date, the DLCD Grant Program Manager may terminate this offer of the grant award. Upon receipt of the Agreement signed by Grantee, the DLCD Grant Program Manager shall sign and return a digital copy of the signed document via e-mail.

List of Products

Task 1: Ordinance and Comprehensive Plan Audit
Task 2: Draft Ordinance and Plan Updates
Task 3: Public Process
Task 4: Adoption

Grantee and the consultant will provide all draft and final Products, including memos, reports, and maps produced by this grant agreement in a digital media format. The term "digital media" means a compact disc, digital video disc, USB flash drive, e-mail, or FTP submittal authorized by DLCD.

STATE OF OREGON
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT

2023-2025 HOUSING PLANNING ASSISTANCE GRANT
AGREEMENT

DLCD Grant Number: HA-25-017 **Wasco County**

This agreement ("Agreement") is made and entered into by and between the **State of Oregon**, **acting by and through its Department of Land Conservation and Development**, hereinafter referred to as "DLCD," and **Wasco County**, hereinafter referred to as "Grantee," and collectively referred to as the "Parties."

1. **Effective Date and Availability of Grant Funds.** This Agreement is effective on the date on which every party has signed this Agreement and all required State approvals have been obtained ("Effective Date"). Grant Funds under this Agreement are available for eligible costs as defined in Sections 4 and 6 incurred beginning on the Effective Date and ending on the earlier of the termination of this Agreement or the Project End Date provided in Attachment A. DLCD's obligation to disburse Grant Funds under this Agreement ends 60 days after the earlier of termination of this Agreement or the Project End Date.

2. **Agreement Documents.** The Agreement consists of this agreement (without any attachments) and the following Attachments, all of which are attached hereto and incorporated by reference:

   Attachment A: **Project Description and Budget**
   Attachment B: **DLCD Contact Names and Addresses**
   Attachment C: **Request for Product Reimbursement Form and Instructions**
   Attachment D: **Form 1, Notice of Proposed Change (35-day Notice)**
   Attachment E: **Form 2, Notice of Adopted Change**

   In the event of a conflict between two or more of the documents comprising this Agreement, the language in the document with the highest precedence shall control. The precedence of each of the documents comprising this Agreement is as follows: this Agreement without Attachments; Attachments as listed, in descending order of precedence.

3. **Grant Funds.** The maximum, not-to-exceed, grant amount that the DLCD will pay to Grantee is **$53,000** (the "Grant Funds"). Disbursements will be made only in accordance with the schedule and requirements contained in this Agreement, including Attachment A.

4. **Project.** The Project is described in Attachment A. Grant Funds may be used solely for the Project described in Attachment A and may not be used for any other purpose. No Grant Funds will be disbursed for any changes to the Project unless such changes are approved by DLCD by amendment pursuant to Section 9 hereof. Grantee agrees to implement the Project in accordance with the terms and conditions of this Agreement and complete the Project no later than the Project End Date.

5. **Reports.** Grantee shall submit the reports required by this section to the DLCD Grant Manager and Grants Administrative Specialist in writing by personal delivery, e-mailing, or mailing at the address or number set forth in Attachment B or to such other addresses or numbers as DLCD may specify by notice to Grantee in accordance with Section 8 hereof.

a. **Progress Reports.** Grantee will submit a written status report at the request of the DLCD Grant Manager or as required in the Project Requirements in Attachment A.

b. **Financial Reimbursement Reports.** In order to receive reimbursement, Grantee must submit to DLCD requests for reimbursement of eligible costs incurred in producing Product(s), as provided in Attachment A, on the form provided in Attachment C. Grantee shall submit a closeout report to DLCD within 30 days after the termination of the Agreement or the Project End Date, whichever is earlier**.** Reimbursements for products will be reduced or withheld if Progress or Closeout Reports have not been timely submitted or are incomplete.

6. **Disbursement and Recovery of Grant Funds.**

a. **Disbursement Generally.** DLCD will disburse the Grant Funds as reimbursement for eligible costs incurred to produce Products in carrying out the Project, up to the amount provided in Section 3, and subject to the timelines and limits for each Task, as specified in Exhibit A. Grantee may request a reimbursement after completion of a Product. Reimbursements will be made by DLCD within 30 days of DLCD's approval of a request for reimbursement. Eligible costs are the reasonable and necessary costs incurred by Grantee, during the period specified in Section 1, in performance of the Project and that are not excluded from reimbursement by DLCD, either by this Agreement or by exclusion as a result of financial review or audit.

b. **Conditions Precedent to Disbursement.** DLCD's obligation to disburse Grant Funds to Grantee is subject to satisfaction, with respect to each disbursement, of each of the following conditions precedent:

i. DLCD has received funding, appropriations, limitations, allotments or other expenditure authority sufficient to allow DLCD, in the exercise of its reasonable administrative discretion, to make the disbursement.

ii. Grantee is in compliance with the terms of this Agreement.

iii. Grantee's representations and warranties set forth in Section 7 hereof are true and correct on the date of disbursement with the same effect as though made on the date of disbursement.

iv. Grantee has provided to DLCD a request for reimbursement in accordance with Section 5.b hereof. Grantee must submit its final request for reimbursement no later than 30 days after the earlier of termination of this Agreement or the Project End Date. Grantee will not disburse Grant Funds in response to reimbursement requests submitted after that date.

7. **Representations and Warranties of Grantee.** Grantee represents and warrants to DLCD as follows:

a. **Organization and Authority.** Grantee is duly organized and validly existing under the laws of the State of Oregon and is eligible to receive the Grant Funds. Grantee has full power, authority, and legal right to make this Agreement and to incur and perform its obligations hereunder, and the making and performance by Grantee of this Agreement (1) have been duly authorized by all necessary action of Grantee and (2) do not and will not violate any provision of any applicable law, rule, regulation, or order of any court, regulatory commission, board, or other administrative agency or any provision of Grantee's organizational documents, (3) do not and will not result in the breach of, or constitute a default or require any consent under any

other agreement or instrument to which Grantee is a party or by which Grantee or any of its properties may be bound or affected. No authorization, consent, license, approval of, filing or registration with or notification to any governmental body or regulatory or supervisory authority is required for the execution, delivery or performance by Grantee of this Agreement.

b. **Binding Obligation.** This Agreement has been duly executed and delivered by Grantee and constitutes a legal, valid and binding obligation of Grantee, enforceable in accordance with its terms subject to the laws of bankruptcy, insolvency, or other similar laws affecting the enforcement of creditors' rights generally.

The warranties set in this section are in addition to, and not in lieu of, any other warranties set forth in this Agreement or implied by law.

8. **Notices.** Except as otherwise expressly provided in this Agreement, any notices to be given hereunder shall be given in writing by personal delivery, e-mailing, or mailing the same by registered or certified mail, postage prepaid, to the Grantee's Grant Representative or DLCD's Grant Manager, as the case may be, at the address or number set forth in Attachment B, or to such other addresses or numbers as either party may indicate pursuant to this section. Any notice delivered by e-mail shall be effective on the day the party receives the transmission if the transmission was during normal business hours of the receiving party, or on the next business day if transmission was outside normal business hours of the receiving party. Any notice given by personal delivery shall be effective when actually delivered. Any notice given by mail shall be effective three days after deposit in the mail.

9. **Amendments.** The terms of this Agreement will not be waived, altered, modified, supplemented, or amended, in any manner whatsoever, except by written instrument signed by the Parties (or in the case of a waiver, by the party against whom the waiver is sought to be enforced). If the Grantee wishes to amend the Agreement, the Grantee must submit a written request, including a justification for any amendment, to the DLCD Grant Manager at least 90 calendar days before the Project End Date.

10. **Default.** Reimbursements to Grantee may be withheld or reduced if DLCD determines that Project performance under this Agreement is unsatisfactory, or if one or more terms or conditions of this Agreement have not been met. The amount of Grant Funds withheld will be based on the best professional judgment of the DLCD Grant Manager and Grant Program Manager.

11. **Ownership of Product(s)**.
    a. **Definitions.** As used in this Section 11 and elsewhere in this Agreement, the following terms have the meanings set forth below:

        i. **"Grantee Intellectual Property"** means any intellectual property owned by Grantee and developed independently from the Project.

        ii. **"Third Party Intellectual Property"** means any intellectual property owned by parties other than DLCD or Grantee.

        iii. **"Product(s)"** means every invention, discovery, work of authorship, trade secret or other tangible or intangible item and all intellectual property rights therein that Grantee is required to deliver to DLCD or create pursuant to the Project, including but not limited to any Product(s) described in Attachment A.

b. **Non-Exclusive License**. Grantee hereby grants to DLCD, under Grantee Intellectual Property and under intellectual property created by Grantee pursuant to the Project, an irrevocable, non-exclusive, perpetual, royalty-free license to use, reproduce, prepare derivative works based upon, distribute copies of, perform and display the Product(s) for governmental purposes, and to authorize others to do the same on DLCD's behalf. If a Product(s) created by Grantee pursuant to the Project is a derivative work based on Third Party Intellectual Property, or is a compilation that includes Third Party Intellectual Property, Grantee shall secure on DLCD's behalf and in the name of DLCD an irrevocable, non-exclusive, perpetual, royalty-free license to use, reproduce, prepare derivative works based upon, distribute copies of, perform and display, for governmental purposes, the pre-existing elements of the Third Party Intellectual Property employed in the Product(s), and to authorize others to do the same on DLCD's behalf. If a Product(s) is Third Party Intellectual Property, Grantee shall secure on DLCD's behalf and in the name of DLCD, an irrevocable, non-exclusive, perpetual, royalty-free license to use, reproduce, prepare derivative works based upon, distribute copies of, perform and display, for governmental purposes, the Third Party Intellectual Property, and to authorize others to do the same on DLCD's behalf.

12. **Indemnity.**
    a. **GENERAL INDEMNITY**. SUBJECT TO THE LIMITS OF THE OREGON CONSTITUTION AND STATE OF OREGON TORT CLAIMS ACT, IF APPLICABLE TO GRANTEE, GRANTEE SHALL INDEMNIFY, DEFEND AND HOLD HARMLESS DLCD, THE STATE OF OREGON AND THEIR AGENCIES, SUBDIVISIONS, OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS FROM AND AGAINST ALL CLAIMS, SUITS, ACTIONS, LOSSES, DAMAGES, LIABILITIES, COSTS AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY FEES, ARISING OUT OF, OR RELATING TO THE ACTS OR OMISSIONS OF GRANTEE OR ITS OFFICERS, EMPLOYEES, SUBCONTRACTORS, OR AGENTS UNDER THIS AGREEMENT.

    b. **CONTROL OF DEFENSE AND SETTLEMENT**. GRANTEE SHALL HAVE CONTROL OF THE DEFENSE AND SETTLEMENT OF ANY CLAIM THAT IS SUBJECT TO SECTIONS 12.a; HOWEVER, NEITHER GRANTEE NOR ANY ATTORNEY ENGAGED BY GRANTEE SHALL DEFEND THE CLAIM IN THE NAME OF THE STATE OF OREGON OR ANY AGENCY OF THE STATE OF OREGON, NOR PURPORT TO ACT AS LEGAL REPRESENTATIVE OF THE STATE OF OREGON OR ANY OF ITS AGENCIES, WITHOUT FIRST RECEIVING FROM THE OREGON ATTORNEY GENERAL, IN A FORM AND MANNER DETERMINED APPROPRIATE BY THE ATTORNEY GENERAL, AUTHORITY TO ACT AS LEGAL COUNSEL FOR THE STATE OF OREGON. NOR SHALL GRANTEE SETTLE ANY CLAIM ON BEHALF OF THE STATE OF OREGON WITHOUT THE APPROVAL OF THE ATTORNEY GENERAL. THE STATE OF OREGON MAY, AT ITS ELECTION AND EXPENSE, ASSUME ITS OWN DEFENSE AND SETTLEMENT IN THE EVENT THAT THE STATE OF OREGON DETERMINES THAT GRANTEE IS PROHIBITED FROM DEFENDING THE STATE OF OREGON, OR IS NOT ADEQUATELY DEFENDING THE STATE OF OREGON'S INTERESTS, OR THAT AN IMPORTANT GOVERNMENTAL PRINCIPLE IS AT ISSUE AND THE STATE OF OREGON DESIRES TO ASSUME ITS OWN DEFENSE.

13. **Recovery of Grant Moneys.** Any Grant Funds disbursed to Grantee under this Agreement that are expended in violation or contravention of one or more of the provisions of this Agreement ("Misexpended Funds") or that remain unexpended on the earlier of termination of this Agreement or the Project End Date must be returned to DLCD. Grantee shall return all Misexpended Funds to DLCD promptly after DLCD's written demand and no later than fifteen (15) days after DLCD's

written demand. Grantee shall return all Unexpended Funds to DLCD within fifteen (15) days after the earlier of termination of this Agreement or the Project End Date.

14. **Termination:**
    a. **DLCD's Right to Terminate at its Discretion.** At its sole discretion, DLCD may terminate this Agreement:

        i. **For its convenience** upon thirty (30) days' prior written notice by DLCD to Grantee;

        ii. **Immediately upon written notice** if DLCD fails to receive funding, appropriations, limitations, allotments or other expenditure authority at levels sufficient to allow DLCD, in the exercise of its reasonable administrative discretion, to continue to make disbursement under this Agreement; or

        iii. **Immediately upon written notice** if federal or state laws, regulations, or guidelines are modified or interpreted in such a way that the Project is no longer allowable or no longer eligible for funding under this Agreement.

    b. **DLCD's Right to Terminate for Cause.** In addition to any other rights and remedies DLCD may have under this Agreement, DLCD may terminate this Agreement immediately upon written notice by DLCD to Grantee, or at such later date as DLCD may establish in such notice, after the occurrence of any of the following events:

        i. **Grantee is in default** because Grantee institutes or has instituted against it insolvency, receivership or bankruptcy proceedings, makes an assignment for the benefit of creditors, or ceases doing business on a regular basis;

        ii. **Grantee is in default** because Grantee commits any material breach or default of any covenant, warranty, obligation or agreement under this Agreement, fails to perform any of its obligations under this Agreement within the time specified herein or any extension thereof, or so fails to pursue its work hereunder as to endanger Grantee's performance under this Agreement in accordance with its terms, and such breach, default or failure is not cured within fourteen (14) calendar days after DLCD's notice, or such longer period as DLCD may specify in such notice.

    c. **Grantee's Right to Terminate for Cause.** Grantee may terminate this Agreement by written notice to DLCD if DLCD is in default because DLCD fails to pay Grantee any amount due pursuant to the terms of this Agreement, and DLCD fails to cure such failure within thirty (30) calendar days after Grantee's notice or such longer period as Grantee may specify in such notice; or

    d. **Termination** under Section 14 shall be without prejudice to any claims, obligations, or liabilities either party may have incurred prior to such termination.

15. **Accounting and Fiscal Records:** Grantee shall maintain its fiscal records related to this Agreement in accordance with generally accepted accounting principles. The Grantee shall maintain records of the receipt and expenditure of all funds subject to this Agreement for a period of six (6) years after the Project End Date, or for such longer period as may be required by applicable law or until the conclusion of any audit, controversy or litigation arising out of or related to this Agreement, whichever date is later. Accounting records related to this Agreement will be separately maintained from other accounting records.

16. **Governing Law, Consent to Jurisdiction.** This Agreement shall be governed by and construed in accordance with the laws of the State of Oregon without regard to principles of conflicts of law. Any claim, action, suit or proceeding (collectively, "Claim") between DLCD (or any other agency or department of the State of Oregon) and Grantee that arises from or relates to this Agreement shall be brought and conducted solely and exclusively within the Circuit Court of Marion County in the State of Oregon. In no event shall this section be construed as a waiver by the State of Oregon of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the eleventh amendment to the Constitution of the United States or otherwise, from any Claim or from the jurisdiction of any court. Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum.

17. **Audit.** The Oregon Secretary of State, Attorney General of the State of Oregon and the Director of DLCD or any other duly authorized representative of DLCD shall have access to and the right to examine any records of transactions related to this Agreement for six (6) years after the final disbursement of Grant Funds under this Agreement is authorized by DLCD.

18. **Counterparts.** This Grant Agreement may be executed in any number of counterparts, and any single counterpart or set of counterparts signed, in either case, by all the parties hereto shall constitute a full and original instrument, but all of which shall together constitute one and the same instrument.
19. **Survival.** All agreements, representations, and warranties of Grantee shall survive the execution and delivery of this Agreement, any investigation at any time made by DLCD or on its behalf and the making of the Grant.

20. **Successors and Assigns.** Recipient may not assign this Agreement or any right hereunder or interest herein, in whole or in part, without the prior written consent of DLCD. This Agreement shall be binding upon and shall inure to the benefit of the parties and their respective permitted successors and assigns.

21. **Validity and Severability.** If any provision of this Agreement is held to be invalid, such event shall not affect, in any respect whatsoever, the validity of the remainder of this Agreement and the remainder shall be construed without the invalid provision so as to carry out the intent of the parties to the extent possible without the invalid provision.

22. **Relationship of the Parties.** Nothing contained in this Agreement or any acts of the parties hereto shall be deemed or construed to create the relationship of principal and agent, or of partnership, or of joint venture or of any other association other than that of independent contracting parties.

23. **No Third Party Beneficiary Rights.** No person not a party to this Agreement is an intended beneficiary of this Agreement, and no person not a party to this Agreement shall have any right to enforce any term of this Agreement.

24. By signing this Agreement the Parties each represents and warrants that it has the power and authority to enter into this Agreement and that the Agreement is executed by its duly authorized representative. By signing the document, Grantee agrees to comply with the terms of this Agreement.

Print Name of Authorized Official For the Grantee	Title	Date
Steven D. Kramer	Chair, Wasco County Board of Commissioners	November 27, 2023
Signature of Authorized Official For the Grantee 		

Grantor: State of Oregon, acting by and through its Department of Land Conservation and Development

Print Name of DLCD Grant Program Manager	Title	Date
Ethan Stuckmayer	**Housing Services Division Manager**	
Signature of DLCD Grant Program Manager		

PROJECT PURPOSE STATEMENT

Update the Wasco County Land Use and Development Ordinance and Comprehensive Plan consistent with requirements of ORS 197.307 (4). This project fulfills a statutory obligation, specifically ORS 197.307 (4). In addition to these adjustments, we will also be evaluating standards to increase housing affordability and opportunities. The emphasis will be on fair and equitable housing outcomes.

PROJECT OVERVIEW AND MANAGEMENT

Advisory Committees
The Project will rely on the planning commission to review project materials and advise on technical issues throughout the project.

Agency Role
DLCD will provide financial, administrative, and technical assistance to the Project.

Project Meeting Materials
Grantee shall prepare meeting agendas and summaries for each meeting. Grantee shall distribute meeting materials to commission members at least five (5) working days prior to any scheduled meeting.

Project Schedule
The schedule identified in "Schedule, Products, and Budget" section of this Project Description will be observed. DLCD may require an amendment to this Agreement if the timeframes in the schedule are not satisfied. The Project End Date is May 31, 2025.

Expectations for All Written and Graphic Products
All reports and Products will be delivered to the DLCD Grant Manager according to the schedule provided in this Project Description.

All reports, studies, and other documents produced under the Project must bear the statement in Project Requirement 3, below.

Grantee and the consultant will provide all draft and final Products, including memos, reports, and maps produced by this Agreement in a digital media format. The term "digital media" means a compact disc, digital video disc, USB flash drive, e-mail, or FTP submittal authorized by DLCD.

PROJECT REQUIREMENTS

Grantee agrees to carry out the Project and submit Products in accordance with the requirements in this section.

1. Grantee will produce and submit to DLCD those Products as specified in this Agreement and this Project Description and Budget.

2. Grantee will provide copies of all final Product(s) produced under this Agreement to DLCD in the manner described in this Project Description.

3. All reports, studies, and other documents produced under the Project must indicate on the cover or the title page an acknowledgement of the financial assistance provided by DLCD by bearing the following statement: "This project is funded by Oregon general fund dollars through the Department of Land Conservation and Development. The contents of this document do not necessarily reflect the views or policies of the State of Oregon."

4. Grantee will identify the location of the originals of any Product(s) if a copy is submitted to DLCD or if the product is one-of-a-kind document.

5. Grantee will provide all letters, memos, reports, charts, products, and maps produced under this Agreement in a digital media format.

6. Grantee will, in performing the Project under this Agreement, ensure consistent, coordinated use of population, employment, housing, and land needs projections associated with the following activities: (1) the periodic review work programs and related tasks; (2) the transportation system plans being prepared pursuant to OAR 660-012-0000; (3) any post-acknowledgment plan and land use regulation amendments proposed by the Grantee.

7. Any final product must be proposed under Attachment D, Form 1, "Notice of Proposed Change," at least 35 days before the first evidentiary hearing as set forth in ORS 197.610 and OAR 660-018-0020, -0021, and -0022. The products must be adopted by the governing body and submitted under Attachment E, Form 2, "Notice of Adoption" as set forth in ORS 197.615 and OAR 660-018-0040.

8. Grantee will consult closely with the DLCD Grant Manager to ensure that adoption of Product(s) under the post-acknowledgment plan amendment process is completed on or before the Project End Date.

9. A draft Product may be accepted for approval instead of an adopted Product when requested in writing and received in the DLCD Salem office at least 60 days prior to Project End Date. The request will be reviewed and approved in writing by DLCD if substantial progress has been made toward adoption and adoption is scheduled to occur on or before the date that is 120 days after the Project End Date.

10. Any final draft product (e.g., ordinances, maps, websites, databases, supporting documents, and photographs) shall be a hearings-ready draft approved by a resolution of the governing body and shall be accompanied by a report in detailing why the product was not adopted and a timeframe for the future adoption of the product.

11. Any notice issued by Grantee that is eligible for reimbursement under ORS 215.503 – Notice to county property owners for costs incurred for Measure 56 – is not reimbursable under this Agreement.

12. Grantee will coordinate and provide notice to DLCD and any other agencies and organizations listed in public meetings, workshops, work sessions, and hearings to develop, review or approve products prepared under this Agreement.

13. Grantee will consult with the DLCD Grant Manager and any other entities in the development of Products and provide an opportunity for timely review of all draft Products.

14. Grantee will submit written status reports throughout the duration of the project. These reports must indicate which tasks have been completed, which tasks are yet to be completed, and, if tasks are expected to delayed beyond the identified schedule of completion, a description of the grantee's work plan to complete the tasks in a timely manner. Should grantee need to delay or eliminate tasks, the status report should include a request to amend the grant agreement accordingly. Progress reports must submitted by July 1, 2024, and December 2, 2024.

15. DLCD will provide no more than one interim payment before the Project End Date and a final payment. Payments will be made only upon submittal of qualifying Product(s) and progress report(s) in accordance with the terms of this Agreement and Attachment C. The report(s) must describe the progress to date on each Task(s) or Product(s) undertaken during the billing period. Other written or verbal progress reports will be provided upon reasonable request by the DLCD Grant Manager.

16. Payments under this Agreement may be reduced if Product(s) scheduled to be completed are not completed by the timeline provided in the Project Description. DLCD's payment obligations under this Agreement are conditioned upon DLCD receiving funding, appropriations, limitations, allotments or other expenditures authority sufficient to allow DLCD in the exercise of its reasonable administrative discretion, to meet its payment obligations under this Agreement.

SCHEDULE, PRODUCTS, AND BUDGET

Task 1: Ordinance and Comprehensive Plan Audit

Staff will review Wasco County Comprehensive Plan and Land Use and Development Ordinance to identify legal or policy issues related to residential development. This includes:
- A clear and objective path for approval for residential development
- Necessary revisions needed for Goal ~~5 ,~~5, 6 or 7 resources analysis including a new safe harbor or ESEE
- An update to the Wasco County Buildable Lands Study (2009)
- A proxy Housing Needs Analysis using available data and DLCD methods as applicable

This audit will be prepared to identify any components of the Comprehensive Plan and Ordinance that need revisions to be consistent with updates to ORS 197.307. Staff will produce a staff report and memorandum, as well as a presentation and overview handout detailing results of the audit and proposing draft concepts for amendments to the Plan and/or Ordinance.

Task 1 Products: Audit and memorandum/staff report

Task 1 timeline: December 10, 2023 to July 31, 2024

Task 1 budget: $15,000

Task 2: Draft Ordinance and Plan Updates

Based on the audit, staff will prepare draft updates to Wasco County's comprehensive plan and Land Use and Development Ordinance, addressing issues identified in Task 1.

Stakeholders, particularly Goal 5, 6, and 7 agencies and organizations will be convened on a ~~case by case~~case-by-case basis to work through best practices in developing clear and objective standards. We will utilize an online portal to share drafts and capture comments and questions.

Task 2 Products: draft text amendments to comprehensive plan and ordinance documents

Task 2 timeline: June 1, 2024 to October 31, 2024

Task 2 budget: $10,000

Task 3: Public Process

The County will solicit public input on proposed revisions and initiate the legislative process with public notice. This will include hosting several public meetings throughout the County, hosting hybrid meetings, developing on demand interactive material, and other public outreach collateral including website content, a flyer and FAQ, and various social media posts. We will include a DEI analysis of outreach conducted.

Results of citizen involvement will be compiled into a report and, in combination with a revised staff report, will be utilized for recommendations for revisions to the Plan and/or Ordinance drafts.

This task includes required public noticing and form 1.

Task 3 Products: Agendas and discussion materials from public meetings.

Submit 35-day notice. Prepare and submit hearings-ready Products from Task 3 online at https://db.lcd.state.or.us/PAPA_Online/Account/Login?ReturnUrl=%2fPAPA_Online, or via e-mail with Attachment D, Form 1 DLCD Notice of Proposed Change to a Comprehensive Plan or Land Use Regulation, and at least 35 days before first evidentiary hearing. If the notice is submitted online, send an e-mail to the Grants Administrative Specialist listed in Attachment B, DLCD Contact Information providing notification of the submittal. If submitting via e-mail, send Task 3 Product(s) in a digital media format to the Grants Administrative Specialist listed in Attachment B, DLCD Contact Information, and to the Plan Amendment Specialist at the e-mail address specified in Attachment D, Form 1 DLCD Notice of Proposed Change to a Comprehensive Plan or Land Use Regulation.

Task 3 timeline: October 1, 2024 to March 31, 2025

Task 3 budget: $20,000

Task 4: Adoption

The County will initiate the hearings process for adoption of the proposed Plan and Ordinance amendments to include one meeting before the Wasco County Planning Commission, and two meetings before the Board of County Commissioners.

Task 4 Products: Final text amendments, staff report, commission agenda, adopting ordinances.

Submit Notice of Adoption. Prepare and submit signed ordinance(s) adopting the Products from Task 4 online at https://db.lcd.state.or.us/PAPA_Online/Account/Login?ReturnUrl=%2fPAPA_Online, or via e-mail with Attachment E, Form 2 Notice of Adopted Change to a Comprehensive Plan or Land Use Regulation, according to the instructions on the form. If the notice is submitted online, send an e-mail to the Grants Administrative Specialist listed in Attachment B, DLCD Contact Information providing notification of the submittal. If submitting via e-mail, send the notice on digital media to the Grants Administrative Specialist listed in Attachment B, DLCD Contact Information, and to the Plan Amendment Specialist at the e-mail address specified in Attachment E, Form 2 Notice of Adopted Change to a Comprehensive Plan or Land Use Regulation.

Task 4 timeline: April 1, 2025 to May 31, 2025

Task 4 budget: $8,000

Budget Summary

Task 1 – Ordinance and Comprehensive Plan Audit		$15,000
Task 2 – Draft Ordinance and Plan Updates		$10,000
Task 3 – Public Process		$20,000
Task 4 – Adoption		$8,000
	TOTAL	**$ 53,000**

DLCD TA Grant Agreement
Contact Information

For questions regarding your grant, please contact:

Grant Manager:
Angie Brewer
Central Oregon Regional Solution Center
1011 SW Emkay Drive, Suite 108
Bend, OR 97702

Mobile: 541-306-8530
E-mail: angie.brewer@dlcd.oregon.gov

Housing Team Support Staff:
Maddie Phillips
DLCD Salem Office
635 Capitol Street N.E., Suite 150
Salem, OR 97301

Office: 503-507-5167
Email: madeline.phillips@dlcd.oregon.gov

OR

Housing Services Division Manager:
Ethan Stuckmayer
DLCD Salem Office
635 Capitol Street N.E., Suite 150
Salem, Oregon 97301-2540

Office: 503-302-0937
E-mail: ethan.stuckmayer@dlcd.oregon.gov

Payment requests should be sent to:

Grants Administrative Specialist
Angela Williamson
DLCD Salem Office
635 Capitol Street N.E., Suite 150
Salem, Oregon 97301-2540

Office: 971-239-2901
E-mail: DLCD.GFGrant@dlcd.oregon.gov

Attachment C

Department of Land Conservation and Development (DLCD)
2023-2025 Request for Interim Reimbursement / Final Closeout

Grantee Name	Grant No. assigned by DLCD	Final Payment
Wasco County	**HA-25-017**	Yes No

Grant Agreement Start Date From: Execution	Grant Agreement Close Date To: **May 31, 2025**	Period covered by this Payment From:	Period covered by this Payment To:
DLCD Grant Expenditures	***DLCD Grant Expenditures***	***DLCD Grant Expenditures***	***DLCD Grant Expenditures***
Transactions	**Previously Reported**	**This Payment**	**Cumulative**
1. Salaries and Benefits			
2. Supplies and services			
3. Contracts (see instructions)			
4. Other (provide list & explain)			
5. **Total (add lines 1–4)**			
Local Contributions (if applicable)			
6. Salaries and Benefits			
7. Supplies and services			
8. Contracts			
9. Other			
10. **Total (add lines 6–9)**			
11. Payment requested (from line 5)	**DO NOT WRITE IN THIS SPACE**		**DO NOT WRITE IN THIS SPACE**

12. Certification: **I certify to the best of my knowledge and belief that this report is correct and complete and that all expenditures are for the purposes set forth in the award document. I further certify that all records are available upon request, and the financial records will be retained for six years after the final payment.**

13. Typed or Printed Name and Title	14. Address where payment is to be sent
15. Signature of Authorized Certifying Official	16. Date Payment Submitted

Do Not Write Below This Line **FOR DLCD USE ONLY** **Do Not Write Below This Line**

DLCD CERTIFICATION

I certify as a representative of the Department of Land Conservation and Development (DLCD), that the Grantee:

_____ Has met the terms and conditions of the grant and that payment in the amount of $ _____ should be issued

_____ Has not met the terms and conditions of the grant for the reasons stated on the attached sheet, and payment in the amount of $ _____ should be issued.

Signature of DLCD Grant Manager	Date
Signature of DLCD Program Manager	Date

BATCH #	**DATE**	**VOUCHER#**	**DATE**
PCA#	**OBJECT #**	**VENDOR #**	**AMOUNT**

Department of Land Conservation and Development
2023-2025 Housing Planning Assistance Grant Agreement
Interim Reimbursement and Closeout Form Instructions

General and line-by-line instructions for completing the Request for Interim Reimbursement/Final Closeout form are provided herein.

General Instructions and Reminders

- This form may be completed by hand or typed on paper or completed in Microsoft Word. If you need a Word file, please contact the Grants Administrative Specialist at DLCD.GFGrant@dlcd.oregon.gov. In any case, submit the form with the grant Product(s) electronically, as called for in the Agreement.
- This form is used for all reimbursement requests – interim or final.
- It is important that you retain documentation of expenditures as provided in paragraph 16 of the Agreement, which provides that records be maintained for at least six years after the final payment has been received by the grantee.
- Interim and final reimbursement requests must not include work performed prior to the Effective Date of this Agreement (generally the date the Agreement is signed by DLCD) and not after the Closing Date of this Agreement.

Completing the Form

Please show *total actual expenditures only* of DLCD grant award and local contributions.

First row: DLCD will complete the Grantee Name and Grant Number. In the Final Payment box, highlight or circle "No" for interim payments and "Yes" for final closeouts.

Second row: DLCD will complete Agreement start and close dates. Complete the "Period covered by this payment" The form includes separate boxes for "from" and "to." Please complete both. These dates must accurately depict the dates the work for the reimbursable expenditure was incurred. If there are any applicable limits on these dates, they will be provided in the payment descriptions in the "Schedule, Products, and Budget" section of the Agreement.

The next section of the form includes columns for itemizing each expense category:

- **"DLCD Grant Expenditures, Previous Reported"** column -- should be blank if the submission is Payment 1. If the request is for a second or later interim payment or final closeout, enter the sum of previous payments in this "Previously Reported" column.
- **"DLCD Grant Expenditures, This Payment"** column – captures and identifies expenditures for the products that are currently being submitted for review and payment.
- **"DLCD Grant Expenditures, Cumulative"** column – simply the total of the two previous columns.
- **"DLCD Grant Expenditures, Transactions"** – Complete items 1–4 as applicable and item 5, total in the "Previously Reported" column if applicable and in the 'This Payment" column. Complete previous and current local contributions in items 6–9 and the total on line 10 if applicable. Local contribution does not include expenses reimbursed by the grant. It is included to provide DLCD with accurate information regarding the cost of projects and/or products completed in compliance with this grant. This category includes both in-kind and cash contributions.
    - **1. Salary and Benefits** includes the grantee's staff time, including Other Personnel Expenses. Receipts are not required with this report submission.

- **2. Supplies and Services** include allowable grantee supplies used for completion of grant products**.** Receipts are not required with this report submission.
- **3. Contracts** include consultants, attorneys, and any company or individual hired by the grantee to conduct grant work. This category does not include employees of the grantee, but rather an individual or entity that invoices the grantee for services rendered. Information required for the closeout report includes name, address, phone number, and e-mail address of the payee. If there are multiple entities, please provide the amount of grant funds allocated for the reimbursement of each.
- **4. Other -** Provide a brief explanation and cost breakdown for amounts listed as "Other." Receipts are not required. Note: Grantee travel expenses are not eligible for reimbursement.
- **5. Totals** – Sum the categories of grant expenditures in the Previously Reported, This Payment, and Cumulative columns. The Total payments at closeout cannot exceed the maximum amount in paragraph 3 of the Agreement.

- Re-enter the payment request from line 5 "DLCD Grant Expenditures This Payment" on line 11.

Certification: Be sure to read and understand the information in item 12 prior to signing the form.

- A legible name and title is required in cell 13.
- A mailing address, including city and zip code, where payment should be sent must be provided in cell 14.
- The signature under "Signature of Authorized Certifying Official" must be of the person taking responsibility for the accuracy of the information contained in the form.

Before a payment can be issued, *all grant products, required documentation, and the signed reimbursement request form* must be received, accepted, and reviewed by the grant manager and grant program manager, subject to the requirements contained in the Agreement.

Please follow the payment schedule as identified in the Grant Agreement when submitting a request for payment or closeout.

A **signed cover letter**, completed and signed **reimbursement request form**, and completed **Products** can be submitted in one of the following ways: (1) the preferred method – an e-mail with PDF files sent to the Grants Administrative Specialist at DLCD.GFGrant@dlcd.oregon.gov, or (2) via the DLCD FTP site (contact the Grants Administrative Specialist for instructions at 971-239-2901) or (3) a CD or DVD mailed to the address for the Grants Administrative Specialist in Attachment B of the Agreement. If none of these options are possible, mail the relevant documents to:

Grants Administrative Specialist
Department of Land Conservation and Development
635 Capitol St. NE Suite 150
Salem, OR 97301

Attachment D

NOTICE OF A PROPOSED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FORM 1

FOR DLCD USE
File No.:
Received:

Local governments are required to send notice of a proposed change to a comprehensive plan or land use regulation **at least 35 days before the first evidentiary hearing**. (*See* OAR 660-018-0020 for a post-acknowledgment plan amendment and OAR 660-025-0080 for a periodic review task). The rules require that the notice include a completed copy of this form.

Jurisdiction: **Grant No.**:

Local file no.:

Please check the type of change that best describes the proposal:

- ☐ **Urban growth boundary (UGB) amendment** including more than 50 acres, by a city with a population greater than 2,500 within the UGB
- ☐ **UGB amendment** over 100 acres by a metropolitan service district
- ☐ **Urban reserve designation,** or amendment including over 50 acres, by a city with a population greater than 2,500 within the UGB
- ☐ **Periodic review task** – Task no.:
- ☐ **Any other change** to a comp plan or land use regulation (*e.g.*, a post-acknowledgement plan amendment)

Local contact person (name and title):
Phone: E-mail:
Street address: City: Zip:

Briefly summarize the proposal in plain language. Please identify all chapters of the plan or code proposed for amendment (maximum 500 characters):

Date of first evidentiary hearing:
Date of final hearing:

☐ This is a revision to a previously submitted notice. Date of previous submittal:

Check all that apply:

- ☐ Comprehensive Plan text amendment(s)
- ☐ Comprehensive Plan map amendment(s) – Change from to
  Change from to
- ☐ New or amended land use regulation
- ☐ Zoning map amendment(s) – Change from to
  Change from to
- ☐ An exception to a statewide planning goal is proposed – goal(s) subject to exception:
- ☐ Acres affected by map amendment:

Location of property, if applicable (site address and T, R, Sec., TL):

List affected state or federal agencies, local governments, and special districts:

NOTICE OF A PROPOSED CHANGE – SUBMITTAL INSTRUCTIONS

1. Except under certain circumstances,[1] proposed amendments must be submitted to DLCD's Salem office at least 35 days before the first evidentiary hearing on the proposal. The 35 days begins the day of the postmark if mailed, or, if submitted by means other than US Postal Service, on the day DLCD receives the proposal in its Salem office. **DLCD will not confirm receipt of a Notice of a Proposed Change unless requested.**

2. A Notice of a Proposed Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of a Proposed Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of a Proposed Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 1 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here: https://www.oregon.gov/lcd/CPU/Pages/Plan-Amendments.aspx

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendment@dlcd.oregon.gov with the subject line "Notice of Proposed Amendment."

Submittals may also be uploaded to DLCD's FTP site at http://www.oregon.gov/LCD/CPU/Pages/PAPA-Submittals.aspx.
E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 1 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of a Proposed Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0000 or plan.amendments@dlcd.oregon.gov.

6. **Text:** Submittal of a Notice of a Proposed Change for a comprehensive plan or land use regulation text amendment must include the text of the amendment and any other information necessary to advise DLCD of the effect of the proposal. "Text" means the specific language proposed to be amended, added to, or deleted from the currently acknowledged plan or land use regulation. A general description of the proposal is not adequate. The notice may be deemed incomplete without this documentation.

7. **Staff report:** Attach any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained.

8. **Local hearing notice:** Attach the notice or a draft of the notice required under ORS 197.763 regarding a quasi-judicial land use hearing, if applicable.

9. **Maps:** Submittal of a proposed map amendment must include a map of the affected area showing existing and proposed plan and zone designations. A paper map must be legible if printed on 8½" x 11" paper. Include text regarding background, justification for the change, and the application if there was one accepted by the local government. A map by itself is not a complete notice.

10. **Goal exceptions:** Submittal of proposed amendments that involve a goal exception must include the proposed language of the exception.

[1] 660-018-0022 provides:
(1) When a local government determines that no goals, commission rules, or land use statutes apply to a particular proposed change, the notice of a proposed change is not required [a notice of adoption is still required, however]; and
(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review such that the local government cannot submit the proposed change consistent with the 35-day deadline, the local government may submit the proposed change to the department as soon as practicable. The submittal must include a description of the emergency circumstances.

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0000 or e-mail plan.amendments@dlcd.oregon.gov.

Notice checklist. Include all that apply:

- ☐ Completed Form 1
- ☐ The text of the amendment (e.g., plan or code text changes, exception findings, justification for change)
- ☐ Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained
- ☐ A map of the affected area showing existing and proposed plan and zone designations
- ☐ A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable
- ☐ Any other information necessary to advise DLCD of the effect of the proposal

DLCD FORM 2

NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.:
Received:

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption**. (*See* OAR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: Grant No.

Local file no.:

Date of adoption: Date sent:

Was Notice of a Proposed Change (Form 1) submitted to DLCD?
☐ Yes: Date (use the date of last revision if a revised Form 1was submitted):
☐ No

Is the adopted change different from what was described in the Notice of Proposed Change? ☐ Yes ☐ No
If yes, describe how the adoption differs from the proposal:

Local contact (name and title):

Phone: E-mail:

Street address: City: Zip:

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:
Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:
Identify the former and new map designations and the area affected:

Change from to . acres. ☐ A goal exception was required for this change.
Change from to . acres. ☐ A goal exception was required for this change.
Change from to . acres. ☐ A goal exception was required for this change.
Change from to . acres. ☐ A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): .

☐ The subject property is entirely within an urban growth boundary

☐ The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:
Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:
Identify the former and new base zone designations and the area affected:

Change from to . Acres:
Change from to . Acres:
Change from to . Acres:
Change from to . Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: . Acres added: . Acres removed:

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

NOTICE OF ADOPTED CHANGE – SUBMITTAL INSTRUCTIONS

1. A Notice of Adopted Change must be received by DLCD no later than 20 days after the ordinance(s) implementing the change has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) as provided in ORS 197.615 and OAR 660-018-0040.

2. A Notice of Adopted Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of Adopted Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of Adopted Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 2 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

This form is available here: https://www.oregon.gov/lcd/CPU/Pages/Plan-Amendments.aspx

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to plan.amendments@dlcd.oregon.gov with the subject line "Notice of Adopted Amendment."

Submittals may also be uploaded to DLCD's FTP site at https://www.oregon.gov/LCD/CPU/Pages/PAPA-Submittals.aspx.

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 2 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of Adopted Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or. mpk. For other file formats, please contact the plan amendment specialist at 503-934-0000 or plan.amendments@dlcd.oregon.gov.

6. **Content:** An administrative rule lists required content of a submittal of an adopted change (OAR 660-018-0040(3)). By completing this form and including the materials listed in the checklist below, the notice will include the required contents.

Where the amendments or new land use regulations, including supplementary materials, exceed 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

7. Remember to notify persons who participated in the local proceedings and requested notice of the final decision. (ORS 197.615)

If you have any questions or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0000 or e-mail plan.amendments@dlcd.oregon.gov.

Notice checklist. Include all that apply:

- ☐ Completed Form 2
- ☐ A copy of the final decision (including the signed ordinance(s)). This must include city *and* county decisions for UGB and urban reserve adoptions
- ☐ The findings and the text of the change to the comprehensive plan or land use regulation
- ☐ If a comprehensive plan map or zoning map is created or altered by the proposed change:
  - ☐ A map showing the area changed and applicable designations, and
  - ☐ Electronic files containing geospatial data showing the area changed, as specified in OAR 660-018-0040(5), if applicable
  - ☐ Any supplemental information that may be useful to inform DLCD or members of the public of the effect of the actual change.

WASCO COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
NOVEMBER 1, 2023
This meeting was held in person and on Zoom
https://wascocounty-org.zoom.us/j/3957734524
or call in to 1-253-215-8782 Meeting ID**: 3957734524#**

PRESENT:	Scott Hege, Acting Chair Phil Brady, County Commissioner
STAFF:	Kathy Clark, Executive Assistant Tyler Stone, Administrative Officer
ABSENT:	Steve Kramer, Chair

Vice-Chair Hege opened the session at 9:00 a.m. with the Pledge of Allegiance. He opened the floor to public comment; there was none.

Discussion Item – VISOR/SAVNS Agreement

Sheriff Lane Magill explained that the VINE victim notification system has been in place for decades; it is owned and operated by a private company. About 18 months ago, it was discovered that the VINE information was accessible to the public. He reported that Equifax, the country's largest personal information meta data system, acquired VINE, which is what inspired the creation of a new system. The State engaged another company to build a system that the State can control and restrict. The Statewide Automated Victims Notification system is ready; it is called VISOR (Victim Information System OR). This system is secured to prevent the offender from locating their victim(s). The system has been cleared through our Information Systems Department and will provide a connection with Wasco County as well as NORCOR. Each county is assigned a number which is connected to the I.D. systems. This contract allows the State access to our information.

Commissioner Brady asked who will pay for the system. Sheriff Magill replied that it is the State's system and they are fiscally responsible.

{{{Vice-Chair Hege moved to approve Intergovernmental Agreement 6593 between the State of Oregon and Wasco County to participate in the Statewide Automated Victims Notification System. Commissioner Brady seconded the motion which passed unanimously.}}}

Vice-Chair Hege asked how staffing is for the Sheriff's Department. Sheriff Magill replied that they are down by 6; they have 2 headed for the academy and 2 more in the background check process. It will take some time to get them all trained and up to speed; one of the deputies headed for the academy is a lateral hire and will only have to attend for 4 weeks.

Vice-Chair Hege asked about the marine program. Sheriff Magill responded that they have 6 deputies trained for the marine program and they used the boat in August to recover a drowning victim from the Columbia.

Discussion Item – Internet Survey

Administrative Services Office Manager and Wasco County Public Information Officer Stephanie Krell explained she is here on behalf of QLife. They have engaged a company called Entry Point which will assist QLife in collecting data and creating a few models to help guide the future of QLife and create a long-term plan. Part of this work is to collect feedback from Wasco County residents. The survey is designed to help us understand the connectivity or lack thereof in our community. We would like everyone in the meeting to participate and share the link with others to help create the most complete picture we can obtain. The link is also on the County website, posted to social media, and shared with partner agencies. It will be open until the end of the month.

Commissioner Brady reported that he has taken the survey and asked what other methods were being employed to collect information. Ms. Krell said they are using promoted posts on social media and will be asking partner agencies to share the link with their audiences. She reported that in just the 1st few days, they received 60 responses. Commissioner Brady suggested that the Food Pantry may be a valuable partner agency to engage in the effort.

Vice-Chair Hege asked if the City will be adding a flyer to their water bills. Ms. Krell answered that the PUD will be sending it out in their November bills and the City will be sending it out in their December bills.

Discussion Item – PTAC Appointment

Ms. Clark explained that there is an opening on the Public Transportation Advisory Committee due to the resignation of Maria Pena who was the committee member representing low-income individuals and people with limited-English proficiency. If appointed, Ms. Peralta will serve in that same capacity and appears to be well-qualified to do so.

{{{Commissioner Brady moved to approve Order 23-055 appointing Celeste

Peralta to the Public Transportation Advisory Committee. Vice-Chair Hege seconded the motion which passed unanimously.}}}

Consent Agenda – 10.18.2023 Regular Session Minutes

{{{Commissioner Brady moved to approve the Consent Agenda. Vice-Chair Hege seconded the motion which passed unanimously.}}}

Agenda Item – GIS Fee Waiver Request

GIS Coordinator Tycho Granville reviewed the memo included in the Board Packet. Forth Program Associate Whit Jamieson said that Forth is a national nonprofit working with stakeholders and cities in Wasco County to identify the most beneficial locations for EV charging stations. The information will be used to support future planning.

Commissioner Brady asked who is leading this effort. Mr. Jamieson replied that Forth is managing the project. The data being gathered is particularly useful for The Dalles. Others will also be able to make use of the data. One aspect of the project is to develop a guide for other rural communities around the nation.

Commissioner Brady asked if this is for residents or for those traveling. Mr. Whitaker stated that it is for both; however, in this analysis, it is more for the local population or those spending time in the area rather than passing through. This targets the slower, level 2 chargers rather than the fast chargers needed for travelers.

Commissioner Brady commented that this will provide recommendations, but not move forward with installation – that would be up to the landowner. Mr. Jamieson concurred, saying that this project does not have approval for installations. The real goal is to provide information on which others can base decisions.

Vice-Chair Hege asked why the information requested is an extract of the assessor's data base layers. Mr. Jamieson replied that it is about understanding the building types, the zoning and more detailed knowledge of multi-family residence – people who may not have home charging access. Also the detail around what is public and what is private to assess where public chargers might be useful.

Planning Director Kelly Howsley-Glover pointed out that the Assessor's data should not be used to extrapolate zoning; that information should come from Planning. County Assessor/Tax Collector Jill Amery commented that the Assessor's maps are just for tax information.

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Vice-Chair Hege asked if we grant the waiver, will there be an agreement for Forth to not resell the data. Mr. Stone said we can draw up such an agreement. Mr. Jamieson said that would not be a problem for Forth.

{{{Commissioner Brady moved to approve a fee waiver to Forth in the amount of $308 for requested GIS data with an agreement in place to preclude Forth from sharing/selling the data. Vice-Chair Hege seconded the motion which passed unanimously.}}}

Agenda Item – Assessor/Tax Collector Updates

Ms. Amery, in response to an inquiry from a previous Board Session, reported that there are more than 10,000 acres of state-owned lands in Wasco County for which property taxes are paid directly to the County. There are over 30,000 state owned acres where there is payment made in lieu of taxes (PILT). There are 284.79 acres owned by the State but taxes are paid through Fish and Wildlife.

WHOLLY UNCOLLECTIBLE TAXES

Ms. Amery reviewed the memo included in the Board Packet. She stated that under ORS 311.790 a county can write off property taxes with Board approval. If it is business personal property we can seize and sell the property; but bit coin is a little different. The owners departed in the middle of the night leaving their landlord and the County holding the bag. The delinquency went on for a couple of years before the tax office made it inactive – the owners were not on-site for all of that time. The only way to fix it now, it to come before the Board and request cancellation.

Commissioner Brady asked what the factors were that caused it to climb to $50,000. Ms. Amery replied that counties have little recourse; she can talk to the owners but the only way to force remuneration is to seize and sell the property which in this case was bit coin servers. Since it would be difficult to store and then sell the servers, we would likely have the further cost of disposing of the property. Vice-Chair Hege added that another factor is that the owners left in 2019 and we continued to bill them. Ms. Amery observed that this was unique; she was able to track them down to somewhere in the Midwest.

{{{Vice-Chair Hege moved to approve Order 23-078 cancelling certain uncollectible personal property taxes. Commissioner Brady seconded the motion which passed unanimously.}}}

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MANUFACTURED HOME DELINQUENCIES

Ms. Amery explained that during her tenure as Tax Collector, she has not been very aggressive about seizing manufactured homes. She said recently she has determined that we need to take a stronger position in regard to manufactured homes. Staff has done exemplary work to create a process. We had 43 accounts of manufactured homes that were from 3-15 years past due in property tax payments. Staff sent and posted notices which included the offer of a payment plan. Of the original 43, 15 have paid in full and 18 have accepted payment plans. She pointed out that statute allows seizure and sale as the only remedy to non-payment which could leave the County with a liability. Moving forward, staff will be able to keep up on this process.

2023 TAX CERTIFICATION

Ms. Amery reviewed the certification document included in the Board Packet noting that the tax roll is up 4.8% over last year. She highlighted that Dufur will see a decline in tax revenue for a couple of their districts; she has been in touch with those districts to help them understand those losses.

Commissioner Brady asked how much of a decrease those districts will see. Ms. Amery replied that it will be a 1.3% decline.

PROPERTY TAX COLLECTION

Ms. Amery reviewed the Property Tax Collection Report included in the Board Packet.

Vice-Chair Hege commented that there was a 16% increase in one year, most of which was due to a Google project. Commissioner Brady asked if we should expect depreciation with a commensurate decline in taxes for that project over the next few years. Ms. Amery said you can see a trend toward that which is typical of what we see elsewhere. Vice-Chair Hege added that even in the existing building there are improvements that will raise the assessment again.

Ms. Amery mentioned some of the top ten tax payers are Avangrid, American Cruise Lines and Google/Design LLC. She noted that Google/Design LLC pays $4.8 million while the other 9 combined are billed approximately $5 million. She added that there is a lot of information available on the Assessor's website.

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Agenda Item – Wasco County Public Contracting Rules

County Counsel Kristen Campbell stated that the current Contracting Rules are 10 years old; statute has been revised and we have to amend our rules to be consistent with State law. We took this opportunity to do a full review. She introduced her colleague Joanna Lyons-Antley who took the lead on the revisions.

Ms. Lyons-Antley reviewed her extensive experience in public contracting and said the goal here was to create rules that incorporate best practices and are easy to read and follow. One of the internal objectives is to increase exemptions to reflect the real world. The Public Works Director and Administrative Officer have both reviewed the final document to ensure needs have been adequately captured. The threshold for public bid has been increased in statute from $150,000 to $250,000 which provides more flexibility. There are increased exemptions to allow for the selection of specialty counsel; it does not preclude the County for going out to bid, but it does not require it. The new rules also provide a protest process for contractors who believe they should have received a contract they were not awarded. Delegation of contract authority up to $50,000 is consistent in the public sector and helps the County accomplish work more efficiently.

Commissioner Brady asked if Department Directors have to clear their authorized limit contracts with the Administrative Officer.

Ms. Campbell replied that they have that discretion but it does not eliminate County Counsel's role to review all agreements. As far as the Administrative Officer's authority, he will also have that discretion within his authority. Mr. Stone said directors will come to the Administrative Officer/Board for items that have not been through the budget process.

Commissioner Brady asked who serves as the Public Contracting Manager. Ms. Lyons-Antley replied that it is the Administrative Officer, but the Board could hire a purchasing manager.

Public Works Director Arthur Smith pointed out that the Board retains the authority as the County's Public Contracting Review Board. The Board has the authority to request to see all contracts. However, Wasco County has a thorough budget process through which many of these purchases will be vetted. The revised rules will allow us to be more efficient by moving the already-approved purchases forward. He stated that he thinks the updated rules are excellent.

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Ms. Amery added that the new rules also align with our new budget philosophy to give that authority to Department Directors.

Commissioner Brady asked if these will be implemented immediately. Mr. Smith said they would be as we need to be in alignment with new legislation.

Commissioner Brady asked when directors would have to go out for an RFP. Mr. Smith responded that in most cases it would be at $250,000 or higher. He said we can choose to solicit quotes at a lower level and many times that makes good business sense. Mr. Stone added that he can still bring items to the Board if it is in our best interest and can also set internal spending limits.

Vice-Chair Hege noted that the rules talk about qualified pools. Mr. Smith stated that we have those pools; the list needs to be updated.

{{{Commissioner Brady moved to approve Resolution 23-015 adopting the 2023 Revised Wasco County Public Contracting Rules. Vice-Chair Hege seconded the motion which passed unanimously.}}}

Agenda Item - Planning

YELLOW ROSEBUSH ENERGY FACILITY

Planning Director Kelly Howsley-Glover reviewed the information included in the Board Packet. She explained that this is related to the notice of intent for a sizeable solar project near Bakeoven. This proposed letter supports the Energy Facility Site Evaluation Council (EFSEC) review. The letter outlines concerns and these have already been discussed with the project manager and siting analyst. The letter also includes comments from fire districts and the Sheriff's Office as well as housing considerations. She reported that about 6 weeks ago her department met with the developers who were well-prepared. She shared the concerns at that meeting and also encouraged them to reach out to the Tribes and other stakeholders to ensure sensitivity to those concerns.

Commissioner Brady commented that it is good for the developers to understand the tribal rights and it is important to not disclose the nature of the cultural resources. He reported that one landowner told him they have already been contacted by the company; in the process for the previous project, landowners got together to compare offers.

Ms. Howsley-Glover reminded the Board that the Planning Department works as an advisor for our plan and the State compensates us for that work.

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Vice-Chair Hege noted that he continues to work with the legislature to find a way to allow temporary housing for these large-scale energy projects. Ms. Howsley-Glover said that housing is one of the concerns, especially since we have so many projects lining up to happen simultaneoiusly.

*****The Board was in consensus to send the proposed comment letter to the Oregon Department of Energy regarding the Yellow Rosebush Energy Siting Facility.*****

WESTERN POND TURTLE

Ms. Howsley-Glover introduced Wildlife Biologist Andrew Meyers from the local Oregon Fish and Wildlife office. She stated that she intends to draft a comment letter in conjunction with the Public Works Director as there are roads and culverts located in the habitat. She said she would appreciate Board input for that.

Mr. Meyers reviewed a presentation (attached) regarding the Western Pond Turtle. Mr. Meyers reviewed the life cycle and habits of the Western Pond Turtle, explaining that a unique population resides in the Mosier area due to its warmer, drier climate. He outlined the process the US Fish and Wildlife service proposal is undertaking to list the Western Pond Turtle as threatened. Mr. Meyers noted that although the Western Pond Turtle is long-lived (50 years or more), they do not have a lot of young and those young are vulnerable for the first 2 years. He said they have been sighted from Mosier to the western edge of The Dalles. There are ponds with as few as 2-3 turtles and ponds with as many as 30-40 turtles. He reported that they have reached out to make landowners aware so they have the opportunity to ask questions and provide comments.

Vice-Chair Hege asked if the tags applied to the turtles will track them. Mr. Meyers replied that the tags are for identification only.

Commissioner Brady asked about the conservation strategies. Mr. Meyers answered that they will apply for federal funding for non-hunted species; these are species they feel are unique or are important to the general habitat. Commissioner Brady asked the size of the turtles. Mr. Meyers replied that they are 8-10 inches in diameter. Commissioner Brady asked what the impact of wildfire would be for the species. Mr. Meyer said they would lose their winter habitat; they need both open and brushy spots.

Ms. Howsley-Glover concluded by saying that comments are due by December

4th.

Agenda Item – Hwy. 30 Property Engineering Contracts

Mr. Stone explained that the Hwy 30 property water rights are in varying states; we need to determine exactly where that stands. We have reached out to GSI for assistance; they are the contractor of record for the City of The Dalles. He said he proposes contracting with them to do this work because of their knowledge of the area. The contract in the packet is for GSI to dig into the water rights and determine what we need to do to perfect them.

Commissioner Brady asked if this is for both surface and underground water. Mr. Stone confirmed that it is.

Vice-Chair Hege asked if there is a well located on the smaller parcel recently purchased. Mr. Stone replied that there is a water source, but he does not know if it is a well or a large spring. It will be included in this process.

Commissioner Brady asked if the work will include determination of levels of water production. Mr. Stone said that it will.

{{{Vice-Chair Hege moved to approve the Professional Services Agreement between Wasco County and GSI Water Solutions for water rights/water supply analysis on County properties. Commissioner Brady seconded the motion which passed unanimously.}}}

Commission Call

Commissioner Brady reported that the Deschutes Rim Clinic is getting support from the Health Council. They have a good Board but need to find staff to keep the clinic open. He said he is also working on the trail from Mosier to The Dalles; that will be a slow process. Lastly, he said he is still working with North Central Public Health District; they appear to be leaning in the direction of remaining a District.

Vice-Chair Hege said he attended a telecommunications conference in Ashland. They continue to hear about money becoming available for broadband; he will provide an update soon.

Mr. Stone announced that the State has opened the comment period for the Oregon Digital Equity Plan. He encouraged people to comment.

Vice-Chair Hege opened the floor to public comment. There was none.

At 10:58 a.m., Vice-Chair Hege called a recess.

The Session reconvened at 5:30 p.m.

Vice-Chair Hege joined by phone; Commissioner Brady assumed Chair duties.

Agenda Item – Kramer Field User Groups Discussion

Mr. Stone stated that this discussion has been at least a year in the making. He said he started meeting with many of the users to talk about conditions, needs, challenges, etc. Through those discussions we were looking at how we might manage it internally. We need to understand the needs and that was the focus of the original meetings. Last month, the lease with North Wasco County Parks and Recreation District ended and we are in the same situation that initiated the talks a year ago. We have two options, we manage it as our facility or we try to give it back to NWCPRD under a certain set of conditions – some of which he cannot recommend the County accept. The group has asked that we consider managing the facility. This evening's discussion is about needs, challenges, and how the County or NWCPRD could fit in. This is not the time for decision-making; we need time to consider what will be discussed this evening.

Facilities Manager Robert Hughes characterized the condition of Kramer Field when it came back to the County as horrific – broken fences, mole holes, goat heads, etc. He said he had his crew out there last month raking and mowing fields. It has been sprayed for weeds. They are evaluating the fencing. They have to clean trash out daily due to the homeless situation. The electrical system needs to be addressed as does the irrigation system. It is an uphill battle, but they have made a significant effort in making it at least usable. He stated that they will be trying to seal the dugouts for the winter.

Mr. Stone said that staff has taken the last 30 days to evaluate the site and have developed a preliminary budget. Capital improvements do not all need to happen in the first year. The budget includes a half-time FTE, weed control, and grounds maintenance.

Commissioner Brady asked if the City might contribute to the upkeep. Mr. Stone replied that since Kramer Field can be the driver of tourism, they would request some funding through the transient room taxes; however, that is an unknown and would probably be a year away.

Katie Kelly, President of the local Little League Association, spoke at length about

Kramer Field and its importance as a community asset that creates opportunity and brings people together. She stated The Dalles Little League mission is to implant firmly in the children of the community the ideals of good sportsmanship, honesty, loyalty, courage and respect for authority, so that they may be well adjusted, stronger and happier children and will grow to be good, decent, healthy and trustworthy citizens. She said that baseball is not the mission – it is to support kids to grow into well-rounded young people. In addition to the traditional teams, Little League has Challenger divisions for those with physical and/or intellectual challenges. Those divisions pair the regular players with Challenger players as baseball buddies. In addition, Little League hosts homerun derbies and sandlot baseball. Little League has a Board of 15-17 adults who work to get kids outdoors interacting with other kids.

Ms. Kelly went on to say that they have gotten some support from NWCPRD; however, the overall relationship has been strained for several years. Little League has met a number of times with NWCPRD requesting support and striving for collaboration. Unfortunately, the conclusion has been that it is not going to work. Little League is reasonable but needs more support than they have received to be successful. The request is for the County to take over management of the fields which need proper electrical, water safety, and lighting. Some of the investments made could be transferred to a new sports complex. Kramer Field needs new dugouts which Little League regularly has to clean to remove drug paraphernalia, human feces, soiled mattresses, etc. Little League already contributes to utility bills and provides soil amendments. The Dalles Little League has the lowest registration fees in our district and perhaps the State. The Dalles Little League wants all children to be able to participate and better accommodate players and families. She pointed out that better maintained fields will allow them to bring in 3-7 other teams to play; local restaurants and hotels will be full. Partnering with the County also meets the County's mission statement to partner with citizens to proactively meet their needs and create opportunities.

Commissioner Brady asked how many kids/families are in Little League. Ms. Kelly replied that there are 350 kids and easily over 200 families.

Commissioner Brady asked how much Little League spends on Kramer Field. Ms. Kelly replied that it is at least $5,000 for soil amendments plus electricity, garbage, internet, etc. She said they would continue to contribute to utilities.

Little League Vice-President Stevie Elledge echoed much of what Ms. Kelly expressed. She added that they have spoken to both the NWCPRD Executive

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Director and Board; it is clear that they do not want to manage Kramer Field – it is not their priority. She reported that every other sports field she has investigated is well-cared for. All that NCWPRD does is water and mow. It is not standard for volunteer organizations to be wholly responsible for the upkeep of the facility. The volunteer organizations are there to run programs. She reported that at one point they had brought in over 100 volunteers to do a clean-up of the site. She asked that the Board consider taking on the management of the field, saying that both youth and adults will use the facility if it is made useable and safe. The wish list has a price tag, but together we can make an impact and create a good facility.

Commissioner Brady asked if other groups might be interested in using the facility. Ms. Elledge replied that it will depend in-part on the passage of the school bond. If it passes and the Wahtonka fields are used, there will be more need.

At 6:02 p.m. Vice-Chair Hege announced that he would have to leave and assured the group he would listen to the recording of the remainder of the meeting. Commissioner Brady assured the group that the Board takes this seriously and all the Commissioners would review the recording.

The Dalles High School Girls Soccer Coach Colby Tonn reported that Gorge Soccer moved out of Kramer Field due to the dangerous conditions which included a large number or potholes. He stated that there are over 400 kids playing in the Gorge Soccer leagues. There will be 5 club soccer teams in Hood River and Wasco Counties and they draw teams from other areas. He said he has seen over 100 people playing pick-up soccer. There are about 100 high school students who play. Currently the only soccer goals that are available are the ones the high school puts up. He stated that there is room at Kramer Field to put up goals and it is possible that Youth Soccer would return if the field was made safe. Lighting would be another enticement.

Commissioner Brady asked if the potholes are due to gophers. Mr. Hughes said that the fields need to be leveled due to damage by gophers and wear and tear. It suffers from years of neglect.

Commissioner Brady asked if Sirosis Park offers an opportunity for soccer. Mr. Tonn replied that at one time it was a great space for soccer. However, once softball fencing went up, it is no longer conducive to soccer.

Patrick Urain, Little League Safety Officer, Umpire and President of The Dalles

Junior Baseball, said he has traveled to all the facilities for comparison; The Dalles facility is by far substandard in providing a space for Little League. He said they are in a constant battle with the condition of the field. The Dalles Junior Baseball provides opportunities to play outside of the Little League system and is a travel team only because they do not have a facility that is safe enough to host weekend events. This is a great opportunity to bring tourism into the community. He said we used to be a strong baseball community and he would like to rebuild that tradition. The Dalles Sluggers is also a travel baseball organization in the same situation – they would love to play here but it is not safe. The Dalles Babe Ruth League is also in that same circumstance. There are summer baseball camps to help kids improve their skills; they would use the fields if made safe. There are opportunities to build communities – you see that happen at the ballpark.

Commissioner Brady asked if there is an American Legion baseball league. Mr. Urain replied that there is – they use Quinton Park. He said that there are organizations that are willing to pay to use the space but would want a safe and useable space to rent.

Commissioner Brady asked who would do the scheduling of the field. Ms. Kelly responded that Little League has priority and works with other leagues to schedule games and practices.

Commissioner Brady commented that he believes every elected official has a duty to support democracy; community is the basis of democracy.

The Dalles High School Physical Education and Health Teacher Patrick Clark said that Little League Baseball not only provides a valuable experience but creates community pride. He said that the condition of the field makes him sad and is a simple thing to support our kids as a community. That sense of community starts at age 5 and in 20 years they will be the leaders of our community. These kids should not be playing on a field with a ball that gets imbedded with goat head thorns. We have not been able to use the dugouts due to the human feces, needles, etc. We have had injuries due to the conditions of the field. He asked that the board think about the kids in our community.

Commissioner Brady said he appreciates hearing the practical issues being brought out.

County Treasurer Elijah Preston said he has been involved with The Dalles Little League for 15 years and is in support of Wasco County taking over management,

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which can be done economically. There is great leadership in the local volunteer organizations to help make this a reality. He thanked Mr. Hughes and his team for stepping up and supporting this as they will have the lion's share of responsibility. Without the volunteers' hard work it is hard to know what the field would look like now. The structures are old. It is not just a gathering place for citizens of The Dalles but for the entire county; it is a community gathering place. We would be hard pressed to identify another space in our county where so many citizens gather. The County taking over management is the best option.

Commissioner Brady asked if the County owns the infrastructure. Mr. Stone answered that it is so old, we probably do not know who originally purchased it. The County would be responsible for all but the equipment shed owned by the teams.

Ms. Kelly said Cora Sawyer who runs the Awana Program at Calvary Baptist Church asked that she makes some comments on her behalf. Ms. Sawyer is involved with Kramer through the church soccer camp which has over 150 campers attending a 5-day camp in June. They use the field for 3 hours each of the 5 days and spend over $5,000 to run the camp with low tuition of $25 per camper – scholarships are provided. In addition to the $5,000 to run the camp, they have paid a rental fee for the space - $350 in 2017; it then went up to $600. It was slated to be $1,000 in 2020 but was cancelled due to COVID. For the last 3 years there has been no charge as they were deemed to be a long-standing community event. Every day of the camp they have to haul in water, generators and rent two portable bathrooms. They also have to bring in antibacterial wash stations as the houseless population uses the portable bathrooms at night. That is a lot of work each day for a 3-hour camp.

Commissioner Brady thanked everyone for their attendance and input. He said the Board will take in this information and bring it back to a future meeting.

Mr. Stone said they would schedule another evening meeting for December 6th. He said this is an opportunity for a new beginning.

Commissioner Brady adjourned the meeting at 6:40 p.m.

Summary of Actions

MOTIONS

- **To approve Intergovernmental Agreement 6593 between the State of Oregon and Wasco County to participate in the Statewide Automated Victims Notification System.**

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- **To approve Order 23-055 appointing Celeste Peralto to the Public Transportation Advisory Committee.**
- **To approve the Consent Agenda: 10.18.2023 Regular Session Minutes.**
- **To approve a fee waiver to Forth in the amount of $308 for requested GIS data with an agreement in place to preclude Forth from sharing/selling the data.**
- **To approve Order 23-078 cancelling certain uncollectible personal property taxes.**
- **To approve Resolution 23-015 adopting the 2023 Revised Wasco County Public Contracting Rules.**
- **To approve the Professional Services Agreement between Wasco County and GSI Water Solutions for water rights/water supply analysis on County properties.**

CONSENSUS

- **To send the proposed comment letter to the Oregon Department of Energy regarding the Yellow Rosebush Energy Siting Facility**

Wasco County
Board of Commissioners

_____
Steven D. Kramer, Commission Chair

_____
Scott C. Hege, Vice-Chair

_____
Philip L. Brady, County Commissioner

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MEMORANDUM

SUBJECT: Corona Consulting Agreement

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KATHY CLARK

DATE: DECEMBER 4, 2023

BACKGROUND INFORMATION:

On October 26, 2023 a solicitation for quotes/proposals went out to three organizations to facilitate change management training/coaching for the 2024 Leadership Summit. Moving into new spaces is a big change for the County and our staff – not only in the physical environment but in how we interact and manage workflow within and between departments. The goal is to prepare our Management Team to support staff and work together as County Offices shift to new locations.

Propeller submitted a thorough proposal with an estimated cost of $20,000

The Corona Effect submitted a detailed proposal with a firm price of $10,215 (cost after 10% governmental discount)

West Monroe declined to submit a proposal.

Both Propeller and The Corona Effect are qualified and available; however, the pricing became the driving factor in selecting The Corona Effect.

Since this is a regular expense related to the County's Annual Leadership Summit and falls within the Administrative Officer's signing authority; it is in process of being fully executed and being added to the Consent Agenda

GENERAL PROVISIONS
WASCO COUNTY PERSONAL SERVICES AGREEMENT

This agreement is made between Wasco County, an Oregon political subdivision ("County"), and Corona Consulting ("Contractor") dated December 6, 2023 (the "Agreement"). The following terms are hereby incorporated into the Agreement:

1. Qualifications. Contractor represents that Contractor has the training, ability, knowledge, and experience to provide the Services described in the Agreement.

2. Public Contracting Rules. County selected Contractor to provide the Services described in the Agreement pursuant to a solicitation process consistent with its public contracting rules.

3. Non-Assignability. Neither party shall assign or transfer any interest in or duty under the Agreement without the written consent of the other.

4. Independent Contractor. Contractor certifies that:

   a. Contractor acknowledges that Contractor is an independent contractor as defined by ORS 670.600 and not an employee of County, shall not be entitled to benefits of any kind to which an employee of County is entitled and shall be solely responsible for all payments and taxes required by law. Furthermore, in the event that Contractor is found by a court of law or any administrative agency to be an employee of County for any purpose, County shall be entitled to offset compensation due, or to demand repayment of any amounts paid to Contractor under the terms of the Agreement, to the full extent of any benefits or other remuneration Contractor receives (from County or third party) as a result of the finding and to the full extent of any payments that County is required to make (to Contractor or to a third party) as a result of the finding.

   b. Contractor represents that no employee of the County, or any partnership or corporation in which a County employee has an interest, has or will receive any remuneration of any description from Contractor, either directly or indirectly, in connection with the Agreement, except as specifically declared in writing.

   c. Contractor is not an officer, employee, or agent of the County as those terms are used in ORS 30.265.

5. Notices. All notices, bills and payments shall be made in writing and may be given by personal delivery or mail. Payments may be made by personal delivery, mail, or electronic transfer. The following addresses shall be used to transmit notices and other information:

County:

Wasco County
Attention: Administrative Officer
511 Washington Street, Suite 101
The Dalles, OR 97058
Business Phone: 541-506-2550

Contractor (*See* address on Agreement if blank)**:**
Corona Consulting
16389 SW 130th Terrace
Portland, OR 97224
Business Phone: 541.915.0471

Email: kerri@thecoronaeffect.com

Notices mailed to the address provided for notice in this section shall be deemed given upon deposit in the United States mail, postage prepaid. In all other instances, notices, bills and payments shall be deemed given at the time of actual delivery.

6. Modifications in Writing. The Agreement is intended both as a final expression of the Agreement between the parties with respect to the included terms and as a complete and exclusive statement of the terms of the agreement. No modification of the Agreement shall be effective unless and until it is made in writing and signed by both parties.

7. Ownership of Work Documents. All work performed by Contractor and compensated by County pursuant to the Agreement shall be the property of County upon full compensation for that work performed or document produced to Contractor, and it is agreed by the parties that such documents are works made for hire. Contractor hereby conveys, transfers and grants to County all rights of reproduction and the copyright to all such documents.

8. Labor and Material. Contractor shall provide and pay for all labor, materials, equipment, tools, transportation, and other facilities and Services necessary for the proper execution and completion of all contract work, all at no cost to County other than the compensation provided in the Agreement.

9. Termination for Convenience. The Agreement may be terminated by County for convenience by giving seven (7) days' prior written notice of intent to terminate, without waiving any claims or remedies it may have against the Contractor. Upon termination under this paragraph, Contractor shall be entitled to payment in accordance with the terms of the Agreement for contract work completed and accepted before termination less previous amounts paid and any claim(s) County has against Contractor. Pursuant to this paragraph, Contractor shall submit an itemized invoice for all unreimbursed contract work completed before termination and all contract closeout costs actually incurred by Contractor. County shall not be liable for any costs invoiced later than thirty (30) days after termination unless Contractor can show good cause beyond its control for the delay.

10. Termination for Cause. County may terminate the Agreement effective upon delivery of written notice to Contractor, or at such later date as may be established by County, under any of the following conditions:

a. If County funding is not obtained and continued at levels sufficient to allow for purchases of the indicated quantity of Services. The Agreement may be modified to accommodate a reduction in funds.

b. If federal or state regulations or guidelines are modified, changed, or interpreted in such a way that the Services are no longer allowable or appropriate for purchase under the Agreement or are no longer eligible for the funding proposed for payments authorized by the Agreement.

c. If any license or certificate required by law or regulation to be held by Contractor to provide the Services required by the Agreement is for any reason denied, revoked, or not renewed.

11. Termination for Default. If Contractor fails to perform in the manner called for in the Agreement or if Contractor fails to comply with any other provisions of the Agreement, County may terminate the Agreement for default. Termination shall be effected by serving a notice of termination on Contractor

setting forth the manner in which Contractor is in default. Contractor shall be paid the contract price only for Services performed in accordance with the manner of performance as set forth in the Agreement.

12. Remedies. In the event of breach of the Agreement the parties shall have the following remedies:

    a. If terminated under paragraph 11 by County due to a breach by Contractor, County may complete the work either itself, by agreement with another contractor, or by a combination thereof.

    b. In addition to the above remedies for a breach by Contractor, County also shall be entitled to any other equitable and legal remedies that are available.

    c. If County breaches the Agreement, Contractor's remedy shall be limited to termination of the Agreement and receipt of contract payments to which Contractor is entitled.

    d. County shall not be liable for any indirect, incidental, consequential, or special damages under the Agreement or any damages arising solely from terminating the Agreement in accordance with its terms.

    e. Upon receiving a notice of termination, and except as otherwise directed in writing by County, Contractor shall immediately cease all activities related to the Services and work under the Agreement. As directed by County, Contractor shall, upon termination, deliver to County all then existing work product that, if the Agreement had been completed, would be required to be delivered to County.

13. Nondiscrimination. During the term of the Agreement, Contractor shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age, or national origin.

14. Indemnification. Contractor agrees to indemnify and defend the County, its officers, agents, employees and volunteers and hold them harmless from any and all liability, causes of action, claims, losses, damages, judgments or other costs or expenses including attorney's fees and witness costs (at both trial and appeal level, whether or not a trial or appeal ever takes place) that may be asserted by any person or entity which in any way arise from, during or in connection with the performance of the work described in the Agreement, except to the extent that the liability arises out of the negligence of the County and its employees. Contractor's indemnification shall also cover claims brought against the County under state or federal workers' compensation laws. If any aspect of this indemnity shall be found to be illegal or invalid for any reason whatsoever, the illegality or invalidity shall not affect the validity of the remainder of this indemnification.

15. Governing Law; Jurisdiction; Venue. The Agreement shall be governed by and construed in accordance with the laws of the state of Oregon without regard to principles of conflicts of law. Any claim, action, suit or proceeding (collectively "Claim") between County and Contractor that arises from or relates to the Agreement which results in litigation shall be brought and conducted solely and exclusively within the Circuit Court of Wasco County for the state of Oregon; provided, however, if a Claim must be brought in a federal forum, then it shall be brought and conducted solely and exclusively within the United States Court for the State of Oregon.

16. Compliance with Laws and Regulations. Contractor shall comply with all state and local laws, regulations, executive orders and ordinances applicable to the Agreement or to the delivery of Services hereunder.

17. Experience, Capabilities and Resources. By execution of the Agreement, the Contractor agrees that Contractor has the skill, legal capacity, and professional ability necessary to perform all the Services required under the Agreement, and Contractor has the capabilities and resources necessary to perform the obligations of the Agreement.

18. Access to Records. For not less than three (3) years after the expiration of the Agreement and for the purpose of making audit, examination, excerpts, and transcripts, County, and its duly authorized representatives shall have access to Contractor's books, documents, papers, and records that are pertinent to the Agreement. If, for any reason, any part of the Agreement is involved in litigation, Contractor shall retain all pertinent records for not less than three years or until all litigation is resolved, whichever is longer. Contractor shall provide full access to these records to County, and its duly authorized representatives in preparation for and during litigation.

19. Representations and Warranties. Contractor represents and warrants to County that (1) Contractor has the power and authority to enter into and perform the Agreement, (2) when executed and delivered, the Agreement shall be a valid and binding obligation of Contractor enforceable in accordance with its terms, (3) Contractor shall, at all times during the term of the Agreement, be duly licensed to perform the Services, and if there is no licensing requirement for the profession or Services, be duly qualified and competent, (4) the Services under the Agreement shall be performed in accordance with the professional skill, care and standards of other professionals performing similar services under similar conditions, and (5) the Contractor is not in violation of any Oregon tax laws. The warranties set forth in this section are in addition to, and not in lieu of, any other warranties provided.

20. Attorney Fees. In case a suit or action is instituted to enforce the provisions of the Agreement, the parties agree that the losing party shall pay such sums as the court may adjudge reasonable for attorney fees and court costs, including attorney fees and costs on appeal.

21. Confidentiality. Contractor shall maintain the confidentiality of any of County's information that has been so marked as confidential, unless withholding such information would violate the law, create the risk of significant harm to the public or prevent Contractor from establishing a claim or defense in an adjudicatory proceeding. Contractor shall require similar agreements from County's and/or Contractor's subcontractors to maintain the confidentiality of information of County.

22. Force Majeure. Contractor shall not be deemed in default hereof nor liable for damages arising from its failure to perform its duties or obligations hereunder if such is due to causes beyond its reasonable control, including, but not limited to, acts of God, acts of civil or military authorities, fires, floods, windstorms, earthquakes, strikes or other labor disturbances, civil commotion or war.

23. Waivers. No waiver by County of any provision of the Agreement shall be deemed to be a waiver of any other provision hereof or of any subsequent breach by Contractor of the same or any other provision. County's consent to or approval of any act by Contractor requiring County's consent or approval shall not be deemed to render unnecessary the obtaining of County's consent to or approval of any subsequent act by Contractor, whether or not similar to the act so consented to or approved.

24. Severability. Any provisions of the Agreement which shall prove to be invalid, void or illegal shall in no way affect, impair or invalidate any other provision hereof, and such remaining provisions shall remain in full force and effect.

GENERAL PROVISIONS
WASCO COUNTY PERSONAL SERVICES AGREEMENT

25. Headings. The captions contained in the Agreement are for convenience only and shall not be considered in the construction or interpretation of any provision hereof.

26. Integration. The Agreement, including the attached exhibits contains the entire agreement between the parties regarding the matters referenced herein and supersedes all prior written or oral discussions or agreements regarding the matters addressed by the Agreement.

27. Amendments. The Agreement shall not be waived, altered, modified, supplemented, or amended in any manner without a duly executed Amendment. Any amendments to the Agreement shall be effective only when reducing to writing and signed by both parties as below.

28. Authority. The representatives signing on behalf of the parties certify that they are duly authorized by the party for which they sign to make the Agreement.

29. Scope of Work. The Contractor agrees to perform such consulting, training, advisory and related services specified in in Exhibit A.

30. Terms and Conditions Total cost for preparing and delivering this two-day workshop is $11,350. After applying the 10% governmental discount the final cost to Wasco County would be $10,215. Cost is inclusive of all pre-workshop coordination, training development and delivery, workshop materials (books and supplies) and travel expenses, except for lodging. Lodging would be based on actual costs not to exceed $600.00 and added to the final invoice. Invoices will be submitted monthly with payment terms of Net 30.

31. Dates of Service Training will commence at 10 a.m. on January 25, 2023 and conclude at 3 p.m. on January 26, 2023. Training is to take place at Young Life Washington Family Ranch, 1 Muddy Road, Antelope, OR 97001.

32. The County will provide lodging and meals for Consultant during scheduled training time as outlined in section 30.

Corona Consulting

_____
Signature

_____
Kerri Nelson

Wasco County

_____
Tyler Stone, Administrative Officer

APPROVE AS TO FORM

_____
Kristen Campbell, County Counsel

WASCO COUNTY LIBRARY SERVICE DISTRICT
AGENDA
WEDNESDAY, DECEMBER 6, 2023

LOCATION: This meeting will be held in Room 302 of the Wasco County Courthouse, 511 Washington Street, The Dalles, OR and will also be available for virtual attendance. You can join the meeting at https://wascocounty-org.zoom.us/j/3957734524 or call in to 1-253-215-8782 *Meeting ID:* ***3957734524#***

NOTE: This Agenda is subject to last minute changes. **Meetings are ADA accessible.** For special accommodations please contact the Commission Office in advance, (541) 506-2520. TDD 1-800-735-2900. Wasco County does not discriminate against individuals with disabilities.

9:30 a.m. **CALL TO ORDER**

9:30 a.m. Audit

9:40 a.m. Reappointments

8.2.2023 Minutes Approval

NEW / OLD BUSINESS
ADJOURN

PAULY, ROGERS AND CO., P.C.
12700 SW 72nd Ave. ♦ Tigard, OR 97223
(503) 620-2632 ♦ (503) 684-7523 FAX
www.paulyrogersandcocpas.com

June 14, 2023

To the Board of Commissioners
Wasco County Library Service District

We have audited the basic financial statements of the governmental activities and the major fund of Wasco County Library Service District for the year ended June 30, 2022. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and as well as certain information related to the planned scope and timing of our audit. Professional standards also require that we communicate to you the following information related to our audit.

Purpose of the Audit

Our audit was conducted using sampling, inquiries and analytical work to opine on the fair presentation of the basic financial statements and compliance with:

- generally accepted accounting principles and auditing standards
- the Oregon Municipal Audit Law and the related administrative rules

Our Responsibility under U.S. Generally Accepted Auditing Standards

As stated in our engagement letter, our responsibility, as described by professional standards, is to express opinions about whether the basic financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the basic financial statements does not relieve you or management of your responsibilities.

In planning and performing our audit, we considered internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinions on the financial statements and not to provide assurance on the internal control over financial reporting.

Our responsibility for the supplementary information accompanying the basic financial statements, as described by professional standards, is to evaluate the presentation of the supplementary information in relation to the basic financial statements as a whole and to report on whether the supplementary information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Planned Scope and Timing of the Audit

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements; therefore, our audit involved judgment about the number of transactions examined and the areas to be tested.

Our audit included obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the basic financial statements and to design the nature, timing, and extent of further audit procedures. Material misstatements may result from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. We also communicated any internal control related matters that are required to be communicated under professional standards.

Pauly, Rogers and Co., P.C.

Results of Audit

1. Audit opinion letter - an unmodified opinion on the basic financial statements has been issued. This means we have given a "clean" opinion with no reservations.

2. State minimum standards – We found no exceptions or issues requiring comment.

3. Management letter – No separate management letter was issued.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used are described in Note 1 to the basic financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2022. We noted no transactions entered into during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the basic financial statements in the proper period.

Accounting estimates are an integral part of the basic financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the basic financial statements and because of the possibility that future events affecting them may differ significantly from those expected. We evaluated the key factors and assumptions used to develop these estimates in determining that they are reasonable in relation to the basic financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements or determined that their effects are immaterial. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, taken as a whole. There were immaterial uncorrected misstatements noted during the audit which were discussed with management. The uncorrected misstatements or the matters underlying them could potentially cause future period financial statements to be materially misstated, even if, in our judgment, such uncorrected misstatements are immaterial to the financial statements under audit.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the basic financial statements or the auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the basic financial statements or a determination of the type of auditors' opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards with management each year prior to our retention as the auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Required Supplementary Information

We applied certain limited procedures to the required supplementary information that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the required supplementary information and do no express an opinion or provide any assurance on it.

Other Information

We were not engaged to report on the other information, which accompanies the basic financial statements but is not required supplementary information. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Other Matters – Future Accounting and Auditing Issues

In order to keep you aware of new auditing standards issued by the American Institute of Certified Public Accountants and accounting statements issued by the Governmental Accounting Standards Board (GASB), we have prepared the following summary of the more significant upcoming issues:

GASB 99 – OMNIBUS 2022

The requirements of this Statement that are effective as follows:

- The requirements related to extension of the use of LIBOR, accounting for SNAP distributions, disclosures of nonmonetary transactions, pledges of future revenues by pledging governments, clarification of certain provisions in Statement 34, as amended, and terminology updates related to Statement 53 and Statement 63 are effective upon issuance.
- The requirements related to leases, PPPs, and SBITAs are effective for fiscal years beginning after June 15, 2022, and all reporting periods thereafter.
- The requirements related to financial guarantees and the classification and reporting of derivative instruments within the scope of Statement 53 are effective for fiscal years beginning after June 15, 2023, and all reporting periods thereafter.

The objectives of this Statement are to enhance comparability in accounting and financial reporting and to improve the consistency of authoritative literature by addressing (1) practice issues that have been identified during implementation and application of certain GASB Statements and (2) accounting and financial reporting for financial guarantees.

GASB 100 – ACCOUNTING CHANGES AND ERROR CORRECTIONS – an amendment of GASB 62

The requirements of this Statement are effective for fiscal years beginning after June 15, 2023, and all reporting periods thereafter. The primary objective of this Statement is to enhance accounting and financial reporting requirements for accounting changes and error corrections to provide more understandable, reliable, relevant, consistent, and comparable information for making decisions or assessing accountability.

This Statement defines *accounting changes* as changes in accounting principles, changes in accounting estimates, and changes to or within the financial reporting entity and describes the transactions or other events that constitute those changes. As part of those descriptions, for (1) certain changes in accounting principles and (2) certain changes in accounting estimates that result from a change in measurement methodology, a new principle or methodology should be justified on the basis that it is preferable to the principle or methodology used before the change. That preferability should be based on the qualitative characteristics of financial reporting—understandability, reliability, relevance, timeliness, consistency, and comparability. This Statement also addresses corrections of errors in previously issued financial statements.

This Statement prescribes the accounting and financial reporting for (1) each type of accounting change and (2) error corrections. This Statement requires that (a) changes in accounting principles and error corrections be reported retroactively by restating prior periods, (b) changes to or within the financial reporting entity be reported by adjusting beginning balances of the current period, and (c) changes in accounting estimates be reported prospectively by recognizing the change in the current period. The requirements of this Statement for changes in accounting principles apply to the implementation of a new pronouncement in absence of specific transition provisions in the new pronouncement. This Statement also requires that the aggregate amount of adjustments to and restatements of beginning net position, fund balance, or fund net position, as applicable, be displayed by reporting unit in the financial statements.

This Statement requires disclosure in notes to financial statements of descriptive information about accounting changes and error corrections, such as their nature. In addition, information about the quantitative effects on beginning balances of each accounting change and error correction should be disclosed by reporting unit in a tabular format to reconcile beginning balances as previously reported to beginning balances as restated.

Furthermore, this Statement addresses how information that is affected by a change in accounting principle or error correction should be presented in required supplementary information (RSI) and supplementary information (SI). For periods that are earlier than those included in the basic financial statements, information presented in RSI or SI should be restated for error corrections, if practicable, but not for changes in accounting principles.

GASB 101 – COMPENSATED ABSENCES

The requirements of this Statement are effective for fiscal years beginning after December 15, 2023, and all reporting periods thereafter. The objective of this Statement is to better meet the information needs of financial statement users by updating the recognition and measurement guidance for compensated absences. That objective is achieved by aligning the recognition and measurement guidance under a unified model and by amending certain previously required disclosures.

This Statement requires that liabilities for compensated absences be recognized for (1) leave that has not been used and (2) leave that has been used but not yet paid in cash or settled through noncash means. A liability should be recognized for leave that has not been used if (a) the leave is attributable to services already rendered,

(b) the leave accumulates, and (c) the leave is more likely than not to be used for time off or otherwise paid in cash or settled through noncash means. Leave is attributable to services already rendered when an employee has performed the services required to earn the leave. Leave that accumulates is carried forward from the reporting period in which it is earned to a future reporting period during which it may be used for time off or otherwise paid or settled. In estimating the leave that is more likely than not to be used or otherwise paid or settled, a government should consider relevant factors such as employment policies related to compensated absences and historical information about the use or payment of compensated absences. However, leave that is more likely than not to be settled through conversion to defined benefit postemployment benefits should not be included in a liability for compensated absences.

This Statement requires that a liability for certain types of compensated absences—including parental leave, military leave, and jury duty leave—not be recognized until the leave commences. This Statement also requires that a liability for specific types of compensated absences not be recognized until the leave is used.

This Statement also establishes guidance for measuring a liability for leave that has not been used, generally using an employee's pay rate as of the date of the financial statements. A liability for leave that has been used but not yet paid or settled should be measured at the amount of the cash payment or noncash settlement to be made. Certain salary-related payments that are directly and incrementally associated with payments for leave also should be included in the measurement of the liabilities.

With respect to financial statements prepared using the current financial resources measurement focus, this Statement requires that expenditures be recognized for the amount that normally would be liquidated with expendable available financial resources.

This Statement amends the existing requirement to disclose the gross increases and decreases in a liability for compensated absences to allow governments to disclose only the net change in the liability (as long as they identify it as a net change). In addition, governments are no longer required to disclose which governmental funds typically have been used to liquidate the liability for compensated absences.



Kenny Allen, CPA
PAULY, ROGERS AND CO., P.C.

WASCO COUNTY LIBRARY SERVICE DISTRICT
(A COMPONENT UNIT OF WASCO COUNTY)
WASCO COUNTY, OREGON

FINANCIAL REPORT

FOR THE YEAR ENDED JUNE 30, 2022

12700 SW 72nd Ave.
Tigard, OR 97223

WASCO COUNTY LIBRARY SERVICE DISTRICT
(A COMPONENT UNIT OF WASCO COUNTY)
WASCO COUNTY, OREGON

2021-2022

FINANCIAL REPORT

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BOARD OF DIRECTORS
WASCO COUNTY LIBRARY SERVICE DISTRICT
(A COMPONENT UNIT OF WASCO COUNTY)
JUNE 30, 2022

Scott Hege	Commission Chair
Kathy Schwartz	Commissioner
Steve Kramer	Commissioner
Kathy Clark	Executive Assistant

WASCO COUNTY LIBRARY SERVICE DISTRICT
(A COMPONENT UNIT OF WASCO COUNTY)
WASCO COUNTY, OREGON

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PAULY, ROGERS, AND CO., P.C.
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(503) 620-2632 (503) 684-7523 FAX
www.paulyrogersandcocpas.com

June 14, 2023

Governing Board
Wasco County Library Service District
Wasco County, Oregon

INDEPENDENT AUDITORS' REPORT

Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of Wasco County Library Service District, a component unit of the Wasco County, as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of Wasco County Library Service District, a component unit of the Wasco County, as of June 30, 2022, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with the auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Wasco County Library Service District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Wasco County Library Service District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Wasco County Library Service District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Wasco County Library Service District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information and required supplementary information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Management is responsible for the other information included in the annual report. The other information comprises the listing of board members, located before the table of contents, but does not include the basic financial statements and our auditors' report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Reports on Other Legal and Regulatory Requirements

In accordance with Minimum Standards for Audits of Oregon Municipal Corporations, we have issued our report dated June 14, 2023, on our consideration of compliance with certain provisions of laws and regulations, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules. The purpose of that report is to describe the scope of our testing of compliance and the results of that testing and not to provide an opinion on compliance.



Kenneth Allen, CPA
PAULY, ROGERS AND CO., P.C

WASCO COUNTY LIBRARY SERVICE DISTICT
Management's Discussion and Analysis
Year Ended June 30, 2022

As management of the Wasco County Library Service District (the District), located in Wasco County, Oregon, we offer readers of the Wasco County Library Service District's financial statements this narrative overview and analysis of the financial activities of the Wasco County Library Service District for the fiscal year ended June 30, 2022.

FINANCIAL HIGHLIGHTS

- The assets of the District exceeded its liabilities at June 30, 2022 by $1,692,174
- Total net position increased $136,608.
- As of June 30, 2022, the District's governmental fund reported an ending balance of $1,634,835 or 105.9% of fiscal year 2022 expenditures.
- The District had no debt as of June 30, 2022.

Overview of Financial Statements

The discussion and analysis is intended to serve as an introduction to the Wasco County Library Service District's basic financial statements. These basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-Wide Financial Statements

The *government-wide financial statements* are designed to provide readers with a broad overview of the District's finances, in a manner similar to a private-sector business.

The *Statement of Net Position* presents information on all of the District's assets and liabilities, with the difference between the two reported as *net position*. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The *Statement of Activities* presents information showing how the District's net position changed during the fiscal year ended June 30, 2022. Changes in net position are reported when the underlying event giving rise to the change occurs, regardless of the timing of the related cash or other financial asset flows. Thus, revenues and expenses are reported in this statement for some items, for example, property taxes and accrued interest expense will result in cash flows in future fiscal periods.

Each of these government-wide financial statements – *Statement of Net Position* and *Statement of Activities* – show the functions of the District that are supported primarily by property taxes (*governmental activities*).

These reports are found following the Management's Discussion and Analysis.

Fund Financial Statements

A *fund* is a grouping of related accounts used to maintain control over resources that have been segregated for specific activities or objectives. The District, like other state and local government entities, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The District fund is classified as a governmental fund.

Governmental Funds

Governmental funds are used to account for the same functions as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near term inflows* and *outflows of spendable resource*, as well as *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Reconciliation from the Government Funds Balance Sheet to the Government-wide Statement of Net Position and reconciliation from the Governmental Funds Statement of Revenues, Expenditures and Changes in Fund Balance to the Government-wide Statement of Activities have been included in this report.

The District reported activity in a governmental fund during the fiscal year ended June 30, 2022. Information is presented in the governmental fund Balance Sheet and in the governmental fund Statement of Net Revenues, Expenditures and Changes in Fund Balance for the District's fund.

The District adopts an annual budget for its fund. The budgetary comparison statement has been provided to demonstrate compliance with the annual budget.

The Basic Governmental Fund Financial Statements are found in this report after the Government-Wide statements.

Notes to the Financial Statements

The notes provide additional information essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements follow the Basic Governmental Fund Financial Statements in this report.

Government-wide Financial Analysis

Net position, at a specific point in time, serves as a useful indicator of an entity's financial position. In the case of the District, the net position is $1,692,174 at June 30, 2022.

Net Position	2021	2022
Current Assets		
Cash	$ 1,482,976	$ 1,654,562
Taxes Receivable	72,590	67,612
Total assets	**1,555,566**	**1,722,174**
Liabilities	-	30,000
Net Position		
Unrestricted	1,555,566	1,692,174
Total net position	**$ 1,555,566**	**$ 1,722,174**

The District's net position increased by $136,608 during the year ended June 30, 2022.

Changes in Net Position	2021	2022
Revenue		
Property Taxes	$ 1,574,934	$ 1,646,197
Interest & Investment Earnings	12,768	9,538
Miscellaneous	15,395	23,383
Total Revenues	**1,603,097**	**1,679,118**
Expenditures		
Culture & Recreation	1,493,923	1,542,510
Total Expenditures	**1,493,923**	**1,542,510**
Change in Net Position	109,174	136,608
Beginning Net Position	1,446,392	1,555,566
Ending Net Position	**$ 1,555,566**	**$ 1,692,174**

General Fund Budgetary Highlights

There were no differences between the District's General Fund budget as originally adopted and the final amended budget. The General Fund actual revenues exceeded estimated revenues by $68,579. The expenditure side is within budgeted amounts. The actual Materials and Services is $13,231 less than budgeted.

Key economic Factors and Budgets Information for the Future

Wasco County's economic base is agriculture and the processing of agricultural products, particularly cherries, wheat and livestock. Other traditional industries have included forestry, manufacturing, electric

power generation and transportation. Wasco County's economy has diversified from its traditional natural resource base to include a stronger focus on technology and manufacturing.

The rapid growth of renewable energy industries is driving additional employment through support industries and related manufacturing. The world's largest internet firm, Google, established a major operational center in The Dalles. The region is also home to a strong cluster of high tech companies supported through the efforts of the Gorge Technological Alliance.

Economic sectors related to tourism have also grown, supporting tourism throughout the County. Notably, Maupin's economy thrives in the summer with Deschutes River rafting and the communities of The Dalles and Mosier have recently benefited from an increase in cycling, food and beverage tourism through the efforts of local wineries, cafes, Gorge Grown Network and The Dalles Farmers Market.

As the largest community in the County, The Dalles serves as a retail and service hub for many surrounding counties. This results in strong employment in these industries as well as in government. Further expansion of the healthcare sector, with the expansion of Mid-Columbia Medical Center, has also positively impacted job growth in the County.

The current direction of the economy is uncertain as COVID has the potential to negatively impact businesses and the economy. A recent example is the issue businesses have in attracting and keeping employees. Accordingly, the rate of property tax collections could be adversely affected at some point in the future.

Comparative Analysis

The District's net position as of June 30, 2022 was $1,692,174, an increase of $136,608 from June 30, 2021. In the feasibility study upon which the District's plan is based, the District established the goal of budgeting $50,000 per year in a reserve fund. The increase of Net Position is due to this planning and shows the District is following the study. This is intended to be used in future years as a reserve fund to sustain service levels in the future. The reserve can be seen in the Contingency of $450,000 in budget for the fiscal year ending June 30, 2022.

Requests for Information

This financial report is designed to provide a general overview to those parties interested in the District's finances. Questions concerning any of the information provided in this report or requests for additional information should be addressed to Jeff Wavrunek, District Librarian, The Dalles-Wasco County Library, 722 Court St., The Dalles, Oregon 97058.

WASCO COUNTY LIBRARY SERVICE DISTRICT
(A COMPONENT UNIT OF WASCO COUNTY)
WASCO COUNTY, OREGON

BASIC FINANCIAL STATEMENTS

Wasco County Library District
Statement of Net Position
June 30, 2022
(all amounts are in dollars)

	Primary Government Governmental Activities
ASSETS:	
Cash & Investments	1,654,562
Taxes Receivable	67,612
TOTAL ASSETS	1,722,174
LIABILITIES:	
Accounts Payable	30,000
Due to Other Taxing Districts	-
TOTAL LIABILITIES	30,000
NET POSITION	
Unrestricted	1,692,174
TOTAL NET POSITION	1,692,174

The Accompanying Notes are an integral part of this Financial Statement

Wasco County Library District
Statement of Activities
For the year ended June 30, 2022
(all amounts are in dollars)

FUNCTIONS/PROGRAMS	EXPENSES	PROGRAM REVENUES: Fees, Fines and Charges for Services	PROGRAM REVENUES: Operating Grants and Contributions	PROGRAM REVENUES: Capital Grants and Contributions	NET (EXPENSES) REVENUES AND CHANGES IN NET POSITION: TOTAL GOVERNMENTAL ACTIVITIES
Culture and Recreation	1,542,510	-	-	-	(1,542,510)
Total Government Activities	1,542,510	-	-	-	(1,542,510)

General Revenues:	
Property Taxes levied for General Purposes	1,646,197
Interest and Investment Earnings	9,538
Miscellaneous	23,383
Total General Revenues	1,679,118
Change in Net Position	136,608
Net Position, beginning	1,555,566
Net Position, ending	1,692,174

The Accompanying Notes are an integral part of this Financial Statement

Wasco County Library District
Balance Sheet
Governmental Funds
June 30, 2022
(all amounts are in dollars)

	GENERAL
ASSETS:	
Cash & Investments	1,654,562
Taxes Receivable	67,612
TOTAL ASSETS	1,722,174
LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCE	
LIABILITIES:	
Accounts Payable	30,000
Due to Other Taxing Districts	-
TOTAL LIABILITIES	30,000
DEFERRED INFLOWS OF RESOURCES:	
Unavailable Revenue - Taxes	57,339
TOTAL DEFERRED INFLOWS OF RESOURCES	57,339
FUND BALANCES:	
Unassigned	1,634,835
TOTAL FUND BALANCES	1,634,835
TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES	1,722,174

The Accompanying Notes are an integral part of this Financial Statement

Wasco County Library District
Reconciliation of Balance Sheet to Statement of Net Position
June 30, 2022
(all amounts are in dollars)

Fund Balance - Governmental Funds	1,634,835
Amounts reported for governmental activities in the Statement of Net Position are different because:	
Unavailable revenue represents amounts that were not available to fund current expenditures and therefore are not reported in the government funds.	57,339
Net Position of Governmental Activities	1,692,174

The Accompanying Notes are an integral part of this Financial Statement

Wasco County Library District
Statement of Revenues, Expenditures and Changes in Fund Balance
Governmental Funds
For the year ended June 30, 2022
(all amounts are in dollars)

	GENERAL
REVENUES:	
Property Taxes	1,651,965
Investment Earnings	9,538
Miscellaneous	23,383
TOTAL REVENUES	1,684,886
EXPENDITURES:	
Current:	
Culture & Recreation	1,542,510
TOTAL EXPENDITURES	1,542,510
Net Changes in Fund Balance	142,376
FUND BALANCE - BEGINNING OF YEAR	1,492,459
FUND BALANCE - END OF YEAR	1,634,835

The Accompanying Notes are an integral part of this Financial Statement

Wasco County Library District
Reconciliation of Statement of Revenues, Expenditures and Changes in Fund Balance
of Governmental Funds to the Statement of Activities
For the year ended June 30, 2022
(all amounts are in dollars)

Net Change in Fund Balance	142,376
Amounts reported for governmental activities in the Statement of Activities are different because:	
Revenues in the Statement of Activities that do not provide current financial resources are not reported as revenues in the governmental funds.	
Change in deferred inflows of resources	(5,768)
Change in Net Position of Governmental Activities	136,608

The Accompanying Notes are an integral part of this Financial Statement

Net Position

	2021	2022
Current Assets		
Cash	$ 1,482,976	$ 1,654,562
Taxes Receivable	72,590	67,612
Total assets	**1,555,566**	**1,722,174**
Liabilities	-	30,000
Net Position		
Unrestricted	1,555,566	1,692,174
Total net position	**$ 1,555,566**	**$ 1,722,174**

Changes in Net Position

	2021	2022
Revenue		
Property Taxes	$ 1,574,934	$ 1,646,197
Interest & Investment Earnings	12,768	9,538
Miscellaneous	15,395	23,383
Total Revenues	**1,603,097**	**1,679,118**
Expenditures		
Culture & Recreation	1,493,923	1,542,510
Total Expenditures	**1,493,923**	**1,542,510**
Change in Net Position	109,174	136,608
Beginning Net Position	1,446,392	1,555,566
Ending Net Position	**$ 1,555,566**	**$ 1,692,174**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the District have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The more significant of the district's accounting policies are described below.

A. THE FINANCIAL REPORTING ENTITY

In December 2006, Wasco County voters approved the creation of a Library Service District for Wasco County under ORS Ch. 451 with a formation date of July 1, 2007. The County Board of Commissioner consisting of three Commissioners, one whom serves as the Chair of the Board, is the governing body of the District. The District is a component unit of Wasco County, Oregon. In evaluating how to define the District, for financial reporting purposes, management has considered all potential component units. The criteria for including potential component units within the County's reporting entity (as set forth in GASB No. 61) is financial accountability. Financial accountability is defined as appointment of a voting majority of the component unit's board and either the ability to impose will by the primary government or the possibility that the component unit will provide a financial benefit to, or impose a financial burden on, the primary government.

The government-wide financial statements (i.e., the Statement of Net Position and the Statement of Activities) report information on all of the activities of the government. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business type activities, which rely to a significant extent on fees and charges for support. The District has no business-type activities or fiduciary funds.

Generally accepted accounting principles require that these financial statements present Wasco County Library Service District (the primary government) and all component units, if any. Component units, as established by the Government Accounting Standards Board (GASB) Statement 61, are separate organizations that are included in the District's reporting entity because of the significance of their operational or financial relationships with the District. All significant activities and organizations with which the District exercises oversight responsibility have been considered for inclusion in the basic financial statements. Wasco County Library Service District has no component units.

B. MEASUREMENT FOCUS, BASIS OF ACCOUNTING AND BASIS OF PRESENTATION

GOVERNMENT-WIDE FINANCIAL STATEMENTS (GWFS)

The Statement of Net Position and Statement of Activities display information about the reporting government as a whole. The Statement of Net Position and the Statement of Activities were prepared using the economic resources measurement focus and the accrual basis of accounting. Revenues, expenses, gains, losses, assets, deferred outflows, liabilities, and deferred inflows resulting from exchange and exchange-like transactions are recognized when the exchange takes place. Revenues, expenses, gains, losses, assets, deferred outflows, liabilities, and deferred inflows resulting from nonexchange transactions are recognized in accordance with the requirements of GASB Statement No. 33 "Accounting and Financial Reporting for Nonexchange Transactions."

All direct expenses are reported by function in the Statement of Activities. Direct expenses are those that are clearly identifiable with a function.

FUND FINANCIAL STATEMENTS

The accounts are organized and operated on the basis of funds. A fund is an independent fiscal and accounting entity with a self-balancing set of accounts. Fund accounting segregates funds according to their intended purpose and is used to aid management in demonstrating compliance with finance-related legal and contractual provisions. The minimum number of funds is maintained consistent with legal and managerial requirements.

GOVERNMENTAL FUND TYPES

Governmental funds are used to account for the general government activities. Governmental fund types use the flow of current financial resources measurement focus and the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recognized when susceptible to accrual (i.e., when they are "measurable and available"). "Measurable" means the amount of the transaction can be determined and "available" means collectible within the current period or soon enough thereafter to pay liabilities of the current period. Grant revenue is not considered available and, therefore, is not recognized until received. Expenditures are recorded when the liability is incurred.

Revenues susceptible to accrual are interest, state, county and local shared revenue and federal and state grants. Expenditure-driven grants are recognized as revenue when the qualifying expenditures have been incurred and all other grant requirements have been met.

This is the major governmental fund:

GENERAL FUND

This fund accounts for all financial resources and expenditures, except those required to be accounted for in another fund (there are no other funds). The principal revenue source is property taxes.

C. BUDGET

A budget is prepared and legally adopted for each fund on the accrual basis of accounting in the main program categories required by the Oregon Local Budget Law. The budgets for all funds are adopted on a basis consistent with generally accepted accounting principles, except depreciation expense is not recorded in budgetary statements, capital outlay is expensed rather than capitalized, and debt principal is an expenditure. The District begins its budget process early in each fiscal year with the establishment of the budget committee. Recommendations are developed through late winter with the budget committee approving the budget in early spring. Public notices of the budget hearing are published generally in early spring with a public hearing being held approximately three weeks later.

The Board may amend the budget prior to adoption; however, budgeted expenses for each fund may not be increased by more than ten percent. The budget is adopted and appropriations are made no later than June 30th. The Appropriations Resolution contains amounts for personal services, materials and services, capital outlay, inter-fund transfers, debt service and contingency. This is the level of control for authorized expenditures. The level of expenditures is monitored throughout the year. Expenses cannot exceed the above appropriation levels. Appropriations lapse at fiscal year-end. Supplemental appropriations may occur if the board approves them due to a need, which was not determined at the time the budget was adopted. There were no supplemental appropriations during the year ended June 30, 2022. Budget amounts shown in the financial statements reflect the original budgeted amounts. Expenses of the various funds were within authorized appropriations for the year ended June 30, 2022.

D. INVESTMENTS

Investments are reported at fair value based on quoted market prices for securities purchased by the District and for cash reported by the investment pool in which the District participates. All investments held have readily available market prices. The change in fair value is reported in the statement of revenues, expenses and changes in net position as investment earnings. Realized gains or losses on the maturity or disposition of securities are not separately disclosed.

E. CAPITAL ASSETS

The District has no capital assets.

F. DEFERRED OUTFLOWS/INFLOWS OF RESOURCES

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net positions that applies to a future period(s) and so will not be recognized as on outflow of resources (expense/expenditure) until then. The District has no items that qualify for reporting in this category.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

G. NET POSITION

Net position represents the difference between assets and liabilities. Net investment in capital assets, consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition of those assets. Net position is reported as restricted when there are limitations imposed on the use either through enabling legislation or through external restrictions imposed by creditors, grantors, laws or regulations of other governments.

H. CASH AND CASH EQUIVALENTS

For purposes of the statement of cash flows, cash and cash equivalents are defined as short-term, highly liquid investments that are both readily convertible to known amounts of cash, and so near their maturity that they present insignificant risk of changes in value because of changes in interest rates. Generally only investments with original maturities of three months or less meet this definition.

I. ESTIMATES

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

J. PROPERTY TAXES

Property taxes are assessed on a July 1 - June 30 fiscal year basis. The taxes are levied as of July 1based on assessed values as of January 1. Property tax payments are due in three equal installments, on November 15, February 15 and May 15. A discount of 3% is available if taxes are paid in full by November 15 and a discount of 2% on the unpaid balance is available if taxes are paid in full by February 15. Property taxes attach as an enforceable lien July 1 and are considered delinquent if not paid by the following May 15. The Wasco County Treasurer is the tax collection agent for the District.

Tax revenue is considered available for expenditure upon receipt by the County, which serves as the intermediary collecting agency. Uncollected property taxes are shown on the General Fund balance sheet as receivables. Collections within 60 days subsequent to year-end have been accrued and the remaining taxes receivable are recorded as deferred inflows of resources on the modified accrual basis of accounting since they are not deemed available to finance operations of the current period.

K. FUND BALANCE REPORTING

The Governmental Accounting Standards Board (GAS B) has issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions (GASB* 54). This Statement defines the different types of fund balances that a governmental entity must use for financial reporting purposes. GASB 54 requires the fund balance amounts to be properly reported within one of the fund balance categories listed below:

1. Nonspendable, such as fund balance associated with inventories, prepaids, long-term loans and notes receivable and property held for resale (unless the proceeds are restricted, committed or assigned),

2. Restricted fund balance category includes amounts that can be spent only for specific purposes stipulated by constitution, external resource providers or through enabling legislation,

3. Committed fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action of the District's governing board (the District's highest level of decision-making authority),

4. Assigned fund balance classification is intended to be used by the government for specific purposes but do not meet the criteria to be classified as restricted or committed and

5. Unassigned fund balance is the residual classification for the government's general fund and includes all spendable amounts not contained in the other classifications.

The District reduces restricted amounts first when expenditures are incurred for purposes for which both restricted and unrestricted (committed, assigned or unassigned) amounts are available. The District reduces committed amounts first, followed by assigned amounts and then unassigned amounts when expenditures are incurred for purposes for which amounts in any of those unrestricted fund balance classifications could be used.

L. FAIR VALUE INPUTS AND METHODOLOGIES AND HIERARCHY

Fair value is defined as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Observable inputs are developed based on market data obtained from sources independent of the reporting entity. Unobservable inputs are developed based on the best information available about the assumptions market participants would use in pricing the asset. The classification of securities within the fair value hierarchy is based up on the activity level in the market for the security type and the inputs used to determine their fair value, as follows:

- Level 1 – unadjusted price quotations in active markets/exchanges for identical assets or liabilities that each Fund has the ability to access
- Level 2 – other observable inputs (including, but not limited to, quoted prices for similar assets or liabilities in markets that are active, quoted prices for identical or similar assets or liabilities in markets that are not active, inputs other than quoted prices that are observable for the assets or liabilities (such as interest rates, yield curves, volatilities, loss severities, credit risks and default rates) or other market–corroborated inputs)
- Level 3 – unobservable inputs based on the best information available in the circumstances, to the extent observable inputs are not available (including each Fund's own assumptions used in determining the fair value of investments)

The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1 measurements) and the lowest priority to unobservable inputs (Level 3 measurements). Accordingly, the degree of judgment exercised in determining fair value is greatest for instruments categorized in Level 3. The inputs used to measure fair value may fall into different levels of the fair value hierarchy. In such cases, for disclosure purposes, the fair value hierarchy classification is determined based on the lowest level input that is significant to the fair value measurement in its entirety.

M. Long Term Obligations

In the government-wide financial statements long-term debt and other long term obligations are reported as liabilities in the Statement of Net Position. The District has no long term obligations. In the fund financial statements, governmental fund types report the face amount of debt issued as other financing sources. Principal and interest payments are reported as debt service expenditures when paid.

2. CASH AND INVESTMENTS

As of June 30, 2022, the District had a deposit of $1,654,562 with the Wasco County Treasurer. All of the District's deposits were adequately secured during the year. See the County's financial report for more information on FDIC coverages and collateralized amounts.

Interest Rate Risk

The District does not have a formal investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates beyond the limits provided by State statute.

Credit Risk
State law limits investments to obligations of the United States Treasury and United States Government agencies and instrumentalities, certain bankers' acceptances, repurchase agreements, certain high-grade commercial paper and corporate bonds and obligations of states and municipalities. The District has no investment policy that would further limit its investment choices. The District's deposit with the Wasco County Treasurer is not rated.

Custodial Credit Risk
For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty, the District will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The deposit with the Wasco County Treasurer is not deemed to be a security, which is a transferable financial instrument that evidences ownership and is, therefore, not subject to custodial credit risk.

3. RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; injuries to employees and others; and natural disasters for which the District participates in Wasco County's insurance program. There have been no settlements in excess of insurance coverage and reserves in the past four fiscal years.

4. TAX ABATEMENTS

Wasco County Library Service District in conjunction with Wasco County has authorized tax-exempt status for three qualified firms within the County: Powder Pure, Hix The Dalles, and Design LLC. All properties are required to meet State and Federal funding requirements which include annual physical inspections and an annual audit of financial activity and programmatic compliance. The property tax exemption may be removed if the property is being used for any purpose other than the provisions of low income housing, or if the property is no longer eligible under the stated provisions of ORS 307.540 to 307.548. Section E of the renewal application requires the applicant to acknowledge compliance with the requirements annually. For fiscal year ending June 30, 2022, the foregone property tax revenue is $1,174,406.

WASCO COUNTY LIBRARY SERVICE DISTRICT
WASCO COUNTY, OREGON

REQUIRED SUPPLEMENTARY INFORMATION

Wasco County Library District
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
General Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	BUDGETED AMOUNTS			
	ORIGINAL	FINAL	ACTUAL	VARIANCE
REVENUES:				
Property Taxes	1,540,909	1,540,909	1,651,965	111,056
Investment Earnings	13,762	13,762	9,538	(4,224)
Miscellaneous	61,636	61,636	23,383	(38,253)
TOTAL REVENUES	1,616,307	1,616,307	1,684,886	68,579
EXPENDITURES:				
Current:				
Materials & Services	1,555,741	1,555,741	1,542,510	13,231
Contingency	450,000	450,000	-	450,000
TOTAL EXPENDITURES	2,005,741	2,005,741	1,542,510	463,231
Net Changes in Fund Balance	(389,434)	(389,434)	142,376	531,810
FUND BALANCE - BEGINNING OF YEAR	1,376,236	1,376,236	1,492,459	116,223
FUND BALANCE - END OF YEAR	986,802	986,802	1,634,835	648,033

PAULY, ROGERS, AND CO., P.C.
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(503) 620-2632 (503) 684-7523 FAX
www.paulyrogersandcocpas.com

June 14, 2023

Independent Auditors' Report Required by Oregon State Regulations

We have audited the basic financial statements of the Wasco County Library Service District as of and for the year ended June 30, 2022, and have issued our report thereon dated June 14, 2023. We conducted our audit in accordance with auditing standards generally accepted in the United States of America.

Compliance

As part of obtaining reasonable assurance about whether the Wasco County Library Service District's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, including the provisions of Oregon Revised Statues as specified in Oregon Administrative Rules 162-10-000 through 162-10-320 of the Minimum Standards for Audits of Oregon Municipal Corporations, noncompliance with which could have a direct and material effect on the determination of financial statements amounts. However, our audit was not directed primarily toward obtaining knowledge of such noncompliance. As such, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion.

We performed procedures to the extent we considered necessary to address the required comments and disclosures which included, but were not limited to the following:

- **Deposit of public funds with financial institutions (ORS Chapter 295)**
- **Indebtedness limitations, restrictions and repayment.**
- **Budgets legally required (ORS Chapter 294).**
- **Insurance and fidelity bonds in force or required by law.**
- **Authorized investment of surplus funds (ORS Chapter 294).**
- **Public contracts and purchasing (ORS Chapters 279A, 279B, 279C).**

In connection with our testing nothing came to our attention that caused us to believe the Wasco County Library Service District was not in substantial compliance with certain provisions of laws, regulations, contracts, and grants, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules 162-10-000 through 162-10-320 of the Minimum Standards for Audits of Oregon Municipal Corporations.

OAR 162-10-0230 Internal Control

In planning and performing our audit, we considered the Wasco County Library Service District's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Wasco County Library Service District's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Wasco County Library Service District's internal control over financial reporting.

This report is intended solely for the information and use of the Board of Commissioners and Management of Wasco County Library Service District and the Oregon Secretary of State and is not intended to be and should not be used by anyone other than these parties.



Kenneth Allen, CPA
PAULY, ROGERS AND CO., P.C.

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE RE-APPOINTMENT OF PAT DAVIS TO THE WASCO COUNTY LIBRARY SERVICE DISTRICT BUDGET COMMITTEE

ORDER #23-063

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board of Commissioners being present; and

IT APPEARING TO THE BOARD: That Pat Davis' term on the Wasco County Library Service District Budget Committee will expire on December 31, 2023; and

IT FURTHER APPEARING TO THE BOARD: That Pat Davis is willing and is qualified to be reappointed to the Wasco County Library Service District Budget Committee for another term.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Pat Davis be and is hereby reappointed to the Wasco County Library Service District Budget Committee; said term to expire on December 31, 2024.

DATED this 6th Day of December, 2023.

APPROVED AS TO FORM:

_____
Kristen Campbell, County Counsel

WASCO COUNTY BOARD OF COMMISSIONERS
Governing Body of the Wasco County Library Service District

_____
Steven D. Kramer, Commission Chair

_____
Scott C. Hege, Vice-Chair

_____
Phil Brady, County Commissioner

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE RE-APPOINTMENT OF KEN POLEHN TO THE WASCO COUNTY LIBRARY SERVICE DISTRICT BUDGET COMMITTEE

ORDER #23-064

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board of Commissioners being present; and

IT APPEARING TO THE BOARD: That Ken Polehn's term on the Wasco County Library Service District Budget Committee will expire on December 31, 2023; and

IT FURTHER APPEARING TO THE BOARD: That Ken Polehn is willing and is qualified to be reappointed to the Wasco County Library Service District Budget Committee for another term.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Ken Polehn be and is hereby reappointed to the Wasco County Library Service District Budget Committee; said term to expire on December 31, 2024.

DATED this 6th Day of December, 2023.

APPROVED AS TO FORM:

_____
Kristen Campbell, County Counsel

WASCO COUNTY BOARD OF COMMISSIONERS
Governing Body of the Wasco County Library Service District

_____
Steven D. Kramer, Commission Chair

_____
Scott C. Hege, Vice-Chair

_____
Phil Brady, County Commissioner

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE RE-APPOINTMENT OF DEORA PATTON TO THE WASCO COUNTY LIBRARY SERVICE DISTRICT BUDGET COMMITTEE

ORDER #23-065

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board of Commissioners being present; and

IT APPEARING TO THE BOARD: That DeOra Patton's term on the Wasco County Library Service District Budget Committee will expire on December 31, 2023; and

IT FURTHER APPEARING TO THE BOARD: That DeOra Patton is willing and is qualified to be reappointed to the Wasco County Library Service District Budget Committee for another term.

NOW, THEREFORE, IT IS HEREBY ORDERED: That DeOra Patton be and is hereby reappointed to the Wasco County Library Service District Budget Committee; said term to expire on December 31, 2024.

DATED this 6th Day of December, 2023.

APPROVED AS TO FORM:

_____
Kristen Campbell, County Counsel

WASCO COUNTY BOARD OF COMMISSIONERS
Governing Body of the Wasco County Library Service District

_____
Steven D. Kramer, Commission Chair

_____
Scott C. Hege, Vice-Chair

_____
Phil Brady, County Commissioner

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

INT THE MATTER OF THE RE-APPOINTMENT OF JEFF WAVRUNEK AS WASCO COUNTY LIRARY SERVICE DISTRICT BUDGET OFFICER

ORDER #23-066

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board of Commissioners being present; and

IT APPEARING TO THE BOARD: That Jeff Wavrunek's term as the Wasco County Library Service District Budget Officer will expire December 31, 2023; and

IT FURTHER APPEARING TO THE BOARD: That Jeff Wavrunek is willing and is qualified to be reappointed to serve as the Wasco County Library Service District Budget Officer.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Jeff Wavrunek be and is hereby reappointed as the Wasco County Library Service District Budget Officer; said term to expire on December 31, 2024.

DATED this 6th Day of December, 2023.

APPROVED AS TO FORM

_____

Kristen Campbell, County Counsel

Wasco County Board of Commissioners
Governing Body of the Wasco County Library Service District

_____

Steven D. Kramer, Chair

_____

Scott C. Hege, Vice-Chair

_____

Philip L. Brady, County Commissioner

MOTION

SUBJECT: **Budget Appointments**

I move to approve Orders 23-063, 23-064, and 23-065 reappointing Pat Davis, Ken Polehn and DeOra Patton to the Wasco County Library Service District Budget Committee. I further move to approve Order 23-066 reappointing Jeff Wavrunek as Budget Officer for the Wasco County Library Service District.

WASCO COUNTY LIBRARY SERVICE DISTRICT MEETING
AUGUST 2, 2023

PRESENT: Steven D. Kramer, Commission Chair (virtual)
Scott C. Hege, Vice-Chair
Philip L. Brady, County Commissioner
STAFF: Kathy Clark, Executive Assistant
Tyler Stone, Wasco County Administrative Officer

At 9:12 a.m. Vice-Chair Hege opened the meeting.

Appointment

Ms. Clark explained that there is a vacancy on the Board due to the resignation of Vicki Thomas. The District Board has reviewed Ms. McNary's application and are recommending her appointment.

{{{Commissioner Brady moved to approve Order 23-050 Appointing Dave Mason to the Library Service District Board of Directors. Vice-Chair Hege seconded the motion which passed unanimously.}}}

Minutes

{{{Vice-Chair Hege moved to approve the June 7, 2023 Minutes. Commissioner Brady seconded the motion which passed unanimously.}}}

Chair Kramer adjourned the meeting at 9:43 a.m.

WASCO COUNTY BOARD
OF COMMISSIONERS
Governing Body of the Wasco County
Library Service District

Steven D. Kramer, Commission Chair

Scott C. Hege, Vice-Chair

Philip L. Brady, County Commissioner

MOTION

SUBJECT: Library District Minutes

I move to approve the August 2, 2023 Library Service District Minutes.

WASCO COUNTY 4H & EXTENSION SERVICE DISTRICT
AGENDA
WEDNESDAY, DECEMBER 6, 2023

LOCATION: This meeting will be held in Room 302 of the Wasco County Courthouse, 511 Washington Street, The Dalles, OR and will also be available for virtual attendance. You can join the meeting at https://wascocounty-org.zoom.us/j/3957734524 or call in to 1-253-215-8782 *Meeting ID:* ***3957734524#***

NOTE: This Agenda is subject to last minute changes. **Meetings are ADA accessible.** For special accommodations please contact the Commission Office in advance, (541) 506-2520. TDD 1-800-735-2900. Wasco County does not discriminate against individuals with disabilities.

9:45 a.m. **CALL TO ORDER**

9:45 a.m. Audit

9:55 a.m. Reappointments

6.7.2023 Minutes Approval

NEW / OLD BUSINESS
ADJOURN

PAULY, ROGERS AND CO., P.C.
12700 SW 72nd Ave. ♦ Tigard, OR 97223
(503) 620-2632 ♦ (503) 684-7523 FAX
www.paulyrogersandcocpas.com

July 5, 2023

To the Board of Commissioners
Wasco County 4H and Extension Service District
Wasco County, Oregon

We have audited the basic financial statements of the governmental activities and major fund of Wasco County 4H and Extension Service District for the year ended June 30, 2022. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. Professional standards also require that we communicate to you the following information related to our audit.

Purpose of the Audit

Our audit was conducted using sampling, inquiries and analytical work to opine on the fair presentation of the basic financial statements and compliance with:

- generally accepted accounting principles and auditing standards
- the Oregon Municipal Audit Law and the related administrative rules

Our Responsibility under U.S. Generally Accepted Auditing Standards

As stated in our engagement letter, our responsibility, as described by professional standards, is to express opinions about whether the basic financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the basic financial statements does not relieve you or management of your responsibilities.

In planning and performing our audit, we considered internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinions on the financial statements and not to provide assurance on the internal control over financial reporting.

Our responsibility for the supplementary information accompanying the basic financial statements, as described by professional standards, is to evaluate the presentation of the supplementary information in relation to the basic financial statements as a whole and to report on whether the supplementary information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Planned Scope and Timing of the Audit

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements; therefore, our audit involved judgment about the number of transactions examined and the areas to be tested.

Our audit included obtaining an understanding of the District and its environment, including internal control, sufficient to assess the risks of material misstatement of the basic financial statements and to design the nature, timing, and extent of further audit procedures. Material misstatements may result from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the District or to acts by management or employees acting on behalf of the District. We also communicated any internal control related matters that are required to be communicated under professional standards.

Results of Audit

1. Audit opinion letter - an unmodified opinion on the basic financial statements has been issued. This means we have given a "clean" opinion with no reservations.

2. State minimum standards – We found no exceptions or issues requiring comment.

3. Management letter – No separate management letter was issued.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used are described in Note 1 to the basic financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2022. We noted no transactions entered into during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the basic financial statements in the proper period.

Accounting estimates are an integral part of the basic financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the basic financial statements and because of the possibility that future events affecting them may differ significantly from those expected. We evaluated the key factors and assumptions used to develop these estimates in determining that they are reasonable in relation to the basic financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements or determined that their effects are immaterial. There were no immaterial uncorrected misstatements noted during the audit which were discussed with management. The uncorrected misstatements or the matters underlying them could potentially cause future period financial statements to be materially misstated, even if, in our judgment, such uncorrected misstatements are immaterial to the financial statements under audit.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the basic financial statements or the auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the basic financial statements or a determination of the type of auditors' opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards with management each year prior to our retention as the auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Required Supplementary Information

We applied certain limited procedures to the required supplementary information that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the required supplementary information and do no express an opinion or provide any assurance on it.

Other Information

We were not engaged to report on the other information, which accompanies the basic financial statements but is not required supplementary information. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Other Matters – Future Accounting and Auditing Issues

In order to keep you aware of new auditing standards issued by the American Institute of Certified Public Accountants and accounting statements issued by the Governmental Accounting Standards Board (GASB), we have prepared the following summary of the more significant upcoming issues:

GASB 91 – CONDUIT DEBT OBLIGATIONS

This Statement is effective for fiscal years beginning after December 15, 2021, as extended by GASB 95. The primary objectives of this Statement are to provide a single method of reporting conduit debt obligations by issuers and eliminate diversity in practice associated with (1) commitments extended by issuers, (2) arrangements associated with conduit debt obligations, and (3) related note disclosures. This Statement achieves those objectives by clarifying the existing definition of a conduit debt obligation; establishing that a conduit debt obligation is not a liability of the issuer; establishing standards for accounting and financial reporting of additional commitments and voluntary commitments extended by issuers and arrangements associated with conduit debt obligations; and improving required note disclosures.

GASB 96 – SUBSCRIPTION-BASED INFORMATION TECHNOLOGY ARRANGEMENTS

The effective date for this Statement is for fiscal years beginning after June 15, 2022, and all reporting periods thereafter. This Statement provides guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users (governments). This Statement (1) defines a SBITA; (2) establishes that a SBITA results in a right-to-use subscription asset—an intangible asset—and a corresponding subscription liability; (3) provides the capitalization criteria for outlays other than

subscription payments, including implementation costs of a SBITA; and (4) requires note disclosures regarding a SBITA.

GASB 97 – CERTAIN COMPONENT UNIT CRITERIA, AND ACCOUNTING AND FINANCIAL REPORTING FOR INTERNAL REVENUE CODE SECTION 457 DEFERRED COMPENSATION PLANS – AN AMENDMENT OF GASB 14 & 84, AND A SUPERSESSION OF GASB 32

The requirements of this Statement that (1) exempt primary governments that perform the duties that a governing board typically performs from treating the absence of a governing board the same as the appointment of a voting majority of a governing board in determining whether they are financially accountable for defined contribution pension plans, defined contribution OPEB plans, or other employee benefit plans and (2) limit the applicability of the financial burden criterion in paragraph 7 of Statement 84 to defined benefit pension plans and defined benefit OPEB plans that are administered through trusts that meet the criteria in paragraph 3 of Statement 67 or paragraph 3 of Statement 74, respectively, are effective immediately. The requirements of this Statement that are related to the accounting and financial reporting for Section 457 plans are effective for fiscal years beginning after June 15, 2021.

The primary objectives of this Statement are to (1) increase consistency and comparability related to the reporting of fiduciary component units in circumstances in which a potential component unit does not have a governing board and the primary government performs the duties that a governing board typically would perform; (2) mitigate costs associated with the reporting of certain defined contribution pension plans, defined contribution other postemployment benefit (OPEB) plans, and employee benefit plans other than pension plans or OPEB plans (other employee benefit plans) as fiduciary component units in fiduciary fund financial statements; and (3) enhance the relevance, consistency, and comparability of the accounting and financial reporting for Internal Revenue Code (IRC) Section 457 deferred compensation plans (Section 457 plans) that meet the definition of a pension plan and for benefits provided through those plans.

GASB 99 – OMNIBUS 2022

The requirements of this Statement that are effective as follows:

- The requirements related to extension of the use of LIBOR, accounting for SNAP distributions, disclosures of nonmonetary transactions, pledges of future revenues by pledging governments, clarification of certain provisions in Statement 34, as amended, and terminology updates related to Statement 53 and Statement 63 are effective upon issuance.
- The requirements related to leases, PPPs, and SBITAs are effective for fiscal years beginning after June 15, 2022, and all reporting periods thereafter.
- The requirements related to financial guarantees and the classification and reporting of derivative instruments within the scope of Statement 53 are effective for fiscal years beginning after June 15, 2023, and all reporting periods thereafter.

The objectives of this Statement are to enhance comparability in accounting and financial reporting and to improve the consistency of authoritative literature by addressing (1) practice issues that have been identified during implementation and application of certain GASB Statements and (2) accounting and financial reporting for financial guarantees.

Pauly, Rogers and Co., P.C.

This information is intended solely for the information and use of the Board of Commissioners and management and is not intended to be and should not be used by anyone other than these specified parties.



Kenny Allen, CPA
Municipal Auditor
PAULY, ROGERS AND CO., P.C.

WASCO COUNTY 4-H AND EXTENSION SERVICE DISTRICT
(A COMPONENT UNIT OF WASCO COUNTY)
WASCO COUNTY, OREGON

FINANCIAL REPORT

FOR THE YEAR ENDED JUNE 30, 2022

12700 SW 72nd Ave.
Tigard, OR 97223

WASCO COUNTY 4-H AND EXTENSION SERVICE DISTRICT
(A COMPONENT UNIT OF WASCO COUNTY)
WASCO COUNTY, OREGON

2021-2022

FINANCIAL REPORT

****

BOARD OF DIRECTORS
WASCO COUNTY 4-H AND EXTENSION SERVICE DISTRICT
(A COMPONENT UNIT OF WASCO COUNTY)
JUNE 30, 2022

Scott Hege	Commission Chair
Kathy Schwartz	Commissioner
Steve Kramer	Commissioner
Kathy Clark	Executive Assistant

WASCO COUNTY 4-H AND EXTENSION SERVICE DISTRICT
(A COMPONENT UNIT OF WASCO COUNTY)
WASCO COUNTY, OREGON

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PAULY, ROGERS, AND CO., P.C.
12700 SW 72nd Ave. Tigard, OR 97223
(503) 620-2632 (503) 684-7523 FAX
www.paulyrogersandcocpas.com

July 5, 2023

Governing Board
Wasco County 4-H and Extension Service District
Wasco County, Oregon

INDEPENDENT AUDITORS' REPORT

Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of Wasco County 4-H and Extension Service District, a component unit of the Wasco County, as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of Wasco County 4-H and Extension Service District, a component unit of the Wasco County, as of June 30, 2022, and the changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with the auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Wasco County 4-H and Extension Service District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Wasco County 4-H and Extension Service District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- •Exercise professional judgment and maintain professional skepticism throughout the audit.
- •Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- •Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Wasco County 4-H and Extension Service District's internal control. Accordingly, no such opinion is expressed.
- •Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- •Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Wasco County 4-H and Extension Service District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information and required supplementary information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

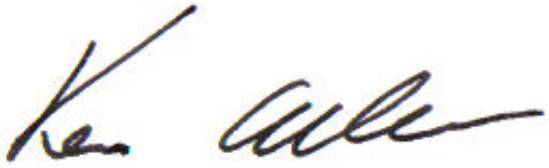
Other Information

Management is responsible for the other information included in the annual report. The other information comprises the listing of board members, located before the table of contents, but does not include the basic financial statements and our auditors' report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Reports on Other Legal and Regulatory Requirements

In accordance with Minimum Standards for Audits of Oregon Municipal Corporations, we have issued our report dated July 5, 2023, on our consideration of compliance with certain provisions of laws and regulations, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules. The purpose of that report is to describe the scope of our testing of compliance and the results of that testing and not to provide an opinion on compliance.



Kenneth Allen, CPA
PAULY, ROGERS AND CO., P.C

WASCO COUNTY 4-H AND EXTENSION SERVICE DISTICT
Management's Discussion and Analysis
Year Ended June 30, 2022

As management of the Wasco County 4-H and Extension Service District (the District), located in Wasco County, Oregon, we offer readers of the District's financial statements this narrative overview and analysis of the financial activities of the District for the fiscal year ended June 30, 2022.

FINANCIAL HIGHLIGHTS

- The assets of the District exceeded its liabilities at June 30, 2022 by $1,067,136 and the entire amount is unrestricted.
- Total net position decreased $61,537 from the prior fiscal year.
- As of June 30, 2022, the District's governmental fund reported an ending balance of $1,045,370.
- The District had no debt as of June 30, 2022.

Overview of Financial Statements

The discussion and analysis is intended to serve as an introduction to the District's basic financial statements. These basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-Wide Financial Statements

The *government-wide financial statements* are designed to provide readers with a broad overview of the District's finances, in a manner similar to a private-sector business.

The *Statement of Net Position* presents information on all of the District's assets and liabilities, with the difference between the two reported as *net position*. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The *Statement of Activities* presents information showing how the District's net position changed during the fiscal year ended June 30, 2022. Changes in net position are reported when the underlying event giving rise to the change occurs, regardless of the timing of the related cash or other financial asset flows. Thus, revenues and expenses are reported in this statement for some items, for example, property taxes and accrued interest expense will result in cash flows in future fiscal periods.

Each of these government-wide financial statements – *Statement of Net Position* and *Statement of Activities* – show the functions of the District that are supported primarily by property taxes (*governmental activities*).

These reports are found following the Management's Discussion and Analysis.

Fund Financial Statements

A *fund* is a grouping of related accounts used to maintain control over resources that have been segregated for specific activities or objectives. The District, like other state and local government entities, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The District fund is classified as a governmental fund.

Governmental Funds

Governmental funds are used to account for the same functions as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near term inflows* and *outflows of spendable resource*, as well as *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Reconciliation from the Government Funds Balance Sheet to the Government-wide Statement of Net Position and reconciliation from the Governmental Funds Statement of Revenues, Expenditures and Changes in Fund Balance to the Government-wide Statement of Activities have been included in this report.

The District reported activity in a governmental fund during the fiscal year ended June 30, 2022. Information is presented in the governmental fund Balance Sheet and in the governmental fund Statement of Net Revenues, Expenditures and Changes in Fund Balance for the District's fund.

The District adopts an annual budget for its fund. The budgetary comparison statement has been provided to demonstrate compliance with the annual budget.

The Basic Governmental Fund Financial Statements are found in this report after the Government-Wide statements.

Notes to the Financial Statements

The notes provide additional information essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements follow the Basic Governmental Fund Financial Statements in this report.

Other Information

Taxes from Wasco County are transferred to Oregon State University through a Memorandum of Understanding (MOU) between the District and Oregon State University. The current five year MOU is through June 30, 2025.

Government-wide Financial Analysis

Net position, at a specific point in time, serves as a useful indicator of an entity's financial position. In the case of the District, the net position is $1,067,136 at June 30, 2022.

Net Position

	2021	2022
Current Assets		
Cash	$ 1,101,150	$ 1,041,473
Taxes Receivable	27,523	25,663
Total assets	**1,128,673**	**1,067,136**
Liabilities	-	-
Net Position		
Unrestricted	1,128,673	1,067,136
Total net position	**$ 1,128,673**	**$ 1,067,136**

The District's net position decreased by $61,537 during the year ended June 30, 2022. The net position of $1,067,136 is all unrestricted. This is in pursuit of the long term goal of the District to accumulate an appropriate level of reserves to provide long-term financial stability for the District.

Changes in Net Position

	2021	2022
Revenue		
Property Taxes	$ 597,569	$ 625,160
Interest & Investment Earnings	8,335	6,497
Miscellaneous	105,660	8,692
Total Revenues	**711,564**	**640,349**
Expenditures		
Culture & Recreation	607,511	701,886
Total Expenditures	**607,511**	**701,886**
Change in Net Position	104,053	(61,537)
Beginning Net Position	1,024,620	1,128,673
Ending Net Position	**$ 1,128,673**	**$ 1,067,136**

General Fund Budgetary Highlights

There were no differences between the District's General Fund budget as originally adopted and the final amended budget. The General Fund actual revenues exceeded estimated revenues by $20,831. The expenditure budget for materials and services was within the adopted budget.

Key economic Factors and Budgets Information for the Future

Wasco County's economic base is agriculture and the processing of agricultural products, particularly cherries, wheat and livestock. Other traditional industries have included forestry, manufacturing, electric power generation and transportation. Wasco County's economy has diversified from its traditional natural resource base to include a stronger focus on technology and manufacturing.

The rapid growth of renewable energy industries is driving additional employment through support industries and related manufacturing. The world's largest internet firm, Google, established a major operational center in The Dalles. The region is also home to a strong cluster of high tech companies supported through the efforts of the Gorge Technological Alliance.

Economic sectors related to tourism have also grown, supporting tourism throughout the County. Notably, Maupin's economy thrives in the summer with Deschutes River rafting and the communities of The Dalles and Mosier have recently benefited from an increase in cycling, food and beverage tourism through the efforts of local wineries, cafes, Gorge Grown Network and The Dalles Farmers Market.

As the largest community in the County, The Dalles serves as a retail and service hub for many surrounding counties. This results in strong employment in these industries as well as in government. Further expansion of the healthcare sector, with the expansion of Mid-Columbia Medical Center, has also positively impacted job growth in the County.

The current economy has not significantly affected the rate of property tax collections.

Comparative Analysis

The District's net position as of June 30, 2022 was $1,067,136, a decrease of $61,537 from June 30, 2021. Expenditures increased from $607,511 in fiscal year 2021 to $701,886 in fiscal year 2022. This is continuing with the increased level of support in the areas identified in the Long-Term strategic plan approved by the District Advisory Committee.

Requests for Information

This financial report is designed to provide a general overview to those parties interested in the District's finances. Questions concerning any of the information provided in this report or requests for additional information should be addressed the Wasco County 4-H and Extension Service District, 400 Scenic Drive,Suite 2.278, The Dalles, Oregon 97058.

WASCO COUNTY 4-H AND EXTENSION SERVICE DISTRICT
(A COMPONENT UNIT OF WASCO COUNTY)
WASCO COUNTY, OREGON

BASIC FINANCIAL STATEMENTS

Wasco County 4-H and Extension Service District
Statement of Net Position
June 30, 2022
(all amounts are in dollars)

	Primary Government
	Governmental Activities
ASSETS:	
Cash & Investments	1,041,473
Taxes Receivable	25,663
TOTAL ASSETS	1,067,136
LIABILITIES:	
Accounts Payable	-
Due to Other Taxing Districts	-
TOTAL LIABILITIES	-
NET POSITION	
Unrestricted	1,067,136
TOTAL NET POSITION	1,067,136

The Accompanying Notes are an integral part of this Financial Statement

Wasco County 4-H and Extension Service District
Statement of Activities
For the year ended June 30, 2022
(all amounts are in dollars)

FUNCTIONS/PROGRAMS	EXPENSES	PROGRAM REVENUES: Fees, Fines and Charges for Services	PROGRAM REVENUES: Operating Grants and Contributions	PROGRAM REVENUES: Capital Grants and Contributions	NET (EXPENSES) REVENUES AND CHANGES IN NET POSITION: TOTAL GOVERNMENTAL ACTIVITIES
Culture and Recreation	701,886	-	-	-	(701,886)
Total Government Activities	701,886	-	-	-	(701,886)
General Revenues:					
Property Taxes levied for General Purposes					625,160
Interest and Investment Earnings					6,497
Miscellaneous					8,692
Total General Revenues					640,349
Change in Net Position					(61,537)
Net Position, beginning					1,128,673
Net Position, ending					1,067,136

The Accompanying Notes are an integral part of this Financial Statement

Wasco County 4-H and Extension Service District
Balance Sheet
Governmental Funds
June 30, 2022
(all amounts are in dollars)

	GENERAL
ASSETS:	
Cash & Investments	1,041,473
Taxes Receivable	25,663
TOTAL ASSETS	1,067,136
LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCE	
LIABILITIES:	
Accounts payable	-
Due to Other Taxing Districts	-
TOTAL LIABILITIES	-
DEFERRED INFLOWS OF RESOURCES:	
Unavailable Revenue - Taxes	21,766
TOTAL DEFERRED INFLOWS OF RESOURCES	21,766
FUND BALANCES:	
Unassigned	1,045,370
TOTAL FUND BALANCES	1,045,370
TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES	1,067,136

The Accompanying Notes are an integral part of this Financial Statement

Wasco County 4-H and Extension Service District
Reconciliation of Balance Sheet to Statement of Net Position
June 30, 2022
(all amounts are in dollars)

Fund Balance - Governmental Funds	1,045,370
Amounts reported for governmental activities in the Statement of Net Position are different because:	
Unavailable revenue represents amounts that were not available to fund current expenditures and therefore are not reported in the government funds.	21,766
Net Position of Governmental Activities	1,067,136

The Accompanying Notes are an integral part of this Financial Statement

Wasco County 4-H and Extension Service District
Statement of Revenues, Expenditures and Changes in Fund Balance
Governmental Funds
For the year ended June 30, 2022
(all amounts are in dollars)

	GENERAL
REVENUES:	
Property Taxes	626,092
Investment Earnings	6,497
Miscellaneous	8,692
TOTAL REVENUES	641,281
EXPENDITURES:	
Current:	
Culture & Recreation	701,886
TOTAL EXPENDITURES	701,886
Net Changes in Fund Balance	(60,605)
FUND BALANCE - BEGINNING OF YEAR	1,105,975
FUND BALANCE - END OF YEAR	1,045,370

The Accompanying Notes are an integral part of this Financial Statement

Wasco County 4-H and Extension Service District
Reconciliation of Statement of Revenues, Expenditures and Changes in Fund Balance
of Governmental Funds to the Statement of Activities
For the year ended June 30, 2022
(all amounts are in dollars)

Net Change in Fund Balance	(60,605)
Amounts reported for governmental activities in the Statement of Activities are different because:	
Revenues in the Statement of Activities that do not provide current financial resources are not reported as revenues in the governmental funds.	
Change in deferred inflows of resources	(932)
Change in Net Position of Governmental Activities	(61,537)

The Accompanying Notes are an integral part of this Financial Statement

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the District have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The more significant of the district's accounting policies are described below.

A. THE FINANCIAL REPORTING ENTITY

In November 2006, Wasco County voters approved the creation of a 4-H and Extension Service District for Wasco County under ORS Ch. 451 with a formation date of July 1, 2007. The County Board of Commissioner consisting of three Commissioners, one whom serves as the Chair of the Board, is the governing body of the District. The District is a component unit of Wasco County, Oregon. In evaluating how to define the District, for financial reporting purposes, management has considered all potential component units. The criteria for including potential component units within the County's reporting entity (as set forth in GASB No. 61) is financial accountability. Financial accountability is defined as appointment of a voting majority of the component unit's board and either the ability to impose will by the primary government or the possibility that the component unit will provide a financial benefit to, or impose a financial burden on, the primary government.

The government-wide financial statements (i.e., the Statement of Net Position and the Statement of Activities) report information on all of the activities of the government. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business type activities, which rely to a significant extent on fees and charges for support. The District has no business-type activities or fiduciary funds.

Generally accepted accounting principles require that these financial statements present Wasco County 4-H and Extension Service District (the primary government) and all component units, if any. Component units, as established by the Government Accounting Standards Board (GASB) Statement 61, are separate organizations that are included in the District's reporting entity because of the significance of their operational or financial relationships with the District. All significant activities and organizations with which the District exercises oversight responsibility have been considered for inclusion in the basic financial statements. Wasco County 4-H and Extension Service District has no component units.

B. MEASUREMENT FOCUS, BASIS OF ACCOUNTING AND BASIS OF PRESENTATION

GOVERNMENT-WIDE FINANCIAL STATEMENTS (GWFS)

The Statement of Net Position and Statement of Activities display information about the reporting government as a whole. The Statement of Net Position and the Statement of Activities were prepared using the economic resources measurement focus and the accrual basis of accounting. Revenues, expenses, gains, losses, assets, deferred outflows, liabilities, and deferred inflows resulting from exchange and exchange-like transactions are recognized when the exchange takes place. Revenues, expenses, gains, losses, assets, deferred outflows, liabilities, and deferred inflows resulting from nonexchange transactions are recognized in accordance with the requirements of GASB Statement No. 33 "Accounting and Financial Reporting for Nonexchange Transactions."

All direct expenses are reported by function in the Statement of Activities. Direct expenses are those that are clearly identifiable with a function.

FUND FINANCIAL STATEMENTS

The accounts are organized and operated on the basis of funds. A fund is an independent fiscal and accounting entity with a self-balancing set of accounts. Fund accounting segregates funds according to their intended purpose and is used to aid management in demonstrating compliance with finance-related legal and contractual provisions. The minimum number of funds is maintained consistent with legal and managerial requirements.

GOVERNMENTAL FUND TYPES

Governmental funds are used to account for the general government activities. Governmental fund types use the flow of current financial resources measurement focus and the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recognized when susceptible to accrual (i.e., when they are "measurable and available"). "Measurable" means the amount of the transaction can be determined and "available" means collectible within the current period or soon enough thereafter to pay liabilities of the current period. Grant revenue is not considered available and, therefore, is not recognized until received. Expenditures are recorded when the liability is incurred.

Revenues susceptible to accrual are interest, state, county and local shared revenue and federal and state grants. Expenditure-driven grants are recognized as revenue when the qualifying expenditures have been incurred and all other grant requirements have been met.

This is the major governmental fund:

GENERAL FUND
This fund accounts for all financial resources and expenditures, except those required to be accounted for in another fund (there are no other funds). The principal revenue source is property taxes.

C. BUDGET

A budget is prepared and legally adopted for each fund on the accrual basis of accounting in the main program categories required by the Oregon Local Budget Law. The budgets for all funds are adopted on a basis consistent with generally accepted accounting principles, except depreciation expense is not recorded in budgetary statements, capital outlay is expensed rather than capitalized, and debt principal is an expenditure. The District begins its budget process early in each fiscal year with the establishment of the budget committee. Recommendations are developed through late winter with the budget committee approving the budget in early spring. Public notices of the budget hearing are published generally in early spring with a public hearing being held approximately three weeks later.

The Board may amend the budget prior to adoption; however, budgeted expenses for each fund may not be increased by more than ten percent. The budget is adopted and appropriations are made no later than June 30th. The Appropriations Resolution contains amounts for personal services, materials and services, capital outlay, inter-fund transfers, debt service and contingency. This is the level of control for authorized expenditures. The level of expenditures is monitored throughout the year. Expenses cannot exceed the above appropriation levels. Appropriations lapse at fiscal year-end. Supplemental appropriations may occur if the board approves them due to a need, which was not determined at the time the budget was adopted. There were no supplemental appropriations during the year ended June 30, 2022. Budget amounts shown in the financial statements reflect the original budgeted amounts.

Expenses of the various funds were within authorized appropriations for the year ended June 30, 2022.

D. INVESTMENTS

Investments are reported at fair value based on quoted market prices for securities purchased by the District and for cash reported by the investment pool in which the District participates. All investments held have readily available market prices. The change in fair value is reported in the statement of revenues, expenses and changes in net position as investment earnings. Realized gains or losses on the maturity or disposition of securities are not separately disclosed.

E. CAPITAL ASSETS

The District has no capital assets.

F. DEFERRED OUTFLOWS/INFLOWS OF RESOURCES

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net positions that applies to a future period(s) and so will not be recognized as on outflow of resources (expense/expenditure) until then. The District has no items that qualify for reporting in this category.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

G. NET POSITION

Net position represents the difference between assets and liabilities. Net investment in capital assets, consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition of those assets. Net position is reported as restricted when there are limitations imposed on the use either through enabling legislation or through external restrictions imposed by creditors, grantors, laws or regulations of other governments.

H. CASH AND CASH EQUIVALENTS

For purposes of the statement of cash flows, cash and cash equivalents are defined as short-term, highly liquid investments that are both readily convertible to known amounts of cash, and so near their maturity that they present insignificant risk of changes in value because of changes in interest rates. Generally only investments with original maturities of three months or less meet this definition.

I. ESTIMATES

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

J. PROPERTY TAXES

Property taxes are assessed on a July 1 - June 30 fiscal year basis. The taxes are levied as of July 1 based on assessed values as of January 1. Property tax payments are due in three equal installments, on November 15, February 15 and May 15. A discount of 3% is available if taxes are paid in full by November 15 and a discount of 2% on the unpaid balance is available if taxes are paid in full by February 15. Property taxes attach as an enforceable lien July 1 and are considered delinquent if not paid by the following May 15. The Wasco County Treasurer is the tax collection agent for the District.

Tax revenue is considered available for expenditure upon receipt by the County, which serves as the intermediary collecting agency. Uncollected property taxes are shown on the General Fund balance sheet as receivables. Collections within 60 days subsequent to year-end have been accrued and the remaining taxes receivable are recorded as deferred inflows of resources on the modified accrual basis of accounting since they are not deemed available to finance operations of the current period.

K. FUND BALANCE REPORTING

The Governmental Accounting Standards Board (GAS B) has issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions (GASB* 54). This Statement defines the different types of fund balances that a governmental entity must use for financial reporting purposes. GASB 54 requires the fund balance amounts to be properly reported within one of the fund balance categories listed below:

1. Nonspendable, such as fund balance associated with inventories, prepaids, long-term loans and notes receivable and property held for resale (unless the proceeds are restricted, committed or assigned),

2. Restricted fund balance category includes amounts that can be spent only for specific purposes stipulated by constitution, external resource providers or through enabling legislation,

3. Committed fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action of the District's governing board (the District's highest level of decision-making authority),

4. Assigned fund balance classification is intended to be used by the government for specific purposes but do not meet the criteria to be classified as restricted or committed and

5. Unassigned fund balance is the residual classification for the government's general fund and includes all spendable amounts not contained in the other classifications.

The District reduces restricted amounts first when expenditures are incurred for purposes for which both restricted and unrestricted (committed, assigned or unassigned) amounts are available. The District reduces committed amounts first, followed by assigned amounts and then unassigned amounts when expenditures are incurred for purposes for which amounts in any of those unrestricted fund balance classifications could be used.

L. FAIR VALUE INPUTS AND METHODOLOGIES AND HIERARCHY

Fair value is defined as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Observable inputs are developed based on market data obtained from sources independent of the reporting entity. Unobservable inputs are developed based on the best information available about the assumptions market participants would use in pricing the asset.

The classification of securities within the fair value hierarchy is based up on the activity level in the market for the security type and the inputs used to determine their fair value, as follows:

- Level 1 – unadjusted price quotations in active markets/exchanges for identical assets or liabilities that each Fund has the ability to access
- Level 2 – other observable inputs (including, but not limited to, quoted prices for similar assets or liabilities in markets that are active, quoted prices for identical or similar assets or liabilities in markets that are not active, inputs other than quoted prices that are observable for the assets or liabilities (such as interest rates, yield curves, volatilities, loss severities, credit risks and default rates) or other market– corroborated inputs)
- Level 3 – unobservable inputs based on the best information available in the circumstances, to the extent observable inputs are not available (including each Fund's own assumptions used in determining the fair value of investments)

The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1 measurements) and the lowest priority to unobservable inputs (Level 3 measurements). Accordingly, the degree of judgment exercised in determining fair value is greatest for instruments categorized in Level 3. The inputs used to measure fair value may fall into different levels of the fair value hierarchy. In such cases, for disclosure purposes, the fair value hierarchy classification is determined based on the lowest level input that is significant to the fair value measurement in its entirety.

M. Long Term Obligations

In the government-wide financial statements long-term debt and other long term obligations are reported as liabilities in the Statement of Net Position. The District has no long term obligations. In the fund financial statements, governmental fund types report the face amount of debt issued as other financing sources. Principal and interest payments are reported as debt service expenditures when paid.

2. CASH AND INVESTMENTS

As of June 30, 2022, the District had a deposit of $1,041,473 with the Wasco County Treasurer. All of the District's deposits were adequately secured during the year. See the County's financial report for more information on FDIC coverages and collateralized amounts.

Interest Rate Risk
The District does not have a formal investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates beyond the limits provided by State statute.

Credit Risk
State law limits investments to obligations of the United States Treasury and United States Government agencies and instrumentalities, certain bankers' acceptances, repurchase agreements, certain high-grade commercial paper and corporate bonds and obligations of states and municipalities. The District has no investment policy that would further limit its investment choices. The District's deposit with the Wasco County Treasurer is not rated.

Custodial Credit Risk
For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty, the District will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The deposit with the Wasco County Treasurer is not deemed to be a security, which is a transferable financial instrument that evidences ownership and is, therefore, not subject to custodial credit risk.

3. RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; injuries to employees and others; and natural disasters for which the District participates in Wasco County's insurance program. There have been no settlements in excess of insurance coverage and reserves in the past four fiscal years.

4. TAX ABATEMENTS

Wasco County 4-H and Extension Service District in conjunction with Wasco County has authorized tax-exempt status for three qualified firms within the County: Powder Pure, Hix The Dalles, and Design LLC. All properties are required to meet State and Federal funding requirements which include annual physical inspections and an annual audit of financial activity and programmatic compliance. The property tax exemption may be removed if the property is being used for any purpose other than the provisions of low income housing, or if the property is no longer eligible under the stated provisions of ORS 307.540 to 307.548. Section E of the renewal application requires the applicant to acknowledge compliance with the requirements annually. For fiscal year ending June 30, 2022, the foregone property tax revenue is $431,748.

WASCO COUNTY 4-H AND EXTENSION SERVICE DISTRICT
WASCO COUNTY, OREGON

REQUIRED SUPPLEMENTARY INFORMATION

Wasco County 4-H and Extension Service District
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
General Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	BUDGETED AMOUNTS			
	ORIGINAL	FINAL	ACTUAL	VARIANCE
REVENUES:				
Property Taxes	601,450	601,450	626,092	24,642
Investment Earnings	18,000	18,000	6,497	(11,503)
Miscellaneous	1,000	1,000	8,692	7,692
TOTAL REVENUES	620,450	620,450	641,281	20,831
EXPENDITURES:				
Current:				
Materials & Services	702,610	702,610	701,886	724
Contingency	30,000	30,000	-	30,000
TOTAL EXPENDITURES	732,610	732,610	701,886	30,724
Net Changes in Fund Balance	(112,160)	(112,160)	(60,605)	51,555
FUND BALANCE - BEGINNING OF YEAR	1,124,620	1,124,620	1,105,975	(18,645)
FUND BALANCE - END OF YEAR	1,012,460	1,012,460	1,045,370	32,910

PAULY, ROGERS, AND CO., P.C.
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(503) 620-2632 (503) 684-7523 FAX
www.paulyrogersandcocpas.com

July 5, 2023

Independent Auditors' Report Required by Oregon State Regulations

We have audited the basic financial statements of the Wasco County 4-H and Extension Service District as of and for the year ended June 30, 2022, and have issued our report thereon dated July 5, 2023. We conducted our audit in accordance with auditing standards generally accepted in the United States of America.

Compliance

As part of obtaining reasonable assurance about whether the Wasco County 4-H and Extension Service District's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, including the provisions of Oregon Revised Statues as specified in Oregon Administrative Rules 162-10-000 through 162-10-320 of the Minimum Standards for Audits of Oregon Municipal Corporations, noncompliance with which could have a direct and material effect on the determination of financial statements amounts. However, our audit was not directed primarily toward obtaining knowledge of such noncompliance. As such, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion.

We performed procedures to the extent we considered necessary to address the required comments and disclosures which included, but were not limited to the following:

- **Deposit of public funds with financial institutions (ORS Chapter 295)**
- **Indebtedness limitations, restrictions and repayment.**
- **Budgets legally required (ORS Chapter 294).**
- **Insurance and fidelity bonds in force or required by law.**
- **Authorized investment of surplus funds (ORS Chapter 294).**
- **Public contracts and purchasing (ORS Chapters 279A, 279B, 279C).**

In connection with our testing nothing came to our attention that caused us to believe the Wasco County 4-H and Extension Service District was not in substantial compliance with certain provisions of laws, regulations, contracts, and grants, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules 162-10-000 through 162-10-320 of the Minimum Standards for Audits of Oregon Municipal Corporations.

OAR 162-10-0230 Internal Control

In planning and performing our audit, we considered the Wasco County 4-H and Extension Service District's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Wasco County 4-H and Extension Service District's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Wasco County 4-H and Extension Service District's internal control over financial reporting.

This report is intended solely for the information and use of the Board of Commissioners and Management of Wasco County 4-H and Extension Service District and the Oregon Secretary of State and is not intended to be and should not be used by anyone other than these parties.



Kenneth Allen, CPA
PAULY, ROGERS AND CO., P.C.

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE RE-APPOINTMENT OF PAT DAVIS TO THE WASCO COUNTY 4H & EXTENSION SERVICE DISTRICT BUDGET COMMITTEE

ORDER #23-067

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board of Commissioners being present; and

IT APPEARING TO THE BOARD: That Pat Davis's term on the Wasco County 4H & Extension Service District Budget Committee will expire on December 31, 2023; and

IT FURTHER APPEARING TO THE BOARD: That Pat Davis is willing and is qualified to be reappointed to the Wasco County 4H & Extension Service District Budget Committee for another term.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Pat Davis be and is hereby reappointed to the Wasco County 4H & Extension Service District Budget Committee; said term to expire on December 31, 2024.

DATED this 6th Day of December, 2023.

APPROVED AS TO FORM:

_____
Kristen Campbell, County Counsel

WASCO COUNTY BOARD OF COMMISSIONERS
Governing Body of the Wasco County 4H & Extension Service District

_____
Steven D. Kramer, Commission Chair

_____
Scott C. Hege, Vice-Chair

_____
Phil Brady, County Commissioner

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE RE-APPOINTMENT OF KEN POLEHN TO THE WASCO COUNTY 4H & EXTENSION SERVICE DISTRICT BUDGET COMMITTEE

ORDER #23-068

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board of Commissioners being present; and

IT APPEARING TO THE BOARD: That Ken Polehn's term on the Wasco County 4H & Extension Service District Budget Committee will expire on December 31, 2023; and

IT FURTHER APPEARING TO THE BOARD: That Ken Polehn is willing and is qualified to be reappointed to the Wasco County 4H & Extension Service District Budget Committee for another term.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Ken Polehn be and is hereby reappointed to the Wasco County 4H & Extension Service District Budget Committee; said term to expire on December 31, 2024.

DATED this 6th Day of December, 2023.

APPROVED AS TO FORM:

_____
Kristen Campbell, County Counsel

WASCO COUNTY BOARD OF COMMISSIONERS
Governing Body of the Wasco County
4H & Extension Service District

_____
Steven D. Kramer, Commission Chair

_____
Scott C. Hege, Vice-Chair

_____
Phil Brady, County Commissioner

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE RE-APPOINTMENT OF DEORA PATTON TO THE WASCO COUNTY 4H & EXTENSION SERVICE DISTRICT BUDGET COMMITTEE

ORDER #23-069

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board of Commissioners being present; and

IT APPEARING TO THE BOARD: That DeOra Patton's term on the Wasco County 4H & Extension Service District Budget Committee will expire on December 31, 2023; and

IT FURTHER APPEARING TO THE BOARD: That DeOra Patton is willing and is qualified to be reappointed to the Wasco County 4H & Extension Service District Budget Committee for another term.

NOW, THEREFORE, IT IS HEREBY ORDERED: That DeOra Patton be and is hereby reappointed to the Wasco County 4H & Extension Service District Budget Committee; said term to expire on December 31, 2024.

DATED this 6th Day of December, 2023.

APPROVED AS TO FORM:

_____
Kristen Campbell, County Counsel

WASCO COUNTY BOARD OF COMMISSIONERS
Governing Body of the Wasco County
4H & Extension Service District

_____
Steven D. Kramer, Commission Chair

_____
Scott C. Hege, Vice-Chair

_____
Phil Brady, County Commissioner

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

INT THE MATTER OF THE RE-APPOINTMENT OF CHELSIE GIBSON AS WASCO COUNTY 4H & EXTENSION SERVICE DISTRICT BUDGET OFFICER

ORDER #23-070

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board of Commissioners being present; and

IT APPEARING TO THE BOARD: That Chelsie Gibson's term as the Wasco County 4H & Extension Service District Budget Officer will expire December 31, 2023; and

IT FURTHER APPEARING TO THE BOARD: That Chelsie Gibson is willing and is qualified to be re-appointed to serve as the Wasco County 4H & Extension Service District Budget Officer.

NOW, THEREFORE, IT IS HEREBY ORDERED: That Chelsie Gibson be and is hereby re-appointed as the Wasco County 4H & Extension Service District Budget Officer; said term to expire on December 31, 2024.

DATED this 6th Day of December, 2023.

APPROVED AS TO FORM

_____

Kristen Campbell, County Counsel

Wasco County Board of Commissioners
Governing Body of the Wasco County
4H & Extension Service District

_____

Steven D. Kramer, Chair

_____

Scott C. Hege, Vice-Chair

_____

Phil Brady, County Commissioner

MOTION

SUBJECT: **Budget Appointments**

I move to approve Orders 23-067, 23-068, and 23-069 reappointing Pat Davis, Ken Polehn and DeOra Patton to the Wasco County Extension Service District Budget Committee. I further move to approve Order 23-070 reappointing Chelsie Gibson as Budget Officer for the Wasco County Extension Service District.

WASCO COUNTY 4H & EXTENSION SERVICE DISTRICT MEETING
JUNE 7, 2023

PRESENT: Steven D. Kramer, Commission Chair (virtual)
Scott C. Hege, Vice-Chair
Philip L. Brady, County Commissioner
STAFF: Kathy Clark, Executive Assistant
Tyler Stone, Wasco County Administrative Officer

At 9:30 a.m. Vice-Chair Hege opened the meeting.

Budget Hearing

At 9:30 a.m. Chair Kramer opened a hearing regarding the 2023/2024 4H & Extension Service District Budget and explained the process to be followed.

Service District Budget Officer Chelsie Gibson reviewed the Budget Message included in the Board Packet.

Vice-Chair Hege asked if there are any changes to the budget since it was presented to the Budget Committee. Ms. Gibson replied there have been no changes.

{{{Commissioner Brady moved to adopt Resolution #23-005 adopting the 2023-2024 fiscal year budget for the Wasco County 4H & Extension Service District with a total appropriation of $1,842,914 and approving the tax rate of $0.2500 per $1,000 of assessed value – all subject to the general government limitation. Chair Kramer seconded the motion which passed unanimously.}}}

The hearing was closed at 9:35 a.m.

Minutes

{{{Commissioner Brady moved to approve the April 19, 2023 4H & Extension Service District minutes. Chair Kramer seconded the motion which passed unanimously.}}}

Vice-Chair Hege adjourned the meeting at 9:35 a.m.

WASCO COUNTY BOARD
OF COMMISSIONERS
Governing Body of the Wasco County
4H & Extension Service District

Steven D. Kramer, Commission Chair

Scott C. Hege, Vice-Chair

Philip L. Brady, County Commissioner

DRAFT

MOTION

SUBJECT: **4H & Extension Service District Minutes**

I move to approve the June 7, 2023 4H & Extension Service District Minutes.

PAULY, ROGERS AND CO., P.C.
12700 SW 72nd Ave. ♦ Tigard, OR 97223
(503) 620-2632 ♦ (503) 684-7523 FAX
www.paulyrogersandcocpas.com

October 31, 2023

To the County Commissioners
Wasco County

We have audited the financial statements of the governmental activities, business type activities, each major fund, and the aggregate remaining fund information of Wasco County for the year ended June 30, 2022. Professional standards require that we provide you with the information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards and Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)*, as well as certain information related to the planned scope and timing of our audit. Professional standards also require that we communicate to you the following information related to our audit.

Purpose of the Audit

Our audit was conducted using sampling, inquiries and analytical procedures to opine on the fair presentation of the financial statements and compliance with:

- generally accepted accounting principles and auditing standards,
- applicable Oregon municipal audit law and administrative rules, and
- federal, state and other agency rules and regulations related to expenditures of federal awards

Our Responsibility under U.S. Generally Accepted Auditing Standards

As stated in our engagement letter, our responsibility, as described by professional standards, is to express opinions about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities. Our engagement letter details our nonaudit services we provide; these services do not constitute an audit under Government Auditing Standards.

In planning and performing our audit, we considered internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinions on the financial statements and not to provide assurance on the internal control over financial reporting. We also considered internal control over compliance with requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with the Uniform Guidance.

As part of obtaining reasonable assurance about whether the basic financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of the basic financial statement amounts. However, providing an opinion on compliance with those provisions is not an objective of our audit. Also in accordance with the Uniform Guidance, we examined, on a test basis, evidence about compliance with the types of compliance requirements described in the OMB's Compliance Supplement applicable to each of the major federal programs for the purpose of expressing an opinion on compliance with those requirements. While our audit provided a reasonable basis for our opinion, it does not provide a legal determination on compliance with those requirements.

Planned Scope and Timing of the Audit

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit involved judgment about the number of transactions examined and the areas to be tested.

Our audit included obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Material misstatements may result from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. We also communicated any internal control related matters that are required to be communicated under professional standards.

Results of Audit

1. Audit opinion letter – an unmodified opinion on the County's financial statements has been issued. This means we have given a "clean" opinion with no reservations.
2. State minimum standards for audits – We found two exceptions, noted on page 22 of the financial statements.
3. Federal Awards – We found no issues of non-compliance and no questioned costs. We have responsibility to review these programs and give our opinion on the schedule of expenditures of federal awards, and tests of the internal control system, compliance with laws and regulations, and general and specific requirements mandated by the various awards.
4. Management letter— No separate management letter was issued.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2022, except for the implementation of GASB 87 – Leases. We noted no transactions entered into during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were Management's estimate of Accounts Receivable, the Net Pension Liability, GASB 75 OPEB Liability, and Capital Asset Depreciation, which are based on estimated collectability of receivables and useful lives of assets. We evaluated the key factors and assumptions used to develop these estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The disclosures in the financial statements are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements or determined that their effects are immaterial. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole. There were immaterial uncorrected misstatements noted during the audit which were discussed with management.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the County's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the County's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Required Supplementary Information

We applied certain limited procedures to the required supplementary information that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the required supplementary information and do not express an opinion or provide any assurance on it.

Supplementary Information

We were engaged to report on the supplementary information, which accompany the basic financial statements but are not required supplementary information. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the basic financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the basic financial statements or to the basic financial statements themselves.

Other Information

We were not engaged to report on the other information, which accompanies the basic financial statements but is not required supplementary information. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

The financial affairs have been professionally conducted. The accounting records were in good condition and we commend the staff for their assistance and support during the audit.

Other Matters – Future Accounting and Auditing Issues

In order to keep you aware of new auditing standards issued by the American Institute of Certified Public Accounts and accounting statements issued by the Governmental Accounting Standards Board (GASB), we have prepared the following summary of the more significant upcoming issues:

GASB 91 – CONDUIT DEBT OBLIGATIONS

This Statement is effective for fiscal years beginning after December 15, 2021, as extended by GASB 95. The primary objectives of this Statement are to provide a single method of reporting conduit debt obligations by issuers and eliminate diversity in practice associated with (1) commitments extended by issuers, (2) arrangements associated with conduit debt obligations, and (3) related note disclosures. This Statement achieves those objectives by clarifying the existing definition of a conduit debt obligation; establishing that a conduit debt obligation is not a liability of the issuer; establishing standards for accounting and financial reporting of additional commitments and voluntary commitments extended by issuers and arrangements associated with conduit debt obligations; and improving required note disclosures.

GASB 96 – SUBSCRIPTION-BASED INFORMATION TECHNOLOGY ARRANGEMENTS

The effective date for this Statement is for fiscal years beginning after June 15, 2022, and all reporting periods thereafter. This Statement provides guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users (governments). This Statement (1) defines a SBITA; (2) establishes that a SBITA results in a right-to-use subscription asset—an intangible asset—and a corresponding subscription liability; (3) provides the capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA; and (4) requires note disclosures regarding a SBITA.

GASB 97 – CERTAIN COMPONENT UNIT CRITERIA, AND ACCOUNTING AND FINANCIAL REPORTING FOR INTERNAL REVENUE CODE SECTION 457 DEFERRED COMPENSATION PLANS – AN AMENDMENT OF GASB 14 & 84, AND A SUPERSESSION OF GASB 32

The requirements of this Statement that (1) exempt primary governments that perform the duties that a governing board typically performs from treating the absence of a governing board the same as the appointment of a voting majority of a governing board in determining whether they are financially accountable for defined contribution pension plans, defined contribution OPEB plans, or other employee benefit plans and (2) limit the applicability of the financial burden criterion in paragraph 7 of Statement 84 to defined benefit pension plans and defined benefit OPEB plans that are administered through trusts that meet the criteria in paragraph 3 of Statement 67 or paragraph 3 of Statement 74, respectively, are effective immediately. The requirements of this Statement that are related to the accounting and financial reporting for Section 457 plans are effective for fiscal years beginning after June 15, Governing .

The primary objectives of this Statement are to (1) increase consistency and comparability related to the reporting of fiduciary component units in circumstances in which a potential component unit does not have a governing board and the primary government performs the duties that a governing board typically would perform; (2) mitigate costs associated with the reporting of certain defined contribution pension plans, defined contribution other postemployment benefit (OPEB) plans, and employee benefit plans other than pension plans or OPEB plans (other employee benefit plans) as fiduciary component units in fiduciary fund financial statements; and (3) enhance the relevance, consistency, and comparability of the accounting and financial reporting for Internal Revenue Code (IRC) Section 457 deferred compensation plans (Section 457 plans) that meet the definition of a pension plan and for benefits provided through those plans.

GASB 99 – OMNIBUS 2022

The requirements of this Statement that are effective as follows:

- The requirements related to extension of the use of LIBOR, accounting for SNAP distributions, disclosures of nonmonetary transactions, pledges of future revenues by pledging governments, clarification of certain provisions in Statement 34, as amended, and terminology updates related to Statement 53 and Statement 63 are effective upon issuance.
- The requirements related to leases, PPPs, and SBITAs are effective for fiscal years beginning after June 15, 2022, and all reporting periods thereafter.
- The requirements related to financial guarantees and the classification and reporting of derivative instruments within the scope of Statement 53 are effective for fiscal years beginning after June 15, 2023, and all reporting periods thereafter.

The objectives of this Statement are to enhance comparability in accounting and financial reporting and to improve the consistency of authoritative literature by addressing (1) practice issues that have been identified during implementation and application of certain GASB Statements and (2) accounting and financial reporting for financial guarantees.

Best Practices – Not Significant Deficiencies

In reviewing fidelity insurance coverage we noticed that the County often carries cash and investment balances in excess of the insurance coverage amount. We recommend that the County examine this exposure risk and make a determination as to the amount of insurance coverage they feel is prudent in regard to their oversight.

The County needs to continually assess their FTE in the finance/accounting department. Over the past few years a significant amount of work has been put on the accounting department in order to comply with significant and time consuming GASB requirements, new covid related grants, and other new grant and other state and federal regulations. We are not saying necessarily that the department is under-staffed, since we are not there on a day to day basis, but this is something that should be assessed annually during budget cycle to ensure the department is not stretched thin in its capacities.

This information is intended solely for the use of the County Court and management of Wasco County and is not intended to be and should not be used by anyone other than these specified parties.



Kenneth Allen, CPA
Municipal Auditor
PAULY, ROGERS AND CO., P.C.

WASCO COUNTY, OREGON

FINANCIAL REPORT

AS OF AND FOR THE YEAR ENDED JUNE 30, 2022



12700 SW 72nd Ave.
Tigard, OR 97223

Wasco County, Oregon
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For the Year Ended June 30, 2022

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Wasco County, Oregon
Elected Officials and Agent of Record
For the year ended June 30, 2022

WASCO COUNTY BOARD OF COMMISSIONERS

Commissioner	Scott Hege The Dalles, Oregon 97058
Commissioner	Kathy Schwartz The Dalles, Oregon 97058
Commissioner	Steve Kramer Dufur, Oregon 97058

OTHER ELECTED OFFICIALS:

Treasurer	Elijah Preston The Dalles, Oregon 97058
Clerk	Lisa Gambee The Dalles, Oregon 97058
Sheriff	Lane Magill The Dalles, Oregon 97058
District Attorney	Matthew Ellis The Dalles, Oregon 97058
Assessor	Jill Amery The Dalles, Oregon 97058

OTHER:

Insurance Agent of Record	Breanna Wimber The Stratton Agency 318 W 2nd St The Dalles, Oregon 97058

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October 31, 2023

INDEPENDENT AUDITORS' REPORT

To the County Commissioners
Wasco County

Opinions

We have audited the accompanying financial statements of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of Wasco County, as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of Wasco County, as of June 30, 2022, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Wasco County and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Change in Accounting Principle
The County adopted new accounting guidance, GASB Statement No. 87- Leases during the fiscal year under audit. Our opinions are not modified with respect to this matter.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Wasco County's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Wasco County's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Wasco County's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information, and required supplementary information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. The supplementary information, as listed in the table of contents, and the schedule of expenditures of federal awards, as required by Title 2 U.S. Code of Federal Regulations (CRF) Part 200, Uniform Administrative

Requirements, Cost Principles, and Audit Requirements for Federal Awards, are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The supplementary information, as listed in the table of contents, is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the supplementary information, as listed in the table of contents, and the schedule of expenditures of federal awards are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Information

Management is responsible for the other information included in the annual report. The other information comprises the other information, as listed in the table of contents, and the listing of board members containing their term expiration dates, located before the table of contents, but does not include the basic financial statements and our auditors' report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Report on Other Legal and Regulatory Requirements

In accordance with *Government Auditing Standards*, we have also issued our report dated October 31, 2023 on our consideration of the internal control over financial reporting and on our tests of compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering internal control over financial reporting and compliance.

In accordance with Minimum Standards for Audits of Oregon Municipal Corporations, we have issued our report dated October 31, 2023, on our consideration of compliance with certain provisions of laws and regulations, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules. The purpose of that report is to describe the scope of our testing of compliance and the results of that testing and not to provide an opinion on compliance.



Kenneth Allen, CPA
PAULY, ROGERS AND CO., P.C.

Wasco County, Oregon
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended June 30, 2022

This discussion and analysis is intended to be an easily readable analysis of Wasco County's financial activities based on currently known facts, decisions or conditions. This analysis focuses on current year activities and should be read in conjunction with the financial statements in the audit.

REPORT LAYOUT
This discussion and analysis is intended to serve an introduction to Wasco County's basic financial statements. The County's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the basic financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves. The first several statements are highly condensed and present a government-wide view of the County's finances including the Statement of Net Position and the Statement of Activities.

Government-Wide Financial Statements

Statement of Net Position: The focus of the Statement of Net Position is to present the difference between Assets, Liabilities and Deferred Inflows/Outflows divided into three components: net investment in capital assets, restricted and unrestricted. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the County is improving or deteriorating.

Statement of Activities: The focus of the Statement of Activities is to present the major program costs and match major resources with each. To the extent a program's cost is not recovered by grants and direct charges, it is paid from general taxes and other resources. This Statement summarizes and simplifies the user's analysis to determine the extent to which programs are self-supporting and/or subsidized by general revenues.

The government wide financial statements include two service districts as discretely presented component units. Requests for copies of the separately issued financial statements for the service districts should be addressed to Wasco County, 511 Washington Street, Room 207, The Dalles, Oregon 97058.

Fund Financial Statements

Following the government-wide statements is a section containing fund financial statements. The County's major funds are presented in their own column and the remaining funds are combined into a column titled "Non-Major Governmental Funds". For each major fund, a Budgetary Comparison Statement is presented. Readers who wish to obtain information on non-major funds can find it in the Combining Schedules of Non-Major Funds and/or the Supplemental Information-Budgetary Comparison Schedules sections of this report.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the financial data provided in the government-wide and fund financial statements.

Finally, completing the document is a series of other financial and statistical schedules, and the reports by the independent certified public accountants, as required by statute.

The MD&A is intended to explain the significant changes in financial position and differences in operations between the current and prior years.

COUNTY AS A WHOLE

GOVERNMENT-WIDE FINANCIAL STATEMENTS
This section discusses and analyzes significant difference between fiscal year 2022 and fiscal year 2021. A condensed version of the Primary Government Statement of Net Position at June 30, 2022 and 2021 follows:

TABLE 1
NET POSITION AS OF YEAR END

	June 30, 2022	June 30, 2021
ASSETS		
Cash and Investments	47,453,054	43,314,532
Other Assets	6,686,213	6,743,563
Capital Assets	17,686,091	17,429,973
Lease Assets	88,510	-
TOTAL ASSETS	71,913,868	67,488,068
DEFERRED OUTFLOW OF RESOURCES		
Related to Pensions & OPEB	10,834,254	11,098,478
TOTAL DEFERRED OUTFLOW OF RESOURCES	10,834,254	11,098,478
LIABILITIES		
Other Liabilities	1,486,065	1,114,529
Long Term Liabilities	885,300	897,369
Net Pension Liabilities	5,164,128	12,056,898
Lease Liabilities	98,829	-
TOTAL LIABILITIES	7,634,322	14,068,796
DEFERRED INFLOW OF RESOURCES		
Related to Pensions & OPEB	7,075,995	2,354,972
Related to Leases	578,334	-
TOTAL DEFERRED INFLOW OF RESOURCES	7,654,329	2,354,972
NET POSITION		
Investing in Capital Assets Net of Related Debt	17,686,091	17,429,973
Restricted	10,891,340	10,666,113
Unrestricted	38,882,040	34,066,692
TOTAL NET POSITION	67,459,471	62,162,778

Governmental Activities
As noted earlier, net position may serve over time as a useful indicator of the County's financial position. The County's assets exceeded liabilities by $67,459,471 at the close of fiscal year 2022.

A large portion of the County's net position reflects investment in capital assets (land, buildings, improvements, machinery and equipment, bridges and infrastructure), net of accumulated depreciation and the debt used to acquire the assets. Fixed Assets account for 26.2% of the total Net Assets of the County.

The total net position increased by $5,296,693 or 8.5%.

- Cash and investments increased $4,138,522 due not expending the full appropriation to departments.

- Depreciable assets increased $256,118 due to asset acquisitions.

TABLE 2
NET POSITION AS OF YEAR END

	June 30, 2022	June 30, 2021
Program revenues		
Charges for Services	11,444,592	11,030,436
Operating Grants and Contributions	7,235,049	8,390,232
Capital Grants and Contributions	-	-
General Revenues		
Taxes for General Purpose	11,141,657	10,296,406
Other Taxes	666,923	718,144
Interest	(175,254)	377,595
Miscellaneous	1,231,595	1,496,189
Transfers from Other Government	-	-
Gain (Loss) on Joint Venture	57,670	248,357
Gain (Loss) on Sale of Capital Assets	-	-
Total Program and General Revenues	31,602,232	32,557,359
Expense		
General Government	16,644,222	16,089,030
Public Safety	4,632,270	4,621,024
Highway and Streets	3,787,521	4,492,524
Health and Welfare	877,331	886,310
Culture and Recreation	364,195	288,557
Total Expense	26,305,539	26,377,445
Chang in Net Assets	5,296,693	6,179,914
Net Position, Beginning	62,162,778	55,982,864
Net Position, Ending	$ 67,459,471	$ 62,162,778

Governmental Activities

The ending net position is an increase of $5,296,693 or 8.5%.

- Charges for Services increased $414,156 or 3.8%.
- Operating Grants and Contributions decreased by $1,155,183 or 13.8%
- Taxes for General Purposes increased $845,251 or 8.2%

BUDGETARY HIGHLIGHTS
The General Fund revenue was less than the revised budget amount by $54,530. This was primarily due to Intergovernmental revenue under budget by $455,990 and the Local Government Investment Pool (LGIP) reported a fair value of 98.98% - this resulted in an adjustment due to the loss of $497,829.

The General Fund Departments controlled costs and managed to come in under budget by 25.3% ($4,409,629). Expense budgets were executed to 86.6% total – all departments in the General Fund remained under budget to contribute to this result Personnel costs in the General Fund contributed $355,183 to this savings across all departments while Materials& Services added an additional $1,725,174

in savings. $1,553,990 of this was due to unspent flexible spending across the department. Savings due to unspent capital appropriations totaled $2,320,050 primarily in Facilities projects not initiated or completed.

General Fund revenues exceeded the budget projections by $54,530 or 0.3%. This would have been higher, but due to the Local Government Investment Pool being valued at 98.98% resulting in a loss of $475,000 on investments which was all recognized in the General Fund. Intergovernmental revenues were under the budget by $455,990 due to timing of revenue – this had already been recognized at the end of FY21 so is included in the beginning fund balance. Licenses, fees & permits exceeded the budgeted plan by $189,642 Property taxes exceeded the budgeted amount by $216,737.

The Public Works fund saw revenues exceed the budget by $457,662 due to Intergovernmental funds ($562,905 above budget). Additionally, investments earnings have decreased significantly by $20,590

CAPITAL ASSETS AND DEBT ADMINISTRATION
As of June 30, 2022 the County had invested over $35.2 million in capital assets, after depreciation the net value of the assets is $17.7 million.

Table 3
CAPITAL ASSETS SUMMARY

	Beginning Balance	Additions	Deletions	Ending Balance
Land	**$ 1,370,320**	**$ -**	**$ -**	**$ 1,370,320**
Depreciable Assets				
Buildings	15,752,400	125,014	-	15,877,414
Furniture & Equipment	11,425,048	1,114,606	-	12,539,654
Infrastructure	5,433,139	-	-	5,433,139
	32,610,587	1,239,620	-	33,850,207
Accumulated Depreciation				
Buildings	4,801,372	266,603		5,067,975
Furniture & Equipment	8,860,792	499,572		9,360,364
Infrastructure	2,888,771	217,326		3,106,097
	16,550,935	983,501	-	17,534,436
Depreciable Assets - Net	**16,059,652**	**256,119**	**-**	**16,315,771**
Net Fixed Assets	**$ 17,429,972**	**$ 256,119**	**$ -**	**$ 17,686,091**

The net value of the fixed assets remained flat – actually increasing $256,118 or 1.5%

DEBT OUTSTANDING
At the close of the fiscal year, the only long term liabilities (debt) for the County consisted of Compensated Absences, OPEB obligation, Net Pension Liability, and Lease Liability.

Table 4

Long Term Liabilities

	Beginning Balance	Additions	Deletions	Ending Balance	Due in One Year
Compensated Absences	$ 145,112	$ 121,481	$ (145,112)	$ 121,481	$ 121,481
OPEB Obligation	752,257	11,562	-	763,819	
Net Pension Liability	12,056,898	-	(6,892,770)	5,164,128	
Lease Liabilities	10,518	97,814	(9,503)	98,829	9,503
Long Term Liabilities	$ 12,964,785	$ 230,857	$ (7,047,385)	$ 6,148,257	$ 130,984

ECONOMIC FACTORS

Wasco County's permanent rate is $4.2523 per thousand. This absolute limitation on tax revenues and the County's dependence on property taxes do not allow it to keep pace with increased demands for services. Counties are highly susceptible to economic pressures given the large reliance on property taxes to fund County services. This creates a certain amount of financial uncertainty for Counties as we move through economic cycles. Budgeting in this type of an environment where such a large percent of a county's budget can be impacted by market conditions creates challenges for forecasting budgets into the future. Property taxes represent approximately 35.3% of total General Fund revenues. The County does monitor all of its resources and determines the need for program adjustments or fee increases accordingly.

2022 – 2023 YEAR BUDGET

The budget for fiscal year 2023 has been compiled. The major guideline is to maintain the current service levels. Any additional service must be supported by a sustainable revenue source. Budgets also considered the impact of COVID where reasonably determinable.

FINANCIAL CONTACT

The County's financial statements are designed to be presented to users (citizens, taxpayers, customers, investors and creditors) with a general overview of the County's finances and to demonstrate the County's accountability. If you have questions about the report or need additional financial information, please contact the County's Finance Director at 511 Washington Street, Room 207, The Dalles Oregon 90758.

Wasco County, Oregon
Statement of Net Position
June 30, 2022
(all amounts are in dollars)

	Primary Government	
	Governmental Activities	Component Units
Assets		
Cash and investments	$ 47,453,054	$ 2,696,035
Receivables, net of allowances for uncollectibles		
Property taxes	469,622	93,275
Other	2,347,467	-
Lease	587,847	
Inventory	500,609	-
Prepaids	126,963	-
Investment in joint venture	2,653,705	-
Capital assets:		-
Non-depreciable capital assets	1,370,320	-
Depreciable capital assets, net of depreciation	16,315,771	-
Lease assets net of amortization	88,510	-
Total assets	71,913,868	2,789,310
Deferred Outflows of Resources		
Deferred outflow of resources - pension	10,660,173	-
Deferred outflow of resources - OPEB	174,081	-
Total deferred outflows of resources	10,834,254	-
Liabilities		
Accounts payable	800,556	30,000
Accrued liabilities	685,509	-
Lease Liability due in one year	23,391	
Non-current liabilities		
Compensated absences	121,481	-
OPEB obligation	763,819	
Net pension liability	5,164,128	
Lease Liability	75,438	-
Total liabilities	7,634,322	30,000
Deferred Inflows of Resources		
Deferred inflow of resources - pension	6,988,952	
Deferred inflow of resources - OPEB	87,043	
Deferred inflow of resources - Leases	578,334	-
Total deferred inflows of resources	7,654,329	-
Net Position		
Net investment in capital assets	17,686,091	-
Restricted for:		
General government	38,824	-
Public safety	2,465,527	-
Highways and streets	7,695,398	-
Health and welfare	-	-
Culture and recreation	691,591	-
Unrestricted	38,882,040	2,759,310
Total net position	$ 67,459,471	$ 2,759,310

The notes to the financial statements are an integral part of this statement

Wasco County, Oregon
Statement of Activities
For the year ended June 30, 2022
(all amounts are in dollars)

Functions/Programs	Expenses	Program Revenues: Charges for Services	Program Revenues: Operating Grants and Contributions	Program Revenues: Capital Grants and Contributions	Net (Expense) Revenue and Changes in Net Position: Total Governmental Activities	Net (Expense) Revenue and Changes in Net Position: Component Units
Primary Government						
General government	$ 16,644,222	$ 3,714,283	$ 7,235,049	$ -	$ (5,694,890)	$ -
Public Safety	4,632,270	3,314,454	-	-	(1,317,816)	-
Highways and streets	3,787,521	4,077,423	-	-	289,902	-
Health and welfare	877,331	-	-	-	(877,331)	-
Culture and recreation	364,195	338,432	-	-	(25,763)	-
Total primary government	26,305,539	11,444,592	7,235,049	-	(7,625,898)	-
Component Unit						
Component units	$ 2,244,396	$ -	$ -	$ -		$ (2,244,396)
General Revenues:						
Property taxes					11,141,657	2,271,357
Other taxes					666,923	-
Interest and investment earnings					(175,254)	16,035
Miscellaneous					1,231,595	32,075
Transfer from other government					-	
Gain (loss) on joint venture					57,670	
Total general revenues					12,922,591	2,319,467
Change in net position					5,296,693	75,071
Net position - beginning					62,162,778	2,684,239
Net position - ending					$ 67,459,471	$ 2,759,310

The notes to the financial statements are an integral part of this statement

Wasco County, Oregon
Balance Sheet - Governmental Funds
June 30, 2022
(all amounts are in dollars)

	General	Public Works	Total Non-Major Governmental Funds	Total Governmental Funds
Assets				
Cash and investments	26,247,078	7,745,500	13,460,475	47,453,053
Receivables:				
Taxes	469,622	-	-	469,622
Other	2,068,968	81,992	196,507	2,347,467
Leases	578,334	-	-	578,334
Prepaids	126,963	-	-	126,963
Inventories	-	500,609	-	500,609
Total assets	29,490,965	8,328,101	13,656,982	51,476,048
Liabilities				
Accounts payable	354,868	132,094	313,594	800,556
Accrued liabilities	683,809	-	1,700	685,509
Total Liabilities	1,038,677	132,094	315,294	1,486,065
Deferred inflows of resources:				
Unavailable revenue	1,739,796	-	-	1,739,796
Unavailable lease revenue	578,334	-	-	578,334
Total deferred inflows of resources	2,318,130	-	-	2,318,130
Fund Balances				
Nonspendable	126,963	500,609	-	627,572
Restricted	-	7,695,398	4,513,085	12,208,483
Committed	11,776,334	-	5,065,416	16,841,750
Assigned	-	-	3,763,187	3,763,187
Unassigned	14,230,861	-	-	14,230,861
Total fund balances	26,134,158	8,196,007	13,341,688	47,671,853
Total liabilities, deferred inflows of resources and fund balances	29,490,965	8,328,101	13,656,982	51,476,048

The notes to the financial statements are an integral part of this statement

Wasco County, Oregon
Reconciliation of the Balance Sheet of Governmental Funds
to the Statement of Net Position
June 30, 2022
(all amounts are in dollars)

Total fund balances - governmental funds		$ 47,671,853
Amounts reported for governmental activities in the statement of net position are different because:		
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds:		
Capital assets	$ 35,220,526	
Accumulated depreciation	(17,534,435)	17,686,091
Lease assets used in governmental activities are not financial resources and, therefore, are not reported in the funds:		
Lease Assets	108,332	
Accumulated amortization	(10,309)	98,023
Investments in joint ventures are not financial resources and, therfore are not reported in the funds		2,653,706
Certain non-current assets and deferred outflows of resources recorded in the Statement of Net Position expended in the governmental funds:		
Deferred outflows of resources - pension	10,660,173	
Deferred outflows of resources - OPEB	174,081	10,834,254
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the funds:		
Net pension liability	(5,164,128)	
Other post employment benefits payable	(763,819)	
Compensated absences payable	(121,481)	
Lease liability	(98,829)	(6,148,257)
Deferred inflows of resources on the Statement of Net Position represent amounts that were not available to fund current expenditures, and therefore are not reported in the governmental funds. However unavailable revenue in the governmental funds is considered available in the Statement of Activities:		
Deferred inflows of resources - pension	(6,988,952)	
Deferred inflows of resources - OPEB	(87,043)	
Unavailable revenue	1,739,796	(5,336,199)
Total net position - governmental activities		$ 67,459,471

Wasco County, Oregon
Statement of Revenues, Expeditures and Changes in Fund Balance
Governmental Funds
For the year ended June 30, 2022
(all amounts are in dollars)

	General	Public Works	Total Non-Major Governmental Funds	Total Governmental Funds
Revenues				
Property taxes	$ 11,141,657	-	$ -	$ 11,141,657
Licenses, fees and permits	2,435,412	14,252	1,282,396	3,732,060
Intergovernmental	4,981,927	3,634,997	2,826,849	11,443,773
Federal revenues	-	-	-	-
Charges for services	87,987	382,211	494,212	964,410
Fines and restitution	36,061	-	29,565	65,626
Investment earnings	(296,856)	45,061	76,541	(175,254)
Rents	256,557	-	-	256,557
Internal services	-	-	-	-
Grants and donations	-	-	2,884,138	2,884,138
Miscellaneous	981,112	8,564	229,727	1,219,403
Pass-through payments	6,375	-	-	6,375
Total revenues	19,630,232	4,085,085	7,823,428	31,538,745
Expenditures				
Current:				
Assessor	677,561	-	-	677,561
Clerk	350,691	-	11,970	362,661
Sheriff	2,560,249	-	2,763,999	5,324,248
Employee and administrative services	3,038,089	-	-	3,038,089
Administration	6,905,852	-	4,154,790	11,060,642
District attorney	825,637	-	18,426	844,063
Planning	649,479	-	453,292	1,102,771
Public works	53,479	4,369,102	23,084	4,445,665
Youth services	943,038	-	-	943,038
Total expenditures	16,004,075	4,369,102	7,425,561	27,798,738
Excess (deficiency) of revenues over (under) expenditures	3,626,157	(284,017)	397,867	3,740,007
Other Financing Sources (Uses)				
Transfer from other government	-	-	-	-
Transfers from other funds	2,896,526	780,288	257,145	3,933,959
Transfers to other funds	(2,535,499)	(780,288)	(618,172)	(3,933,959)
Gain/loss on the sale of fixed assets	5,817	-	-	5,817
Total other financing sources (uses)	366,844	-	(361,027)	5,817
Net change in fund balances	3,993,001	(284,017)	36,840	3,745,824
Fund balances - beginning	22,141,157	8,480,024	13,304,848	43,926,029
Fund balances - ending	$ 26,134,158	8,196,007	$ 13,341,688	$ 47,671,853

The notes to the financial statements are an integral part of this statement

Wasco County, Oregon
Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balances of Governmental Funds to the Statement of Activities
For the year ended June 30, 2022
(all amounts are in dollars)

Net change in fund balances - governmental funds		$ 3,745,824
Amounts reported for governmental activities in the statement of activities are different because:		
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of these assets is allocated over their estimated useful lives and reported as depreciation expense. This amount is the difference between capital outlays and depreciation in the current period.		
Capital asset expenditures	1,239,619	
Gain/loss on disposal of capital assets	-	
Current year depreciation expense	(983,501)	
Current year lease amortization expense	(10,309)	245,809
Change in the lease receivable		-
The County has an equity interest in a joint venture. The allocated gain or (loss) from this investment is not a current financial resource and therefore is not reported in the governmental funds.		57,670
Revenues in the funds that do not provide current financial resources are not reported as revenues in the Statement of Activities as follows:		
Change in unavailable revenues		(910,997)
Changes in deferred inflows of resources not available to fund current expenditures and therefore not reported in the governmental funds		
Related to pensions and OPEBs		(287,176)
Related to leases		19,016
Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.		
Change in compensated absences	23,631	
Change in other post employment benefits	11,562	
Change in pension liability	2,391,354	
Change in lease liability	-	2,426,547
Change in net position - governmental activities		$ 5,296,693

Wasco County, Oregon
Statement of Fiduciary Net Position
June 30, 2022
(all amounts are in dollars

	Private-Purpose Trust Funds	Custodial Funds
Assets		
Cash with treasurer	118,691	2,828,903
Taxes receivable		1,214,882
Accounts receivable		
Total assets	118,691	4,043,785
Liabilities		
Accounts payable	-	-
Due to other governments	-	2,376,079
Total Liabilities	-	2,376,079
Net Position	118,691	1,667,706

The notes to the financial statements are an integral part of this statement

Wasco County, Oregon
Statement of Changes in Fiduciary Net Position
For the year ended June 30, 2022
(all amounts are in dollars)

	Private-Purpose Trust Funds	Custodial Funds
Additions:		
Investment earnings	480	13,191
Miscellaneous	48,995	30,925,156
Total Additions	49,475	30,938,347
Deductions		
Materials and services	2,760	30,839,008
Change in net position	46,715	99,339
Net position held - beginning	71,976	1,568,367
Net Position held - ending	118,691	1,667,706

The notes to the financial statements are an integral part of this statement

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:

The accounting policies of Wasco County, Oregon conform to the generally accepted accounting principles (GAAP) as applicable to governments. The following is a summary of the more significant policies:

A. REPORTING ENTITY:

Wasco County, Oregon is a non-home rule county governed by an elected Board of County Commissioners consisting of three County Commissioners, one of whom serves as County Chair. Other elected officials include the County Clerk, County Treasurer, County Sheriff, County Assessor and County District Attorney.

As required by GAAP, these financial statements present the County and its component units – legally separate entities for which the County is considered to be financially accountable. Financial accountability is defined by GASB 61, as appointment of a voting majority of the component unit's board and either a) the ability to impose its will on the organization, or b) the possibility that the component unit will provide a financial benefit or impose a financial burden on the primary government.

Wasco County reports two component units. These are the Wasco County 4-H and Extension Service District and the Wasco County Library Service District. These Districts began operations July 1, 2008 and are included in the County's statements as discretely presented component units. Each District has separate audited financial statements available upon request through Wasco County.

B. GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS:

The statement of net position and the statement of activities display information about the primary government (the County) and its component unit. These statements include the financial activities of the overall government, except for fiduciary activities. Eliminations have been made to minimize the double-counting of internal activities. These statements distinguish between the governmental and business-type activities of the County. Governmental activities generally are financed through taxes, intergovernmental revenues and other non-exchange transactions. Business-type activities are financed in whole or in part by fees charged to external parties.

The statement of activities presents a comparison between direct expenses and program revenues for the different business-type activities of the County and for each function of the County's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Program revenues include (a) fees, fines and charges paid by the recipients of goods or services offered by the programs and (b) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, are presented as general revenues.

The fund financial statements provide information about the County's funds, including its fiduciary funds and blended component units. Separate statements for each fund category governmental, proprietary and fiduciary-are presented. The emphasis of fund financial statements is on major governmental and enterprise funds, each displayed in a separate column. All remaining governmental and enterprise funds are aggregated and reported as non-major funds.

C. MEASUREMENT FOCUS, BASIS OF ACCOUNTING AND FINANCIAL STATEMENT PREPARATION:

The government-wide, and fiduciary fund financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses

are recorded at the time liabilities are incurred, regardless of when the related cash flows take place. Non exchange transactions, in which the County gives (or receives) value without directly receiving (or giving) equal value in exchange, include property taxes, grants, entitlements and donations. On an accrual basis, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. Revenue from grants, entitlements and donations is recognized in the fiscal year in which all eligibility requirements have been satisfied.

Governmental funds are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. The County considers all revenues reported in the governmental funds to be available if the revenues are collected within sixty days after year-end. Property taxes, sales taxes, franchise taxes, licenses and interest are considered to be susceptible to accrual. Expenditures are recorded when the related fund liability is incurred, except for principal and interest on general long-term debt, claims and judgments, and compensated absences, which are recognized as expenditures to the extent they have matured. Capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of general long-term debt and financing from capital leases are reported as other financing sources.

Property taxes, franchise taxes, licenses, and interest associated with the current period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Only the portion of special assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the County.

GASB 34 establishes criteria (percentage of the assets, liabilities, revenues or expenditure/expense of either fund category or the governmental and enterprise funds combined) for the determination of major funds. Nonmajor funds are combined in a single column in the fund financial statements. The County reports the following major governmental funds:

GENERAL FUND: This is the County's primary operating fund and is always considered a major fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

PUBLIC WORKS FUND: This fund accounts for revenues and expenditures used in constructing and maintaining County roads.

Additionally, the County reports the following fund types:

SPECIAL REVENUE FUNDS: These funds are primarily operating funds that account for revenue derived from specific taxes or other revenue sources, which are legally restricted to finance particular functions or activities. When a special revenue fund is not an operating fund, transfers are made from the special revenue fund to the operating funds authorized to make the expenditures.

CAPITAL PROJECTS FUNDS: Expenditures for major construction projects or equipment acquisitions are accounted for in the capital projects funds.

CUSTODIAL FUNDS: These funds account for assets held by the County in a custodial capacity. These funds consist of monies owed to component taxing districts.

D. ASSETS, LIABILITIES AND NET POSITION:

1. *Cash, Cash Equivalents, and Investments:* State statutes authorize the County to invest in obligations of the U.S. Treasury, certificates of deposit, U.S. government agency securities, instrumentalities of U.S. government-sponsored corporations, commercial paper, bankers' acceptances, repurchase agreements and the State of Oregon Treasurer's Local Government Investment Pool (LGIP). Additionally, Oregon Revised Statutes require that deposits be made with approved depository banks. Local Government Investment Pool balances are backed by the full faith and credit of the State of Oregon.

   The County maintains a cash and investment pool for all of the County's funds. Monies within the cash and investment pool are identified by fund and by type. Interest earned on the cash and investment pool is allocated to the individual funds based on the individual fund's average cash balance for the period in which the interest was earned. The cash and investment pool possesses the general characteristics of a demand deposit account since the cash and investment pool has sufficient liquidity in that any fund may deposit or withdraw cash at any time without notice or penalty.

2. *Inventories and Prepaid Expenses:* Inventory-type items are considered to be an expenditure when purchased. Except for the Public Works Fund, the amount of inventory at year end was not considered significant and is not reported on the balance sheet. The Public Works Fund inventory is recorded at valued at cost using the first-in/first-out (FIFO) method.. Certain payments to vendors reflect costs applicable to future accounting periods and are reported as prepaid expenses.

3. *Fund Balance*: In the fund financial statements, Government Accounting Standards Board Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions* (GASB 54) defines the different type of fund balances a government entity must use for financial reporting purposes. GASB 54 requires the fund balance amounts be properly reported within one of the five fund balance components below:

   Nonspendable – Includes amounts that cannot be spent because of either 1) not in spendable form or 2) legally or contractually required to be maintained intact.

   Restricted – Consists of amounts that can only be spent for specific purpose stipulated by external resource providers, constitutional provisions or enabling legislation.

   Committed – Consists of amounts that can only be used for the specific purposes determined by a formal action of the County's highest level of decision-making authority, which includes resolutions. Those committed amounts cannot be used for any other purpose unless the County removes or changes the specified use by taking the same type of action (resolution) it employed previously to commit the amounts.

   Assigned – Consists of amounts intended to be used by the government for specific purposes but do not meet the criteria to be classified as restricted or committed. The authority for assigning fund balance is expressed by the Board of Commissioners, or their designee as established in the County's Fund Balance Policy.

Unassigned – The residual classification of fund balance includes all spendable amounts that have not been restricted, committed or assigned.

When both restricted and unrestricted resources are available for use, it is the County's policy to use restricted resources first, then unrestricted resources (committed, assigned and unassigned) as they are needed. When unrestricted resources (committed, assigned and unassigned) are available for use, it is the County's policy to use committed resources first, then assigned and then unassigned as needed.

Below is a schedule of ending fund balances, based on the standards in GASB 54:

GASB 54 Schedule of ending fund balances

Fund Balances	General Fund	Public Works Fund	Non-Major Funds	Total All Funds
Total Nonspendable	**126,963**	**500,609**	**-**	**627,572**
Restricted:				
Public Works Fund	-	3,226,471	-	3,226,471
Road Reserve Fund	-	4,468,927	-	4,468,927
County Fair Fund	-	-	304,716	304,716
County School Fund	-	-	1,000	1,000
Land Corner Perservation Fund	-	-	146,972	146,972
Forest Health Fund	-	-	467,888	467,888
Law Laibrary Fund	-	-	143,362	143,362
Parks Fund	-	-	242,513	242,513
Community Corrections Fund	-	-	1,062,080	1,062,080
Court Facilities Fund	-	-	265,789	265,789
Clerk Records Fund	-	-	38,824	38,824
Economic Development Fund	-	-	1,479,006	1,479,006
911 Communications Fund	-	-	360,935	360,935
Total Restricted	**-**	**7,695,398**	**4,513,085**	**12,208,483**
Committed:				
Building Codes - General Fund	-	-	3,420,981	3,420,981
Buidling Codes - Electrical Fund	-	-	667,843	667,843
Household Hazardous Waste Fund	-	-	715,280	715,280
District Attorney Fund	-	-	2,035	2,035
Museum Fund	-	-	259,277	259,277
Kramer Field Fund	35,892	-	-	35,892
Equipment Reserve Fund	308,835	-	-	308,835
Facility Reserve Fund	3,594,801	-	-	3,594,801
General Operating Reserve Fund	7,836,806	-	-	7,836,806
Total Committed	**11,776,334**	**-**	**5,065,416**	**16,841,750**
Assigned:				
Capital Acquisition Fund	-	-	3,763,187	3,763,187
Total Assigned	**-**	**-**	**3,763,187**	**3,763,187**
Total Unassigned	**14,230,861**	**-**	**-**	**14,230,861**
Fund Balances	**$ 26,134,158**	**$ 8,196,007**	**$ 13,341,688**	**$ 47,671,853**

4. *Capital Assets*: Include property and equipment, infrastructure and land, and are reported in the government-wide financial statements. Capital assets (other than infrastructure) are defined by the County as assets with an initial individual cost of more than $5,000 and an estimated useful life of more

than one year. Infrastructure assets are defined by the County as assets with an initial, individual cost of more than $50,000. Such assets are recorded at historical cost or estimated historical cost is purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation. The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Property, plant and equipment of the County, are depreciated using the straight-line method over the following estimated useful lives:

Equipment and Software	5 to 45 years
Buildings and Improvements	45 to 100 years
Infrastructure	25 to 100 years

5. *Compensated Absences:* Vacation time for employees who are members of bargaining units accumulates based on the number of years of service, ranging from 10 to 20 working days per year. Vacation pay is vested when earned.

   Vacation time for employees who are not member of bargaining units is awarded based on the number of years of service, ranging from 12 to 28 working days per year. Vacation is awarded on a pro-rata basis each pay period. The liability for compensated absences reported in the government-wide consists of unpaid, accumulated annual and sick leave balances. The liability has been calculated using the vesting method, in which leave amounts for both employees who currently are eligible to receive termination payments and other employees who are expected to become eligible in the future to receive such payments upon termination are included.

   Sick leave accumulates at the rate of twelve (12) days per year for full time employees. There is no limit on accumulation, and it is not compensable upon termination of employment.

6. *Investment in Joint Ventures:* Investment in joint ventures with other governments is reported at cost plus or minus the County's share of operating income or loss utilizing the equity method of accounting for investments.
7. *Lease Assets:* Lease assets are assets which the governmental leases for a term of more than one year. The value of leases is determined by the net present value of the leases at the government's incremental borrowing rate at the time of the lease agreement, amortized over the term of the agreement.
8. *Leases Payable:* In the government-wide financial statements, leases payable are reported as liabilities in the Statement of Net Position. In the governmental fund financial statements, the present value of the lease payments is reported as other financial sources.
9. *Long-Term Obligations:* In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the Statement of Net Position. Bond premiums and discounts are deferred and amortized over the life of the bonds. Bonds payable are reported net of the applicable bond premium or discount. Bond issuance costs are treated as period costs in the year of issue and are shown as other financial uses. In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs during the current period. The face amount of debt issued is reported as debt service expenditures..
10. *Property tax revenues and receivables:* Property taxes are collected by the Wasco County Tax Collector and distributed to County Funds monthly. The fund financial statements reflect property taxes as

revenue when collected by the Tax Collector and available to the County to pay current period expenditures. The government-wide financial statements reflect property taxes as revenue in the year levied.

Property taxes receivable at year end have been reported on the balance sheet. No allowance has been made for uncollectible taxes since past history has shown losses to be minimal. In the fund financial statements, taxes receivable considered not available for payment of current year expenditures have been offset as deferred inflows of resources – unavailable revenue.

Property taxes are levied on July 1st pursuant to Oregon Revised Statute 310.030. Taxes are payable in full on November 15th or are payable in installments the last of which is due on May 15th of the year following the year in which imposed. Taxes become delinquent on real property if not paid by May 15th. On January 1st and July 1st, tax liens attach to person and real property respectively to secure payment of all taxes, penalties and interest ultimately imposed. Personal property is subject to summary seizure and the responsible taxpayer is subject to warrant service 30 days after the delinquency date. Foreclosure proceedings begin on real property after three years from the date taxes become delinquent.

11. *Deferred outflows/inflows of resources:* In addition to assets, the Statement of Net Position will sometimes report a separate section for deferred outflow of resources. This separate financial statement element represents a consumption of net position that applies to a future period and so will not be recognized as an outflow of resources (expense/expenditure) until then.

    In addition to liabilities, the Statement of Net Position will sometime report a separate section for deferred inflows of resources. This separate financial statement element represents an acquisition of net position that applies to a future period and so will not be recognized as an inflow of resources (revenue) until that time.

12. *Pensions:* Substantially all of the District's employees are participants in the State of Oregon Public Employees Retirement System (PERS). For the purpose of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about fiduciary net position of PERS and additions to/deductions from PERS's fiduciary net position have been determined on the same basis as they are reported by PERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

13. *Interfund Activity:*
    Transfers – Transactions that constitute reimbursements to a fund for expenditures initially made from it that are properly applicable to another fund, are recorded as expenditures in the reimbursing fund and as reductions of expenditures in the fund that is reimbursed. Operating interfund transactions are reported as transfers. Nonrecurring or non-routine permanent transfers of equity are reported as residual equity transfers.

    Receivables and Payables – Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as "due to/from other funds" (i.e., current portion of interfund loans).

14. *Use of Estimates:* the financial statements and related disclosures are prepared in conformity with accounting principles generally accepted in the United States. Management is required to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities at the date of the financial statements, and revenues and expenses during the period reported. These estimates include assessing the collectability of accounts receivable, use and recoverability of inventory and the useful lives and impairment of tangible and intangible assets, among others. Estimates and assumptions are reviewed periodically and the effects of revisions are reflected in the financial statements in the period determined to be necessary. Actual results could differ from the estimates.
15. *Other Post-Employment Benefits (OPEB) Obligations:* The County's net OPEB obligation is recognized as a liability and the Annual Required Contribution (ARC) is expensed, as determined by the County's actuary, in the government-wide financial statements.
16. *Fair Value Inputs and Methodologies and Hierarchy:* Fair value is defined as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Observable inputs are developed based on market data obtained from sources independent of the reporting entity. Unobservable inputs are developed based on the best information available about the assumptions market participants would use in pricing the asset. The classification of securities within the fair value hierarchy is based up on the activity level in the market for the security type and the inputs used to determine their fair value, as follows:
    - Level 1 – unadjusted price quotations in active markets/exchanges for identical assets or liabilities that each Fund has the ability to access
    - Level 2 – other observable inputs (including, but not limited to, quoted prices for similar assets or liabilities in markets that are active, quoted prices for identical or similar assets or liabilities in markets that are not active, inputs other than quoted prices that are observable for the assets or liabilities (such as interest rates, yield curves, volatilities, loss severities, credit risks and default rates) or other market–corroborated inputs)
    - Level 3 – unobservable inputs based on the best information available in the circumstances, to the extent observable inputs are not available (including each Fund's own assumptions used in determining the fair value of investments)
17. *Net Position:* Net position is comprised of the various net earnings from operations, nonoperating revenues, expenses and contributions of capital. Net position is classified in the following three categories:

    Net Investment in Capital Assets – consists of all capital assets, net of accumulated depreciation and reduced by any outstanding balances of any bonds or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.

    Restricted – consists of external constraints placed on asset use by creditors, grantors, contributors, or laws or regulations of other governments or constraints imposed by law through constitutional provisions or enabling legislation. A portion of Net Position is restricted for Debt Service and for System Development.

    Unrestricted net position – consists of all other assets that are not included in the other categories previously mentioned.

Sometimes the County will fund outlays for a particular purpose from both restricted and unrestricted resources. In order to calculate the amounts to report as restricted net position and unrestricted net position in the government-wide financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the County's policy to consider restricted net position to have been depleted before unrestricted net position is applied.

NOTE 2 – STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY:

A. BUDGETS AND BUDGETARY ACCOUNTING:

Budgets are prepared on the modified accrual basis for all funds. Except for the Fiduciary Fund, all of which are agency funds that account for "pass-through" transactions, the County adopts annual budgets for each of its funds, and sub-funds as determined appropriate, as required by state law. The resolution, authorizing appropriations for each fund, sets the level by which expenditures cannot lawfully exceed appropriations. The levels of control established by the resolution are: personnel services, materials and services, debt service, capital outlay and transfers out. The County's published budget contains more specific detailed information for the above mentioned expenditure categories. Unexpected additional resources may be added to the budget through the use of a supplemental budget and appropriation resolution. Original and supplemental budgets may be modified by the use of appropriation transfers between the levels of control. Such transfers require approval of the Board of County Commissioners. Appropriations lapse at year-end.

The County adopted resolutions for appropriation transfers which adjusted the fiscal year 2021-2022 original Budget, as well as several appropriation transfers. Expenditures of the various funds were within authorized appropriations with one exception. The Fair fund exceeded the revised budget by $84. The fund had enough in the Contingency account to do a budget adjustment, but the adjustments that had been done were just not enough.

NOTE 3 – DETAILED NOTES ON ALL FUNDS:

A. CASH AND INVESTIMENTS:

The County maintains a pool of cash and investments that are available for use by all funds. Each fund's portion of this pool is displayed on the financial statements as cash and investments. Interest earned on pooled cash and investments is allocated to participating funds based upon their combined cash and investment balances. Cash and Investments (recorded at cost) for the County, its discretely presented component units and fiduciary funds, are as follows:

Deposits with Financial Institutions	
Petty Cash	3,183
Demand Deposits	4,784,573
Investments	48,308,927
Total Cash and Investments	53,096,683

The County Investment of cash funds is regulated by Oregon Revised Statutes. Under these guidelines, cash funds may be invested in bank accounts, general obligation issues of the United States and its agencies, certain states and certain guaranteed investments issued by banks. During the year, the County purchased investment instruments, but did not participate in any repurchase of reverse repurchase agreements.

DEPOSITS:

Custodial Credit Risk is the risk that, in the event of a bank failure, the County's deposits may not be returned. The Federal Depository Insurance Corporation (FDIC) provides Insurance for the County's deposits with financial institutions up to $250,000 each for the aggregate of all non-interest bearing accounts and the aggregate of all interest bearing accounts at each institution. Deposits in excess of FDIC coverage with institutions participating in the Oregon Public Funds Collateralization Program. Oregon Revised Statutes and County policy require depository institutions to maintain on deposit, with the collateral pool manager, securities having a value not less than 10% of their quarter-end public fund deposits if they are well capitalized, 25% of their quarter-end public fund deposits if they are adequately capitalized, or 110% of their quarter-end public fund deposits if they are undercapitalized or assigned to pledge 110% by the Office of the State Treasurer. As of June 30, 2022, the total bank balance per the bank statements was $6,000,788. Of these deposits, $500,000 was covered by federal depository insurance. The remainder, if any, is collateralized the Oregon Public Funds Collateralization Program (PFCP).

INVESTMENTS:

State statutes authorize investment primarily in general obligations of the U.S. Government and its agencies, certain bonded obligations of Oregon municipalities, bank repurchase agreements, bankers' acceptances, certain commercial papers and the State Treasurer's Investment Pool, among others. Investments are valued at fair value as required by GASB 72. The categorization of a value determined for investments is based on the pricing transparency of the investments and is not necessarily an indication of the risks associated with investing in those securities. Security pricing is provided by a third-party, and is reported monthly to the County by its custodian bank. US Government agencies fall into level 1 of the fair value hierarchy. Banker's acceptances and LGIP fall under level 2 of the fair value hierarchy.

Investment Type	Maturity	Cost	
Local Government Investment Pool	1 Day	$	48,308,927
US Government Agency Securities	Less than 1 year		-
Corporate Bond	Under 3 year		-
		$	48,308,927

Investment Pool: Investments in the Local Government Investment Pool (LGIP) are included in the Oregon Short-Term Fund, which is an external investment pool that is not a 2a-7-like external investment pool, and is not registered with the U.S. Securities and Exchange Commission as an investment company. Fair value of the LGIP is calculated at the same value as the number of pool shares owned. The unit of account is each share held, and the value of the position would be the fair value of the pool's share price multiplied by the number of shares held. Investments in the Short-Term Fund are governed by ORS 294.135, Oregon Investment Council, and portfolio guidelines issued by the Oregon Short-Term Fund Board, which establish diversification percentages and specify the types and maturities of investments. The portfolio guidelines permit securities lending transactions as well as investments in repurchase agreements and reverse repurchase agreements. The fund appears to be in compliance with all portfolio guidelines at June 30, 2022. The LGIP seeks to exchange shares at $1.00 per share; an investment in the LGIP is neither insured nor guaranteed by the FDIC or any other government agency. Although the LGIP seeks to maintain the value of share investments at $1.00 per share, it is possible to lose money by investing in the pool.

We intend to measure these investments at book value since it approximates fair value. The pool is comprised of a variety of investments. These investments are characterized as a level 2 fair value measurement in the

Oregon Short Term Fund's audited financial report. As of June 30, 2022, the fair value of the position in the LGIP is 98.98% of the value of the pool shares as reported in the Oregon Short Term Fund audited financial statements. Amounts in the State Treasurer's Local Government Investment Pool are not required to be collateralized. The County's position in the Pool at June 30, 2022 is stated at the fair value.

Custodial Credit Risk – Investments is the risk that, in the event of failure of the counterparty (e.g., broker dealer) to a transaction, a government will not be able to recover the value of its investment of collateral securities that are in the possession of another party. The County's investment policy provides that broker/dealers and financial institutions meet certain qualifications which are reviewed annually.

Credit Risk – Investments is the risk an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. The State of Oregon Local Government Investments Pool is unrated. The minimum weighted average credit rating of the portfolio's rated investments shall be Aa/AA/AA.

Concentration of Credit Risk – Investments is the risk of loss attributed to the magnitude of an entity's investment in a single issuer. The County diversifies the investment portfolio to avoid incurring unreasonable risks, both credit and interest rate risk, inherent in the over-investing in specific instruments, individual financial institutions or maturities.

Interest Rate Risk – Investments is the risk interest rates will increase after investments are purchased. The County mitigates this risk by matching investment maturities to expected cash outflows. Unless matched to a specific cash flow requirement, the County does not invest in securities maturing more than five years from the date of settlement. The maximum average maturity of the County's portfolio cannot exceed 2.5 years at any time.

Foreign Currency Risk – Investment is the risk of loss caused by investing in foreign currencies. The County's investment policy mitigates this risk by prohibiting investments not U.S. dollar denominated. Therefore, the County is not exposed to this risk.

Issue Type	Maximum % Holdings	Minimum Ratings Moody's / S&P / Fitch
US Treasury Obligations	100%	None
US Agency Securities	100%	-
Per Agency (Senior Obligations Only)	33%	-
Oregon Short Term Fund	Maximum allowed per ORS 294.810	-
Bankers' Acceptances	25%[1]	A1+/P1/F1+
Time Deposits/Savings Accounts/Certificates of Deposit[2]	50%	-
Per Institution	25%	
Repurchase Agreements	5%	-
Corporate Debt (Total)	15%[3]	-
Corporate Commercial Paper	15%[3]	
Per Issuer	2.5%[4]	A1/P1/F1

Corporate Bonds	10%[3]	
Per Issuer	2.5%[4]	Aa2/AA/AA
Municipal Debt (Total)	10%	-
Municipal Commercial Paper	10%	A1/P1/F
Municipal Bonds	10%	1

[1] 25% Maximum per ORS 294.035(D)
[2] As authorized by ORS 294.035(3)(d)
[3] 35% Maximum per ORS 294.035(D)
[4] 5% Maximum per ORS 294.035(D)

B. CAPITAL ASSETS:

The following schedule shows the changes in the Capital Assets for the year ended June 30, 2022:

Capital Assets Summary

	Beginning Balance	Additions	Deletions	Ending Balance
Land	**$1,370,320**			**$1,370,320**
Depreciable Assets				
Buildings	15,752,400	125,014		15,877,414
Furniture & Equipment	11,425,048	1,114,605		12,539,653
Infrastructure	5,433,139			5,433,139
	32,610,587	1,239,619	-	33,850,206
Accumulated Depreciation				
Buildings	4,801,372	266,603		5,067,975
Furniture & Equipment	8,860,792	499,572		9,360,364
Infrastructure	2,888,771	217,326		3,106,097
	16,550,935	983,501	-	17,534,436
Depreciable Assets - Net	**16,059,652**	**256,118**	**-**	**16,315,770**
Net Fixed Assets	$17,429,972	$256,118	$0	$17,686,090

Depreciation By Program for the year:	
General Government	370,166
Public Safety	89,181
Highways & Streets	450,678
Health & Welfare	46,985
Culture & Recreation	26,491
Total	983,501

C. INVESTMENT IN JOINT VENTURES:

The QualityLife Intergovernmental Agency (QLife) is jointly owned by the City of The Dalles and Wasco County, Oregon , each party owning 50 percent. QLife operates a fiber optic network to the residents and businesses in The Dalles, Wasco County and Maupin. Revenues earned by QLife are expended for the continued operations and maintenance of the network. Upon dissolution of QLife, the net position would be shared 50 percent each

to the City and Wasco County. QLife is governed by a five-member board comprised of two appointees from the City, two appointees from Wasco County and a fifth member appointed by the other four. The County's net investment and its share of the operation results of QLife are reported in the County's governmental activities. Net position of the County's governmental fund increased $57,670 for a net gain in fiscal year ended June 30, 2022. The County's investment in QLife of $2,653,705 can be accounted for using the equity method. Complete financial statements for QLife can be obtained from Wasco County Finance Office, 511 Washington St, The Dalles, OR 97058.

D. LONG-TERM DEBT:

Changes in Long-Term Liabilities:

Long-term liability activity for the year ended June 30, 2022 was as follows:

	Balance 7/1/2021	Increase	Decrease	Balance 6/30/2022	Due in less than 1 year
Compensated Absences	145,112	121,481	(145,112)	121,481	121,481
OPEB Obligation	752,257	11,562	-	763,819	
Net Pension Liability	12,056,898	-	(6,892,770)	5,164,128	
Total Long-Term Liabilities	12,954,267	133,043	(7,037,882)	6,049,428	121,481

EMPLOYEE PENSION PLANS:

Plan Description – The Oregon Public Employees Retirement System (PERS) consists of a single cost-sharing multiple-employer defined benefit plan. All benefits of the system are established by the legislature pursuant to Oregon Revised Statute (ORS) Chapters 238 and 238A. Oregon PERS produces an independently audited Comprehensive Annual Financial Report which can be found at:

https://www.oregon.gov/pers/Documents/Financials/ACFR/2021-Annual-Comprehensive-Financial-Report.pdf

If the link is expired please contact Oregon PERS for this information.

a. *PERS Pension (Chapter 238).* The ORS Chapter 238 Defined Benefit Plan is closed to new members hired on or after August 29, 2003.

   i. *Pension Benefits*. The PERS retirement allowance is payable monthly for life. It may be selected from 13 retirement benefit options. These options include survivorship benefits and lump-sum refunds. The basic benefit is based on years of service and final average salary. A percentage (2.0 percent for police and fire employees, and 1.67 percent for general service employees) is multiplied by the number of years of service and the final average salary. Benefits may also be calculated under either a formula plus annuity (for members who were contributing before August 21, 1981) or a money match computation if a greater benefits results.

   A member is considered vested and will be eligible at minimum retirement age for a service retirement allowance if he or she has had a contribution in each of five calendar years or has reached at least 50 years of age before ceasing employment with a participating employer (age 45 for police and fire members). General service employees may retire after reaching age 55. Police and fire members are eligible after reaching age 50. Tier 1 general service employee benefits are reduced if retirement occurs prior to age 58 with fewer than 30 years of service. Police and fire member benefits are reduced if retirement occurs prior to age 55 with fewer than 25 years of

service. Tier 2 members are eligible for full benefits at age 60. The ORS Chapter 238 Defined Benefit Pension Plan is closed to new members hired on or after August 29, 2003.

ii. *Death Benefits*. Upon the death of a non-retired member, the beneficiary receives a lump-sum refund of the member's account balance (accumulated contributions and interest). In addition, the beneficiary will receive a lump-sum payment from employer funds equal to the account balance, provided on or more of the following contributions are met:
   - member was employed by PERS employer at the time of death,
   - member died within 120 days after termination of PERS covered employment,
   - member died as a result of injury sustained while employed in a PERS-covered job, or
   - member was on an official leave of absence from a PERS-covered job at the time of death.

iii. *Disability Benefits*. A member with 10 or more years of creditable service who becomes disabled from other than duty-connected causes may receive a non-duty disability benefit. A disability resulting from a job-incurred injury or illness qualifies a member (including PERS judge members) for disability benefits regardless of the length of PERS-covered service. Upon qualifying for either a non-duty or duty disability, service time is computed to age 58 (55 for police and fire members) when determining the monthly benefit.

iv. *Benefit Changes After Retirement*. Members may choose to continue participation in a variable equities investment account after retiring and may experience annual benefit fluctuations due to changes in the market value equity investments. Under ORS 238.360 monthly benefits are adjusted annually through cost-of-living changes. The cap on the COLA will vary based on the amount of the annual benefit.

b. *OPSRP Pension Program (OPSRP DB).* The ORS Chapter 238A Defined Benefit Pension Program provides benefits to members hired on or after August 29, 2003.

i. *Pension Benefits*. This portion of OPSRP provides a life pension funded by employer contributions. Benefits are calculated with the following formula for members who attain normal retirement age: *Police and fire*: 1.8 percent is multiplied by the number of years of service and the final average salary. Normal retirement age for police and fire members is age 60 or age 53 with 25 years of retirement credit. To be classified as a police and fire member, the individual must have been employed continuously as a police and fire member for at least five years immediately preceding retirement.

General service: 1.5 percent is multiplied by the number of years of service and the final average salary. Normal retirement age for general service members is age 65, or age 58 with 30 years of retirement credit.

A member of the pension program becomes vested on the earliest of the following dates: the date the member completes 600 hours of service in each of five calendar years, the date the member reaches normal retirement age, and, if the pension program is terminated, the date on which termination becomes effective.

ii. *Death Benefits.* Upon the death of a non-retired member, the spouse or other person who is constitutionally required to be treated in the same manner as the spouse, receives for life 50 percent of the pension that would otherwise have been paid to the deceased member.

iii. *Disability Benefits*. A member who has accrued 10 or more years of retirement credits before the member becomes disabled or a member who becomes disabled due to job-related injury shall receive a disability benefit of 45 percent of the member's salary determined as of the last full month of employment before the disability occurred.

iv. *Benefit Changes After Retirement*. Under ORS 238A.210 monthly benefits are adjusted annually through cost-of-living changes. The cap on the COLA will vary based on the amount of the annual benefit.

Contributions – PERS funding policy provides for monthly employer contributions at actuarially determined rates. These contributions, expressed as a percentage of covered payroll, are intended to accumulate sufficient assets to pay benefits when due. The funding policy applies to the PERS Defined Benefit Plan and the Other Postemployment Benefit Plans. Employer contribution rates during the period were based on the December 31, 2019 actuarial valuation, which became effective July 1, 2021. The state of Oregon and certain schools, community colleges, and political subdivision have made unfunded actuarial liability payments and their rates have been reduced. Employer contributions for the year ended June 30, 2022 were $3,043,786, excluding amounts to fund employer specific liabilities and including a lump sum payment establishing an account to pay down the County's net pension liability. The breakdown of the payment is $1,022,986 for normal yearly costs and $2,020,000 for the account to pay down the liability (referred to as a "Side Account"). In addition approximately $100,516 in employee contributions were paid or picked up by the County in fiscal 2022. At June 30, 2022, the County reported a net pension liability of $5,164,128 for its proportionate share of the net pension liability. The pension liability was measured as of June 30, 2021, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation dated December 31, 2019. The County's proportion of the net pension liability was based on a projection of the County's long-term share of contributions to the pension plan relative to the projected contributions of all participating employers, actuarially determined. As of the measurement date of June 30, 2021 the County's proportion was .043 percent. Pension expense for the year ended June 30, 2022 was $,1,752,293

The rates in effect for the year ended June 30, 2022 were:

(1) Tier 1/Tier 2 – 19.55%
(2) OPSRP general services – 14.45%
(3) OPSRP police and fire – 18.81%
(4) Rate Credit reduced all rates by 4.3%

	Deferred Outflow of Resources	Deferred Inflow of Resources
Differences between expected and actual experience	483,396	-
Changes of assumptions	1,292,737	13,591
Net difference between projected and actual earnings on investments	-	3,822,964
Changes in proportionate share	316,281	3,222,897
Differences between County contributions and proportionate share of system contributions	5,523,974	105,930
Subtotal	7,616,388	7,165,382
County contributions subsequent to measuring date	3,043,786	N/A
Deferred outflow (inflow) of resources	10,660,174	7,165,382

Deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ending June 30,	Amount
2023	$ 383,802
2024	270,043
2025	46,539
2026	(505,710)
2027	256,331
Thereafter	-
Total	$ 451,005

All assumptions, methods and plan provisions used in these calculations are described in the Oregon PERS system-wide GASB 68 reporting summary dated March 1, 2022. Oregon PERS produces an independently audited ACFR which can be found at:

https://www.oregon.gov/pers/EMP/Pages/GASB.aspx

Actuarial Valuations: The employer contribution rates effective July 1, 2021 through June 30, 2023, were set using the entry age normal actuarial cost method. For the Tier One/Tier Two component of the PERS Defined Benefit Plan, this method produced an employer contribution rate consisting of (1) an amount for normal cost (estimated amount necessary to finance benefits earned by employees during the current service year), (2) an amount for the amortization unfunded actuarial accrued liabilities, which are being amortized over a fixed period with new unfunded actuarial liabilities being amortized over 20 years.

For the OPSRP Pension Program component of the PERS Defined Benefit Plan, this method produced an employer rate consisting of (a) an amount for normal cost (the estimated amount necessary to finance benefits earned by the employees during the current service year), (b) an actuarially determined amount for funding a disability benefit component, and (c) an amount for the amortization of unfunded actuarial accrued liabilities, which are being amortized over a fixed period with new unfunded actuarial accrued liabilities being amortized over 16 years.

Actuarial Methods and Assumptions:

Actuarial Methods and Assumptions

	Pension
Valuation Date	December 31,2019
Measurement Date	June 30,2021
Experience Study	2018, published July 24, 2019
Actuarial assumptions:	
Actuarial cost method	Entry Age Normal
Inflation rate	2.40 percent
Long-term expected rate of return	6.90 percent
Discount rate	6.90 percent
Projected salary increases	3.40 percent
Cost-of-living adjustments (COLA)	Blend of 2.00 COLA and graded COLA (1.25%/.015%) in accordance with *Moro* decision; blended based on service

Mortality

Healthy retirees and beneficiaries:

Pub-2010 Heathy Retiree, sex distinct, generational with Unisex, Social Security Data Scale, with job category adjustments and set-backs as described in the valuation.

Active members:

Pub-2010 Heathy Retiree, sex distinct, generational with Unisex, Social Security Data Scale, with job category adjustments and set-backs as described in the valuation.

Disabled retirees:

Pub-2010 Heathy Retiree, sex distinct, generational with Unisex, Social Security Data Scale, with job category adjustments and set-backs as described in the valuation.

Actuarial valuations of an ongoing plan involve estimates of value of reported amounts and assumptions about the probability of events far into the future. Actuarially determined amounts are subject to continual revision as actual results are compared to past expectations and new estimates are made about the future. Experience studies are performed as of December 31 of even numbered years. The method and assumptions shown are based on the 2018 Experience Study which is reviewed for the four-year period ending December 31, 2018.

Assumed Asset Allocation:

OIC Target and Actual Investment Allocation as of June 30, 2021*

Asset Class/Strategy	OIC Policy Range	OIC Target Allocation	Asset Class/Strategy	Actual Allocation[2]
Debt Securities	15.0 - 25.0 %	20.0 %	Debt Securities	20.8 %
Public Equity	27.5 - 37.5	32.5	Public Equity	29.4
Real Estate	9.5 - 15.5	12.5	Real Estate	10.5
Private Equity	14.0 - 21.0	17.5	Private Equity	25.1
Alternatives Portfolio	7.5 - 17.5	15.0	Alternatives Portfolio	9.5
Opportunity Portfolio[1]	0.0 - 5.0	0.0	Opportunity Portfolio	2.3
Risk Parity	0.0 - 2.5	2.5	Risk Parity	2.4
Total		100.0 %	Total	100.0 %

[1]Opportunity Portfolio is an investment strategy and it may be invested up to 5% of total Fund assets.
[2]Based on the actual investment value at 6/30/2021.

(Source: June 30, 2021 PERS ACFR; p. 104)

Long-Term Expected Rate of Return:

To develop an analytical basis for the selection of the long-term expected rate of return assumption, in June 2021 the PERS Board reviewed long-term assumptions developed by both Milliman's Capital Market Assumptions Team and the Oregon Investment Council's (OIC) investment advisors. Table 31 on page 74 shows Milliman's assumptions for each of the asset classes in which the plans were invested at that time based on the OIC long-term target asset allocation. The OIC's description of each asset class was used to map the target allocation to the asset classes shown on page 74. Each asset class assumption is based on a consistent set of underlying assumptions and includes adjustment for

the inflation assumption. These assumptions are not based on historical returns but instead are based on a forward-looking capital market economic model.

Long-Term Expected Rate of Return [1]

Asset Class	Target Allocation	Annual Arithmetic Return [2]	20-Year Annuallized Geometric Mean	Annual Standard Deviation
Global Equity	30.62 %	7.11 %	5.85 %	17.05 %
Private Equity	25.50	11.35	7.71	30.00
Core Fixed Income	23.75	2.80	2.73	3.85
Real Estate	12.25	6.29	5.66	12.00
Master Limited Partnerships	0.75	7.65	5.71	21.30
Infrastructure	1.50	7.24	6.26	15.00
Commodities	0.63	4.68	3.10	18.85
Hedge Fund of Funds - Multistrategy	1.25	5.42	5.11	8.45
Hedge Fund Equity - Hedge	0.63	5.85	5.31	11.05
Hedge Fund - Macro	5.62	5.33	5.06	7.90
US Cash	-2.50 [3]	1.77	1.76	1.20
Assumed Inflation - Mean			2.40 %	1.65 %

[1] Based on the OIC Statement of Investment Objectives and Policy Framework for the Oregon Public Employees Retirement Fund, including revisions adopted at the OIC meeting on June 2, 2021.

[2] The arithmetic mean is a component that goes into calculating the geometric mean. Expected rates of return are presented using the geometric mean, which the Board uses in setting the discount rate.

[3] Negative allocation to cash represents levered exposure from allocation to Risk Parity strategy.

(Source: June 30, 2021 PERS ACFR; p. 72-74)

Discount Rate: The discount rate used to measure the total OPEB liability was 6.9% for the OPEB plans, a reduction approved by the Board from 7.2% in the prior fiscal year. The projection of cash flows used to determine the discount rate assumed that contributions from contributing employers are made at the contractually required rates, as actuarially determined. Based on those assumptions, the OPEB plans' fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on OPEB plan investments for the OPEB plans was applied to all periods of projected benefit payments to determine the total OPEB liability

Sensitivity of the County's proportionate share of the net pension liability to changes in the discount rate – The following presents the County's proportionate share of the net pension liability calculated using the discount rate of 6.90 percent, as well as what the County's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (5.90 percent) or 1-perentage-point higher (7.90 percent) than the current rate.

	1% Decrease (5.90%)	Discount Rate (6.90%)	1% Increase (7.90%)
County's proportionate share of the net pension liability (asset)	10,141,113	5,164,128	1,000,199

Changes Subsequent to the Measurement Date:

As described above, GASB 67 and GASB 68 require the Total Pension Liability to be determined based on the benefit terms in effect at the Measurement Date. Any changes to benefit terms that occurs after that date are reflected in amounts reported for the subsequent Measurement Date. However, Paragraph 80f of GASB 68 requires employers to briefly describe any changes between the Measurement Date and the employer's reporting date that are expected to have a significant effect on the employer's share of the collective Net Pension Liability, along with an estimate of the resulting change, if available.

There are no changes subsequent to the June 30, 2021 Measurement Date that meet this requirement and thus would require a brief description under the GASB standard.

Deferred Compensation Plan: A deferred compensation plan is available to employees wherein they may execute an individual agreement with the County for amounts earned by them to not be paid until a future date when certain circumstances are met. These circumstances are: termination by reason of death, disability, resignation, or retirement. Payment to the employee will be made over a period not to exceed 15 years. The deferred compensation plan is one which is authorized under IRC Section 457 and has been approved in its specifics by a private ruling from the Internal Revenue Service. The assets of the plan are held by the administrator for the sole benefit of the plan participants and are not considered assets or liabilities of the County.

OPSRP Individual Account Program (OPSRP IAP):

Plan Description: Employees of the County are provided with pensions through OPERS. All the benefits of OPERS are established by the Oregon legislature pursuant to Oregon Revised Statute (ORS) Chapters 238 and 238A. Chapter 238 Defined Benefit Pension Plan is closed to new members hired on or after August 29, 2003. Chapter 238A created the Oregon Public Service Retirement Plan (OPSRP), which consists of the Defined Benefit Pension Program and the Individual Account Program (IAP). Membership includes public employees hired on or after August 29, 2003. PERS members retain their existing defined benefit plan accounts, but member contributions are deposited into the member's IAP account. OPSRP is part of OPERS, and is administered by the OPERS Board.

Pension Benefits: Participants in OPERS defined benefit pension plans also participate in their defined contribution plan. An IAP member becomes vested on the date the employee account is established or on the date the rollover account was established. If the employer makes optional employer contributions for a member, the member becomes vested on the earliest of the following dates: the date the member completes 600 hours of service in each of five calendar years, the date the member reaches normal retirement age, the date the IAP is terminated, the date the active member becomes disabled, or the date the active member dies. Upon retirement, a member of the OPSRP IAP may receive the amounts in his or her employee account, rollover account, and vested employer account as a lump-sum payment or in equal installments over a 5-, 10-, 15-, 20-year period or an anticipated life span option. Each distribution option has a $200 minimum distribution limit.

Death Benefits: Upon the death of a non-retired member, the beneficiary receives in a lump sum the member's account balance, rollover account balance, and vested employer optional contribution account balance. If a retired member dies before the installment payments are completed, the beneficiary may receive the remaining installment payments or choose a lump-sum payment.

Contributions: Employees of the County pay six (6) percent of their covered payroll. The County paid $68,137.04 in contributions to member IAP accounts for the year ended June 30, 2022.

Additional disclosures related to Oregon PERS not applicable to specific employers are available online, or by contacting PERS at the following address: PO Box 23700, Tigard, OR 97281-3700.

E. OTHER POST-EMPLOYMENT BENEFITS:

Plan Description

As a member of Oregon Public Employees Retirement System (OPERS) the County contributes to the Retirement Health Insurance Account (RHIA) for each of its eligible employees. RHIA is a cost-sharing multiple-employer defined benefit other postemployment benefit plan administered by OPERS. RHIA pays a monthly contribution (currently $60 per month) toward the cost of Medicare companion health insurance premiums of eligible retirees. Oregon Revised Statute (ORS) 238.420 established this trust fund. Authority to establish and amend the benefit provisions of RHIA reside with the Oregon Legislature. The Plan is closed to new entrants after January 1, 2004. OPERS issues a publicly available financial report that includes financial statements and required supplementary information. That report may be obtained by writing to Oregon Public Employees Retirement System, PO Box 23700, Tigard, OR 97281-3700.

Funding Policy

Because RHIA was created by enabling legislation (ORS 238.420), contribution requirements of the plan members and the participating employers were established and may be amended only by the Oregon Legislature. ORS requires that an amount equal to $60 or the total monthly cost of Medicare companion health insurance premiums coverage, whichever is less, shall be paid from the Retirement Health Insurance Account established by the employer, and any monthly cost in excess of $60 shall be paid by the eligible retired member in the manner provided in ORS 238.410. To be eligible to receive this monthly payment toward the premium cost the member must: (1) have eight years or more of qualifying service in PERS at the time of retirement or receive a disability allowance as if the member had eight years or more of creditable service in PERS; (2) receive both Medicare Parts A and B coverage; and (3) enroll in a PERS-sponsored health plan. A surviving spouse or dependent of a deceased PERS retiree who was eligible to receive the subsidy is eligible to receive the subsidy if he or she (1) is receiving a retirement benefit or allowance from PERS, or (2) was insured at the time the member died and the member retired before May 1, 1991.

Contributions

Participating public employers are contractually required to contribute to RHIA at a rate assessed each biennium by OPERS. For fiscal year 2022 the rate is 0.06% of annual covered payroll for Tier 1/Tier 2 employees and 0.00% for OPSRP employees. The OPERS sets the net-retiree healthcare rate based on the estimated OPEB expense of the employer, an amount actuarially determined in accordance with the parameters of GASB Statement 75 Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions. The OPEB expense represents the annual cost allocated to the current year (normal cost) and the amortization of any unfunded accrued liabilities of the plan (UAL cost). The unfunded accrued liabilities are amortized over a closed period equal to the average of the expected remaining lives of all employees that are provided with OPEB through the OPEB plan (active employees and inactive employees). The County's contributions to RHIA were consistent with the net-retiree healthcare rate as charged by OPERS. Amounts paid for RHIA were included with the payments for the retirement plan. The County’s participation in RHIA is immaterial to the financial statements.

Post-employment Health Insurance Subsidy

Plan Description

The County administers a single-employer defined benefit healthcare plan that covers both active and retired participants. The plan provides post-retirement healthcare benefits for eligible retirees and their dependents

through the County's group health insurance plans. The County's post-retirement plan was established in accordance with Oregon Revised Statutes (ORS) 243.303 which states, in part, that for the purposes of establishing healthcare premiums, the calculated rate must be based on the cost of all plan members, including both active employees and retirees. Because claim costs are generally higher for retiree groups than for active members, the premium amount does not represent the full cost of coverage for retirees. The resulting additional cost, or implicit subsidy, is required to be valued under GASB Statement 75 related to Other Post-Employment Benefits (OPEB). Calculations are based on the OPEB benefits provided under the terms of the substantive plan in effect at the time of each valuation and on the pattern of sharing of costs between the employer and plan members to that point. Actuarial valuations for OPEB plans involve estimates of the value of reported amounts and assumptions about the probability of events far into the future, and actuarially determined amounts are subject to continual revision as results are compared to past expectations and new estimates are made about the future. Actuarial calculations of the OPEB plan reflect a long-term perspective. The valuation date was July 1, 2020 and the measurement date was June 30, 2021.

Funding Policy

The County has not established a trust fund to finance the cost of post-employment health care benefits related to implicit rate subsidies. Premiums are paid by retirees based on the rates established for active employees. Additional costs related to an implicit subsidy are paid by the County on a pay-as-you-go basis. There is no obligation on the part of the County to fund these benefits in advance.

Actuarial Methods and Assumptions

The County engaged an actuary to perform a valuation as of June 30, 2022 using the Entry Age Normal, level percent of salary Actuarial Cost Method. Mortality rates were based on the RP-2000 healthy white collar male and female mortality tables, set back one year for males. Mortality is projected on a generational basis using Scale BB for males and females. Demographic assumptions regarding retirement, mortality, and turnover are based on Oregon PERS valuation assumptions as of December 31, 2019. Election rate and lapse assumptions are based on experience implied by valuation data for this and other Oregon public employers.

Changes in Total OPEB Liability June 30, 2021 to June 30,2022	**Increase (Decrease) Total OPEB Liability**
Balance as of June 30, 2021	$ 752,257
Changes for the Year:	
Service cost	61,445
Interest on total OPEB liability	17,215
Effect of changes to benefit terms	-
Effect of economic/demographic gains or losses	-
Effect of assumptions changes or inputs	2,806
Benefit payments	(69,904)
Balance as of June 30,2022	$ 763,819

Sensitivity of the Net OPEB Liability to Changes in the Discount Rate and Trend Rates

The following analysis presents the net OPB liability using a discount rate of 2.16% as well as what the County's net OPEB liability would be if it was calculated using a discount rate that is one percentage point lower (1.16%) or one percentage point higher (3.16%) than the current rate.

	1% Decrease 1.16%	Current Discount Rate 2.16%	1% Increase 3.16%
Total OPEB Liability, 2022	$ 818,471	$ 763,819	$711,973

	1% Decrease	Current Health Care Trend Rate	1% Increase
Total OPEB Liability, 2022	$ 683,715	$ 763,819	$858,657

Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB Benefits:

	Deferred Inflow of Resources	Deferred Outflow of Resources
Differences between expected and actual experience	(3,799)	41,284
Changes of assumptions	(83,244)	79,492
Benefit Payments	-	53,305
Total as of June 30, 2022	(87,043)	174,081

Amounts Reported as deferred outflows or inflows of resources related to pension will be recognized in pension expense as follows:

Year ending June 30,	Amount
2023	$ 7,406
2024	7,406
2025	7,406
2026	11,099
2027	5,009
Thereafter	(4,593)
Total	$ 33,733

F. INTERFUND TRANSFERS:

The following table reflects the interfund transfers completed during the year ended June 30, 2022.

Fund #	Fund Name	GASB 54 Fund	Tranfer In	Transfer Out
1010	GENERAL FUND	General Fund	$ 400,000	$ 2,522,999
2020	PUBLIC WORKS	Public Works Fund	-	780,288
2030	FAIR	Non-Major Governmental	29,000	
2080	SPECIAL ECONOMIC DEVELOPMENT	Non-Major Governmental		405,000
2110	MUSEUM	Non-Major Governmental	35,000	
2200	911 COMMUNICATIONS	Non-Major Governmental	193,145	213,172
3210	ROAD FUND	Public Works Fund	780,288	
3240	911 EQUIPMENT RESERVE	General Fund	213,172	
3260	FACILITY CAPITAL RESERVE	General Fund		12,500
3270	GENERAL OPERATIONS RESERVE	General Fund	2,283,354	
			3,933,959	3,933,959

Fund	Tranfer In	Transfer Out
General Fund	2,896,526	2,535,499
Public Works Fund	780,288	780,288
Non-Major Governmental	257,145	618,172
	$ 3,933,959	$ 3,933,959

G. DEFERRED COMPENSATION

The County offers a deferred compensation plan created in accordance with the Internal Revenue Code Section 457. This plan, available to all full time employees, permits employees to defer a portion of their salary until future years. The deferred compensation is not available to employees until termination, retirement, death or unforeseen emergency. All amounts of compensation deferred under the plan are held in trust by the plan administrator for the sole benefit of the participants.

H. TAX ABATEMENTS

Wasco County has authorized tax-exempt status for three qualified firms within the County: Powder Pure, Hix The Dalles, and Design LLC. All properties are required to meet State and Federal funding requirements which include annual physical inspections and an annual audit of financial activity and programmatic compliance. The property tax exemption may be removed if the property is being used for any purpose other than the provisions of low income housing, or if the property is no longer eligible under the stated provisions of ORS 307.540 to 307.548. Section E of the renewal application requires the applicant to acknowledge compliance with the requirements annually. For fiscal year ending June 30, 2022, the foregone property tax revenue for the all taxing districts in the County as a whole is $33,596,334 while the County's share is $7,343,427.

I. LEASES PAYABLE

For the year ended 6/30/2022, the financial statements include the adoption of GASB Statement No. 87, Leases. The primary objective of this statement is to enhance the relevance and consistency of information about governments' leasing activities. This statement establishes a single model for lease accounting based on the principle that leases are financings of the right to use an underlying asset. Under this Statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources. For additional information, refer to the disclosures below.

On 04/19/2022, Wasco County, OR entered into a 60 month lease as Lessee for the use of Lease 517 Solutions Yes. An initial lease liability was recorded in the amount of $96,079.52. As of 06/30/2022, the value of the lease liability is $93,022.30. Wasco County, OR is required to make monthly fixed payments of $1,683.00. The lease

has an interest rate of 1.9770%. The Equipment estimated useful life was 60 months as of the contract commencement. The value of the right to use asset as of 06/30/2022 of $96,079.52 with accumulated amortization of $3,843.18 is included with Equipment on the Lease Class activities table found below.

On 07/02/2021, Wasco County, OR entered into a 29 month lease as Lessee for the use of Lease 420 Solutions YES. An initial lease liability was recorded in the amount of $1,734.54. As of 06/30/2022, the value of the lease liability is $1,017.67. Wasco County, OR is required to make monthly fixed payments of $59.95. The lease has an interest rate of 0.1980%. The Equipment estimated useful life was 29 months as of the contract commencement. The value of the right to use asset as of 06/30/2022 of $1,734.54 with accumulated amortization of $716.57 is included with Equipment on the Lease Class activities table found below.

On 07/01/2021, Wasco County, OR entered into a 27 month lease as Lessee for the use of Lease 405 Copier. An initial lease liability was recorded in the amount of $4,469.26. As of 06/30/2022, the value of the lease liability is $2,557.14. Wasco County, OR is required to make monthly fixed payments of $160.17. The lease has an interest rate of 0.3080%. The Equipment estimated useful life was 27 months as of the contract commencement. The value of the right to use asset as of 06/30/2022 of $4,469.26 with accumulated amortization of $1,929.18 is included with Equipment on the Lease Class activities table found below.

On 07/01/2021, Wasco County, OR entered into a 19 month lease as Lessee for the use of Lease 402 MailFinance. An initial lease liability was recorded in the amount of $6,049.06. As of 06/30/2022, the value of the lease liability is $2,231.48. Wasco County, OR is required to make monthly fixed payments of $319.11. The lease has an interest rate of 0.3080%. The Equipment estimated useful life was 19 months as of the contract commencement. The value of the right to use asset as of 06/30/2022 of $6,049.06 with accumulated amortization of $3,820.46 is included with Equipment on the Lease Class activities table found below.

Amount of Lease Assets by Major Classes of Underlying Asset

	As of Fiscal Year-end	
Asset Class	Lease Asset Value	Accumulated Amortization
Equipment	108,332.38	10,309.38
Land	0.00	0.00
Total Leases	108,332.38	10,309.38

Principal and Interest Requirements to Maturity

	Governmental Activities		
Fiscal Year	Principal Payments	Interest Payments	Total Payments
2023	$ 23,391	$ 1,681	$ 25,071
2024	19,833.63	1,302.80	21,136.43
2025	19,270.70	925.30	20,196.00
2026	19,655.15	540.85	20,196.00
2027	16,678.49	151.51	16,830.00
Total	$ 98,829	$ 4,601	$ 103,430

GOVERNMENTAL ACTIVITIES:	Balance as of July 1, 2021	Additions	Reductions	Balance as of June 30, 2022
Lease Liability				
Equipment				
Lease 402 MailFinance	$ 6,049	$ -	$ 3,818	$ 2,231
Lease 405 Copier	4,469.26	-	1,912.12	2,557.14
Lease 420 Solutions YES	-	1,734.54	716.87	1,017.67
Lease 517 Solutions Yes	-	96,079.52	3,057.22	93,022.30
Total Equipment Lease Liability	10,518.32	97,814.06	9,503.79	98,828.59
Total Lease Liability	$ 10,518	$ 97,814	$ 9,504	$ 98,829

J. LEASES RECEIVABLE

For the year ended 6/30/2022, the financial statements include the adoption of GASB Statement No. 87, Leases. The primary objective of this statement is to enhance the relevance and consistency of information about governments' leasing activities. This statement establishes a single model for lease accounting based on the principle that leases are financings of the right to use an underlying asset. Under this Statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources. For additional information, refer to the disclosures below.

On 07/01/2021, Wasco County, OR entered into a 114 month lease as Lessor for the use of Lease 457 Cingular Revenue. An initial lease receivable was recorded in the amount of $150,562.91. As of 06/30/2022, the value of the lease receivable is $136,920.32. The lessee is required to make monthly fixed payments of $1,287.50. The lease has an interest rate of 1.3680%. The Land estimated useful life was 114 months as of the contract commencement. The value of the deferred inflow of resources as of 06/30/2022 was $134,714.18, and Wasco County, OR recognized lease revenue of $15,848.73 during the fiscal year. The lessee has 1 extension option(s), each for 60 months.

On 07/02/2021, Wasco County, OR entered into a 69 month lease as Lessor for the use of Lease 456 Cingular Revenue. An initial lease receivable was recorded in the amount of $88,761.40. As of 06/30/2022, the value of the lease receivable is $74,333.58. The lessee is required to make monthly fixed payments of $1,287.50. The lease has an interest rate of 1.3680%. The Land estimated useful life was 69 months as of the contract commencement. The value of the deferred inflow of resources as of 06/30/2022 was $73,360.07, and Wasco County, OR recognized lease revenue of $15,401.33 during the fiscal year. The lessee has 3 extension option(s), each for 5 months.

On 07/02/2021, Wasco County, OR entered into a 44 month lease as Lessor for the use of Lease 448 Sprint Revenue. An initial lease receivable was recorded in the amount of $66,771.50. As of 06/30/2022, the value of the lease receivable is $50,128.86. The lessee is required to make annual fixed payments of $16,873.00. The lease has an interest rate of 1.1500%. The Land estimated useful life was 39 months as of the contract commencement. The value of the deferred inflow of resources as of 06/30/2022 was $48,597.91, and Wasco County, OR recognized lease revenue of $18,173.59 during the fiscal year. The lessee has 1 extension option(s), each for 5 months.

On 07/02/2021, Wasco County, OR entered into a 85 month lease as Lessor for the use of Lease 430 Verizon Revenue. An initial lease receivable was recorded in the amount of $153,615.98. As of 06/30/2022, the value of the lease receivable is $133,008.91. The lessee is required to make annual fixed payments of $20,700.00. The lease has an interest rate of 0.7510%. The Land estimated useful life was 141 months as of the contract commencement. The value of the deferred inflow of resources as of 06/30/2022 was $131,980.77, and Wasco County, OR recognized lease revenue of $21,635.20 during the fiscal year. The lessee has 1 extension option(s), each for 60 months.

On 07/02/2021, Wasco County, OR entered into a 141 month lease as Lessor for the use of Lease 429 Verizon Revenue. An initial lease receivable was recorded in the amount of $207,276.79. As of 06/30/2022, the value of the lease receivable is $193,455.70. The lessee is required to make monthly fixed payments of $1,322.50. The lease has an interest rate of 1.1160%. The Land estimated useful life was 141 months as of the contract commencement. The value of the deferred inflow of resources as of 06/30/2022 was $189,681.05, and Wasco County, OR recognized lease revenue of $17,595.74 during the fiscal year. The lessee has 2 extension option(s), each for 60 months.

Principal and Interest Expected to Maturity

	Governmental Activities		
Fiscal Year	Principal Payments	Interest Payments	Total Payments
2023	$ 77,965	$ 6,378	$ 84,343
2024	81,377.98	5,489.52	86,867.50
2025	87,425.75	4,561.64	91,987.39
2026	71,833.05	3,577.94	75,410.99
2027	69,288.44	2,775.94	72,064.38
2028 - 2032	184,288.72	5,499.69	189,788.41
2033	15,668.11	72.95	15,741.06
	$ 587,847	$ 28,355	$ 616,203

GOVERNMENTAL ACTIVITIES:	Balance as of July 1, 2021	Additions	Reductions	Balance as of June 30, 2022
Lease Receivable				
Land				
Lease 429 Verizon Revenue	$ -	$ 207,277	$ 13,821	$ 193,456
Lease 430 Verizon Revenue	-	153,615.98	20,607.07	133,008.91
Lease 448 Sprint Revenue	-	66,771.50	16,642.64	50,128.86
Lease 456 Cingular Revenue	-	88,761.40	14,427.82	74,333.58
Lease 457 Cingular Revenue	150,562.91	-	13,642.59	136,920.32
Total Land Lease Receivable	150,562.91	516,425.67	79,141.21	587,847.37
Total Lease Receivable	$ 150,563	$ 516,426	$ 79,141	$ 587,847

NOTE 4 – OTHER INFORMATION:

A. RISK MANAGEMENT

The County is exposed to various risks of loss related to torts, theft of, damage to and destruction of assets; errors and omissions; and natural disasters for which the County carries commercial insurance with nominal deductible levels. Losses over the past three years have not exceeded the insurance coverage.

Liabilities are reported when it is probable that a loss occurred and the amount of the loss can be reasonable estimated. Any liability for claims or judgements would be reported in the appropriate governmental fund.

The County has elected to finance the liability for unemployment compensation benefits to County employees by reimbursing the State of Oregon Employment Division for the County's actual costs for unemployment benefits.

B. JOINTLY GOVERNED ORGANIZATIONS

Wasco County, Oregon, in conjunction with Sherman County, Hood River County, and Gilliam County, has created a regional jail facility in Wasco County known as Northern Oregon Corrections (NORCOR). The board of NORCOR is composed of five members, one from each of the participating governments, along with one sheriff. Wasco County budgeted expenditures to NORCOR for the year ended June 30, 2022 totaled $2,300,957 with actual expenditures being $2,303,374. The difference between budget to actual is based on medical care usage. Financial information for this entity may be obtained from the Administrator, Northern Oregon Corrections, 201 Webber Road, The Dalles, OR 97058.

Wasco County, Oregon, in conjunction with Sherman County and Gilliam County, has created a public health department in Wasco County known as North Central Public Health District (NCPHD). The board of NCPHD is composed of nine members total, one from each of the participating governments along with two other members from each County. Wasco County budgeted expenditures to NCPHD for the year ended June 30, 2022 total $453,362. Actual expenditures are the same as budgeted. Financial information for this district may be obtained from the Finance Manager, North Central Public Health District, 419 E 7th Street, The Dalles, OR 97058.

C. RELATED PARTIES

During the year, the County had the following related party transactions. Qlife revenues from clerk fees, computer, GIS and administrative services totaled $62,246 and expenditures totaled $16,560. At June 30, 2022 the County has a $0, balance to the Agency for services received.

Wasco County, Oregon
Schedule of Changes in Other Post-Employment Benefits and Related Ratios
For the last five fiscal years

	Year Ended June 30, 2022	Year Ended June 30, 2021	Year Ended June 30, 2020	Year Ended June 30, 2019	Year Ended June 30, 2018
Total Other Post Employment Benefits Liability at June 30, Prior Year	**752,257**	**760,158**	**700,278**	**586,655**	**606,828**
Changes for the year:					
Service Cost	61,445	54,702	48,704	37,058	39,536
Interest	17,215	27,619	28,224	21,347	17,795
Changes in Benefit Terms	-	-	-	-	-
Differences between expected and actual experience	-	-	-	-	-
Effect of economic/demographic gains or losses	-	53,986	-	(7,179)	-
Changes in assumptions or other input	2,806	(92,245)	22,693	117,737	(33,198)
Employer Contributions	-	-	-	-	-
Benefit Payments	(69,904)	(51,963)	(39,741)	(55,340)	(44,306)
Net changes for the year	11,562	-7,901	59,880	113,623	-20,173
Total Other Post Employment Benefits Liability at June 30, Current Year	**763,819**	**752,257**	**760,158**	**700,278**	**586,655**
Fiduciary Net Position - Beginning	**-**	**-**	**-**	**-**	**-**
Contributions - Employer	69,904	51,963	39,741	55,340	44,306
Contributions - Employee	-	-	-	-	
Net Investment Income	-	-	-	-	
Benefit Payments	(69,904)	(51,963)	(39,741)	(55,340)	(44,306)
Administrative Expense	-	-	-	-	
Net changes for the year	-	-	-	-	-
Fiduciary Net Position - Ending	-	-	-	-	-
Net Liability for Other Post Employment Benefits - End of Year	**763,819**	**752,257**	**760,158**	**700,278**	**586,655**
Fiduciary Net Position as a percentage of the total Single Employer Pension Liability	0%	0%	0%	0%	0%
Covered Payroll	8,413,262	6,538,686	7,202,930	6,632,738	6,693,117
Net Single Employer Pension Plan as a Percentage of Covered Payroll	9%	12%	11%	11%	9%

Required Supplementary Information

Wasco County, Oregon
Schedule of the Proportionate Share of the Net Pension Liability
For the last nine fiscal years

Year Ended June 30,	Proportion of the net pension liability (asset) (a)	Proportionate share of the net pension liability (asset) (b)	Covered payroll (c)	Proportionate share of the net pension liability (asset) as a percentage of its covered payroll (b/c)	Plan fiduciary net position as a percentage of the total pension liability
2022	0.04315495%	5,164,125	6,538,686	78.98%	84.50%
2021	0.05524747%	12,056,898	7,202,930	167.39%	87.60%
2020	0.07209247%	12,470,271	6,632,738	188.01%	80.20%
2019	0.06788966%	10,284,389	6,605,716	155.69%	82.10%
2018	0.06336891%	8,542,153	6,924,289	123.37%	83.10%
2017	0.06589545%	9,892,442	6,032,943	163.97%	80.50%
2016	0.06589548%	9,892,442	5,852,439	169.03%	91.90%
2015	0.07752839%	4,451,263	6,480,919	68.68%	103.60%
2014	0.09664647%	4,932,011	6,480,919	76.10%	91.97%

The amounts presented for each fiscal year were actuarially determined at December 31 and rolled forward to the measurement date.

This schedule is presented to illustrate the requirements to show information for 10 years. However, until a full 10-year trend has been compiled, information is presented only for the years for which the required supplementary information is available.

Required Supplementary Information (Continued)

Wasco County, Oregon
Schedule of Contributions
For the last nine fiscal years

Year ended June 30,	Statutorily required contribution (a)	Contributions in relation to the statutorily required contribution (b)	Contribution deficiency (excess) (a-b)	Covered payroll (c)	Contributions as a percent of covered payroll (b/c)
2022	$ 3,043,786	$ 3,043,786	$ -	$ 8,413,262	36.18%
2021	951,717	951,717	-	6,538,686	14.56%
2020	1,127,685	1,127,685	-	7,202,930	15.66%
2019	1,003,234	1,003,234	-	6,632,738	15.13%
2018	1,025,704	1,025,704	-	6,605,716	15.53%
2017	774,484	774,484	-	6,924,289	11.19%
2016	686,501	686,501	-	6,032,943	11.38%
2015	604,704	604,704	-	5,852,439	10.33%
2014	692,025	692,025	-	6,480,919	10.68%

The amounts presented for each fiscal year were actuarially determined at December 31 and rolled forward to the measurement date.

This schedule is presented to illustrate the requirements to show information for 10 years. However, until a full 10-year trend has been compiled, information is presented only for the years for which the required supplementary information is available.

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
101 General Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts			
	Original	Final	Actual Amounts	Variance with Final Budget
Revenues				
Property taxes	$ 10,924,920	$ 10,924,920	$ 11,141,657	$ 216,737
Licenses, fees, and permits	2,245,770	2,245,770	2,435,412	189,642
Intergovernmental	2,727,783	2,727,783	2,271,793	(455,990)
Charges for services	89,138	89,138	87,987	(1,151)
Fines and forfeitures	35,000	35,000	36,061	1,061
Rents	237,675	237,675	256,557	18,882
Pass-through payments	2,000	2,000	6,375	4,375
Investment earnings	46,010	46,010	(416,904)	(462,914)
Miscellaneous	418,290	418,290	853,118	434,828
Total revenues	16,726,586	16,726,586	16,672,056	(54,530)
Expenditures				
Current by Department:				
Assessor	922,736	922,736	677,561	245,175
Clerk	551,278	551,278	350,691	200,587
Sheriff	3,544,442	3,544,442	2,560,249	984,193
Employee and administrative services	4,940,392	4,940,392	3,038,089	1,902,303
Administration	3,949,487	3,949,487	3,931,792	17,695
District attorney	917,257	917,257	825,637	91,620
Planning	970,566	970,566	649,479	321,087
Public works	61,319	61,319	53,479	7,840
Youth services	1,582,167	1,582,167	943,038	639,129
Contingencies	1,949,278	1,949,278	-	1,949,278
Total expenditures	19,388,922	19,388,922	13,030,015	6,358,907
Excess (deficiency) of revenues over (under) expenditures	(2,662,336)	(2,662,336)	3,642,041	6,304,377
Other Financing Sources (Uses)				
Sale of fixed assets	4,000	4,000	5,817	1,817
Lease proceeds	-	-	97,814	97,814
Capital oulay - leases	-	-	(97,814)	(97,814)
Transfers from other governments	-	-	-	
Transfers from other funds	584,770	584,770	400,000	(184,770)
Transfers to other funds	(2,522,999)	(2,522,999)	(2,522,999)	-
Total other financing sources (uses)	(1,934,229)	(1,934,229)	(2,117,182)	(182,953)
Net change in fund balances	(4,596,565)	(4,596,565)	1,524,859	6,121,424
Fund balances - beginning	11,082,263	11,082,263	12,832,965	1,750,702
Fund balances - ending	$ 6,485,698	$ 6,485,698	14,357,824	$ 7,872,126
		Reconciliation to GAAP Fund Balance		
		233 Kramer Field Fund	35,892	
		324 911 Equipment Reserve Fund	308,835	
		326 Facility Capital Reserve Fund	3,594,801	
		327 General Operating Reserve Fun	7,836,806	
		Total GAAP Fund Balance	26,134,158	

The notes to the financial statements are an integral part of this statement

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2020 Public Works
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts			
	Original	Final	Actual Amounts	Variance with Final Budget
Revenues				
Licenses, fees and permits	$ 12,000	$ 12,000	$ 14,252	$ 2,252
Intergovernmental	3,072,092	3,072,092	3,634,997	562,905
Charges for services	432,000	432,000	382,211	(49,789)
Internal services	3,180	3,180	3,180	-
Investment earnings	40,000	40,000	19,410	(20,590)
Miscellaneous	42,500	42,500	5,384	(37,116)
Total revenues	3,601,772	3,601,772	4,059,434	457,662
Expenditures				
Current:				
Public Works	3,546,505	3,546,505	3,495,379	51,126
Contingencies	2,104,874	2,104,874	-	2,104,874
Total expenditures	5,651,379	5,651,379	3,495,379	2,156,000
Excess (deficiency) of revenues over (under) expenditures	(2,049,607)	(2,049,607)	564,055	2,613,662
Other Financing Sources (Uses)				
Transfers from other funds	-	-	-	-
Transfers to other funds	(780,288)	(780,288)	(780,288)	-
Total other financing sources (uses)	(780,288)	(780,288)	(780,288)	-
Net change in fund balances	(2,829,895)	(2,829,895)	(216,233)	2,613,662
Fund balances, budgetary basis - beginning	3,353,260	3,353,260	3,943,313	590,053
Fund balances, budgetary basis - ending	$ 523,365	$ 523,365	$ 3,727,080	$ 3,203,715
	Reconciliation to GAAP Fund Balance			
	321 Road Reserve Fund		4,468,927	
	Total GAAP Fund Balance		$ 8,196,007	

The notes to the financial statements are an integral part of this statement

Wasco County, Oregon
Combining Balance Sheet
Non-Major Governmental Funds
June 30, 2022
(all amounts are in dollars)

	Special Revenue Funds	Capital Project Funds	Total Nonmajor Governmental Funds
Assets			
Cash and investments	9,696,008	3,764,467	13,460,475
Receivables	196,507	-	196,507
Total assets	9,892,515	3,764,467	13,656,982
Liabilities			
Accounts payable	312,314	1,280	313,594
Accrued liabilities	1,700	-	1,700
Total liabilities	314,014	1,280	315,294
Fund Balances			
Restricted	4,513,085	-	4,513,085
Committed	5,065,416	-	5,065,416
Assigned	-	3,763,187	3,763,187
Total fund balances	9,578,501	3,763,187	13,341,688
Total liabilities and fund balances	9,892,515	3,764,467	13,656,982

Wasco County, Oregon
Combining Schedule of Revenues, Expeditures and Changes in Fund Balances
Non-Major Governmental Funds
For the year ended June 30, 2022
(all amounts are in dollars)

	Special Revenue Funds	Capital Project Funds	Total Nonmajor Funds
Revenues			
Licenses, fees, and permits	$ 1,282,396	$ -	$ 1,282,396
Intergovernmental	2,826,849	-	2,826,849
Charges for services	494,212	-	494,212
Fines and restitution	29,565	-	29,565
Grants and donations	2,884,138	-	2,884,138
Investment Earnings	55,661	20,880	76,541
Miscellaneous	229,727	-	229,727
Total Revenues	7,802,548	20,880	7,823,428
Expenditures			
Current by Department:			
Clerk	11,970	-	11,970
Sheriff	2,763,999	-	2,763,999
Administration	4,041,105	113,685	4,154,790
District attorney	18,426	-	18,426
Household hazardous waste	453,292	-	453,292
Public works	23,084	-	23,084
Youth services	-	-	-
Total expenditures	7,311,876	113,685	7,425,561
Excess (deficiency) of revenues over (under) expenditures	490,672	(92,805)	397,867
Other Financing Sources (Uses):			
Transfers from other governments	-	-	-
Transfers from other funds	257,145	-	257,145
Transfers to other funds	(618,172)	-	(618,172)
Total other financing sources (Uses)	(361,027)	-	(361,027)
Net change in fund balances	129,645	(92,805)	36,840
Fund balances - beginning	9,448,856	3,855,992	13,304,848
Fund balances - ending	$ 9,578,501	$ 3,763,187	$ 13,341,688

SPECIAL REVENUE FUNDS
NONMAJOR GOVERNMENTAL FUNDS

** These funds do not meet the GASB 54 definition of Special Revenue Funds and are included in the General Fund in the GAAP-basis financial statements. They are budgeted as Special Revenue Funds under Oregon Budget Law.

BUILDING CODES - GENERAL FUND: Revenues and expenditures from the operation of the Building Codes function not related to Electrical Building Codes are recorded in this fund. The primary source of revenue is the issuance of building permits. Expenditures are primarily related to inspections and processing of permits.

BUILDING CODES - ELECTRICAL FUND: Revenues and expenditures from the operation of the Building Codes function related to Electrical Building Codes are recorded in this fund. The primary source of revenue is the issuance of electrical building permits. Expenditures are primarily related to inspections and processing of electrical permits.

COUNTY FAIR FUND: Revenues and expenditures from the operation of the County Fair are recorded in this fund. The primary source of revenue for the Fair is money earned from the annual County Fair operation. Revenues are also received from the State Video Lottery Commission. Expenditures are mainly for the fair and year-round maintenance of the fairgrounds.

COUNTY SCHOOL FUND: The County School Fund is used to account for the receipt of forest reserve rental revenues and distributions from the State of Oregon Common School Fund. By law, these funds are distributed to the school districts in Wasco County.

LAND CORNER PRESERVATION FUND: This fund accounts for revenues and expenditures for the surveying of all section corners in Wasco County. Revenues are mainly fees charged for recording and interest on investments.

FOREST HEALTH FUND: The County receives Federal Title III money to be used to maintain the health of forests within County boundaries. Revenues are from grants and interest on investments. Expenditures are for materials and services.

HOUSEHOLD HAZARDOUS WASTE FUND: Income is from the Oregon Department of Environmental Quality grants and surcharges on local garbage services. Monies are expended for the Sanitarian and the Public Health Business Manager to supervise the collection of fees and the contracting of services and building projects relating to the disposal of household hazardous waste.

LAW LIBRARY FUND: This fund is used to maintain a law library within the County. Revenues are mainly from filing fees and expenditures are for materials and services.

PARKS FUND: This fund receives RV and campsite fees to pay for a park manager and operations for Hunt Park.

COMMUNITY CORRECTIONS FUND: This fund accounts for revenues from state grants and fees from participants in the community corrections program. Expenditures are for operations of the program.

COURT FACILITIES SECURITY FUND: This fund accounts for revenues from assessments on court fines. Expenditures are for materials and services.

CLERK RECORDS FUND: Oregon law requires a separate fund to account for a recording fee. The revenue is used to acquire storage and create and maintain a retrieval system for County records.

SPECIAL ECONOMIC DEVELOPMENT PAYMENTS FUND: This fund accounts for Enterprise Zone Tax Abatement Agreement Project fees. Fees are then distributed for local services or infrastructure.

DISTRICT ATTORNEY FUND: This fund accounts for forfeiture proceeds. Victim and Drug Court donation balances in the General Fund are also transferred into this fund. Expenditures are for materials and services and capital expenditures.

MUSEUM FUND: Revenues are mainly from donations and contributions from the City of The Dalles and Wasco County. Expenditures are for personnel services, materials and services, and capital expenditures.

911 COMMUNICATIONS FUND: The County administrates the 911 emergency center for all of the emergency services providers in Wasco County. Revenues are primarily from intergovernmental agreements and phone taxes. Expenditures are for 911 operations.

** KRAMER FIELD FUND: This fund accounts for monies remaining after the construction of Kramer Field. Revenue is from interest earned on investments. Expenditures are for materials and services. This fund is included in the General Fund in the GAAP-basis financial statements.

Wasco County, Oregon
Combining Balance Sheet
Special Revenue Funds
June 30, 2022
(all amounts are in dollars)

	Building Codes - General Fund	Building Codes - Electrical Fund	County Fair Fund	County School Fund	Land Corner Preservation Fund	Forest Health Fund
Assets						
Cash and investments	$ 3,421,119	$ 667,332	$ 313,215	$ 264,317	$ 146,972	$ 467,888
Receivables	-	553	2,350	-	-	-
Prepaids	-	-	-	-	-	-
Restricted cash and investments	-	-	-	-	-	-
Total assets	$ 3,421,119	$ 667,885	$ 315,565	$ 264,317	$ 146,972	$ 467,888
Liabilities						
Accounts payable	$ 138	$ 42	$ 9,299	$ 263,317	$ -	$ -
Due to other funds	-	-	-	-	-	-
Accrued liabilities	-	-	1,550	-	-	-
Unearned revenue	-	-	-	-	-	-
Advances from other funds				-	-	-
Total liabilities	138	42	10,849	263,317	-	-
Deferred inflows of resources					-	-
Deferred revenue taxes	-	-	-	-	-	-
Deferred revenue other	-	-	-	-	-	-
Total deferred inflows of resources	-	-	-	-	-	-
Fund Balances						
Nonspendable	-	-	-	-	-	-
Restricted	-	-	304,716	1,000	146,972	467,888
Committed	3,420,981	667,843	-	-	-	-
Assigned	-	-	-	-	-	-
Unassigned	-	-	-	-	-	-
Total fund balances	3,420,981	667,843	304,716	1,000	146,972	467,888
Total liabilities and fund balances	$ 3,421,119	$ 667,885	$ 315,565	$ 264,317	$ 146,972	$ 467,888

Wasco County, Oregon
Combining Balance Sheet
Special Revenue Funds
June 30, 2022
(all amounts are in dollars)

	Household Hazardous Waste Fund	Law Library Fund	Parks Fund	Community Corrections Fund	Court Facilities Security Fund	Clerk Records Fund
Assets						
Cash and investments	$ 721,695	$ 143,362	$ 247,677	$ 1,074,253	$ 265,789	$ 49,824
Receivables	-	-	-	-	-	-
Prepaids	-	-	-	-	-	-
Restricted cash and investments	-	-	-	-	-	-
Total assets	$ 721,695	$ 143,362	$ 247,677	$ 1,074,253	$ 265,789	$ 49,824
Liabilities						
Accounts payable	$ 6,415	$ -	$ 5,164	$ 12,023	$ -	$ 11,000
Due to other funds	-	-	-	-	-	-
Accrued liabilities	-	-	-	150	-	-
Unearned revenue	-	-	-	-	-	-
Advances from other funds	-	-	-	-	-	-
Total liabilities	6,415	-	5,164	12,173	-	11,000
Deferred inflows of resources	-	-	-	-	-	-
Deferred revenue taxes	-	-	-	-	-	-
Deferred revenue other	-	-	-	-	-	-
Total deferred inflows of resources	-	-	-	-	-	-
Fund Balances						
Nonspendable	-	-	-	-	-	-
Restricted	-	143,362	242,513	1,062,080	265,789	38,824
Committed	715,280	-	-	-	-	-
Assigned	-	-	-	-	-	-
Unassigned	-	-	-	-	-	-
Total fund balances	715,280	143,362	242,513	1,062,080	265,789	38,824
Total liabilities and fund balances	$ 721,695	$ 143,362	$ 247,677	$ 1,074,253	$ 265,789	$ 49,824

Wasco County, Oregon
Combining Balance Sheet
Special Revenue Funds
June 30, 2022
(all amounts are in dollars)

	Special Economic Development	District Attorney	Museum Fund	911 Communications	Total
Assets					
Cash and investments	$ 1,479,006	$ 2,035	$ 261,311	$ 170,213	$ 9,696,008
Receivables	-	-	-	193,604	196,507
Prepaids	-	-		-	-
Restricted cash and investments	-	-		-	-
Total assets	$ 1,479,006	$ 2,035	$ 261,311	$ 363,817	$ 9,892,515
Liabilities					
Accounts payable		$ -	$ 2,034	$ 2,882	$ 312,314
Due to other funds	-	-		-	-
Accrued liabilities	-	-			1,700
Unearned revenue	-	-		-	-
Advances from other funds	-	-		-	
Total liabilities	-	-	2,034	2,882	314,014
Deferred inflows of resources	-	-		-	
Deferred revenue taxes	-	-		-	-
Deferred revenue other	-	-		-	-
Total deferred inflows of resources	-	-		-	-
Fund Balances					
Nonspendable	-	-		-	-
Restricted	1,479,006	-		360,935	4,513,085
Committed		2,035	259,277	-	5,065,416
Assigned	-	-		-	-
Unassigned	-	-		-	-
Total fund balances	1,479,006	2,035	259,277	360,935	9,578,501
Total liabilities and fund balances	$ 1,479,006	$ 2,035	$ 261,311	$ 363,817	$ 9,892,515

Wasco County, Oregon
Combining Schedule of Revenues, Expenditures and Changes in Fund Balance
Special Revenue Funds
For the year ended June 30, 2022
(all amounts are in dollars)

	Building Codes - General Fund	Building Codes - Electrical Fund	County Fair Fund	County School Fund	Land Corner Preservation Fund	Forest Health Fund
Revenues						
Licenses, fees, and permits	$ 415,101	88,437	$ 138,027	$ -	$ 45,963	$ -
Intergovernmental	-	-	53,167	263,834	-	48,392
Charges for services	-	-	-	-	-	-
Fines and restitution	-	-	-	-	-	-
Grants and contributions	-	-	15,163	-	-	-
Investment earnings	19,366	4,143	1,549	483	768	2,348
Miscellaneous	192,511	352	12,786	-	-	-
Total Revenues	626,978	92,932	220,692	264,317	46,731	50,740
Expenditures						
Current by Department:						
Assessor	-	-	-	-	-	-
Clerk	-	-	-	-	-	-
Sheriff	-	-	-	-	-	-
Employee and administrative services	-	-	-	-	-	-
Administration	606,963	189,629	172,408	263,317	-	-
District attorney	-	-	-	-	-	-
Household hazardous waste	-	-	-	-	-	-
Public works	-	-	-	-	23,084	-
Youth services	-	-	-	-	-	-
Interest	-	-	-	-	-	-
Total expenditures	606,963	189,629	172,408	263,317	23,084	-
Excess (deficiency) of revenues over (under) expenditures	20,015	(96,697)	48,284	1,000	23,647	50,740
Other Financing Sources (Uses):						
Transfers from other governments	-	-	-	-	-	-
Transfers from other funds	-	-	29,000	-	-	-
Transfers to other funds	-	-	-	-	-	-
Total other financing sources (Uses)	-	-	29,000	-	-	-
Net change in fund balances	20,015	(96,697)	77,284	1,000	23,647	50,740
Fund balances - beginning	3,400,966	764,540	227,432	-	123,325	417,148
Fund balances - ending	$ 3,420,981	667,843	$ 304,716	$ 1,000	$ 146,972	$ 467,888

Wasco County, Oregon
Combining Schedule of Revenues, Expenditures and Changes in Fund Balance
Special Revenue Funds
For the year ended June 30, 2022
(all amounts are in dollars)

	Household Hazardous Waste Fund	Law Library Fund	Parks Fund	Community Corrections Fund	Court Facilities Security Fund	Clerk Records Fund
Revenues						
Licenses, fees, and permits	$ 441,893	$ 26,257	$ 21,286	$ 64,463	$ -	$ 8,733
Intergovernmental	-	-	51,576	1,745,150	-	-
Charges for services	12,200	-	-	-	-	-
Fines and restitution	-	-	-	-	29,565	-
Grants and contributions	-	-	-	-	-	-
Investment earnings	4,084	772	1,626	6,832	1,357	248
Miscellaneous	8,968	-	2,960	11,578	-	-
Total Revenues	467,145	27,029	77,448	1,828,023	30,922	8,981
Expenditures						
Current by Department:						
Assessor	-	-	-	-	-	-
Clerk	-	-	-	-	-	11,970
Sheriff	-	-	-	1,701,974	-	-
Employee and administrative services	-	-	-	-	-	-
Administration	-	-	118,246	-	-	-
District attorney	-	16,582	-	-	-	-
Household hazardous waste	453,292	-	-	-	-	-
Public works	-	-	-	-	-	-
Youth services	-	-	-	-	-	-
Interest	-	-	-	-	-	-
Total expenditures	453,292	16,582	118,246	1,701,974	-	11,970
Excess (deficiency) of revenues over (under) expenditures	13,853	10,447	(40,798)	126,049	30,922	(2,989)
Other Financing Sources (Uses):						
Transfers from other governments	-	-	-	-	-	-
Transfers from other funds	-	-	-	-	-	-
Transfers to other funds	-	-	-	-	-	-
Total other financing sources (Uses)	-	-	-	-	-	-
Net change in fund balances	13,853	10,447	(40,798)	126,049	30,922	(2,989)
Fund balances - beginning	701,427	132,915	283,311	936,031	234,867	41,813
Fund balances - ending	$ 715,280	$ 143,362	$ 242,513	$ 1,062,080	$ 265,789	$ 38,824

Wasco County, Oregon
Combining Schedule of Revenues, Expenditures and Changes in Fund Balance
Special Revenue Funds
For the year ended June 30, 2022
(all amounts are in dollars)

	Special Economic Development	District Attorney	Museum Fund	911 Communications	Total
Revenues					
Licenses, fees, and permits	$ -	$ -	$ 32,236	$ -	$ 1,282,396
Intergovernmental	-	-	22,500	642,230	2,826,849
Charges for services	-	-	-	482,012	494,212
Fines and restitution	-	-	-	-	29,565
Grants and contributions	2,864,266	232	4,477	-	2,884,138
Investment earnings	8,483	16	1,424	2,162	55,661
Miscellaneous	-	-	14	558	229,727
Total Revenues	2,872,749	248	60,651	1,126,962	7,802,548
Expenditures					
Current by Department:					
Assessor	-	-			-
Clerk	-	-	-	-	11,970
Sheriff	-	-	-	1,062,025	2,763,999
Employee and administrative services	-	-			-
Administration	2,627,133	-	63,409	-	4,041,105
District attorney	-	1,844	-	-	18,426
Household hazardous waste	-	-	-	-	453,292
Public works	-	-	-	-	23,084
Youth services	-	-	-	-	-
Interest	-	-			-
Total expenditures	2,627,133	1,844	63,409	1,062,025	7,311,876
Excess (deficiency) of revenues over (under) expenditures	245,616	(1,596)	(2,758)	64,937	490,672
Other Financing Sources (Uses):					
Transfers from other governments	-	-			-
Transfers from other funds	-	-	35,000	193,145	257,145
Transfers to other funds	(405,000)	-	-	(213,172)	(618,172)
Total other financing sources (Uses)	(405,000)	-	35,000	(20,027)	(361,027)
Net change in fund balances	(159,384)	(1,596)	32,242	44,910	129,645
Fund balances - beginning	1,638,390	3,631	227,035	316,025	9,448,856
Fund balances - ending	$ 1,479,006	$ 2,035	$ 259,277	$ 360,935	$ 9,578,501

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
1500 Building Codes - General Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts			
	Original	Final	Actual Amounts	Variance with Final Budget
Revenues				
Licenses, fees, and permits	$ 499,336	$ 499,336	$ 415,101	$ (84,235)
Investment earnings	24,000	24,000	19,366	(4,634)
Miscellaneous	300,000	300,000	192,511	(107,489)
Total revenues	823,336	823,336	626,978	(196,358)
Expenditures				
Current:				
Administration	1,559,117	1,559,117	606,963	952,154
Contingencies	300,000	300,000	-	300,000
Total expenditures	1,859,117	1,859,117	606,963	1,252,154
Excess (deficiency) of revenues over (under) expenditures	(1,035,781)	(1,035,781)	20,015	1,055,796
Other Financing Sources (Uses)				
Transfers from other governments	-	-	-	-
Transfers from other funds	-	-	-	-
Transfers to other funds	-	-	-	-
Total other financing sources (uses)	-	-	-	-
Net change in fund balances	(1,035,781)	(1,035,781)	20,015	1,055,796
Fund balances, budgetary basis - beginning	3,430,521	3,430,521	3,400,966	(29,555)
Fund balances, budgetary basis - ending	$ 2,394,740	$ 2,394,740	$ 3,420,981	$ 1,026,241

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
1600 Building Codes - Electrical Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts			
	Original	Final	Actual Amounts	Variance with Final Budget
Revenues				
Licenses, fees, and permits	$ 97,915	$ 97,915	$ 88,437	$ (9,478)
Investment earnings	5,625	5,625	4,143	(1,482)
Miscellaneous	-	-	352	352
Total revenues	103,540	103,540	92,932	(10,608)
Expenditures				
Current:				
Administration	232,784	232,784	189,629	43,155
Contingencies	117,356	117,356	-	117,356
Total expenditures	350,140	350,140	189,629	160,511
Excess (deficiency) of revenues over (under) expenditures	(246,600)	(246,600)	(96,697)	149,903
Other Financing Sources (Uses)				
Transfers from other governments	-	-	-	-
Transfers from other funds	-	-	-	-
Transfers to other funds	-	-	-	-
Total other financing sources (uses)	-	-	-	-
Net change in fund balances	(246,600)	(246,600)	(96,697)	149,903
Fund balances, budgetary basis - beginning	750,253	750,253	764,540	14,287
Fund balances, budgetary basis - ending	$ 503,653	$ 503,653	$ 667,843	$ 164,190

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2030 County Fair Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts			
	Original	Final	Actual Amounts	Variance with Final Budget
Revenues				
Licenses, fees, and permits	$ 61,880	$ 76,880	$ 138,027	$ 61,147
Intergovernmental	53,167	53,167	53,167	-
Contributions and donations	27,200	27,200	15,163	(12,037)
Investment earnings	1,500	1,500	1,549	49
Miscellaneous	7,200	7,200	12,786	5,586
Total revenues	150,947	165,947	220,692	54,745
Expenditures				
Current:				
Administration	157,324	172,324	172,408	(84)
Contingencies	92,127	92,127	-	92,127
Total expenditures	249,451	264,451	172,408	92,043
Excess (deficiency) of revenues over (under) expenditures	(98,504)	(98,504)	48,284	146,788
Other Financing Sources (Uses)				
Transfers from other funds	29,000	29,000	29,000	-
Transfers to other funds	(50,000)	(50,000)	-	50,000
Total other financing sources (uses)	(21,000)	(21,000)	29,000	50,000
Net change in fund balances	(119,504)	(119,504)	77,284	196,788
Fund balances, budgetary basis - beginning	213,569	213,569	227,432	13,863
Fund balances, budgetary basis - ending	$ 94,065	$ 94,065	$ 304,716	$ 210,651

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2040 County School Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts			
	Original	Final	Actual Amounts	Variance with Final Budget
Revenues				
Intergovernmental	$ 427,141	$ 427,141	$ 263,834	$ (163,307)
Investment earnings	200	200	483	283
Total revenues	427,341	427,341	264,317	(163,024)
Expenditures				
Current:				
Administration	427,541	427,541	263,317	164,224
Excess (deficiency) of revenues over (under) expenditures	(200)	(200)	1,000	1,200
Net change in fund balances	(200)	(200)	1,000	1,200
Fund balances, budgetary basis - beginning	200	200	-	(200)
Fund balances, budgetary basis - ending	$ -	$ -	$ 1,000	$ 1,000

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2050 Land Corner Preservation Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Licenses, fees, and permits	$ 45,000	$ 45,000	$ 45,963	$ 963
Investment earnings	900	900	768	(132)
Total revenues	45,900	45,900	46,731	831
Expenditures				
Current:				
Public Works	24,691	24,691	23,084	1,607
Contingency	79,902	79,902	-	79,902
Total expenditures	104,593	104,593	23,084	81,509
Excess (deficiency) of revenues over (under) expenditures	(58,693)	(58,693)	23,647	82,340
Other Financing Sources (Uses)				
Transfers to other funds	-	-	-	-
Total other financing sources (uses)	-	-	-	-
Net change in fund balances	(58,693)	(58,693)	23,647	82,340
Fund balances, budgetary basis - beginning	105,285	105,285	123,325	18,040
Fund balances, budgetary basis - ending	$ 46,592	$ 46,592	$ 146,972	$ 100,380

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2060 Forest Health Program Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Intergovernmental	$ 40,267	$ 40,267	$ 48,392	$ 8,125
Investment earnings	2,000	2,000	2,348	348
Total revenues	42,267	42,267	50,740	8,473
Expenditures				
General government:				
Materials and services	60,000	60,000	-	60,000
Contingencies	204,712	204,712	-	204,712
Excess (deficiency) of revenues over (under) expenditures	(222,445)	(222,445)	50,740	273,185
Other Financing Sources (Uses)				
Transfers to other funds	(184,770)	(184,770)	-	184,770
Total other financing sources (uses)	(184,770)	(184,770)	-	184,770
Net change in fund balances	(407,215)	(407,215)	50,740	457,955
Fund balances - beginning	407,215	407,215	417,148	9,933
Fund balances - ending	$ -	$ -	$ 467,888	$ 467,888

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2070 Household Hazardous Waste Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Licenses, fees, and permits	$ 400,000	$ 400,000	$ 441,893	$ 41,893
Charges for services	12,200	12,200	12,200	-
Miscellaneous	8,800	8,800	8,968	168
Investment earnings	5,000	5,000	4,084	(916)
Total revenues	426,000	426,000	467,145	41,145
Expenditures				
Current:				
Household hazardous waste	721,152	721,152	453,292	267,860
Contingencies	86,012	86,012	-	86,012
Total expenditures	807,164	807,164	453,292	353,872
Net change in fund balances	(381,164)	(381,164)	13,853	395,017
Fund balances - beginning	688,391	688,391	701,427	13,036
Fund balances - ending	$ 307,227	$ 307,227	$ 715,280	$ 408,053

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2090 Law Library Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Licenses, fees, and permits	$ 18,706	$ 18,706	$ 26,257	$ 7,551
Investment earnings	1,200	1,200	772	(428)
Total revenues	19,906	19,906	27,029	7,123
Expenditures				
Current:				
District attorney	49,829	49,829	16,582	33,247
Contingencies	116,383	116,383	-	116,383
Total expenditures	166,212	166,212	16,582	149,630
Excess (deficiency) of revenues over (under) expenditures	(146,306)	(146,306)	10,447	156,753
Other Financing Sources (Uses)				
Transfers to other funds	-	-	-	-
Total other financing sources (uses)	-	-	-	-
Net change in fund balances	(146,306)	(146,306)	10,447	156,753
Fund balances, budgetary basis - beginning	146,306	146,306	132,915	(13,391)
Fund balances, budgetary basis - ending	$ -	$ -	$ 143,362	$ 143,362

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2230 Parks Fund
For the year ended June 30, 2022

(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Licenses, fees and permits	$ 13,750	$ 13,750	$ 21,286	$ 7,536
Intergovernmental	360,000	360,000	51,576	(308,424)
Miscellaneous	-	-	2,960	2,960
Investment income	2,500	2,500	1,626	(874)
Total revenues	376,250	376,250	77,448	(298,802)
Expenditures				
Current:				
Administration	549,696	549,696	118,246	431,450
Contingencies	59,033	59,033	-	59,033
Total expenditures	608,729	608,729	118,246	490,483
Excess (deficiency) of revenues over (under) expenditures	(232,479)	(232,479)	(40,798)	191,681
Other Financing Sources (Uses)				
Transfers from other funds	50,000	50,000	-	(50,000)
Total other financing sources (uses)	50,000	50,000	-	(50,000)
Net change in fund balances	(182,479)	(182,479)	(40,798)	141,681
Fund balances, budgetary basis - beginning	255,376	255,376	283,311	27,935
Fund balances, budgetary basis - ending	$ 72,897	$ 72,897	$ 242,513	$ 169,616

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2270
Community Corrections Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Licenses and permits	$ 109,000	$ 109,000	$ 64,463	$ (44,537)
Intergovernmental	1,414,642	$ 1,414,642	1,745,150	330,508
Reimbursements	-	-	11,578	11,578
Investment income	10,000	10,000	6,832	(3,168)
Total revenues	1,533,642	1,533,642	1,828,023	294,381
Expenditures				
Current:				
Sheriff	1,899,113	1,899,113	1,701,974	197,139
Contingencies	169,529	169,529	-	169,529
Total expenditures	2,068,642	2,068,642	1,701,974	366,668
Excess (deficiency) of revenues over (under) expenditures	(535,000)	(535,000)	126,049	661,049
Other Financing Sources (Uses)				
Transfers to other funds	-	-	-	-
Total other financing sources (uses)	-	-	-	-
Net change in fund balances	(535,000)	(535,000)	126,049	661,049
Fund balances, budgetary basis - beginning	535,000	535,000	936,031	401,031
Fund balances, budgetary basis - ending	$ -	$ -	$ 1,062,080	$ 1,062,080

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2290 Court Facilities Security Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Fines and restitution	$ 29,148	$ 29,148	$ 29,565	$ 417
Investment income	1,160	1,160	1,357	197
Total revenues	30,308	30,308	30,922	614
Expenditures				
Current:				
Administration	51,000	51,000	-	51,000
Contingencies	211,121	211,121	-	211,121
Total expenditures	262,121	262,121	-	262,121
Net change in fund balances	(231,813)	(231,813)	30,922	262,735
Fund balances, budgetary basis - beginning	231,813	231,813	234,867	3,054
Fund balances, budgetary basis - ending	$ -	$ -	$ 265,789	$ 265,789

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2370 Clerk Records Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Fees	$ 8,750	$ 8,750	$ 8,733	$ (17)
Investment income	400	400	248	(152)
Total revenues	9,150	9,150	8,981	(169)
Expenditures				
Current:				
County clerk	12,800	12,800	11,970	830
Contingencies	40,630	40,630	-	40,630
Total expenditures	53,430	53,430	11,970	41,460
Net change in fund balances	(44,280)	(44,280)	(2,989)	41,291
Fund balances, budgetary basis - beginning	44,280	44,280	41,813	(2,467)
Fund balances, budgetary basis - ending	$ -	$ -	$ 38,824	$ 38,824

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2080 Special Economic Development Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Contributions and donations	$ 2,864,266	$ 2,864,266	$ 2,864,266	$ -
Intergovernmental	-	-	-	-
Investment income	6,000	6,000	8,483	2,483
Total revenues	2,870,266	2,870,266	2,872,749	2,483
Expenditures				
Current:				
Administration	4,025,039	4,025,039	2,627,133	1,397,906
Materials and services	-	-	-	-
Capital Outlay	-	-	-	-
Contingencies	-	-	-	-
Total expenditures	4,025,039	4,025,039	2,627,133	1,397,906
Excess (deficiency) of revenues over (under) expenditures	(1,154,773)	(1,154,773)	245,616	1,400,389
Other Financing Sources (Uses)				
Transfers from other funds	-	-	-	-
Transfers to other funds	(405,000)	(405,000)	(405,000)	-
Total other financing sources (uses)	(405,000)	(405,000)	(405,000)	-
Net change in fund balances	(1,559,773)	(1,559,773)	(159,384)	1,400,389
Fund balances, budgetary basis - beginning	1,559,773	1,559,773	1,638,390	78,617
Fund balances, budgetary basis - ending	$ -	$ -	$ 1,479,006	$ 1,479,006

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2100 District Attorney Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Donations and contributions	$ 3,000	$ 3,000	$ 232	$ (2,768)
Investment earnings	60	60	16	(44)
Total revenues	3,060	3,060	248	(2,812)
Expenditures				
Current:				
District attorney	6,643	6,643	1,844	4,799
Contingencies	-	-	-	-
Total expenditures	6,643	6,643	1,844	4,799
Excess (deficiency) of revenues over (under) expenditures	(3,583)	(3,583)	(1,596)	1,987
Other Financing Sources (Uses)				
Transfers to other funds	-	-	-	-
Total other financing sources (uses)	-	-	-	-
Net change in fund balances	(3,583)	(3,583)	(1,596)	1,987
Fund balances, budgetary basis - beginning	3,583	3,583	3,631	48
Fund balances, budgetary basis - ending	$ -	$ -	$ 2,035	$ 2,035

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2110 Museum Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Licenses, fees, and permits	$ 8,200	$ 8,200	$ 32,236	$ 24,036
Intergovernmental	35,000	35,000	22,500	(12,500)
Donations	2,500	2,500	4,477	1,977
Miscellaneous	-	-	14	14
Investment earnings	2,400	2,400	1,424	(976)
Total revenues	48,100	48,100	60,651	12,551
Expenditures				
Current:				
Administration	114,302	114,302	63,409	50,893
Contingencies	163,066	163,066	-	163,066
Total expenditures	277,368	277,368	63,409	213,959
Excess (deficiency) of revenues over (under) expenditures	(229,268)	(229,268)	(2,758)	226,510
Other Financing Sources (Uses)				
Transfers from other funds	35,000	35,000	35,000	-
Net change in fund balances	(194,268)	(194,268)	32,242	226,510
Fund balances, budgetary basis - beginning	194,268	194,268	227,035	32,767
Fund balances, budgetary basis - ending	$ -	$ -	$ 259,277	$ 259,277

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2200 911 Communications Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts			
	Original	Final	Actual Amounts	Variance with Final Budget
Revenues				
Charges for services	$ 474,871	$ 474,871	$ 482,012	$ 7,141
Intergovernmental	604,081	604,081	642,230	38,149
Miscellaneous	100	100	558	458
Investment income	1,000	1,000	2,162	1,162
Total revenues	1,080,052	1,080,052	1,126,962	46,910
Expenditures				
Current:				
Sheriff	1,233,273	1,233,273	1,062,025	171,248
Contingencies	80,508	80,508	-	80,508
Total expenditures	1,313,781	1,313,781	1,062,025	251,756
Excess (deficiency) of revenues over (under) expenditures	(233,729)	(233,729)	64,937	298,666
Other Financing Sources (Uses)				
Transfers from other funds	193,145	193,145	193,145	-
Transfers to other funds	(213,172)	(213,172)	(213,172)	-
Total other financing sources (uses)	(20,027)	(20,027)	(20,027)	-
Net change in fund balances	(253,756)	(253,756)	44,910	298,666
Fund balances, budgetary basis - beginning	253,756	253,756	316,025	62,269
Fund balances, budgetary basis - ending	$ -	$ -	$ 360,935	$ 360,935

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
2330 Kramer Field Development Reserve Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Investment income	$ 200	$ 200	$ 196	$ (4)
Expenditures				
Current:				
Administration	35,910	35,910	-	35,910
Net change in fund balances	(35,710)	(35,710)	196	35,906
Fund balances, budgetary basis - beginning	35,710	35,710	35,696	(14)
Fund balances, budgetary basis - ending	$ -	$ -	$ 35,892	$ 35,892

RESERVE FUNDS

The County has four reserve funds that are used for budgetary purposes only. These funds are combined with the General Fund or the Public Works Fund in the GAAP-basis financial statements.

ROAD RESERVE FUND: This fund is used to accumulate money for future road equipment purchases and construction projects. Resources are from interest on investments and transfers in. Expenditures are for materials and services and capital outlay. This fund is included with the Public Works Fund in the GAAP-basis financial statements.

911 EQUIPMENT RESERVE FUND: This fund accumulates money for the purchase of 911 equipment. Revenues are from interest on investments and transfers in. This fund is inlcuded in the General Fund in the GAAP-basis financial statements.

FACILITY CAPITAL RESERVE FUND: This fund accumulates money for capital expenditures required by County facilities. Resources are from interest on investments and transfers in. This fund is included in the General Fund in the GAAP-basis financial statements.

GENERAL OPERATING RESERVE FUND: This fund accumulates money to support operations as determined by the County Commissioners. Resources are from interest on investments and transfers in. This fund is included in the General Fund in GAAP-basis financial statements.

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
3210 Road Reserve Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Investment income	$ 22,000	$ 22,000	$ 25,651	$ 3,651
Expenditures				
Current:				
Public works	5,335,555	5,335,555	873,723	4,461,832
Excess (deficiency) of revenues over (under) expenditures	(5,313,555)	(5,313,555)	(848,072)	4,465,483
Other Financing Sources (Uses)				
Transfers from other funds	780,288	780,288	780,288	-
Total other financing sources (uses)	780,288	780,288	780,288	-
Net change in fund balances	(4,533,267)	(4,533,267)	(67,784)	4,465,483
Fund balances, budgetary basis - beginning	4,533,267	4,533,267	4,536,711	3,444
Fund balances, budgetary basis - ending	$ -	$ -	$ 4,468,927	$ 4,468,927

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
3240 911 Equipment Reserve Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Investment income	$ 548	$ 548	$ 983	$ 435
Expenditures				
Current:				
Sheriff	308,388	308,388	-	308,388
Contingencies	-	-	-	-
Total expenditures	308,388	308,388	-	308,388
Excess (deficiency) of revenues over (under) expenditures	(307,840)	(307,840)	983	308,823
Other Financing Sources (Uses)				
Transfers from other funds	213,172	213,172	213,172	-
Transfers to other funds	-	-	-	-
Total other financing sources (uses)	213,172	213,172	213,172	-
Net change in fund balances	(94,668)	(94,668)	214,155	308,823
Fund balances, budgetary basis - beginning	94,668	94,668	94,680	12
Fund balances, budgetary basis - ending	$ -	$ -	$ 308,835	$ 308,835

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
3260 Facility Capital Reserve Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Investment income	$ 98,000	$ 98,000	$ 84,756	$ (13,244)
Miscellaneous	-	-	89,289	89,289
Total revenues	98,000	98,000	174,045	76,045
Expenditures				
Current:				
Administration	3,021,739	3,021,739	1,000	3,020,739
Excess (deficiency) of revenues over (under) expenditures	(2,923,739)	(2,923,739)	173,045	3,096,784
Other Financing Sources (Uses)				
Interfund Loans			-	
Transfers to other funds	(12,500)	(12,500)	(12,500)	-
Transfers from other funds	-	-	-	-
Total other financing sources (uses)	(12,500)	(12,500)	(12,500)	-
Net change in fund balances	(2,936,239)	(2,936,239)	160,545	3,096,784
Fund balances, budgetary basis - beginning	2,936,239	2,936,239	3,434,256	498,017
Fund balances, budgetary basis - ending	$ -	$ -	$ 3,594,801	$ 3,594,801

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
3270 General Operating Reserve Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Revenues				
Investment Income	$ 17,600	$ 17,600	$ 34,113	$ 16,513
Intergovernmental	-	-	2,710,134	2,710,134
Miscellaneous	-	-	38,705	38,705
Total revenues	17,600	17,600	2,782,952	2,765,352
Expenditures				
Current:				
Administration	10,921,132	10,921,132	2,973,060	7,948,072
Contingencies	-	-	-	-
Total expenditures	10,921,132	10,921,132	2,973,060	7,948,072
Excess (deficiency) of revenues over (under) expenditures	(10,903,532)	(10,903,532)	(190,108)	10,713,424
Other Financing Sources (Uses)				
Transfers from other funds	2,283,354	2,283,354	2,283,354	-
Total other financing sources (uses)	2,283,354	2,283,354	2,283,354	-
Net change in fund balances	(8,620,178)	(8,620,178)	2,093,246	10,713,424
Fund balances, budgetary basis - beginning	8,620,178	8,620,178	5,743,560	(2,876,618)
Fund balances, budgetary basis - ending	$ -	$ -	$ 7,836,806	$ 7,836,806

Wasco County, Oregon
Combining Balance Sheet
Non-Major Capital Project Funds
June 30, 2022
(all amounts are in dollars)

	Capital Acquisitions Fund
Assets	
Cash and investments	3,764,467
Receivables	-
Total assets	3,764,467
Liabilities	
Accounts payable	1,280
Accrued liabilities	-
Unearned revenue	-
Advances from other funds	
Total liabilities	1,280
Fund Balances	
Restricted	-
Assigned	3,763,187
Total fund balances	3,763,187
Total liabilities and fund balances	3,764,467

Wasco County, Oregon
Combining Schedule of Revenues, Expenditures and Changes in Fund Balance
Non-Major Capital Project Funds
For the year ended June 30, 2022
(all amounts are in dollars)

	Capital Acquisitions Funds
Revenues	
Investment Earnings	$ 20,880
Grants and donations	-
Contributions	-
Total Revenues	20,880
Expenditures	
Current:	
Administration	113,685
Excess (deficiency) of revenues over (under) expenditures	(92,805)
Other Financing Sources:	
Loan proceeds	-
Transfers from other funds	-
Total other financing sources (Uses)	-
Total :	-
Net change in fund balances	(92,805)
Fund balances - beginning	3,855,992
Fund balances - ending	$ 3,763,187

CAPITAL PROJECT FUNDS

NONMAJOR GOVERNMENTAL FUNDS

CAPITAL ACQUISITIONS FUND: This fund accumulates money for future capital improvements. Resources are from interest on investments and transfers in.

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
3220 Capital Acquisitions Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts			
	Original	Final	Actual Amounts	Variance with Final Budget
Revenues				
Investment income	$ 19,300	$ 19,300	$ 20,880	$ 1,580
Intergovernmental	-	-	-	-
Miscellaneous	-	-	-	-
Total revenues	19,300	19,300	20,880	1,580
Expenditures				
Current:				
Administration	3,884,276	3,884,276	113,685	3,770,591
Materials and services	-	-	-	-
Capital Outlay	-	-	-	-
Contingencies	-	-	-	-
Total expenditures	3,884,276	3,884,276	113,685	3,770,591
Excess (deficiency) of revenues over (under) expenditures	(3,864,976)	(3,864,976)	(92,805)	3,772,171
Other Financing Sources (Uses)				
Transfers from other funds	-	-	-	-
Total other financing sources (uses)	-	-	-	-
Net change in fund balances	(3,864,976)	(3,864,976)	(92,805)	3,772,171
Fund balances, budgetary basis - beginning	3,864,976	3,864,976	3,855,992	(8,984)
Fund balances, budgetary basis - ending	$ -	$ -	$ 3,763,187	$ 3,763,187

Wasco County, Oregon
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Budgetary Basis
3220 Capital Acquisitions Fund
For the year ended June 30, 2022
(all amounts are in dollars)

	Budgeted Amounts			
	Original	Final	Actual Amounts	Variance with Final Budget
Revenues				
Investment income	$ 19,300	$ 19,300	$ 20,880	$ 1,580
Intergovernmental	-	-	-	-
Miscellaneous	-	-	-	-
Total revenues	19,300	19,300	20,880	1,580
Expenditures				
Current:				
Administration	3,884,276	3,884,276	113,685	3,770,591
Materials and services	-	-	-	-
Capital Outlay	-	-	-	-
Contingencies	-	-	-	-
Total expenditures	3,884,276	3,884,276	113,685	3,770,591
Excess (deficiency) of revenues over (under) expenditures	(3,864,976)	(3,864,976)	(92,805)	3,772,171
Other Financing Sources (Uses)				
Transfers from other funds	-	-	-	-
Total other financing sources (uses)	-	-	-	-
Net change in fund balances	(3,864,976)	(3,864,976)	(92,805)	3,772,171
Fund balances, budgetary basis - beginning	3,864,976	3,864,976	3,855,992	(8,984)
Fund balances, budgetary basis - ending	$ -	$ -	$ 3,763,187	$ 3,763,187

Schedule of Changes In Assets and Liabilities
Agency Funds
For the year ended June 30, 2022
(all amounts in dollars)

	Private Purpose Trust Funds	Custodial Finds
Assets		
Cash with treasurer	118,691	2,828,903
Taxes receivable		1,214,882
Total assets	118,691	4,043,785
Liabilities		
Accounts payable	-	
Due to other governments		2,376,079
Total liabilities	-	2,376,079
Net Position		
Restricted for:		
Individuals, organizations and other governments	118,691	1,667,706

Schedule of Accountabiltiy of Elected Officials
For year ended June 30, 2022

	County Treasurer	County Clerk	County Sheriff	Assessor/Tax Collector
Beginning Balance	46,043,699	200	200	150
Receipts	32,155,686	362,661	5,324,248	677,561
Disbursements	(27,798,738)	(362,661)	(5,324,248)	(677,561)
Ending Balance	50,400,647	200	200	150

Wasco County, Oregon
Schedule of Expenditure of Federal Awards
For the year ended June 30, 2022
(all amounts are in dollars)

FEDERAL GRANTOR/PASS-THROUGH GRANTOR/PROGRAM TITLE	FEDERAL CFDA NUMBER	PASSED THROUGH ENTITY'S IDENTIFYING NUMBER	PROGRAM OR AWARD AMOUNT RECEIVED	PROGRAM OR AWARD AMOUNT EXPENDED	PASSED THROUGH TO SUBRECIPIENTS
U.S. DEPARTMENT OF AGRICULTURE:					
Passed through Oregon Department of Land Conservation & Development:					
National Scenic Area Grant	10.670	000078	45,000	45,000	
TOTAL U.S. DEPARTMENT OF AGRICULTURE			45,000	45,000	
U.S. DEPARTMENT OF INTERIOR, BUREAU OF LAND MANAGEMENT					
Passed through Oregon Department of Administrative Services:					
Non-Sale Disposals of Mineral Material	15.214		993	993	
Distribution of Receipts to State and Local Governments	15.227		2,431	2,431	
TOTAL U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			3,424	3,424	
U.S. DEPARTMENT OF THE TREASURY:					
Passed through Oregon Department of Administrative Services:					
Coronavirus Aid, Relief and Economic Security Act Grant	21.019		-	110,044	
American Rescue Plan	21.027		2,710,134	1,218,244	849,692
TOTAL U.S. DEPARTMENT OF THE INTERIOR			2,710,134	1,328,288	849,692
U.S. DEPARTMENT OF JUSTICE:					
Direct from Office of Justice Programs:					
Bulletproof Vest Partnership Program	16.607		763	763	
Passed trhrough Oregon Commission on Children and Families:					
Juvenile Justice and Delinquency Prevention - Allocation to States	16.540	13801	-	-	
Passed through Oregon Department of Justice:					
Crime Victim Assistance	16.575	DAVAP-00058	29,583	29,583	
TOTAL U.S. DEPARTMENT OF JUSTICE			30,346	30,346	
U.S. DEPARTMENT OF TRANSPORTATION:					
Passed through Oregon Department of Transportation:					
Enhanced Mobility of Seniors and Individuals with Disabilities	20.513	320241	93,500	93,500	93,500
TOTAL U.S. DEPARTMENT OF TRANSPORTATION			93,500	93,500	
U.S. DEPARTMENT OF HOMELAND SECURITY:					
Passed through Oregon State Police:					
FEMA Disaster 4499 COVID	97.036		38,705	-	
Emergency Management Performance Grants	97.042	18-533	34,884	34,884	
TOTAL U.S. DEPARTMENT OF HOMELAND SECURITY			73,589	34,884	
TOTAL FEDERAL AWARDS			2,955,993	1,535,442	849,692

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October 31, 2023

To the County Commissioners
Wasco County

INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Wasco County as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the basic financial statements, and have issued our report thereon dated October 31, 2023.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of internal control. Accordingly, we do not express an opinion on the effectiveness of internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the financial statements will not be prevented, or detected and corrected, on a timely basis.

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that have not been identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the financial statements are free from material misstatement, we performed tests of compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



Kenneth Allen, CPA
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October 31, 2023

To the County Commissioners
Wasco County

INDEPENDENT AUDITORS' REPORT ON COMPLIANCE FOR EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE

Report on Compliance for Each Major Federal Program

Opinion on Each Major Federal Program

We have audited Wasco County's compliance with the types of compliance requirements identified as subject to audit in the *OMB Compliance Supplement* that could have a direct and material effect on each of the major federal programs for the year ended June 30, 2022. The major federal programs are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

In our opinion, Wasco County complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2022.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditors' Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of Wasco County and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to its federal programs.

Auditors' Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

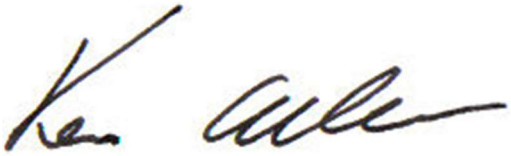
Report on Internal Control over Compliance

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditors' Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.



Kenneth Allen, CPA
PAULY, ROGERS AND CO., P.C.

WASCO COUNTY, OREGON

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
For the Year Ended June 30, 2022

SECTION I – SUMMARY OF AUDITORS' RESULTS

FINANCIAL STATEMENTS

Type of auditors' report issued:	Unmodified			
Internal control over financial reporting:				
Material weakness(es) identified?	☐	yes	☒	no
Significant deficiency(s) identified that are not considered to be material weaknesses?	☐	yes	☒	none reported
Noncompliance material to financial statemetns noted?	☐	yes	☒	no
Any GAGAS audit findings disclosed that are required to be reported reported in accordance with section 515(d)(2) of the Uniform Guidance?	☐	yes	☒	no

FEDERAL AWARDS

Internal control over major programs:				
Material weakness(es) identified?	☐	yes	☒	no
Significant deficiency(s) identified that are not considered to be material weaknesses?	☐	yes	☒	none reported
Type of auditors' report issued on compliance for major programs:	Unmodified			
Any audit findings disclosed that are required to be reported in accordance with section 200.516(a) of the Uniform Guidance?	☐	yes	☒	no

IDENTIFICATION OF MAJOR PROGRAMS

AL NUMBER	NAME OF FEDERAL PROGRAM CLUSTER
21.027	Coronavirus Sate and Local Fiscal Recovery Funds

Dollar threshold used to distinguish between type A and B programs	$ 750,000			
Auditee qualified as low-risk auditee?	☐	yes	☒	no

WASCO COUNTY

WASCO, OREGON

SCHEDULE OF FINDINGS AND QUESTIONED COSTS

For the Year Ended June 30, 2022

SECTION II – FINANCIAL STATEMENT FINDINGS

None

SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

None

NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL EXPENDITURES

1. BASIS OF PRESENTATION

The accompanying schedule of expenditures of federal awards includes federal grant activity under programs of the federal government. The information in this schedule is presented in accordance with the audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). Because the schedule presents only a selected portion of the operations, it is not intended to and does not present the net position, changes in net position, or cash flows of the entity.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Expenditures reported on the schedule are reported on the modified accrual basis of accounting. Such expenditures are recognized following the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowed or are limited as to reimbursement. Negative amounts shown on the schedule represent adjustments or credits made in the normal course of business to amounts reported as expenditures in prior years. The entity has elected to not use the ten percent de minimus indirect cost rate as allowed under Uniform Guidance, due to the fact that they already have a negotiated indirect cost rate with Oregon Department of Education, and thus is not allowed to use the de minimus rate.

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Independent Auditors' Report Required by Oregon State Regulations

We have audited the basic financial statements of the Wasco County as of and for the year ended June 30, 2022, and have issued our report thereon dated October 31, 2023. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and Government Auditing Standards.

Compliance

As part of obtaining reasonable assurance about whether the basic financial statements are free of material misstatement, we performed tests of compliance with certain provisions of laws, regulations, contracts, and grants, including the provisions of Oregon Revised Statues as specified in Oregon Administrative Rules 162-10-000 through 162-10-320 of the Minimum Standards for Audits of Oregon Municipal Corporations, noncompliance with which could have a direct and material effect on the determination of financial statements amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion.

We performed procedures to the extent we considered necessary to address the required comments and disclosures which included, but were not limited to the following:

- **Deposit of public funds with financial institutions (ORS Chapter 295)**
- **Indebtedness limitations, restrictions and repayment.**
- **Budgets legally required (ORS Chapter 294).**
- **Insurance and fidelity bonds in force or required by law.**
- **Programs funded from outside sources.**
- **Highway revenues used for public highways, roads, and streets.**
- **Authorized investment of surplus funds (ORS Chapter 294).**
- **Public contracts and purchasing (ORS Chapters 279A, 279B, 279C).**

In connection with our testing nothing came to our attention that caused us to believe the Wasco County was not in substantial compliance with certain provisions of laws, regulations, contracts, and grants, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules 162-10-000 through 162-10-320 of the Minimum Standards for Audits of Oregon Municipal Corporations, except for an over-expenditure described in note 2 to the financial statements

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OAR 162-10-0230 Internal Control

In planning and performing our audit, we considered the internal controls over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the internal controls over financial reporting.

This report is intended solely for the information and use of the Board of Directors and management and the Oregon Secretary of State and is not intended to be and should not be used by anyone other than these parties.

Kenneth Allen, CPA
PAULY, ROGERS AND CO., P.C.

MEMORANDUM

SUBJECT: Wasco County Revised Records Request Policy

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KATHY CLARK

DATE: NOVEMBER 27, 2023

BACKGROUND INFORMATION:

In 2015 Wasco County established a policy for the management of requests for records. The Policy underwent some minor revisions in 2017 to update links and contact information. Since that time, the Oregon legislature has adopted new rules governing records requests which have been incorporated into the proposed revised policy along with clarifying language that we hope will make it easier for both staff and the public. The main points of the policy are as follows:

- The County has a designated Public Records Request Officer (PRRO) (currently the Executive Assistant)
- Each Department has a Public Records Request Officer (currently the Department Director)
- The Department Director can determine if the request can be fulfilled with the minimal amount of effort so that records can be provided at no charge. Even if that determination is made, timeline requirements are the same. If that determination is made, records can be provided without notifying the County's Public Records Request Officer.
- If the request is being sent to the County's PRRO, that should be done as soon as possible. If the Department PRRO has responded to the requestor, that should be documented and sent to the County PRRO.
- Once sent to the County PRRO, they become responsible for tracking the request, communicating with the requestor and notifying County Counsel. The Department Director should work with the County PRRO to develop a cost and time estimates and ultimately to gather the requested documents once payment is received.
- Fees for responses are controlled by the County Fee Schedule
- Timelines for responses are controlled by State statute and are outlined in the policy.

ADMINISTRATIVE PROCEDURES

TITLE: Public Records Request Policy	
SPONSORING DEPARTMENT: County Administration	
EFFECTIVE DATE: December 6, 2023	**REVIEWED:** November 1, 2023

OBJECTIVE: To establish procedures for responding to public records requests. Public records, except records exempt from disclosure at the discretion of the County per ORS Chapter 192, shall be made available as soon as practicable, without unreasonable delay and, as applicable, after reimbursement to the County for the actual cost of making public records available to the requestor.

PROCEDURES:

The County Administrative Office shall appoint a Public Records Officer (Exhibit "A") to be responsible for coordinating and assisting with implementation of these procedures:

1. Initial Assessment

   Staff who receive or process a public records request shall notify the department/office Public Records Officer and learn as much as possible about the records being requested.

   1.1. Requests for Readily Available Records - Simple, routine requests for readily available records may be handled immediately. In some cases, the requestor may be referred to the County website or other places where records are readily available and/or may be charged a fee reasonably calculated to cover the cost of producing these records.

   1.2. If the requested records are not readily available, requestors should be encouraged, but not required, to submit a completed County Public Records Request Form (example form provided as Exhibit B) to the Department Director or Public Records Officer.

1.3 Unless taken care of immediately, the request shall be acknowledged by the Public Records Officer or Department Director with an email or other form of dated communication ***within five business days of receiving a request.*** Director's acknowledging a request shall provide a copy of the dated acknowledgment to the Public Records Officer. . An acknowledgement must:
(a) Confirm that the public body is the custodian of the requested record;
(b) Inform the requester that the public body is not the custodian of the requested record; or
(c) Notify the requester that the public body is uncertain whether the public body is the custodian of the requested record.

2. Records Review

Except for readily available records that have been immediately addressed, the Public Records Officer shall:

2.1. Determine if the County is likely to have responsive records. The Public Records Officer shall make a ***preliminary*** determination as to whether the requested records exist, and whether all or a portion of the contents may be subject to exemption. This may include contacting or referring the requestor to Public Records Officers in other departments that may have relevant records. ***Avoid the actual gathering of records until a payment has been received under steps 3.1 or 3.2 below.***

2.2. Check with County Counsel. Public Records Officers shall contact County Counsel before responding if the requested records could relate to pending claims or litigation, or the County wants to treat them as confidential or exempt from disclosure. When in doubt, check with County Counsel.

2.3 This policy applies to all County employees except for the Sheriff's Department for all records and the office of the District Attorney as related to potential, pending or closed investigations.

2.4. Estimate costs of gathering responsive records. Public Records Officers shall also estimate the cost in staff time and any other expense required to locate the documents, perform redactions, ensure security during inspection and otherwise responding to the request. These estimates shall be based upon the applicable rates found in the current Wasco County Fee Schedule.

3. Response

The Public Records Officer shall communicate the results of the preliminary records review to the requestor, using the Public Records Response Form (example provided as Exhibit "D") ") as soon as reasonably possible but not later than 15 business days receipt of a public records request. . If the fee determined in
step 2.3 above is greater than $25, Oregon law requires that the County ***provide the requester with a written notification of the estimated fee*** and ***receive confirmation from the requester*** before proceeding with making the records available. The County's response options include:

3.1. Waiting until payment is made. Absent unusual circumstances, no further work should be performed until the requestor responds and pays the appropriate fee or deposit. The requestor must consent to paying a fee required to cover the costs of gathering and producing the records. If this payment is not received within 60 calendar days of the date the County communicates the cost to the requestor, the records request will be considered closed and no further action would be needed.

3.2. Allowing inspection. The requestor may decide to inspect original files or records rather than obtain copies. Reasonable steps must be taken to ensure the records are protected from being altered, taken or destroyed. In cases where the County is asserting an exemption from disclosure of some records, the option to inspect original records may still involve duplicating originals in order to prepare redacted copies. Reasonable fees calculated to cover the costs of gathering, preparing and safeguarding the requested records must be received before records are made available for inspection.

3.3. Clarifying the request. The County may need more information from the requestor to clarify what records are being requested. If the requestor does not provide this additional information within 60 calendar days of the date the County asks for this clarification, the records request will be considered closed.

3.4. Communicating that additional time is needed. When additional time is needed to answer a request, the County will advise the requestor and provide an estimated date when the responsive records could be provided. Records must be provided at this time or as soon as practicable and without unreasonable delay.

3.5. Declaring a lack of resources needed to proceed. There may be times when the County does not have staff available to respond at the moment of the request a high volume of requests may come in simultaneously and/or the request may impede the County's ability to provide other important services to the community. In any of these three cases, the County still must respond to the request as soon as practicable
and without unreasonable delay.

4. Additional Considerations

4.1 Disclosure Format. Reasonable requests for a particular format or type of copy should be granted, such as providing a CD or electronic documents in PDF format rather than a hard copy. Reasonable steps must be taken to accommodate persons
with disabilities and no fee may be charged for such an accommodation.

4.2 Waiver or Reduction of Fees. The fee may be waived if the cost of charging and collecting it would exceed the revenue obtained. The County may furnish copies without charge or at a reduced fee if the County Administrator or designee

determines that making the record available primarily benefits the general public. The law prohibits waiving fees if the records were created through use of certain constitutionally dedicated funds, such as fuel taxes or motor vehicle fees, unless the cost of charging the fee would exceed the cost of providing the record. When in doubt about constitutional restricted funds, staff should consult with County Counsel.

4.3 Destruction of Records. County staff shall not alter or destroy a record that they reasonably think is subject to a current or reasonably anticipated public records request or is relevant to current or reasonably anticipated litigation. This includes
records otherwise eligible for destruction.

4.4 Special Circumstances. The Public Records Officer or County Counsel shall be consulted whenever the request raises unusual or special concerns. Examples may include: copyrighted materials, records relating to current tort claims or litigation, records held by county contractors or requests made directly to elected officials.

5. Resources:

5.1 Wasco County Fee Schedule:
https://www.co.wasco.or.us/departments/board_of_county_commissioners/policies_and_ordinances.php

5.2 Attorney General's Public Records and Meetings Manual (November 2014):
https://www.doj.state.or.us/oregon-department-of-justice/public-records/public-records-and-meetings-law/

5.3 Catalog of Public Records Exemptions:
https://justice.oregon.gov/PublicRecordsExemptions/

Adopted this 6th Day of December, 2023

Wasco County Board of Commissioners

_____
Steven D. Kramer, Commission Chair

_____
Scott C. Hege, Vice-Chair

APPROVED AS TO FORM:

_____
Philip L. Brady, County Commissioner

_____
Kristen Campbell, County Counsel

Exhibit A

WASCO COUNTY PUBLIC RECORDS OFFICERS

Public record requests may be sent to the following Wasco County officials. Many public records are available on the Wasco County Web site at the links provided below:

Department of Assessment and Taxation

- Wasco County Assessor/Tax Collector
  511 Washington Street, Suite 208
  The Dalles, OR 97058
  Web address: https://www.co.wasco.or.us/departments/assessment_and_taxation/index.php

Board of Commissioners/County Administrative Office (which includes Administrative Services, IT, HR, Finance & Facilities)
Wasco County Administrative Officer
511 Washington Street, Suite 101
The Dalles, OR 97058
Web address: https://www.co.wasco.or.us/departments/administrative_services/index.php

Department of Community Corrections
Community Corrections Manager
421 E. 7th Street, Annex B
The Dalles, OR 97058
Web address: https://www.co.wasco.or.us/departments/community_corrections/index.php

District Attorney's Office
Wasco County District Attorney
511 Washington Street, Suite 304
The Dalles, OR 97058

- Web address: https://www.co.wasco.or.us/departments/district_attorney/index.php

Department of Planning
Wasco County Planning Director
2705 E. 2nd Street
The Dalles, OR 97058
Web address: https://www.co.wasco.or.us/departments/planning/index.php

Department of Public Works
Wasco County Public Works Director
2705 E. 2nd Street
The Dalles, OR 97058
Web address: https://www.co.wasco.or.us/departments/public_works/index.php

Department of Youth Services
Wasco County Youth Services Director
202 E. 5th Street
The Dalles, OR 97058
Web address: https://www.co.wasco.or.us/departments/youth_services/index.php

County Clerk's Office
Wasco County Clerk
511 Washington Street, Suite 201
The Dalles, OR 97058
Web address: https://www.co.wasco.or.us/departments/clerk/index.php

Sheriff's Department
Wasco County Sheriff
511 Washington Street, Suite 102
The Dalles, OR 97058

Web address: https://www.co.wasco.or.us/departments/sheriff/index.php

EXHIBIT B

Public Records Request

Please submit this form to _____
(Insert County Public Records Officer contact information):

Unless the records are immediately available, a form will be sent to you indicating what records are available. Pursuant to ORS 192.440, a public body may charge reasonable fees to make records available as well as reproduction charges, if applicable. You will be provided a written estimate if the cost may exceed $25.00. All fees or deposits must be paid prior to accessing the records.

Name:_____ Phone: _____

Address:_____

City, State, Zip Code:_____

Email:_____

NOTE: State and federal law prohibits disclosure of certain records and permits; therefore, certain public records will be withheld from disclosure.

Records Requested: *Describe the records as specifically as possible, including relevant dates, subject matter and type of record.*

Wasco County's Public Records Policy and Fee Schedule are available at:

https://www.co.wasco.or.us/departments/board_of_county_commissioners/policies_and_ordinances.php

Persons *with disabilities may be entitled to have records transferred to an accessible format at no extra charge.*

EXHIBIT C

Public Records Request Acknowledgement

To:. _____

This responds to your __(date received)____ request for public records.

[ ] The County is uncertain about what records you are requesting. _____
_____
_____
_____
_____

[] The County is uncertain whether it has the requested records. We will continue to search and respond appropriately as soon as practicable.

[ ] The County does not have the records or is not the custodian of the records.

[ ] The County is asserting an exemption from disclosure pursuant to Oregon law for all or some of the records. See attached explanation.

[ ] The records are available for pick up or inspection. Please call to schedule a time or make other arrangements. Unless a fee waiver has been granted:

[] You must first pay all applicable copying and other charges, which are estimated at less than $25.00. [ ] You must first pay a deposit of $_____which is the estimated cost of preparing the records. If the actual cost is less, you will receive a refund. If the actual cost is more, you must pay the full amount due prior to accessing the documents.

[ ] The following state or federal law prohibits the County from acknowledging whether the requested records exist, or acknowledging the existence of the records would result in the loss of federal benefits or imposition of some other sanction:

_____

[] Note the following,_:_____

_____

To complete the County's response, appropriate sections of this form will be filled in to provide you with a general understanding of the process, legal restrictions and possible costs involved. In some cases, the County may need additional information from you to help identify the records requested. If the County contacts you or has requested from you within this form for further information or clarification and you fail to respond, we will suspend this request until we hear from you.
If you fail to respond within 60 days, the County will close this public records request.

The Wasco County Public Records Policy and fee schedule is available at
https://www.co.wasco.or.us/departments/board_of_county_commissioners/policies_and_ordinances.php

Please contact the person identified below if you have any questions regarding your request.

Name: _____Phone: _____-

MOTION

SUBJECT: **Revised Records Request Policy**

I move to approve the Revised Wasco County Public Records Request Policy.

PLANNING DEPARTMENT

2705 East Second Street • The Dalles, OR 97058
p: [541] 506-2560 • **f:** [541] 506-2561 • www.co.wasco.or.us

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WASCO COUNTY BOARD OF COUNTY COMMISSIONS AGENDA PACKET

FOR

Hearing Date: September 20, 2023

Hearing Time: 9:30 am

Hearing Location: Wasco County Courthouse, Room 302
511 Washington Street
The Dalles, OR 97058
Electronically via Zoom
Meeting ID: 3957734524#

HEARING DETAILS: File #921-23-000023-PLNG. Applicant/Owner: Smilekel Group. Appellant: Friends of the Columbia Gorge. An appeal hearing of a Wasco County Planning Commission approval of a Scenic Area request to replat 66 lots to six lots.

PLANNING DEPARTMENT

2705 East Second Street • The Dalles, OR 97058
p: [541] 506-2560 • f: [541] 506-2561 • www.co.wasco.or.us

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MEMORANDUM TABLE OF CONTENTS

Date: September 13, 2023
To: Wasco County Board of County Commissioners
From: Wasco County Planning Office
Subject: Submittal for Hearing dated September 20, 2023
Re: Appeal of Planning Commission approval of #921-23-000023-PLNG: Scenic Area request to replat 66 lots to 6 lots

Item	Page
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Attachment I – Land Sales Contract and Deeds	BOCC 1 – 342
Attachment J – Appeal Application	BOCC 1 – 371
Attachment K – Planning Commission Notice of Decision & Attachments	BOCC 1 – 375
Attachment L – Subdivision Application	BOCC 1 – 634

PLANNING DEPARTMENT

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p: [541] 506-2560 • **f:** [541] 506-2561 • www.co.wasco.or.us

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SUMMARY OF INFORMATION

Prepared for the Wasco County Board of Commissioners

FILE #: 921-23-000023-PLNG

APPEAL HEARING DATE: September 20, 2023
NEWSPAPER PUBLISHING DATE: September 6, 2023

REQUEST: **An appeal of a Planning Commission approval of the following request:** Scenic Area Review for a Replat (Prince Heights Subdivision) of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). Vacation of unused ROW and easements plus dedication and construction of Cavern Way cul-de-sac ROW and necessary lot preparation and utilities, and to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

APPLICANT/OWNER/APPELLANT INFORMATION:

APPLICANT: Elizabeth Betts, 1411 13th Street, Hood River, OR 97031

OWNER: Smilekel Group, 1309 SE 195th Ave., Camas, WA 98607

APPELLANT: 123 NE 3rd Ave, Ste 108

PROPERTY INFORMATION:

LOCATION: The subject property is located 0.35 miles southwest of West 10th Street, on the immediate west and north side of Cherry Heights Road, situated on the south side of Hermits Way, approximately 0.14 miles northwest of the City of The Dalles; more specifically described as:

Map/Tax Lot	*Acct. #*	*Acres*
1N 13E 5 AD 300	8347	2.28
1N 13E 5 AD 1000	8355	2.74
1N 13E 5 AD 1100	15570	3.76
1N 13E 5 AD 1200	8350	1.90
1N 13E 4 BC 2600	15569	4.27

ZONING: "R-R" Rural Residential Zone (GMA & SMA), GMA R-5 of the Columbia River Gorge National Scenic Area

PLANNING DEPARTMENT

2705 East Second Street • The Dalles, OR 97058
p: [541] 506-2560 • **f:** [541] 506-2561 • www.co.wasco.or.us

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SUMMARY OF INFORMATION

Staff Reviewer: Daniel Dougherty, Senior Planner

ATTACHMENTS:

Attachment A	**Conditions of Approval & Recommendation**
Attachment B	**Public Notifications of Application and Appeal Hearing**
Attachment C	**Maps**
Attachment D	**Staff Report**
Attachment E	**Comments Submitted for Appeal**
Attachment F	**Preliminary Copy of Road Maintenance Agreement**
Attachment G	**Subsection 21.310.B Final Subdivision Plat Approval Standards**
Attachment H	**Unrecorded & Recorded 1953 "Ordinance No. 3 Subdivision Regulations of Wasco County"**
Attachment I	**Land Sales Contract and Deeds**
Attachment J	**Appeal Application**
Attachment K	**PC Notice of Decision & Attachments**
Attachment L	**Appeal Application**

The full staff recommendation (Staff Report) with proposed findings of fact addressing issues raised within the appeal application is enclosed as Attachment A, and was available at the Wasco County Planning Department for review one week (7-days) prior to the September 20, 2023, hearing. The full staff recommendation is made as part of the record. This summary does not supersede or alter any of the findings or conclusions in the staff report, but provides a summary of the appeal and overall request.

- The Planning Commission Hearing was held on August 1, 2023, where the Planning Commission voted 6-0 to approve the request with conditions. The Planning Commission Decision was noticed on August 3, 2023, with a 15-day appeal period ending on August 18, 2023.

- An appeal from Friends of the Columbia Gorge was properly received and filed on August 18, 2023.

- The two issues raised on appeal include:

  (1) The decision violates the NSA-LUDO, including sections 3.160.D.13, 3.160.G, 21.030.C & D, because it unlawfully approves new parcels that violate the applicable minimum lot size for the land use designation; and

  (2) The decision contains erroneous findings and conclusions regarding the current number of legally existing parcels.

- Based on the Wasco County National Scenic Area Land Use and Development Ordinance, Section 2.170 Review by the County Governing Body, the issues raised on appeal shall be reviewed by the County Governing Body as a "de novo" hearing, but the review shall be limited to the grounds relied upon in the petition request.

ATTACHMENT A - RECOMMENDED CONDITIONS OF APPROVAL & RECOMMENDATION

RECCOMENDED CONDITIONS OF APPROVAL

A. Fire Safety

1. As part of a complete application, the property owners completed a Fire Safety Standard Self-Certification Form. By signing the self-certification form, the owners have acknowledged that they understand these standards and commit to achieving compliance with them within one year of the date of approval and maintain them through the life of the development. This certification further commits all future property owners to this same requirement. A copy of this self-certification form is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG. Staff Finds the Request complies with Section 11.210.

B. National Scenic Area Conditions

1. Significant ground disturbance shall be revegetated no later than the next planting season (Oct-April) with native species, and property owners and their successors in interest shall be responsible for survival of planted vegetation and the replacement of such vegetation that does not survive.

2. If cultural resources are discovered during development of any new structure or building, all construction shall cease within 100' of the discovered cultural resource. The cultural resource(s) shall remain as found and further disturbance is prohibited. The owner shall notify the Wasco County Planning Department, the Wasco County Sheriff the Gorge Commission, the four Indian tribal governments (Confederated Tribes of Warm Springs, Confederated Tribes of Umatilla, Perce Nez, and Yakama Indian Nation), and Washington State Physical Anthropologist, Dr. Guy Tasa, must also be notified within 24 hours of discovery.

3. If human remains are discovered, all work on the parcel shall cease and the owners shall immediately notify the The owner shall notify the Wasco County Planning Department, the Wasco County Sheriff the Gorge Commission, the four Indian tribal governments (Confederated Tribes of Warm Springs, Confederated Tribes of Umatilla, Perce Nez, and Yakama Indian Nation), and Washington State Physical Anthropologist, Dr. Guy Tasa.

4. The applicant shall obtain any necessary federal, state, and local permits pertinent to the requested subdivision and development.

ATTACHMENT A - RECOMMENDED CONDITIONS OF APPROVAL & RECOMMENDATION

B. Land Division Related Conditions:

1. Based on the provided commentary, the fact that fee ownership of the existing park space has not been properly established, and that there are other public recreation options that do not require the dedication of public park space, staff does not recommend public open park space be required for this subdivision replat. In lieu of the park dedication, the subdivider shall pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. Such sum shall be paid to the County Clerk prior to recording of the final subdivision plat and such sum shall be held by the County Clerk in a special fund for acquisition and development of parks, playgrounds, and recreational areas within the immediate area of the subdivision.

2. The final subdivision plat shall detail applicable property corners at street intersections that are rounded and with a radius of not less than ten (10) feet.

3. Existing easements to be extinguished shall be illustrated on the final subdivision plat, and all proposed and non-extinguished existing easements shall be illustrated on the final subdivision plat, and that the proposed easements be at least (12) feet wide and centered on lot lines where possible, except for utility pole tieback easements which may be reduced to six feet in width.

4. Following approval from the planning commission, the preliminary subdivision plan will be valid for a 24-month period, with no phasing proposed in accordance with Subsection 21.200C.2. To ensure compliance, the preliminary subdivision plan is valid for 24 months from the date of final approval, which is the end of the 15-day appeal period following the final decision of the Planning Commission. A final subdivision plat must be submitted for review by the authorized decision making body prior to the expiration of the 24 month period of validity. If the time limitation expires, approval of the preliminary subdivision plan shall be void. Any subsequent proposal by the applicant for a division of the property shall require a new development request. An extension of time may be granted, if it is applied for in accordance with Section 2.250 Extension of Validity of Land Use Approvals, and Subsection 21.200.F of the Wasco County National Scenic Area Land Use and Development Ordinance.

5. The final plat shall provide all existing and proposed public and private easements, restrictions, and covenants providing for, or affecting all services, and utilities, and that if the easement has been filed with the County Clerk prior to the final approval of the land partition, then the Recorder's number shall appear on the face of the map.

6. During the final subdivision review, the applicant shall provide the proposed source of water supply, estimated volume to be available, together with data regarding the location, type, and size of all storage facilities, distribution lines, fire hydrants, and gate valves.

7. The final plat shall provide a statement from an authorized representative of the Department of Environmental Quality, State of Oregon, or the County Sanitarian regarding the approval of each lot or parcel to be sold for installation of septic tank facilities.

8. The final plat shall be prepared in conformance with all applicable provisions of Subsection 21.310.B.

C. Road Related Conditions

1. Upon approval of the preliminary subdivision request by the Planning Commission, the applicant shall apply with the Wasco County Public Works Department for a road vacation petition to vacate those roads identified within the preliminary subdivision plat (Sandstone Way (portion), Cavern Way, and Granite Way) in order that they be replaced with the proposed publicly dedicated Cavern Way cul-de-sac road. It is noted within Attachment D that the Wasco County Board of Commissioners cannot completely vacate Sandstone (portion), Cavern Way, and Granite Way before the proposed road dedication and subdivision replat are granted final approved because the road vacation will leave numerous lots within the Columbia Crest Addition without public access. The final road vacation order for Sandstone Way (portion), Cavern Way, and Granite Way roads can only take effect upon the final approval and recording of the final plat of the Prince Heights Subdivision, including the public dedication of the proposed Cavern Way cul-de-sac road. The vacation order for Sandstone Way (portion), Cavern Way, and Granite Way roads must be **conditioned** to take effect upon the final approval and recording of the Prince Heights Subdivision final plat, including the public dedication of the proposed Cavern Way cul-de-sac road.

2. The owner shall obtain Road Approach Permits for all of the proposed lots, if required by the Wasco County Public Works Department.

3. The owner shall repair damages, if any, that are made to Sandstone Way or Hermits Way during the development of the proposed Cavern Way cul-de-sac road and during preparatory work, if any, on the replatted lots. All necessary repairs shall meet applicable standards contained in Sections 21.410 through 21.440. It is recommended that the owner obtain an existing conditions report on Sandstone Way and Hermits Way prior to construction.

4. In general, dead end (cul-de-sac) roads are not desirable, but considering the fire safety commentary, the geography of the area and the limited suitable land to locate septic drain fields, the following recommended conditions of approval are proposed to ensure the cul-de-sac road and final subdivision plan is consistent with Chapter 11 Fire Safety Standards and Chapter 21 Land Division of this Ordinance, and state fire codes concerning fire apparatus access:

(a) To ensure access roads extend to within 150 feet of each structure on each lot, designated development areas for proposed Lots 1-6 shall be within 150 feet of the primary access road for the individual lot, or that Lots 1-6 must contain access roads or driveways that shall be engineered to support an imposed load of 85,000 lbs., are 12’ wide, and that the grade of the access driveway shall be 10 percent of slope or less.

(b) To ensure that no obstacles exist for fire apparatus access, the Cavern Way cul-de-sac road shall be maintained free of vegetation, signage, or any other man-made or natural objects, and that the height of trees, signage, or other man-made or natural objects shall be at least 13’6” along the entire Cavern Way cul-de-sac road.

(c) To ensure the public is notified of restricted parking areas for fire apparatus, the subdivder shall provide signage for both sides of the Cavern Way cul-de-sac road, and that the signage shall be a minimum of 12” wide x 18” high with red letters with white reflective background with wording of “No Parking” and “Fire Lane”. The signage shall be reviewed and approved by Mid-Columbia Fire and Rescue and the Wasco County Public Works Department.

(d) To ensure that all fire apparatus have access to the proposed Lots 3-6 along the Cavern Way cul-de-sac road, the road shall be paved and engineered to support an imposed load of 85,000 lbs., that the paved portion shall be at least 26' wide, that the grade shall be 10 percent of slope or less, and that the road shall have a 48' radius (96' diameter) cul-de-sac for fire turnaround at the end . A **variance** to the 10 percent slope condition may be granted upon demonstration of need by the applicant and approval by the local fire district.

(e) A road maintenance agreement for Cavern Way cul-de-sac road shall be provided by the homeowners and will be managed with a road maintenance agreement.

4. In consideration of water supply for fire apparatus, the following recommended conditions of approval are proposed to ensure the cul-de-sac road and final subdivision plan is consistent with Chapter 11 and state fire codes concerning water supply:

(a) To ensure on-site water is available for structural fire protection, fire hydrants shall be provided at least 200 feet from all designated development areas for the proposed Lots 1-6; or

(b) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units shall be constructed to contain an approved automatic fire sprinkler system, fire hydrants shall be provided at least 250 feet from all designated development areas for the proposed Lots 1-6.

(c) A fire hydrant shall be provided within 500 feet of the fire hydrant servicing the cul-de-sac; or

(d) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units be constructed to contain an approved automatic fire sprinkler system, the fire hydrant shall be provided within 625 feet of the fire hydrant servicing the cul-de-sac.

(e) If Lot 1 is accessed by Sandstone Way, a fire hydrant shall be situated so it is within 500 feet of the fire hydrant servicing the cul-de-sac, or that a separate fire hydrant shall be installed for Lot 1; or

(f) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units be constructed to contain an approved automatic fire sprinkler system, that the fire hydrant shall be provided within 625 feet of the fire hydrant servicing the cul-de-sac, or that a separate fire hydrant shall be installed for Lot 1.

(g) The fire hydrants shall have a flow rate of 1,000 gallons per minute with 20 pounds per square inch of residual pressure, and that the flow capacity shall be maintained for at least 60-minutes; or

(h) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units shall be constructed to contain an approved automatic fire sprinkler system, the required fire hydrant shall have a flow rate of 500 gallons per minute at 20 pounds per square inch of residual pressure that can be maintained for at least 30-minutes.

(i) To ensure the proposed fire hydrants can meet required flow rate conditions, prior to public dedication of the proposed Cavern Way cul-de-sac, the subdivider shall provide objective substantial evidence from the local fire district that the proposed fire hydrants will have the required flow rates; or

(j) If the subdivider cannot demonstrate the required fire hydrant flow rate requirements, the subdivider, prior to public dedication of the proposed Cavern Way, shall provide objective substantial evidence from the local fire district that the required flow rates can be obtained from providing their own water system of reservoirs and hydrants, or by supplementing the current water system through upgrading the public water system. Upgrading the current water system to meet fire hydrant flow rate requirements is the sole responsibility of the subdivider.

5. To ensure adequate and safe access is provided to the area, prior to submittal of the final subdivision plat and public road dedication, all conditions required under Road Related Conditions 3 and 4 shall be illustrated with dimensions on the plat, and, or, practically demonstrated to have been achieved.

6. An 18" culvert shall be installed under the proposed Cavern Way cul-de-sac road in the area where the seasonal drainage way is purported to be located, and that the proposed "dry drainage channel easement" illustrated on Sheet 5 of 5 of the "PRINCE HEIGHTS SUBDIVISION APPROVALS AND NOTES" shall be provided for in the final subdivision plat.

7. Lot 2 has triple frontage from Sandstone Way, Hermits Way loop road, and the proposed Cavern Way cul-de-sac road. Currently, the preliminary plat has not designated which road access will be provided from. At least a (10) feet wide planting screen easement, across which there shall be no right of vehicle access shall be shown on the final plat for no less than two of the three frontage roads (Sandstone Way, Hermits Way, and/or Cavern Way cul-de-sac road).

8. Lot 1 has double frontage with Sandstone Way and Cherry Heights Road. Lot 1 will have access from Sandstone Way. Sandstone Way will be the primary access road for Lot 1. At least a (10) feet wide planting screen easement, across which there shall be no right of vehicle access shall be shown on the final plat for Cherry Heights Road.

9. Prior to final subdivision plat approval and pubic road dedication, the applicant shall either install the improvements required by the preliminary plan approval and repair existing streets and other public facilities damaged in the development of the subdivision, or shall execute and file with the County Governing Body an agreement between himself and the County specifying the period within which required improvements and repairs will be completed. The agreement may provide that if work is not completed within the period specified, the County may complete the work and recover the full cost and expense thereof from the applicant.

The applicant may request an extension of time for completion of required improvements. Such request will be considered an application for administrative action. Such extension shall be approved only if changed conditions for which the applicant is not responsible have made it impossible for him to fulfill the agreement within the original time limit(s).

10. The applicant shall provide one of the following options prior to final subdivision plat and public road dedication approval:

(a). A surety bond executed by a surety company authorized to transact business in the State of Oregon on a form approved by the District Attorney; or

(b). cash deposit with the County Tax Collector; or

(c). certification or letter of assurance by a bank or other reputable lending institution that money is being held to cover the cost of improvements and incidental expenses, and that said money will be released only upon the direction of the County Road Master. The bank certification or letter of assurance shall be approved by the District Attorney; or

(d). cash deposit with an escrow agent authorized to transact business in the State of Oregon subject to escrow instructions that require the escrow agent to release the money only upon the direction of the County Road Master. Escrow instructions shall be approved by the District Attorney.

Additionally, the assured amount shall be for a sum determined by a qualified licensed engineer or in the case of survey monuments, a licensed land surveyor as sufficient to cover the costs of included improvements and repairs or monuments and including related County expenses; and

Such assurance provides that: If the applicant fails to carry out provisions of the agreement or the County has unreimbursed costs or expenses resulting from such failure, the County shall call on the bond or cash deposit for reimbursement; if the amount of the bond or cash deposit exceeds the cost and expense incurred by the County, the County shall release the remainder; and if the amount of the bond or cash deposit is less than the cost and expense incurred by the County, the applicant shall be liable to the County for the difference.

11. The following shall be achieved prior to final subdivision plat approval:

(a). A waiver of remonstrance for future publicly funded road improvements for the proposed Cavern Way road be recorded with the Wasco County Clerk; and

(b). A restrictive covenant agreement requiring acknowledgment of improvement and maintenance costs for the proposed Cavern Way cul-de-sac be recorded with the Wasco County Clerk.

12. The proposed Cavern Way cul-de-sac road and Sandstone Way Right of Way construction shall conform with applicable criteria contained within Sections 21.410 through 21.440. All roadway construction shall conform with applicable criteria contained within Sections 21.410 through 21.440.

13. The construction of all proposed road shall be built according to applicable criteria provided for within Subsection 21.410.E.2.a.-d. The final construction of all proposed roads shall be certified and obtain the warranty requirements as required by subsections 21.410.E.2.e.

14. If at the completeion of the project, the Wasco County Public Works Director (The County Roadmaster) determines that “As Constructed Plans” shall be furnished, the consultant engineer shall furnish permanent reproducible plans of the work or an "as constructed" modification of the

original permanent reproducible plans previously submitted in accordance with Subsections 21.410.E.2.f.(1)-(6).

15. The County Governing Body may not accept the public road dedication until the applicant has either completed any improvements required as a condition of the approval of the dedication, or has complied with Section 21.310.D (Performance Bond). If the applicant chooses to complete road improvements in lieu of compliance with Section 21.310.D (Performance Bond), the Wasco County Public Works Director shall review and approve the completed road improvements prior to the final subdivision and road dedication application being submitted.

16. The owner shall prepare a Dedication Deed dedicating Cavern Way illustrated and described in the "Tentative Plan" to the public, upon the acceptance of the dedication of the road issued by the Wasco County Board of Commissioners. After the deed is prepared, the Wasco County Board of Commissioners shall indicate their approval of the dedication by an order accepting the deed and by recording such order with the recording of the deed.

17. Staff recommends the subject road not be included into the Wasco County road system for public maintenance.

18. The proposed right of way construction on Sandstone Way and the proposed construction of the Cavern Way cul-de-sac road shall ensure drainage facilities necessary for the purpose of proper drainage of the subdivision and properties adjacent to the dedicated road are installed prior to final subdivision approval.

19. Staff recommends a condition of approval that the proposed Cavern Way road, in general, be constructed according to policies set forth in the current editions of the following publications by the American Association of State Highway and Transportation Officials (AASHTO): "A Policy on Geometric Design on Highways and Streets", and "Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT < 400)".

20. Aside from additional construction standards recommended as conditions of approval for fire safety within subsection 21.030.P, the proposed Cavern Way road shall conform to the design standards designated for the "Paved Rural Local Road" and "Local Street" classifications indicated in Table 21-1 (Rural Public Roadway Design Standards) & 21-2 (Urban Public Roadway Design Standards) of this Chapter. Additionally, the applicant shall submit documentation that the constructed public access road has been approved by The Wasco County Public Works Director and has been determined to conform to the "Paved Rural Local Road" and "Local Street" classifications indicated in Table 21-1 (Rural Public Roadway Design Standards) & 21-2 (Urban Public Roadway Design Standards) of this Chapter. This must be completed prior to public dedication by the Wasco County Board of Commissioners.

21. The final road construction plans shall be prepared under the direction of a consultant engineer registered in the State of Oregon, and shall be submitted for approval to the Wasco County Public Works Director (County Roadmaster) and shall include the information provided for within Subsections 21.420.1.a.(1)-(14). The consultant engineer shall submit, with his proposed construction plans, a construction cost estimate. This estimate shall include all related roadwork and affected utility installation and/or relocation.

22. A survey be filed with the Wasco County Surveyor and meet the monumentation requirements provided for in this subsection. With the recommended condition, staff finds the request complies with Subsection 21.420.E.1.c.

23. The property owner shall submit a preliminary title report issued by a title insurance company in the name of the owner of interest in the land prior to the signing of the final order by the Wasco County Board of Commissioners dedicating the proposed public road of local access as a public road.

24. The developer shall consult with the Wasco County Road Department and Mid-Columbia Fire and Rescue to determine the amount and type of signage required and the developer shall furnish required permanent road signs to the Wasco County Public Works Department for installation; or pay the cost of the signage, which estimated cost will be provided for by the Wasco County Public Works Director.

25. The placement of all street signage within the subdivision, to include the Cavern Way cul-de-sac road sign, shall be the responsibility of the developer, and prior to placement, the signage shall be approved by the Wasco County Public Works Department to ensure it meets county standards.

26. Regarding subsection 21.030.P., Mid-Columbia Fire and Rescue Division Chief Jay Wood provided substantial comments concerning necessary parking signage along the proposed Cavern Way cul-de-sac road. Based on this commentary, the subdivder shall provide signage for both sides of the Cavern Way cul-de-sac road, and that the signage shall be a minimum of 12" wide x 18" high with red letters with white reflective background with wording of "No Parking" and "Fire Lane". The signage shall be reviewed and approved by Mid-Columbia Fire and Rescue.

27. The subdivider shall purchase at least one street sign and one stop sign, and obtain approval from the Wasco County Public Works Department for the signage. The subdivider shall also purchase any additional signage the Wasco County Public Works Director finds necessary for the health, safety, and welfare of residents. The Wasco County Public Works Department shall install the signage.

ATTACHMENT A - RECOMMENDED CONDITIONS OF APPROVAL & RECOMMENDATION

PLANNING COMMISSION OPTIONS

A. Approve the request with conditions as approved by the Planning Commission;

B. Remand the request to the Planning Commission for review;

C. Deny the request with amended Conditions and Findings; or

D. If additional information is needed, continue the hearing to a date and time certain to allow the submittal of additional information.

STAFF RECOMMENDATION

Option A: Approve the request with conditions as approved by the Planning Commission

PLANNING DEPARTMENT

2705 East Second Street • The Dalles, OR 97058
p: [541] 506-2560 • f: [541] 506-2561 • www.co.wasco.or.us

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AFFIDAVIT OF MAILING

APPLICANT: Smilekel Group

FILE NUMBER(S): 921-23-000023-PLNG

I, **Daniel Dougherty**, do hereby swear that on September 20, 2023 I was the Associate Planner for the Wasco County Planning Department, County of Wasco, State of Oregon, and I caused to be mailed to the attached list on the above mentioned date a copy of the referenced Notice of Public Hearing for September 20, 2023, dated August 31, 2022.

Digitally signed by Daniel Dougherty
DN: cn=Daniel Dougherty, o=Planning Department, ou=Wasco County, email=danield@co.wasco.or.us, c=US

Signature

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WASCO COUNTY BOARD OF COMMISSIONERS
Notice of Public Hearing for September 20, 2023

HEARING DATE & LOCATION INFORMATION: NOTICE IS HEREBY GIVEN that the WASCO COUNTY BOARD OF COMMISSIONERS will conduct a public meeting on Wednesday, September 20, 2023, beginning at 9:30 am in the Wasco County Courthouse, Room 302, 511 Washington St., The Dalles, Oregon 97058, and will also be available for attendance on Zoom: You can join the meeting at https://wascocounty-org.zoom.us/j/3957734524 or call in to 1-253-215-8782 Meeting ID: 3957734524#. The meeting facility is handicapped accessible, and language interpreters are available with one week notice. Please call (541) 506-2520, Monday through Friday, from 10:00 a.m. to 4:00 p.m., if you need special accommodations to attend the meeting. Hearings before the Wasco County Board of Commissioners are governed by ORS 197.797 and ORS 215.402 to 215.431, Chapter 2 of the Wasco County National Scenic Area Land Use and Development Ordinance, and the Rules of Procedure of the Wasco County Board of Commissioners. The meeting agenda includes the following public hearing:

September 20, 2023 HEARING DETAILS: File #921-23-000023-PLNG. Applicant/Owner: Smilekel Group. Appellant: Friends of the Columbia Gorge. An appeal hearing of a Wasco County Planning Commission approval of a Scenic Area request that included the following:

Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). The replat subdivision is named the Prince Heights Subdivision. Vacation of unused Right of Way (ROW) and easements plus dedication of ROW to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B - 0.16 acres

The subject property is located 0.35 miles southwest of West 10th Street, on the immediate west and north side of Cherry Heights Road, situated on the south side of Hermits Way, approximately 0.14 miles northwest of the City of The Dalles; more specifically described as:

Map/Tax Lot	Acct. #	Acres	Zone
1N 13E 5 AD 300	8347	2.28	(GMA) R-5
1N 13E 5 AD 1000	8355	2.74	(GMA) R-5
1N 13E 5 AD 1100	15570	3.76	(GMA) R-5
1N 13E 5 AD 1200	8350	1.90	(GMA) R-5
1N 13E 4 BC 2600	15569	4.27	(GMA) R-5

REVIEW AUTHORITY: Wasco County National Scenic Area Land Use and Development Ordinance Chapter 2 Section 2.160 and Section 2.170.

REVIEW CRITERIA: Wasco County National Scenic Area Land Use and Development Ordinance Chapter 3 Section 3.160 "R-R" Rural Residential Zone (GMA & SMA); Section 4.040 Off-Street Parking; Chapter 11 – Fire Safety Standards; Chapter 14 – Scenic Area Review; Chapter 21 – Land Divisions; Chapter 23 – Sign Provisions

AVAILABILITY OF INFORMATION: Any staff report used at the hearing shall be available for inspection at no cost at least seven (7) days prior to the hearing. Copies of the application(s) and all documents and evidence relied upon by the applicant(s), all applicable criteria, and any staff reports are available for inspection at no cost and will be provided at reasonable cost at 2705 East Second Street, The Dalles, OR 97058. **Documents will be available online at:** http://www.co.wasco.or.us/departments/planning/active_landuse_applications.php. **The actions table is sorted alphabetically by the name of the applicant/owner. The information will be available until the end of the appeal period.**

QUESTIONS/COMMENTS: Comments may be submitted in writing, up to the date of the hearing, to the Wasco County Planning and Development Office, at 2705 East Second St., The Dalles, Oregon 97058, by email to danield@co.wasco.or.us, or in person at the hearing. Written testimony and evidence must be directed toward the listed review criteria or other criteria in the plan or land use regulation which the person believes to apply to that decision. Questions about the appeal should be directed to: Daniel Dougherty, Senior Planner, at 541-506-2560 or danield@co.wasco.or.us.

APPEAL INFORMATION: This will be a de novo hearing, conducted as a new hearing before the public. The request for a de novo hearing for appeal of a quasi-judicial land use decision to be heard before the Wasco County Board of Commissioners as a public hearing. The Board of County Commissioners may take such testimony as it deems necessary to fully and fairly address significant procedural or substantive issues raised.

PUBLICATION DATE: September 6, 2023

PLANNING DEPARTMENT

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p: [541] 506-2560 • **f:** [541] 506-2561 • www.co.wasco.or.us

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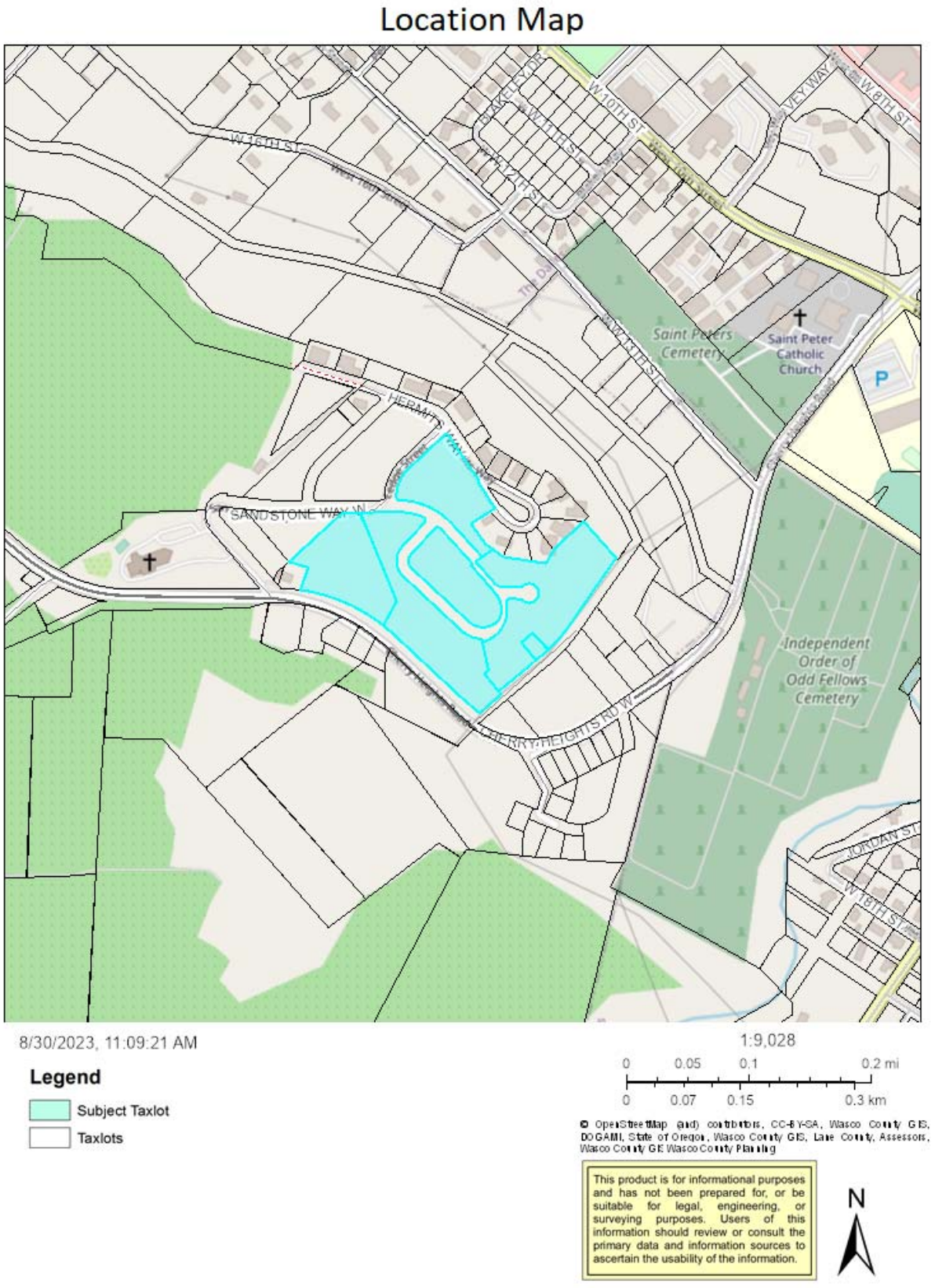
Location Map
Appellant: Friends of the Columbia Gorge
Applicant/Owner: Smilekel Group



	NAME	STREET	CITY, STATE ZIP
8266	MOUNTS TERESA E	345 E BOARDMAN AVE	BOARDMAN, Oregon, 97818
8352	SMILEKEL GROUP LLC	1309 SE 195TH AVE	CAMAS, Washington, 98607
8361	GARNER VERONICA J & JONATHAN D	1930 CHERRY HGTS RD	THE DALLES, Oregon, 97058
8279	WYNN ELWYN T & MARCIA	1709 CHERRY HGHTS RD	THE DALLES, Oregon, 97058
16982	PHIPPS JEFF & KAREN	1844 CHERRY HGTS RD	THE DALLES, Oregon, 97058
8344	HOWE FAMILY TRUST	1301 HERMITS WAY	THE DALLES, Oregon, 97058
8327	BALIOLA LINDE E & JULIUS L	1976 CHERRY HGT RD	THE DALLES, Oregon, 97058
15569	SMILEKEL GROUP LLC	1309 SE 195TH AVE	CAMAS, Washington, 98607
8281	COLUMBIA LODGE #5 IOOF	1100 W 18TH ST	THE DALLES, Oregon, 97058
8360	MAHAN JOHNNIE L & CHARITY A	1952 CHERRY HGTS RD	THE DALLES, Oregon, 97058
13901	THE PUBLIC	UNDETERMINED PARTY_ADDRESS	AUBURN, Oregon, 97058
8334	JOHNSON JAMES Q & MARION M	1415 HERMITS WAY	THE DALLES, Oregon, 97058
13902	THE PUBLIC	UNDETERMINED PARTY_ADDRESS	AUBURN, Oregon, 97058
8338	LEIGH MARVIN D & JEANNE B	1331 HERMITS WAY	THE DALLES, Oregon, 97058
8337	LEIGH MARVIN D & DOROTHY	1331 HERMITS WAY	THE DALLES, Oregon, 97058
8345	HEITKEMPER REVOCABLE LIVING TRUST	1302 HERMITS WAY	THE DALLES, Oregon, 97058
14634	STROUD RONALD J & DEBORAH A	1729 CHERRY HGTS RD	THE DALLES, Oregon, 97058
8348	ELTON TERRY J & SUZANNE M	1306 HERMITS WAY	THE DALLES, Oregon, 97058
8342	RAMSEY JAMES A & NANCY K	1305 HERMITS WAY	THE DALLES, Oregon, 97058
8336	CRAZY CAT LLC	4595 HWY 30W	THE DALLES, Oregon, 97058
8357	JOHNSON CHERYL L	1987 CHERRY HGTS RD	THE DALLES, Oregon, 97058
8275	DAHLBERG CALVIN & LAURA	1701 CHERRY HGTS RD	THE DALLES, Oregon, 97058
8282	GRAVES CATHY	2521 E 10TH ST	THE DALLES, Oregon, 97058
15570	SMILEKEL GROUP LLC	1309 SE 195TH AVE	CAMAS, Washington, 98607
8358	POLLARD ANTHONY L & ANGELA	1966 CHERRY HGTS RD	THE DALLES, Oregon, 97058
8317	HARRISON RICHARD D & VIRGINIA	1420 W 13TH ST	THE DALLES, Oregon, 97058
8276	WYNN ELWYN T & MARCIA H	1709 CHERRY HGTS RD	THE DALLES, Oregon, 97058
8335	WENDT FREDERICK W & LINDA D	1407 HERMITS WAY	THE DALLES, Oregon, 97058
8343	SAWYER JARED & CORA	1303 HERMITS WAY	THE DALLES, Oregon, 97058
8324	BYERS JOHN W & L MARILYN	90 W 23RD ST	THE DALLES, Oregon, 97058
8340	BONHAM RICHARD R & SHARLENE L	1315 HERMITS WAY	THE DALLES, Oregon, 97058
8265	GRAVES RONALD M & CATHERINE	2521 E 10TH ST	THE DALLES, Oregon, 97058
8264	HOLGATE TERESA & STUART	2733 SE 38TH AVE	PORTLAND, Oregon, 97202-1605
8351	SMILEKEL GROUP LLC	1309 SE 195TH AVE	CAMAS, Washington, 98607

8350	SMILEKEL GROUP LLC	1309 SE 195TH AVE	CAMAS, Washington, 98607
8346	HEITKEMPER REVOCABLE LIVING TRUST	1302 HERMITS WAY	THE DALLES, Oregon, 97058
8354	SMILEKEL GROUP LLC	1309 SE 195TH AVE	CAMAS, Washington, 98607
8359	HAMM KARISSA W	PO BOX 1294	HOOD RIVER, Oregon, 97031
8341	RAMSEY JAMES A & NANCY K	1305 HERMITS WAY	THE DALLES, Oregon, 97058
8269	SMILEKEL GROUP LLC	1309 SE 195TH AVE	CAMAS, Washington, 98607
8347	SMILEKEL GROUP LLC	1309 SE 195TH AVE	CAMAS, Washington, 98607
8349	COLUMBIA LODGE #5 IOOF	1100 W 18TH ST	THE DALLES, Oregon, 97058
8339	WORTHY THOMAS M & SALLY	2869 NE KELLY PL	GRESHAM, Oregon, 97030
8319	LIFE IN CHRIST CENTER	3095 CHERRY HGTS RD	THE DALLES, Oregon, 97058
8355	SMILEKEL GROUP LLC	1309 SE 195TH AVE	CAMAS, Washington, 98607
8325	GILLETTE STEVEN G & PATRICIA A	1988 CHERRY HGTS RD	THE DALLES, Oregon, 97058
8356	JOHNSON CHERYL L	1987 CHERRY HGTS RD	THE DALLES, Oregon, 97058

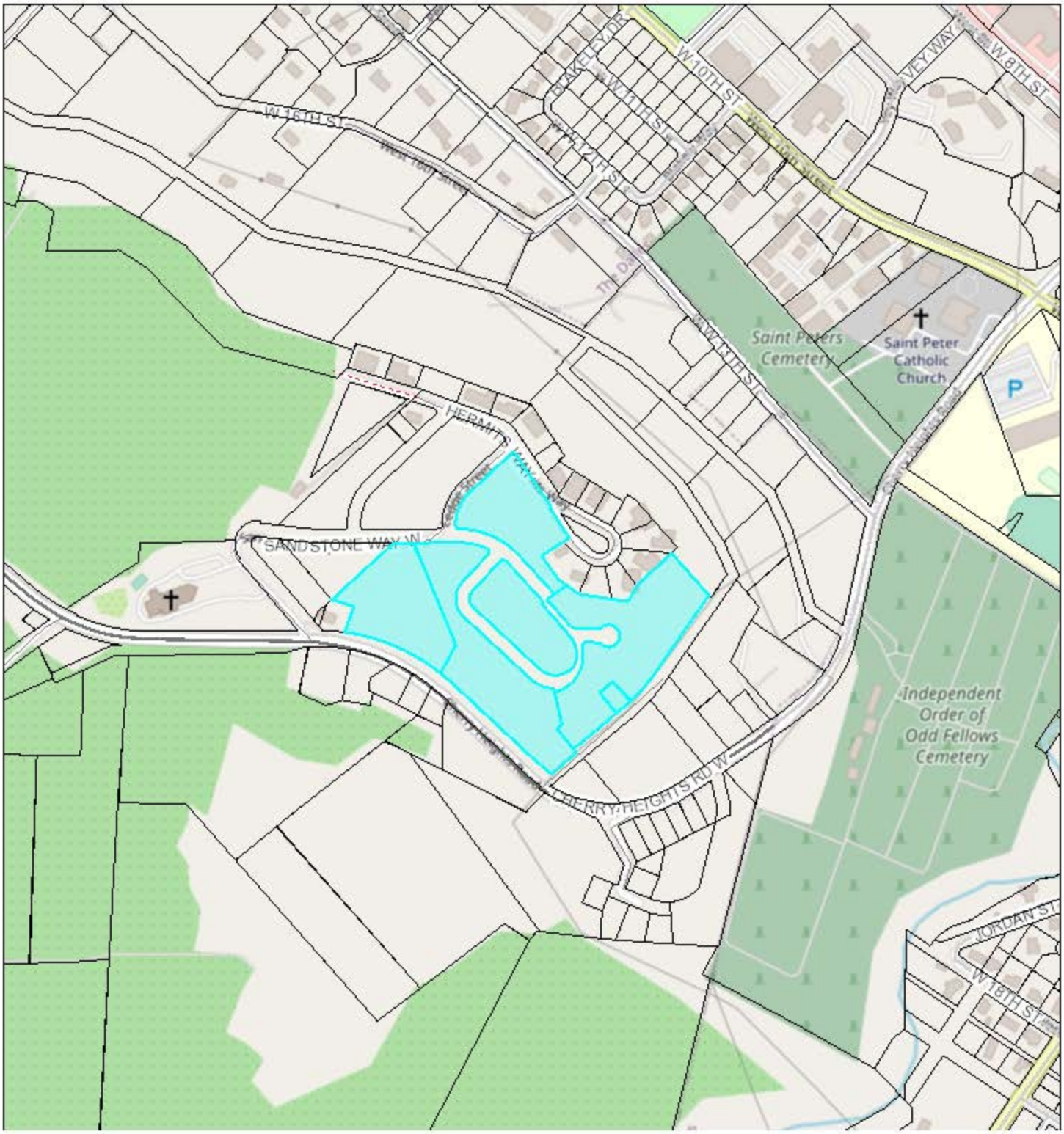
Confederated Tribes of Warm Springs ATTN: Raymond Tsumpti, Sr., Director of Govt Affairs	1233 Veterans St, PO Box C	Warm Springs, OR 97761

Confederated Tribes of Warm Springs ATTN: Tribal Council / Jonathan W. Smith	1233 Veterans St, PO Box 1299	Warm Springs, OR 97761
Elizabeth Betts	1411 13th Street	HOOD RIVER, Oregon, 97031

Agency	Care_of	Mail_ad	Mail_ city	Mail_state	Zip_code	Distribution	Email_recipients
On Master Email Notification List:							
County Sanitarian	Jessie Elias	See Email					jesuse@ncphd.org
County Health Dept	Shellie Campbell	See Email					shelliec@ncphd.org
	Eric Grendel	See Email					ericg@ncphd.org
	Paula Grendel	See Email					paulag@ncphd.org
Wasco County Building Codes	Building Codes	See Email					buildingcodes@co.wasco.or.us
Wasco County Assessor	Jill Amery	See Email					jilla@co.wasco.or.us
	Brenna La Vigne	See Email					brennal@co.wasco.or.us
	Melanie Brown	See Email					melanieb@co.wasco.or.us
	Brandon Jones	See Email					brandonj@co.wasco.or.us
Wasco County Emergency Manager	Sheridan McClellan	See Email					sheridanm@co.wasco.or.us
Wasco County Public Works Director	Arthur Smith	See Email					arthurs@co.wasco.or.us
Wasco County District Attorney	Kara Davis	See Email					karad@co.wasco.or.us
Wasco County Watermaster	Bob Wood	See Email					Robert.L.Wood@oregon.gov
Qlife	Stephanie Krell	See Email					stephaniek@co.wasco.or.us
Qlife	Tyler Stone	See Email					tylers@co.wasco.or.us
GIS / Jaime Rathmell	Jaime Rathmell	See Email					jaimes@co.wasco.or.us
Fair Housing Council of Oregon	Samuel Goldberg	See Email					sgoldberg@fhco.org
NRCS	Shilah Olson	See Email					shilah.olson@or.nacdnet.ne
Bonneville Power Admin		See Email					rowapplications@bpa.gov
Oregon Biodiversity Information Center	General Mailbox	See Email					inrdata@pdx.edu
Oregon Statue University Extension	Jacob Powell	See Email					jacob.powell@oregonstate.edu
Oregon Division State Lands	Jevra Brown	See Email					Jevra.Brown@DSL.Oregon.gov
Oregon Division State Lands		951 SW Simpson Avenue, Suite #104	Bend	OR	97702		
Oregon Dept of Fish & Wildlife		See Email					
Oregon Dept of Fish & Wildlife	Andrew Meyers	See Email					Andrew.r.meyers@odfw.oregon.gov
Oregon Dept. of Fish & Wildlife	Jason Seals	See Email					Jason.T.SEALS@odfw.oregon.gov
Oregon Dept. of Fish & Wildlife	Lindsay Powell	See Email					Lindsay.J.POWELL@odfw.oregon.gov
Oregon Dept. of Forestry	Kristin Dodd	See Email					Kristin.dodd@oregon.gov
ODOT Region 4 Planning		63055 N Highway 97, Bldg M	Bend	OR	97703		ODOTR4PLANMGR@odot.state.or.us
OR State Highway Division, The Dalles	Patrick Cimmiyotti	See Email					Patrick.M.Cimmiyotti@odot.state.or.us
OR State Highway Division, The Dalles	Brad DeHart	See Email					bradley.k.dehart@odot.state.or.us
OR State Highway Division, The Dalles	Scott Peters	See Email					scott.peters@odot.state.or.us
ODOT Hist. Columbia River Highway	Kristin Stallman	See Email					kristen.stallman@odot.state.or.us
OR State Highway Division, Bend	Donald Morehouse	See Email					Donald.MOREHOUSE@odot.state.or.us
Oregon State Fire Marshal's Office	Wade Gibson	See Email					Wade.Gibson@osp.oregon.gov
USFS Nat'l Scenic Area Office	Sarah Callaghan	See Email					sacallaghan@usda.gov
USFS Archaeologist	Chris Donnermeyer	See Email					Christopher.donnermeyer@usda.gov
USFS	Casey Gatz	See Email					cgatz@usda.gov
Lewis and Clark National Historic Trails		See Email					
Columbia River Gorge Commission	Connie Acker	See Email					connie.acker@gorgecommission.org
Friends of the Columbia Gorge	Jeff Thompson	See Email					jthomps9999@yahoo.com
Friends of the Columbia Gorge	Steven McCoy	See Email					steve@gorgefriends.org
1000 Friends of Oregon	Andrew Mulkey	See Email					permits@friends.org
Columba Gorge News	General contact	See Email					News@GorgeNews.com
Nez Perce Tribe	Nakia Williamson	See Email					nakiaw@NezPerce.org
Nez Perce Tribe	Patrick Baird	PO Box 365	Lapwai	ID	83540		keithb@nezperce.org
Confed. Tribes of Warm Springs	Raymond Tsumpti	PO Box C	Warm Springs	OR	97761		raymond.tsumpti@wstribes.org
Confed. Tribes of Warm Springs							THPO@ctwsbnr.org
Confed. Tribes of Warm Springs	Mars Galloway	PO Box 460	Warm Springs	OR	97761		mars.galloway@ctwsbnr.org
Confed. Tribes of Warm Springs	Brad Houslet	See Email					brad.houslet@ctwsbnr.org
Confeder. Tribes of Umatilla	Planning	See Email					pattyperry@ctuir.org
Confeder. Tribes of Umatilla	Cultural Res. Prog.	46411 Timine Way	Pendleton	OR	97801		TearaFarrowFerman@ctuir.org
Umatilla Cultural Resource Protection Program	Bambi Rodriguez	See Email					BambiRodriguez@ctuir.org
Yakama Nation	Troy Watlamet	PO Box 151	Toppenish	WA	98948		troy_watlamet@yakama.com
Yakama Nation	Jessica Lally	PO Box 151	Toppenish	WA	98948		jessica_lally@yakama.com
Yakama Nation	Casey Barney	PO Box 151	Toppenish	WA	98948		casey_barney@yakama.com
Kathleen Fitzpatrick		See Email					kfitzz77@gmail.com
Sheila Dooley		See Email					sdooley3300@yahoo.com
Reviewing Planner to Notify:							
SHPO	See Digital Submit	Go Digital Instructions	OR SHPO Submittal Form				
Mid-Columbia Fire & Rescue	Jay Wood	See Email					jwood@mcfr.org
Columbia Volunteer Rural Protection District	Mike Kelly	6536 Freebridge Rd	The Dalles	OR	97058		
The Dalles Irrigation District		3503 Olney Road	The Dalles	OR	97058		
Northern Wasco County PUD		See Email					
Northern Wasco County PUD	Steve Horzynek	See Email					steven-horzynek@nwascopud.org
Wasco Electric Cooperative	Ned Ratterman	P.O. Box 1700	The Dalles	OR	97058		nedr@wascoelectric.com
Chenowith Water PUD	Jeb Miller	See Email					jebm@chenowithwaterpud.com
Chenowith Water PUD	Darrin Eckman	See Email					eckmand@aks-eng.com
Wasco County Sheriff	Lane Magill	See Email					lanem@co.wasco.or.us
Wasco County Sheriff Chief Deputy	Scott Williams	See Email					scottw@co.wasco.or.us
Confederated Tribes of Warm Springs	Director of Govt Affairs						
	Raymond Tsumpti, Sr.	1233 Veterans St, PO Box C	Warm Springs	OR	97761		
Confederated Tribes of Warm Springs	Jonathan W. Smith, Tribal	1233 Veterans St, PO Box 1299	Warm Springs	OR	97761		
Confederated Tribes of Warm Springs	Director of Govt Affairs						
	Raymond Tsumpti, Sr.	1233 Veterans St, PO Box C	Warm Springs	OR	97761		
Confed. Tribes of Warm Springs	Jonathan W. Smith, Tribal	1233 Veterans St, PO Box 1299	Warm Springs	OR	97761		

Don't Forget the additional PUD folks
josh-smith@nwascopud.org
garrett-mauritson@nwascopud.org

Location Map



8/30/2023, 11:09:21 AM

1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

Legend

- Subject Taxlot
- Taxlots

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This product is for informational purposes and has not been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

N

PROPERTY DESCRIPTION

Beginning at the northeast corner of the Wentz Reserve in the Fruitland Park Addition in Wasco County, Oregon; thence S 33° 25'E 224.46 ft; thence S 58° 25'E 314.3ft; thence S 41° 42'E 484.30ft; thence S 34° 05'W 441.1ft; thence S 49° 53'W 493.78ft to the northerly right of way of the relocated brickyard road; thence northwesterly on a 447.5ft. radius curve to the right (the long chord of which bears N 52° 01'W 86.54 ft.) along said right of way; thence N 46° 28'W 444.3ft.; thence on a 746.25ft. radius curve to the left 552.46ft. (the long chord of which bears N 67° 40'W 539.92ft.) thence N 88° 53'W 53.15ft; thence N 39° 46'W 359 ft; thence on a 77.1ft. radius curve to the right 184.76ft. (the long chord of which bears N 28° 53'E 143.46ft.) thence S 82° 28'E 67ft; thence N 47° 31'E 836.45ft; thence S 69° 18'E 355.08ft. to the point of beginning.

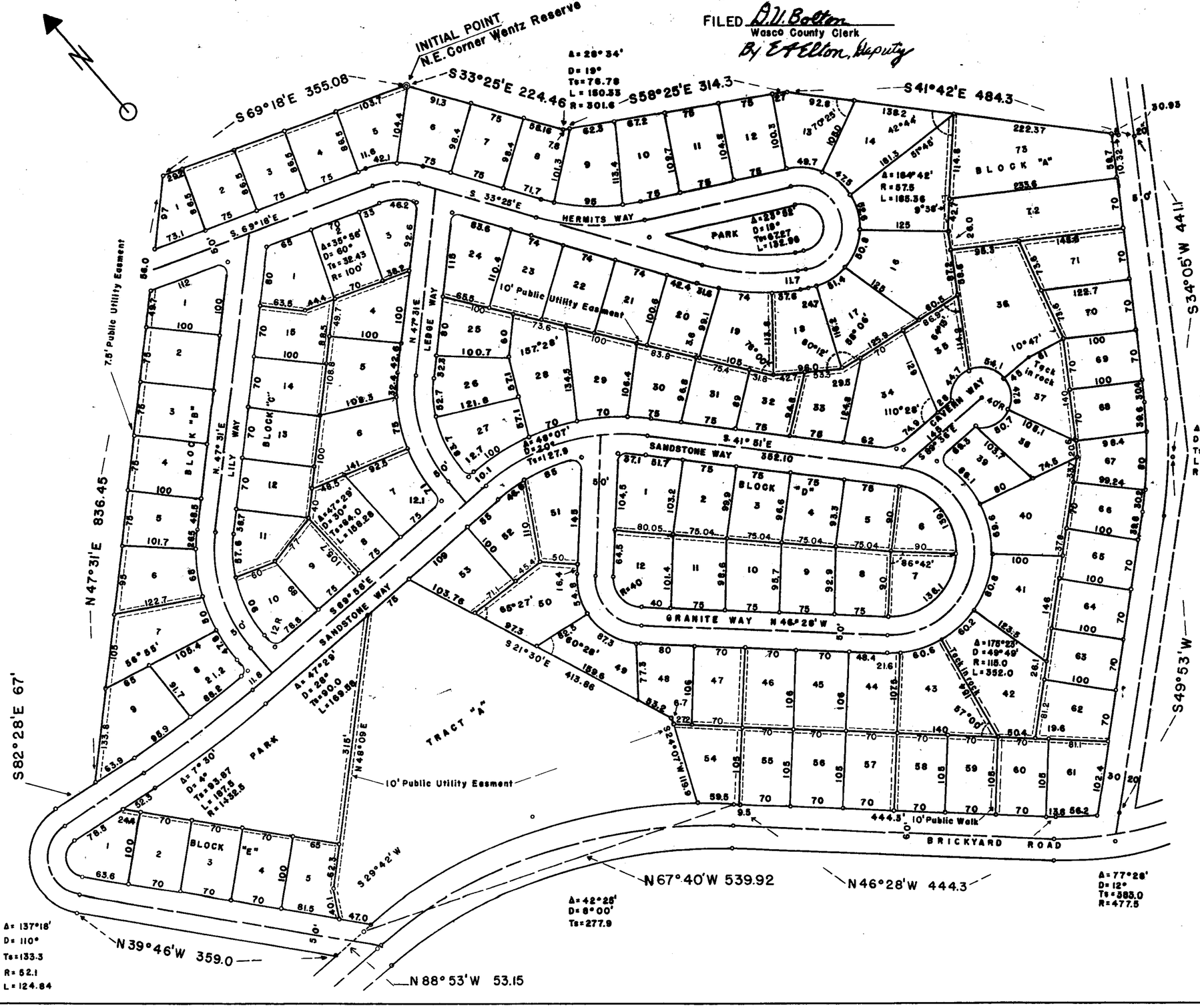
The annexed plat of Columbia Crest Addition in Wasco County, Oregon was examined and approved this 1st day of June 1953.

W. R. Webber
Wasco County Judge

Vernon Fleeter
County Commissioner

County Commissioner

JUNE 5, 1953
FILED D. W. Bolton
Wasco County Clerk
By E. Fellon, Deputy



MAP OF
COLUMBIA CREST ADDITION
IN
WASCO COUNTY, OREGON
SECTIONS 4 & 5, T. 1N, R 13 EWM
SCALE 1" = 100'

DEDICATION

We, T.F. Jones and Mary E. Jones, husband and wife, Joe J. Fleck and Ruby L. Fleck, husband and wife, and R.E. Mitchell and Betty L. Mitchell, husband and wife, as the owners in fee simple of the land shown on the annexed Plat, hereby dedicate to the public forever all the streets, alleys, and easements as shown on such plat, and that we declare the attached plat to be a correct plat of the Subdivision of the Columbia Crest Addition in Wasco County, Oregon.

By R. E. Mitchell
By Betty L. Mitchell
By T. F. Jones
By Mary E. Jones
By Joe J. Fleck
By Ruby L. Fleck

On this 1st day of June 1953, before me a Notary Public for Oregon, personally appeared T.F. Jones and Mary L. Jones, husband and wife, Joe J. Fleck and Ruby L. Fleck, husband and wife, and R.E. Mitchell and Betty L. Mitchell husband and wife, known to me, who first being duly sworn, say that they sign this instrument as their free and voluntary act.

Vernon D. Jenness
Notary Public for Oregon
My commission expires Sept. 17, 1956

ENGINEERS CERTIFICATE

I, Homer S. Wall, being first duly sworn, depose and say that the survey of Columbia Crest Addition in Wasco County, Oregon was made under my supervision and the land represented by said plat was accurately surveyed and marked with proper monuments as required by law, and that a 3" x 36" galvanized iron pipe was planted at the N.E. corner of the Wentz Reserve in Fruitland Park Addition in Wasco County, Oregon, which point is the Initial Point of this survey.

Homer S. Wall
Registered Engineer for Oregon

Subscribed and sworn before me this 1st day of June 1953.

Vernon D. Jenness
Notary Public for Oregon
My Commission expires Sept. 17, 1953

I, Harry E. Greene, Assessor of Wasco County and State of Oregon, hereby certify that I have examined the annexed plat of the Columbia Crest Addition, Wasco County Oregon, that the name adopted for said Addition is a proper name and not included in any other Addition of Wasco County, and that all taxes and assessments, due thereon, have been fully paid and I hereby approve said plat.

Harry E. Greene
Wasco County Assessor

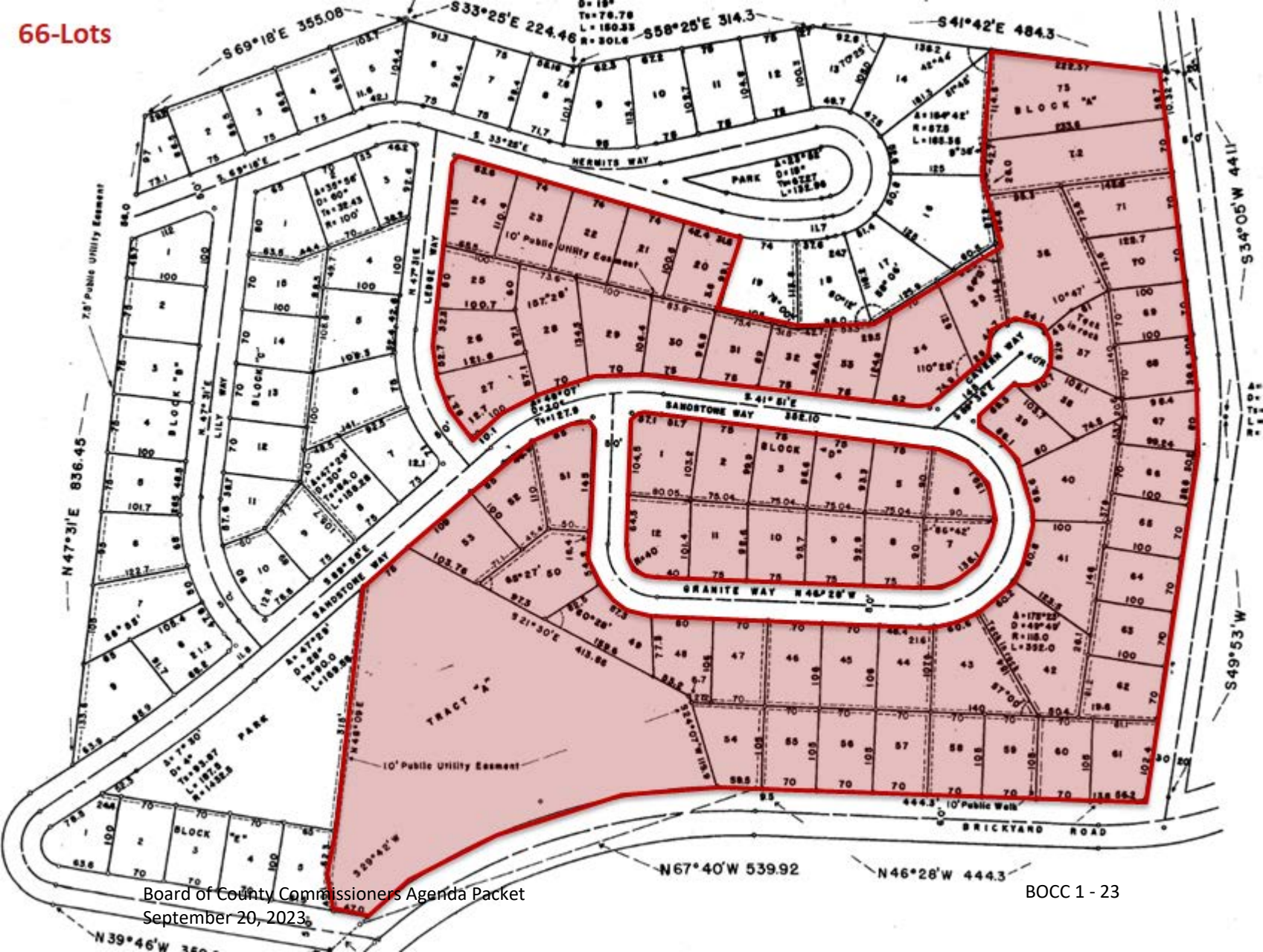
The annexed plat of Columbia Crest Addition in Wasco County, Oregon was examined and approved this 1st day of June 1953.

Roy J. Wilhelm
Wasco County Surveyor

The annexed plat of Columbia Crest Addition in Wasco County, Oregon was examined and approved this 2nd day of JUNE 1953.

A. O. DeFrate
Chairman, Dalles City Planning Commission

66-Lots



S 69°18'E 355.08
S 33°25'E 224.46
S 58°25'E 314.3
S 41°42'E 484.3
S 34°05'W 441.1
S 49°53'W
N 47°31'E 836.45
N 67°40'W 539.92
N 46°28'W 444.3
N 39°46'W
HERMITS WAY
PARK
BLOCK "A"
BLOCK "B"
BLOCK "C"
BLOCK "D"
BLOCK "E"
LILY WAY
LEDGE WAY
CAVERN WAY
SANDSTONE WAY
GRANITE WAY
TRACT "A"
BRICKYARD ROAD
10' Public Utility Easement
7.5' Public Utility Easement
10' Public Walk

SE 1/4 NE 1/4 Sec. 5 T.1N. R.13E. W.M.
WASCO COUNTY
1" = 100'

IN 13 5AD

All zoned R-2/EPD-6

Effective Date 5/4/82 - 12/17/96

CANCELLED Nº

T.L. 500
2202
3300
201

SEE MAP IN 13 5

SEE MAP IN 13 4

HERMITS

LILY STREET WEST

LEDGE ST. W.

STREET WEST

FRUITLAND PARK ADDITION

SANDSTONE WAY

CHERRY HEIGHTS ROAD

(BRICKYARD ROAD)

GRANITE WAY WEST

CAVERN WAY

"D" ROAD

2000 020 Ac PARK

2400 1.08 Ac PARK

COLUMBIA CREST ADDITION

12-5

Tract "A"

SEE MAP IN 13 5

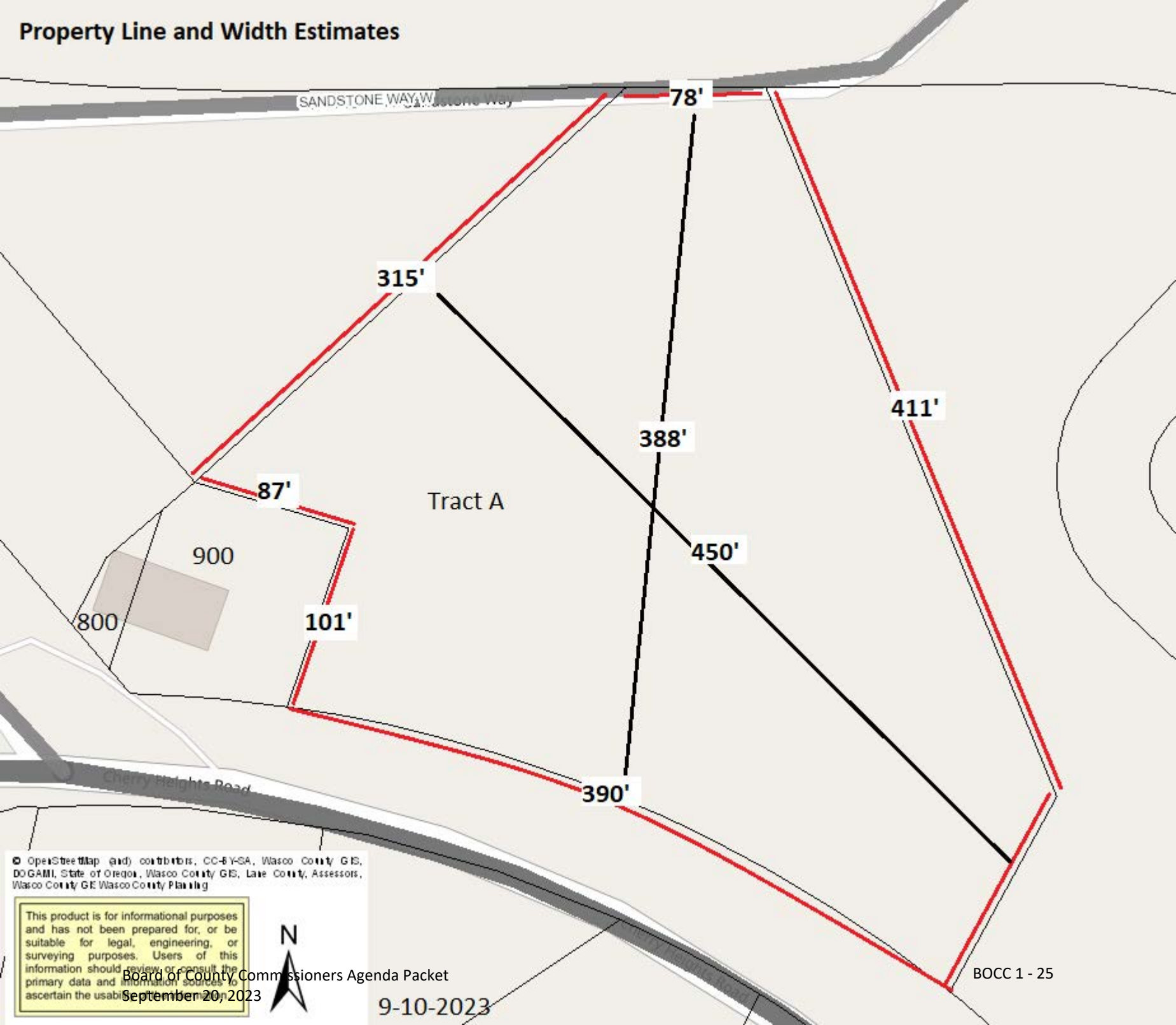
SEE MAP IN 13 4

SEE MAP IN 13 4BC

E. 1/4 COR.

IN 13 5AD

IN-13-6


Property Line and Width Estimates
SANDSTONE WAY W
78'
315'
411'
388'
87'
Tract A
900
450'
800
101'
390'
Cherry Heights Road
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This product is for informational purposes and has not been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usabi
N
9-10-2023

PRINCE HEIGHTS SUBDIVISION

APPROVALS AND NOTES

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20-65, 67-73, BLOCK "A", LOTS 3-9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1-5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9-16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON

WASCO COUNTY SURVEYOR'S OFFICE

SURVEY NO. _____

FILED _____

BY _____

DOCUMENT NO. _____

PLAT NUMBER _____

SLIDE NO. _____

SURVEYOR'S NOTES

PLAT REPRESENTS A BOUNDARY SURVEY OF PARCELS DESCRIBED IN QUIT CLAIM DEED, RECORDED SEPTEMBER 8, 2000, IN INSTRUMENT NO. 20003828 WASCO COUNTY RECORDS.

WASCO COUNTY GEOLOGIC HAZARD ZONE " "

ZONING IS

MONUMENTS STARTED XXXX, 2017 AND COMPLETED XXXX, 2017

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE OF BLOCK "B" COLUMBIA CREST ADDITION.

REFERENCED SURVEYS

R1. LOT LINE ADJUSTMENT PLAT PERFORMED BY TENNESON ENGINEERING CORP. FOR JOHN W.& L. MARILYN BYERS, FILED 04/23/1993 COUNTY SURVEY NO. 08-187.

R2. SURVEY PERFORMED BY TENNESON ENGINEERING CORP. FOR JEAN HOCKMAN, DATED 11/29/2000, COUNTY SURVEY NO. 11-176.

R3. PARTITION PLAT P.P105, PERFORMED BY TENNESON ENG., COUNTY SURVEY NO. XXXX.

R4. REPLAT OF LOT 18 & 19 COLUMBIA CREST., PERFORMED BY KLEIN AND ASSOCIATES, INC. FOR ERIC BLUMENTHAL, FILED 05/25/2007 COUNTY SURVEY NO. 15-022

R5. PARTITION PLAT 2012-0012 PERFORMED BY TENNESON ENGINEERING CORP. FOR JOHN H.& SANDRA BYERS, AND JOHN W.& L. MARILYN BYERS, FILED 10/26/2012 COUNTY SURVEY NO. 17-119A.

R6. SURVEY PERFORMED BY TENNESON ENGINEERING CORP. FOR PONICHTERA, MORIKAWA, JOHNSON, HARRISON, AND BYERS, FILED 08/20/2013 COUNTY SURVEY NO. 18-010.

R7. MAP OF COLUMBIA CREST ADDITION, PEFORMED BY HOMER S. WALL FOR T.F.& MARY E. JONES, JOE J.& RUBY L. FLECK, AND R.E.& BETTY MITCHHELL, FILED 06/05/1953, BOOK 5, PAGE 8 OF COUNTY SURVEYS.

R8. PLAT OF FRUITLAND PARK ADDITION, PERFORMED BY WALTER M. OBER. FILED 12/14/1910, VOLUME 2, PAGE 14 OF PLATS

R9. SURVEY PERFORMED BY TENNESON ENGINEERING CORP. FOR RICHARD HARRISON, DATED 02/12/198, COUNTY SURVEY NO. 10-167.

R10. SURVEY PERFORMED BY TENNESON ENGINEERING CORP. FOR CHARLES PHIPPS, DATED 04/16/79, COUNTY SURVEY NO. 4-72.

REFERENCED DEEDS

WARRANTY DEED, INSTRUMENT NO. 68-1498
WARRANTY DEED, INSTRUMENT NO. 71-2489
WARRANTY DEED, INSTRUMENT NO. 72-0138
WARRANTY DEED, INSTRUMENT NO. 72-0539
WARRANTY DEED, INSTRUMENT NO. 77-0226
QUITCLAIM DEED, INSTRUMENT NO. 2016-004055
WARRANTY DEED, BOOK 149, PAGE 115

SHEET INDEX

SHEET 1: APPROVALS AND NOTES
SHEET 2: EXISTING LOT LAYOUT
SHEET 3: EXISTING EASEMENTS
SHEET 4: NEW LOT LAYOUT
SHEET 5: NEW EASEMENTS

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO COMPLETE A 8 LOT SUBDIVISION OF TAX LOTS 1N-13E-04BC 1500, 2600 AND 1N 13E 05AD 300, 400, 500, 700, 1000, 1100, 1200. THE SUBJECT PROPERTY LIES WITHIN IN A PORTION OF COLUMBIA CREST ADDITION AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35, LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4 AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, WASCO COUNTY, STATE OF OREGON. PRIOR TO COMPLETING THE FIELD WORK, MAPPING AND CALCULATION NECESSARY FOR THIS PLAT. RESEARCH WAS OBTAINED AND A PRELIMINARY TITLE REPORT FURNISHED BY OUR CLIENT WAS USED TO ESTABLISH THE EXTERIOR BOUNDARY. PRIOR SURVEY SURVEYS UTILIZED ARE LISTED IN REFERENCE SURVEY.

RESEARCH INTO FRUITLAND PARK ADDITION YIELDED VERY LITTLE IN THE WAY OF PRIOR SURVEY INFORMATION TO WORK WITH FOR THIS SURVEY. SURVEYS THAT WERE AVAILABLE WERE VAGUE AT BEST ON HOW TO THEY RESOLVE FRUITLAND PARK ADDITION. THE ORIGINAL PLAT OF FRUITLAND PARK ADDITION WAS FOUND TO BE ESSENTIALLY INDECIPHERABLE AND PROVIDED LITTLE MORE THAN A GRAPHICAL REPRESENTATION. THE PLAT WAS LACKING DISTANCES, ANGLES OR BEARINGS AND IT WAS ALSO FOUND THAT NO ROAD OR LOT CLOSURES COULD BE COMPUTED FROM THE PLAT. GIVEN THE SITUATION OF POOR AND INACCURATE INFORMATION OF THE ORIGINAL PLAT TO WORK FROM, SEVERAL ASSUMPTION WERE MADE ALONG WITH HONORING PAST SURVEY OF RECORD. IN PARTICULARLY TWO SURVEYS PERFORMED BY TENNESON ENGINEERING CORPORATION, FILED AS COUNTSURVEY NO. 10-167 AND 11-176 WHICH WERE USED TO ESTABLISH LOTS 9 THROUGH 16, TRACT 35 AND ROADS "D" AND "H". LOTS 9 THROUGH 16, TRACT 35 AND ROAD "D" WERE COMPUTED AS A BEST FIT BETWEEN EXISTING MONUMENT RECOVERED FROM BOTH TENNESON ENGINEERING AFORESAID SURVEYS. BY UTILIZING MONUMENTS RECOVERED ALONG THE NORTH RIGHT-OF-WAY OF ROAD "H" PER COUNTY SURVEY NO. 10-167 AND HOLDING THE COMPUTED POSITION OF THE NORTHWEST CORNER OF TAX LOT 100, BEING A 5/8" REBAR SET BY TENNESON ENGINEERING, FOR A SURVEY JEAN HOCKMAN, FILED IN COUNTY SURVEY NO. 11-176 WERE USED TO ESTABLISHED ROAD "H". LOT 4 THROUGH 9, TRACT 34 WERE COMPUTED AT PLAT DISTANCE FROM THE SOUTHEAST CORNER OF LOT 17 AS ESTABLISHED BY AFORESAID TENNESON ENGINEERING ALONG WITH APPLYING THE PLAT ANGLE OF 91°54'.

SURVEYOR'S CERTIFICATE

I, JAMES M. KLEIN, REGISTERED LAND SURVEYOR NO. 59002 IN THE STATE OF OREGON, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH LEGAL MONUMENTS, ACCORDING TO ORS CHAPTER 92 AND WASCO COUNTY LAND USE DEVELOPMENT ORDINANCE, THE LANDS REPRESENTED ON THIS PLAT OF "PRINCE HEIGHTS SUBDIVISION" LYING IN A PORTION OF COLUMBIA CREST ADDITION AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35, LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4 AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, WASCO COUNTY, STATE OF OREGON, THE INITIAL PONT FOR SAID PLAT IS A 3" IRON PIPE LOCATED AT THE NORTHEAST CORNER OF LOT 5 OF COLUMBIA CREST ADDITION, LAST SAID POINT ALSO BEING THE NORTHEAST CORNER OF WENTZ RESERVE IN THE PLAT OF FRUITLAND PARK ADDITION. THE PLATTED PROPERTY IS DESCRIBED AS FOLLOWS:

_____
JAMES M. KLEIN PLS. 59002

APPROVALS:

I HEREBY CERTIFY THAT I HAVE EXAMINED THE SURVEY DATA, LAYOUT OF ROADS, MONUMENTS AND EASEMENTS AND THAT THE PLAT CONFORMS TO THE APPROVED PRELIMINARY PLAN OF "PRINCE HEIGHTS SUBDIVISION" IN WASCO COUNTY, STATE OF OREGON AND HEREBY APPROVE SAID PLAT.

_____ _____
WASCO COUNTY SURVEYOR DATED

I HEREBY CERTIFY THAT THIS PLAT OF "PRINCE HEIGHTS SUBDIVISION" IN WASCO COUNTY, STATE OF OREGON, CONFORMS TO THE APPROVED PRELIMINARY PLAN AND, BY DIRECTION OF THE PLANNING COMMISSION, I HEREBY APPROVE THIS FINAL PLAT.

_____ _____
WASCO COUNTY PLANNING DIRECTOR DATED

APPROVALS:

THIS PLAT OF PRINCE HEIGHTS SUBDIVISION IN THE COUNTY OF WASCO, STATE OF OREGON WAS EXAMINED AND APPROVED BY:

_____ _____
WASCO COUNTY COMMISSIONER DATED

_____ _____
WASCO COUNTY COMMISSIONER DATED

_____ _____
WASCO COUNTY COMMISSIONER DATED

_____ _____
WASCO COUNTY ENGINEER DATED

_____ _____
WASCO COUNTY PLANNING DIRECTOR DATED

APPROVALS:

I HEREBY CERTIFY THAT I HAVE EXAMINED THE PLAT OF "PRINCE HEIGHTS SUBDIVISION" IN THE COUNTY OF WASCO, STATE OF OREGON, AND THAT THE NAME ADOPTED FOR SAID PLAT IS A PROPER NAME AND NOT INCLUDED IN ANY OTHER SUBDIVISION IN WASCO COUNTY AND FURTHER CERTIFY THAT ALL TAXES AND ASSESSMENTS DUE OR WILL BECOME DUE THEREON DURING THE CALENDER YEAR HAVE BEEN FULLY PAID AS REQUIRED BY LAW AND I HEREBY APPROVE SAID PLAT.

_____ _____
WASCO COUNTY ASSESSOR DATED

_____ _____
WASCO COUNTY TAX COLLECTOR DATED

COVENANTS, CONDITIONS AND RESTRICTIONS:

ALL LOTS WITHIN THE PLAT OF PRINCE HEIGHTS SUBDIVISION ARE SUBJECT TO A DOCUMENT TITLED "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS" SAID DOCUMENT IS RECORDED ON A SEPARATE DOCUMENT BEING RECORDED IN INSTRUMENT NUMBER _____, WASCO COUNTY RECORDS. SAID DOCUMENTS SHALL BE CONSIDERED AS A PART OF THIS PLAT. IT IS THE RESPONSIBILITY OF ALL PARTIES TO BE AWARE OF AND TO CONFORM TO SAID DOCUMENT.

DECLARATION:

I _____ THE OWNER OF THE LAND SHOWN ON THE PLAT HEREUNTO ATTACHED AND MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE ALSO HEREUNTO ATTACHED, DEDICATE TO THE PUBLIC FOREVER ALL STREETS AND EASEMENTS SHOWN ON SUCH PLAT AND DECLARE THE PLAT OF "PRINCE HEIGHTS SUBDIVISION" TO BE A CORRECT PLAT AS LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER SECTION 4 AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, COUNTY OF WASCO, STATE OF OREGON, AND IN ACCORDANCE WITH MY DESIRES AND THE PROVISIONS OF ORS CHAPTER 92.

_____
NAME

ACKNOWLEDGMENTS:

ON THE ___ DAY OF _____ 2023 BEFORE ME A NOTARY PUBLIC FOR THE STATE OF OREGON, APPEARED _____, KNOWN TO ME PERSONALLY, WHO BEING DULY SWORN, SAID THAT HE DID ACKNOWLEDGE THIS INSTRUMENT OF HIS FREE AND VOLUNTARY ACT.

_____
NOTARY SIGNATURE

_____
NOTARY PUBLIC-(NAME)

STATE OF _____

COUNTY OF _____

COMMISSION NO. _____

MY COMMISSION EXPIRES _____

OWNER

SMILEKEL GROUP, LLC

SURVEY PERFORMED FOR:
LKM REAL ESTATE
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, GD
FILE: 170105-PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 12, 2005
JAMES M. KLEIN
59002

Expires 6-30-2023

Klein & Associates, Inc.
ENGINEERING•SURVEYING•PLANNING
1411 13th Street•Hood River, OR 97031
TEL: 541-386-3322•FAX: 541-386-2515

SHEET 1 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4 SEC	T.	R.
4	1N.	13E.
5	1N.	13E.

PRINCE HEIGHTS SUBDIVISION

EXISTING LOT LAYOUTS

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20–65, 67–73, BLOCK "A", LOTS 3–9, BLOCK "B",
ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1–5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9–16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	523.76'	716.20'	41°54'01"	N66°33'41"W	512.16'
C2	457.94'	716.30'	36°37'49"	N63°09'12"W	450.18'
C3	81.57'	477.50'	9°47'17"	S50°30'54"E	81.47'
C4	55.42'	447.50'	7°05'46"	S49°10'09"E	55.39'
C5	156.88'	573.00'	15°41'13"	S42°51'13"W	156.39'
C6	120.70'	513.17'	13°28'34"	N41°06'05"E	120.42'
C7	28.02'	513.08'	3°07'46"	N49°24'18"E	28.02'
C8	80.03'	513.17'	8°56'09"	N43°22'18"E	79.95'
C9	40.64'	513.89'	4°31'53"	N36°37'58"E	40.63'
C10	20.69'	12.00'	98°45'53"	S82°18'11"E	18.22'
C11	137.95'	165.99'	47°37'00"	S24°30'23"W	134.01'
C12	18.66'	12.00'	89°06'25"	S43°51'20"E	16.84'
C13	158.28'	190.99'	47°29'00"	S24°34'23"W	153.79'
C14	179.00'	215.99'	47°29'00"	S24°34'23"W	173.92'
C15	18.86'	12.00'	90°02'51"	N45°51'18"E	16.98'
C16	71.46'	215.99'	18°57'20"	S10°18'33"W	71.13'
C17	75.20'	215.99'	19°56'58"	S29°45'42"W	74.82'
C18	32.34'	215.99'	8°34'42"	S44°01'32"W	32.31'
C19	46.51'	75.00'	35°32'02"	N50°41'15"W	45.77'
C20	62.02'	100.00'	35°32'02"	N50°41'15"W	61.03'

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	S30°30'05"W	39.65'
L2	S48°59'44"W	62.49'
L3	N50°51'36"E	44.58'
L4	S70°45'16"E	104.26'
L5	N38°55'16"W	49.40'
L6	S81°37'16"E	52.67'
L7	N4°11'02"W	51.23'
L8	S81°37'16"E	72.56'
L9	S81°37'16"E	58.24'
L10	N81°37'16"W	63.81'
L11	S89°07'16"E	12.00'
L12	S89°07'16"E	24.99'
L13	S89°07'16"E	37.01'
L14	S0°49'53"W	37.10'
L15	N32°55'14"W	29.71'
L16	N0°52'44"E	22.73'
L17	N48°18'53"E	21.04'
L18	N61°38'16"W	48.90'
L19	N30°51'02"W	67.81'
L20	N16°36'46"W	85.42'
L21	N16°36'46"W	16.68'
L22	S68°27'16"E	28.01'



WASCO COUNTY SURVEYOR'S OFFICE

SURVEY NO. _____

FILED _____

BY _____

DOCUMENT NO. _____

PLAT NUMBER _____

SLIDE NO. _____

100' 0 100' 200'
SCALE – FEET
1" = 100'

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE
OF BLOCK "B" COLUMBIA CREST ADDITION

LEGEND

- ○ SET 5/8" X 24" REBAR WITH 1 1/4" YELLOW PLASTIC CAP (KA OR59002)
- ⊙ FOUND 1/2 " IRON PIPE, PER THE PLAT OF COLUMBIA CREST ADDITION. VISITED 2017.
- ◎ FOUND KLEIN 5/8" IRON ROD WITH Y.P.C. INSCRIBED "KLEIN & ASSOCIATES OR59002" PER CS NO 15–022. VISITED 2017.
- ◢ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 11–176. VISITED 2017.
- ⊗ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 10–167. VISITED 2017.
- ⊡ FOUND 3/4" IRON PIPE; UNKNOWN ORIGIN. VISITED 2017.
- □ COMPUTED ANGLE POINT, NOT MONUMENTED
- RM REFERENCE MONUMENT
- CS NO COUNTY SURVEY NUMBER
- INST INSTRUMENT
- R1 RECORD DATA PER RECORD OF SURVEY NO.
- FD FOUND DATA
- P.U.E. PUBLIC UTILITY EASEMENT
- (XXX.XX') DISTANCE PER COLUMBIA CREST PLAT
- {XXX.XX'} DISTANCE PER FRUITLAND PLAT

EXISTING TAX LOT AREA

PARCEL	AREA
TAX LOT 300 (TRUST)	2.41 ACRES
TAX LOT 1000 (TRUST)	2.76 ACRES
TAX LOT 1100 (TRUST)	4.00 ACRES
TAX LOT 1200 (TRUST)	1.99 ACRES
TAX LOT 2600 (TRUST)	4.35 ACRES

SURVEY PERFORMED FOR:
~~LKM REAL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17–01–05 DRAFT: BTB, GD
FILE: 170105–PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

OWNER
SMILEKEL GROUP, LLC

KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 12, 2005
JAMES M. KLEIN
59002
Expires 6-30-2023

Klein & Associates, Inc.
ENGINEERING•SURVEYING•PLANNING
1411 13th Street•Hood River, OR 97031
TEL: 541-386-3322•FAX: 541-386-2515

SHEET 2 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R.
☒	4	1N.	13E.
☒	5	1N.	13E.

PRINCE HEIGHTS SUBDIVISION

EXISTING EASEMENTS/ ROAD VACATION EXHIBITS

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20–65, 67–73, BLOCK "A", LOTS 3–9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1–5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9–16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON



WASCO COUNTY SURVEYOR'S OFFICE
SURVEY NO. _____
FILED _____
BY _____

DOCUMENT NO. _____
PLAT NUMBER _____
SLIDE NO. _____

100' 0 100' 200'
SCALE – FEET
1" = 100'

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE
OF BLOCK "B" COLUMBIA CREST ADDITION

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- □ COMPUTED ANGLE POINT, NOT MONUMENTED
- RM REFERENCE MONUMENT
- CS NO COUNTY SURVEY NUMBER
- INST INSTRUMENT
- R1 RECORD DATA PER RECORD OF SURVEY NO.
- FD FOUND DATA
- P.U.E. PUBLIC UTILITY EASEMENT
- (XXX.XX') DISTANCE PER COLUMBIA CREST PLAT
- [XXX.XX'] DISTANCE PER FRUITLAND PLAT
- ▨ PROPOSED AREA TO BE VACATED

SURVEY PERFORMED FOR:
~~LKM REAL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, GD
FILE: 170105-PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

OWNER
SMILEKEL GROUP, LLC

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OREGON
JULY 12, 2005
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SHEET 3 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R.
☒	4	1N.	13E.
☒	5	1N.	13E.

PRINCE HEIGHTS SUBDIVISION

PROPOSED LOT LAYOUTS

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20–65, 67–73, BLOCK "A", LOTS 3–9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1–5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9–16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON



WASCO COUNTY SURVEYOR'S OFFICE	
SURVEY NO.	
FILED	
BY	

DOCUMENT NO. _____
PLAT NUMBER _____
SLIDE NO. _____

150 0 150 300
SCALE – FEET
1" = 150'

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE
OF BLOCK "B" COLUMBIA CREST ADDITION

LEGEND

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- ⊗ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 10–167. VISITED 2017.
- ⊡ FOUND 3/4" IRON PIPE; UNKNOWN ORIGIN. VISITED 2017.
- □ COMPUTED ANGLE POINT, NOT MONUMENTED
- RM REFERENCE MONUMENT
- CS NO COUNTY SURVEY NUMBER
- INST INSTRUMENT
- R1 RECORD DATA PER RECORD OF SURVEY NO.
- FD FOUND DATA
- P.U.E. PUBLIC UTILITY EASEMENT
- (XXX.XX') DISTANCE PER COLUMBIA CREST PLAT
- {XXX.XX'} DISTANCE PER FRUITLAND PLAT

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	523.76'	716.20'	41°54'01"	N66°33'41"W	512.16'
C2	457.94'	716.30'	36°37'49"	N63°09'12"W	450.18'
C3	81.57'	477.50'	9°47'17"	S50°30'54"E	81.47'
C4	55.42'	447.50'	7°05'46"	S49°10'09"E	55.39'
C5	156.88'	573.00'	15°41'13"	S42°51'13"W	156.39'
C6	120.70'	513.17'	13°28'34"	N41°06'05"E	120.42'
C7	28.02'	513.08'	3°07'46"	N49°24'18"E	28.02'
C8	80.03'	513.17'	8°56'09"	N43°22'18"E	79.95'
C9	40.64'	513.89'	4°31'53"	N36°37'58"E	40.63'
C10	20.69'	12.00'	98°45'53"	S82°18'11"E	18.22'
C11	137.95'	165.99'	47°37'00"	S24°30'23"W	134.01'
C12	18.66'	12.00'	89°06'25"	S43°51'20"E	16.84'
C13	158.28'	190.99'	47°29'00"	S24°34'23"W	153.79'
C14	179.00'	215.99'	47°29'00"	S24°34'23"W	173.92'
C15	18.86'	12.00'	90°02'51"	N45°51'18"E	16.98'
C16	71.46'	215.99'	18°57'20"	S10°18'33"W	71.13'
C17	75.20'	215.99'	19°56'58"	S29°45'42"W	74.82'
C18	32.34'	215.99'	8°34'42"	S44°01'32"W	32.31'
C19	46.51'	75.00'	35°32'02"	N50°41'15"W	45.77'
C20	62.02'	100.00'	35°32'02"	N50°41'15"W	61.03'
C21	123.63'	52.10'	135°57'26"	S29°42'16"W	96.60'
C22	187.50'	1432.50'	7°29'58"	S85°22'15"E	187.37'
C23	190.77'	1457.50'	7°29'58"	S85°22'15"E	190.64'
C24	95.92'	1407.50'	3°54'17"	S83°34'24"E	95.90'
C25	89.35'	1407.50'	3°38'13"	S87°20'39"E	89.33'
C26	87.60'	95.00'	52°49'58"	N34°27'25"E	84.53'
C27	101.21'	70.00'	82°50'18"	N49°27'35"E	92.62'
C28	65.06'	45.00'	82°50'18"	N49°27'35"E	59.54'
C29	44.29'	215.99'	11°44'54"	S13°54'46"W	44.21'
C30	75.20'	215.99'	19°56'58"	S29°45'42"W	74.82'
C31	151.83'	215.99'	40°16'34"	S28°10'36"W	148.72'
C32	134.25'	190.99'	40°16'27"	S28°10'39"W	131.50'
C33	120.67'	165.99'	41°39'03"	S27°29'21"W	118.03'
C34	32.34'	215.99'	8°34'42"	S44°01'32"W	32.31'
C35	12.23'	10.00'	70°02'51"	N83°20'18"E	11.48'
C36	38.69'	75.00'	29°33'15"	N46°51'38"W	38.26'
C37	51.58'	100.00'	29°33'15"	N46°51'38"W	51.01'
C38	19.19'	10.00'	109°57'09"	N6°39'42"W	16.38'
C39	63.44'	125.00'	29°04'40"	N46°37'20"W	62.76'
C40	3.77'	175.00'	1°13'59"	S31°28'01"E	3.77'
C41	4.30'	200.00'	1°13'59"	N31°28'01"W	4.30'
C42	4.84'	225.00'	1°13'59"	S31°28'01"E	4.84'
C43	31.06'	125.00'	14°14'16"	S23°43'54"E	30.98'
C44	24.85'	100.00'	14°14'16"	N23°43'54"W	24.79'
C45	18.64'	75.00'	14°14'16"	N23°43'54"W	18.59'
C46	23.55'	25.00'	53°58'05"	N10°22'17"E	22.69'
C47	65.02'	60.00'	62°05'21"	S6°18'39"W	61.88'
C48	60.09'	60.00'	57°22'54"	S53°25'29"E	57.61'
C49	66.75'	60.00'	63°44'30"	N66°00'49"E	63.36'
C50	109.67'	60.00'	104°43'25"	N18°13'09"W	95.03'
C51	23.55'	25.00'	53°58'05"	S43°35'48"E	22.69'

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	S30°30'05"W	39.65'
L2	S48°59'44"W	62.49'
L3	N50°51'36"E	44.58'
L4	S70°45'16"E	104.26'
L5	N38°55'16"W	49.40'
L6	S81°37'16"E	52.67'
L7	N4°11'02"W	51.23'
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L20	N16°36'46"W	85.42'
L21	N16°36'46"W	16.68'
L22	S68°27'16"E	28.01'

SURVEY PERFORMED FOR:
~~LKM REAL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17–01–05 DRAFT: BTB, GD
FILE: 170105–PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

OWNER
SMILEKEL GROUP, LLC

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REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 12, 2005
JAMES M. KLEIN
59002
Expires 6-30-2023

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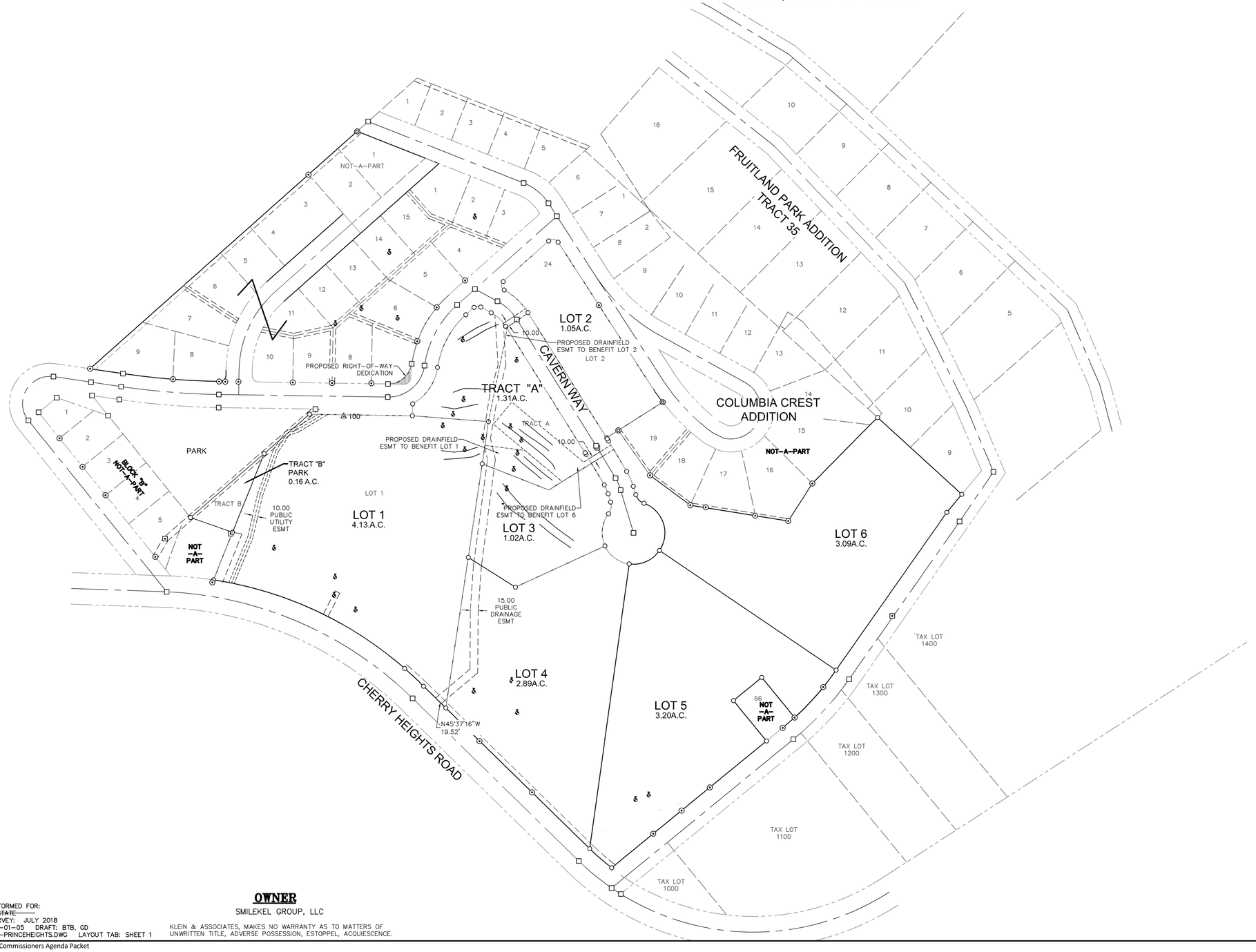
SHEET 4 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4 SEC	T.	R.
4	1N.	13E.
5	1N.	13E.

PRINCE HEIGHTS SUBDIVISION

PROPOSED EASEMENTS & DRAIN FIELD LAYOUT

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20–65, 67–73, BLOCK "A", LOTS 3–9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1–5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9–16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON



100' 0 100' 200'
SCALE – FEET
1" = 100'

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE
OF BLOCK "B" COLUMBIA CREST ADDITION

LEGEND

O	SET 5/8" X 24" REBAR WITH 1 1/4" YELLOW PLASTIC CAP (KA OR59002)
⊙	FOUND 1/2 " IRON PIPE, PER THE PLAT OF COLUMBIA CREST ADDITION. VISITED 2017.
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□	COMPUTED ANGLE POINT, NOT MONUMENTED
RM	REFERENCE MONUMENT
CS NO	COUNTY SURVEY NUMBER
INST	INSTRUMENT
R1	RECORD DATA PER RECORD OF SURVEY NO.
FD	FOUND DATA
P.U.E.	PUBLIC UTILITY EASEMENT
(XXX.XX')	DISTANCE PER COLUMBIA CREST PLAT
{XXX.XX'}	DISTANCE PER FRUITLAND PLAT
s s	PROPOSED DRAINFIELD AREA

EASEMENT NOTES:

A NEW SEPTIC AND ACCESS EASEMENT, OVER, UNDER, AND ACROSS THAT PORTION OF TRACT "A" FOR THE BENEFIT OF LOTS 1, 2, AND 6.

A NEW 10.00' WIDE PUBLIC UTILITY EASEMENT OVER THE EXISTING WATER MAIN TO BENEFIT CHENOWITH PUD.

A NEW 15.00' PUBLIC DRAINAGE EASEMENT OVER THE EXISTING DRY CHANNEL.

WASCO COUNTY SURVEYOR'S OFFICE
SURVEY NO. _____
FILED _____
BY _____

DOCUMENT NO. _____
PLAT NUMBER _____
SLIDE NO. _____

SURVEY PERFORMED FOR:
~~LKM REAL ESTATE~~
DATE OF SURVEY: JULY 2018
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SHEET 5 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R.
☒	4	1N.	13E.
☒	5	1N.	13E.

PRINCE HEIGHTS SUBDIVISION

PROPOSED EASEMENTS & DRAIN FIELD LAYOUT

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20–65, 67–73, BLOCK "A", LOTS 3–9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D",
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LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON



SURVEY PERFORMED FOR:
~~LNM REAL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, GD
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WASCO COUNTY SURVEYOR'S OFFICE
SURVEY NO. _____
FILED _____
BY _____

DOCUMENT NO. _____
PLAT NUMBER _____
SLIDE NO. _____

100' 0 100' 200'
SCALE – FEET
1" = 100'

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE
OF BLOCK "B" COLUMBIA CREST ADDITION

LEGEND

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- □ COMPUTED ANGLE POINT, NOT MONUMENTED

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R1 RECORD DATA PER RECORD OF SURVEY NO.
FD FOUND DATA
P.U.E. PUBLIC UTILITY EASEMENT
(XXX.XX') DISTANCE PER COLUMBIA CREST PLAT
{XXX.XX'} DISTANCE PER FRUITLAND PLAT
S PROPOSED DRAINFIELD AREA

EASEMENT NOTE

A NEW SEPTIC AND ACCESS EASEMENT, OVER, UNDER, AND ACROSS THAT PORTION OF TRACT "B" FOR THE BENEFIT OF LOTS 3, 4, 5, 6, 7, 8.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 12, 2005
JAMES M. KLEIN
59002

Expires 6-30-2023

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SHEET 5 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R.
☒	4	1N.	13E.
☒	5	1N.	13E.



Columbia Crest Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Columbia Crest Subdivision Road Map



Developed Roads

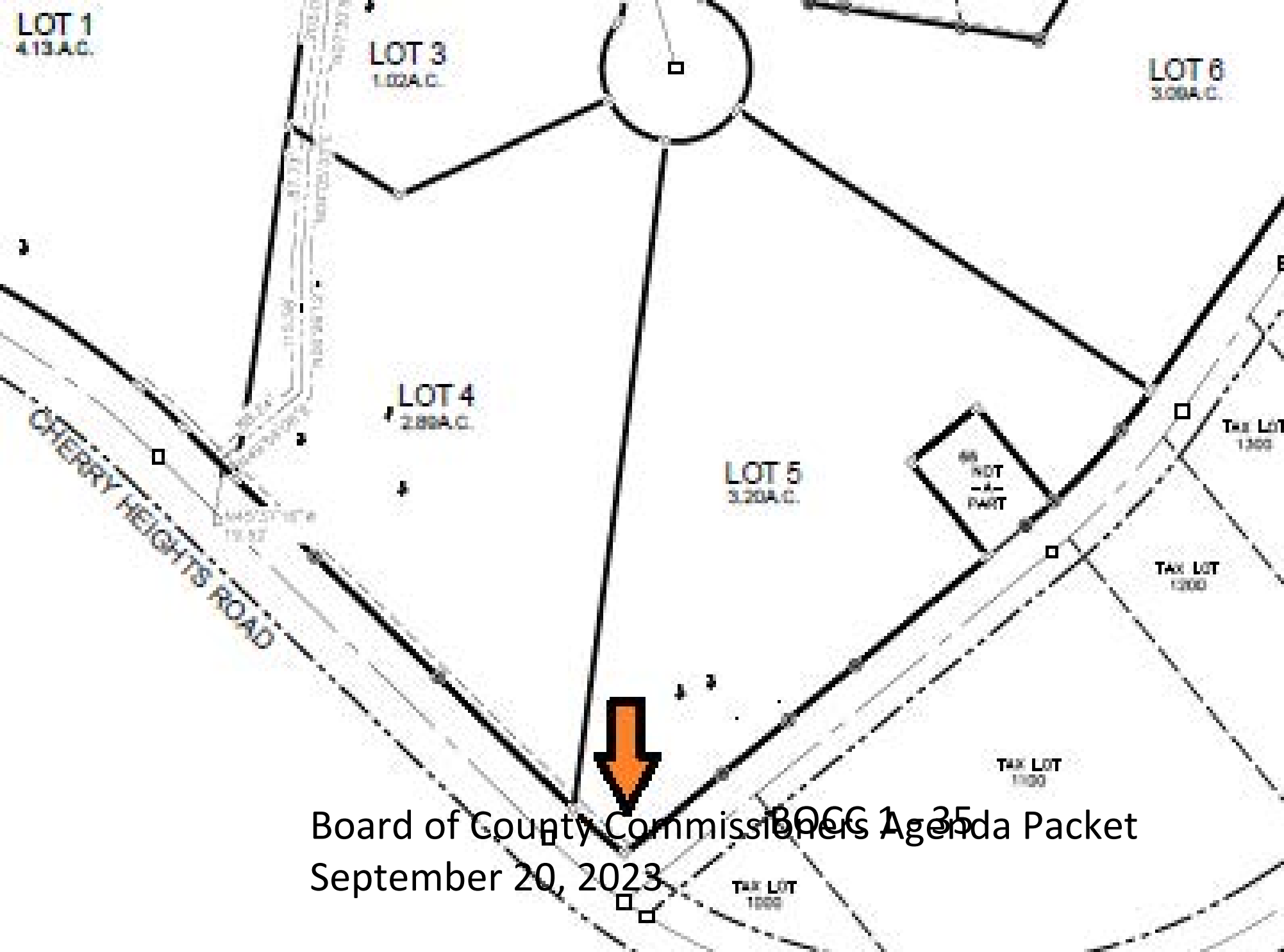
Undeveloped Roads "Paper Roads"

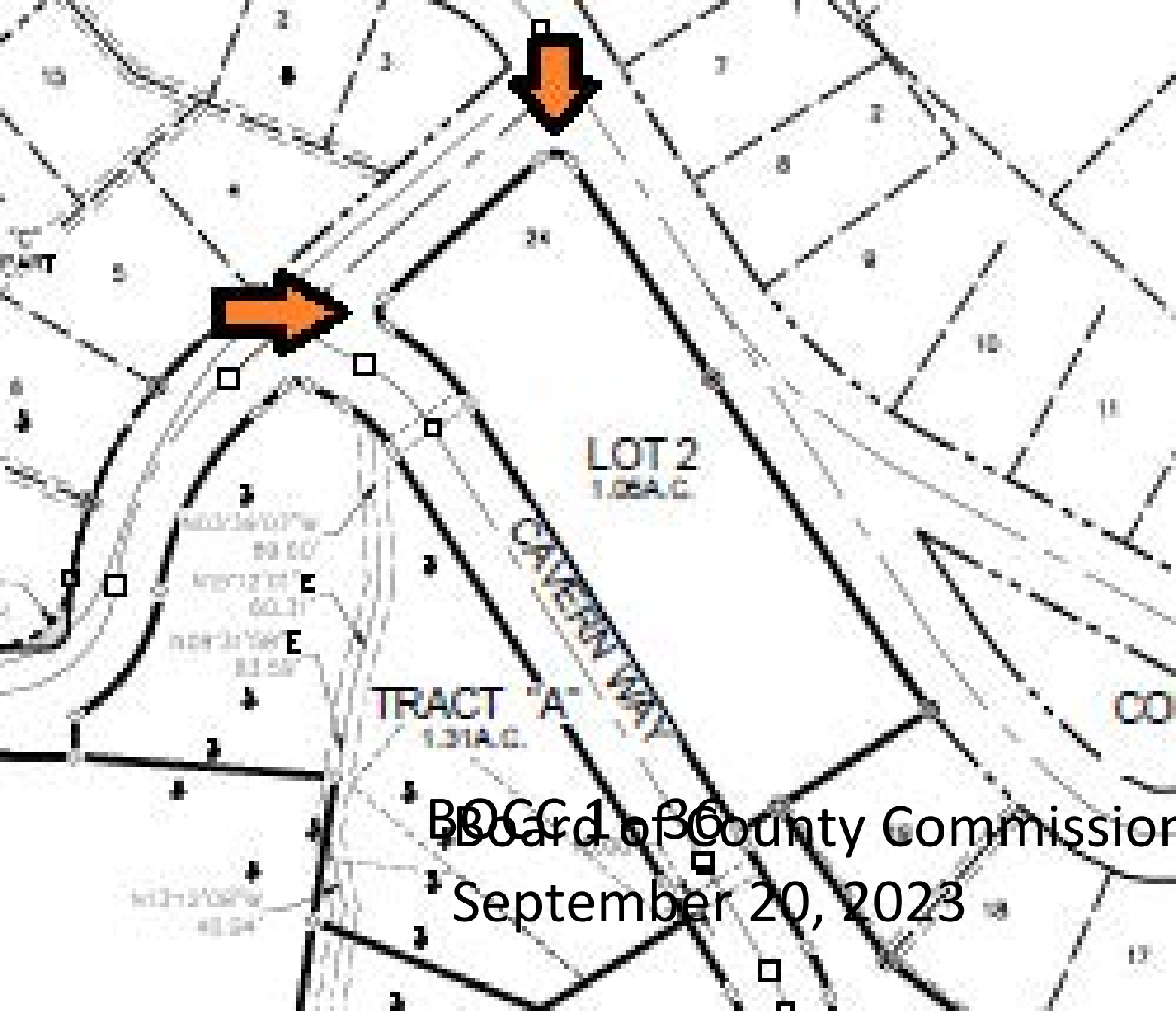
Proposed Vacated Roads



Prince Heights Subdivision Road Map

- Developed Roads
- Undeveloped Roads "Paper Roads"
- Proposed Road


LOT 1
4.13A.C.
LOT 3
1.02A.C.
LOT 6
3.03A.C.
LOT 4
2.89A.C.
LOT 5
3.20A.C.
NOT A PART
TAX LOT
1300
TAX LOT
1200
TAX LOT
1100
TAX LOT
1000
CHERRY HEIGHTS ROAD



BOCC 1 of 36

Board of County Commission

September 20, 2023

PRINCE HEIGHTS SUBDIVISION

EXISTING LOT LAYOUTS

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION LOTS 20–65, 67–73, BLOCK "A", LOTS 3–9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D", LOTS 1–5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9–16, TRACT 35 AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35, LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF THE NE 1/4 SEC 5, T.1N., R.13E., W.M. WASCO COUNTY, STATE OF OREGON

WASCO COUNTY SURVEYOR'S OFFICE

SURVEY NO. _____

FILED _____

BY _____

DOCUMENT NO. _____

PLAT NUMBER _____

SLIDE NO. _____

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	523.76'	716.20'	41°54'01"	N66°33'41"W	512.16'
C2	457.94'	716.30'	36°37'49"	N63°09'12"W	450.18'
C3	81.57'	477.50'	9°47'17"	S50°30'54"E	81.47'
C4	55.42'	447.50'	7°05'46"	S49°10'09"E	55.39'
C5	156.88'	573.00'	15°41'13"	S42°51'13"W	156.39'
C6	120.70'	513.17'	13°28'34"	N41°06'05"E	120.42'
C7	28.02'	513.08'	3°07'46"	N49°24'18"E	28.02'
C8	80.03'	513.17'	8°56'09"	N43°22'18"E	79.95'
C9	40.64'	513.89'	4°31'53"	N36°37'58"E	40.63'
C10	20.69'	12.00'	98°45'53"	S82°18'11"E	18.22'
C11	137.95'	165.99'	47°37'00"	S24°30'23"W	134.01'
C12	18.66'	12.00'	89°06'25"	S43°51'20"E	16.84'
C13	158.28'	190.99'	47°29'00"	S24°34'23"W	153.79'
C14	179.00'	215.99'	47°29'00"	S24°34'23"W	173.92'
C15	18.86'	12.00'	90°02'51"	N45°51'18"E	16.98'
C16	71.46'	215.99'	18°57'20"	S10°18'33"W	71.13'
C17	75.20'	215.99'	19°56'58"	S29°45'42"W	74.82'
C18	32.34'	215.99'	8°34'42"	S44°01'32"W	32.31'
C19	46.51'	75.00'	35°32'02"	N50°41'15"W	45.77'
C20	62.02'	100.00'	35°32'02"	N50°41'15"W	61.03'

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	S30°30'05"W	39.65'
L2	S48°59'44"W	62.49'
L3	N50°51'36"E	44.58'
L4	S70°45'16"E	104.26'
L5	N38°55'16"W	49.40'
L6	S81°37'16"E	52.67'
L7	N4°11'02"W	51.23'
L8	S81°37'16"E	72.56'
L9	S81°37'16"E	58.24'
L10	N81°37'16"W	63.81'
L11	S89°07'16"E	12.00'
L12	S89°07'16"E	24.99'
L13	S89°07'16"E	37.01'
L14	S0°49'53"W	37.10'
L15	N32°55'14"W	29.71'
L16	N0°52'44"E	22.73'
L17	N48°18'53"E	21.04'
L18	N61°38'16"W	48.90'
L19	N30°51'02"W	67.81'
L20	N16°36'46"W	85.42'
L21	N16°36'46"W	16.68'
L22	S68°27'16"E	28.01'



BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM NORTH ZONE, GRID NORTH, GROUND DISTANCE ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE OF BLOCK "B" COLUMBIA CREST ADDITION

LEGEND

- ○ SET 5/8" X 24" REBAR WITH 1 1/4" YELLOW PLASTIC CAP (KA OR59002)
- ⊙ FOUND 1/2 " IRON PIPE, PER THE PLAT OF COLUMBIA CREST ADDITION. VISITED 2017.
- ◎ FOUND KLEIN 5/8" IRON ROD WITH Y.P.C. INSCRIBED "KLEIN & ASSOCIATES OR59002" PER CS NO 15–022. VISITED 2017.
- ◪ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 11–176. VISITED 2017.
- ⊗ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 10–167. VISITED 2017.
- ⊡ FOUND 3/4" IRON PIPE; UNKNOWN ORIGIN. VISITED 2017.
- □ COMPUTED ANGLE POINT, NOT MONUMENTED

RM REFERENCE MONUMENT

CS NO COUNTY SURVEY NUMBER

INST INSTRUMENT

R1 RECORD DATA PER RECORD OF SURVEY NO.

FD FOUND DATA

P.U.E. PUBLIC UTILITY EASEMENT

(XXX.XX') DISTANCE PER COLUMBIA CREST PLAT

{XXX.XX'} DISTANCE PER FRUITLAND PLAT

EXISTING TAX LOT AREA

PARCEL	AREA
TAX LOT 300 (TRUST)	2.41 ACRES
TAX LOT 1000 (TRUST)	2.76 ACRES
TAX LOT 1100 (TRUST)	4.00 ACRES
TAX LOT 1200 (TRUST)	1.99 ACRES
TAX LOT 2600 (TRUST)	4.35 ACRES

SURVEY PERFORMED FOR:
~~LKM REAL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, GD
FILE: 170105-PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

OWNER
SMILEKEL GROUP, LLC

KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE.

REGISTERED PROFESSIONAL LAND SURVEYOR

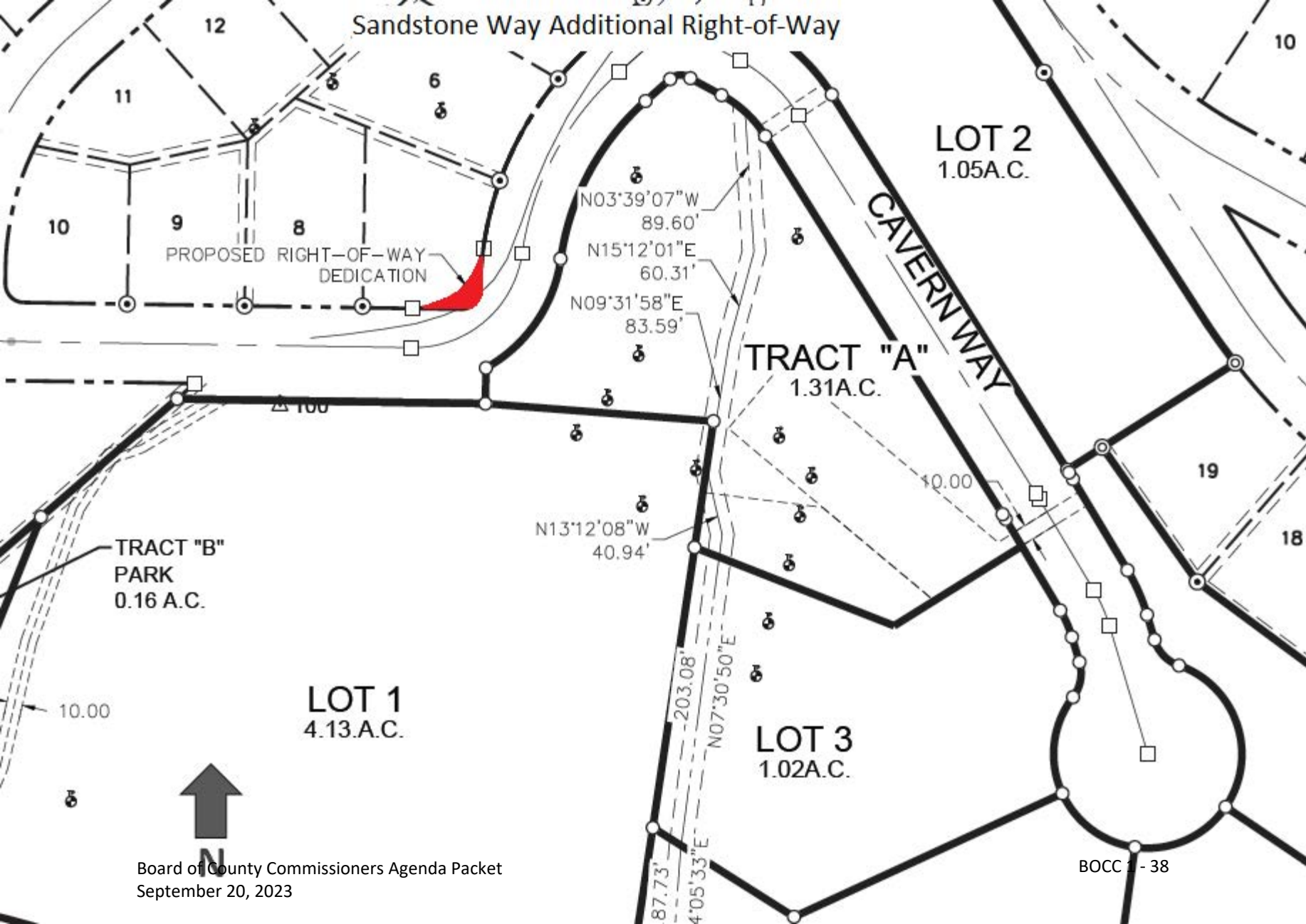
OREGON
JULY 12, 2005
JAMES M. KLEIN
59002

Expires 6-30-2023

Klein & Associates, Inc.
ENGINEERING•SURVEYING•PLANNING
1411 13th Street•Hood River, OR 97031
TEL: 541-386-3322•FAX: 541-386-2515

SHEET 2 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R.
☒	4	1N.	13E.
☒	5	1N.	13E.


Sandstone Way Additional Right-of-Way
12
11
6
10
9
8
PROPOSED RIGHT-OF-WAY DEDICATION
N03°39'07"W
89.60'
N15°12'01"E
60.31'
N09°31'58"E
83.59'
LOT 2
1.05A.C.
CAVERN WAY
TRACT "A"
1.31A.C.
10.00
19
18
N13°12'08"W
40.94'
TRACT "B"
PARK
0.16 A.C.
10.00
LOT 1
4.13.A.C.
203.08'
N07°30'50"E
LOT 3
1.02A.C.
87.73'
4°05'33"E
N

ATTACHMENT D – STAFF REPORT

File Number: 921-23-000023-PLNG

Applicant: Elizabeth Betts

Owner: Smilekel Group

Request: Scenic Area Review for a Replat (Prince Heights Subdivision) of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot). Vacation of unused Rights of Way (ROW) and easements plus dedication and construction of Cavern Way cul-de-sac ROW and necessary lot preparation and utilities, and to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

Location: The subject property is located 0.35 miles southwest of West 10th Street, on the immediate west and north side of Cherry Heights Road, situated on the south side of Hermits Way, approximately 0.14 miles northwest of the City of The Dalles; more specifically described as:

Map/Tax Lot	Acct. #	Acres
1N 13E 5 AD 300	8347	2.28
1N 13E 5 AD 1000	8355	2.74
1N 13E 5 AD 1100	15570	3.76
1N 13E 5 AD 1200	8350	1.90
1N 13E 4 BC 2600	15569	4.27

Zoning: "R-R" Rural Residential Zone (GMA & SMA), GMA R-5

Past Actions: 921-PLAPRE-17-01-0001 (Pre-Application Conference for Replat)
921-20-000155-PLNG (Pre-Application Conference for Replat)

Procedure Type: Quasi-Judicial Hearing

Planning Commission Decision: **Approved** with amended conditions and findings

Planning Commission Hearing Date: August 1, 2023

ATTACHMENT D – STAFF REPORT

Planning Commission Decision Notice: August 3, 2023

Decision Appealed: August 18, 2023

Appellant: Friends of the Columbia Gorge

Appeal Grounds: **(1)** The decision violates the NSA-LUDO, including sections 3.160.D.13, 3.160.G, 21.030.C & D, because it unlawfully approves new parcels that violate the applicable minimum lot size for the land use designation.

(2) The decision contains erroneous findings and conclusions regarding the current number of legally existing parcels.

Additional Notes: Issues on appeal shall be reviewed by the County Governing Body as a "de novo" hearing, but the review shall be limited to the grounds relied upon in the petition request.

The staff report with findings and conditions approved by the Wasco County Planning Commission is provided below. The issues raised on appeal with updated staff findings, conclusions, and recommendations are provided in Sections II.A., III.B and III.F of this report. Appeal Ground #1 is addressed for each of the relevant Subsections 3.160.D.13, 3.160.G., 21.030.C. and 21.030.D.

Appeal grounds and recommendations are **bolded** and highlighted for ease of review.

Board of Commissioners Hearing Date: September 20, 2023

Prepared By: Daniel Dougherty, Senior Planner

ATTACHMENT D – STAFF REPORT

I. APPLICABLE STANDARDS

Wasco County National Scenic Area Land Use & Development Ordinance (NSALUDO)

A. Chapter 2 – Development Approval Procedures

Section 2.050	Wasco County Application Authority
Section 2.160	Review of a Decision of the Planning Commission
Section 2.170	Review by the County Governing Body

B. Chapter 3 – Basic Provisions

Section 3.160	"R-R" Rural Residential Zone (GMA & SMA)
Section 3.160.D.13	Land Divisions and Replats
Section 3.160.G.	Property Development Standards

C. Chapter 4 – Supplemental Provisions

Section 4.040	Off-Street Parking

D. Chapter 11 – Fire Safety Standards

Section 11.110	Siting Standards
Section 11.120	Defensible Space
Section 11.130	Construction Standards for Dwellings and Structures
Section 11.140	Access Standards
Section 11.150	Fire Protection or On-Site Water Required

E. Chapter 14 – Scenic Area Review

Section 14.100	Provisions for all new development
Section 14.200	Key Viewing Areas
Section 14.300	Scenic Travel Corridors
Section 14.400	Landscape Settings
Section 14.500	Cultural Resources – GMA
Section 14.600	Natural Resources – GMA
Section 14.700	Recreation Resources - GMA
Section 14.800	Indian Tribal Treaty Rights and Consultation – GMA

F. Chapter 21 – Scenic Area Review

Section 21.030	Basic Provisions and Design Standards
Section 21.200	Property Line Adjustments & Replats
Section 21.300	Preliminary Subdivision Plan Approval
Section 21.310	Final Subdivision Plat Approval
Section 21.400	Private Road Approval and Public Road or Street Dedications
Section 21.410	Improvements
Section 21.420	Public Streets and Roads
Section 21.440	Roadway Improvement Standards
Section 21.450	Access Control
Section 21.460	Pedestrian Access and Circulation
Section 21.470	Penalty and Enforcement on Violation

G. Chapter 23 – Sign Provisions

II. BACKGROUND

GROUNDS FOR APPEAL #2: "The decision contains erroneous findings and conclusions regarding the current number of legally existing parcels."

A. Legal Parcel: The Friends of the Columbia Gorge submitted the following comment on July 20, 2023:

"The County must apply both the Management Plan and NSA-LUDO definitions, and where one of these definitions is more restrictive, that definition controls. NSA-LUDO § 1.070. All available GIS data only identifies 5 parcels rather than 66 in the proposed area. In addition, it is not clear from the application materials if subdivision or partition plats were ever recorded for the Columbia Crest Subdivision and the Fruitland Park Addition. The County must verify that the lots are legally existing before approving any replat. NSA-LUDO § 3.160.D. The Applicant bears the burden of establishing legality of the parcels." (Emphasis added).

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG, and in Attachment E.

Comments were also provided by the Wasco County Surveyor Bradley Cross on September 12, 2023:

"I have reviewed the plat of Columbia Crest Addition, including looking at any files and the hard copy of the surveyor's copy of the plat that would typically indicate any vacations or corrections. I don't see anything that indicates any changes to the original plat.

There are some conveyances noted in the attached 2020 vesting deed from 1968 to the County that appear to be an acquisition of small portions of additional right of way taken in fee title, but these would typically be recognized as public dedications.

I've attached a copy of the 1968 deed, it has a map that clearly shows the location of the county acquisition.

Tract A also has some additional deed exceptions from 1977 & 2016."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG, and in Attachment E. A copy of the referenced deeds is provided in Attachment I.

Oregon Administrative Rules (OAR) Chapter 350 Columbia River Gorge Commission, the Management Plan for the Columbia River Gorge National Scenic Area (Management Plan) and the Wasco County National Scenic Area Land Use and Development Ordinance (NSA-LUDO) provide the applicable criteria to determine the legal parcel status of property located in the National Scenic Area.

Staff findings and conclusions for the applicable criteria are provided below. Relevant case law and public comments are also provided.

Management Plan
Glossary (definition of "Parcel")

Parcel:

1. *Any unit of land legally created by a short division, partition, or subdivision that was legally recognized under all state laws and local ordinances in effect on November 17, 1986. A unit of land that is eligible for consolidation as provided in the Management Plan shall not be considered a parcel.*

2. *Any unit of land legally created and separately described by deed, sales contract, or record of survey prior to November 17, 1986, if the unit of land complied with all planning, zoning, and land division ordinances or regulations applicable at the time of creation and up through November 16, 1986.*

3. *A unit of land legally created and separately described by deed or sales contract after November 17, 1986 if the unit was approved under the Final Interim Guidelines or a land use ordinance consistent with the Management Plan, or by the Forest Service prior to the Final Interim Guidelines.*

4. *A unit of land shall not be considered a separate parcel simply because the subject tract of land:*

    A. *Is a unit of land solely created to establish a separate tax account;*
    B. *Lies in different counties;*
    C. *Lies in different sections or government lots;*
    D. *Lies in different land use or zoning designations; or*
    E. *Is dissected by a public or private road.*

Management Plan, Pages 433-434.

FINDING: Parcel: Subsection 1. provides:

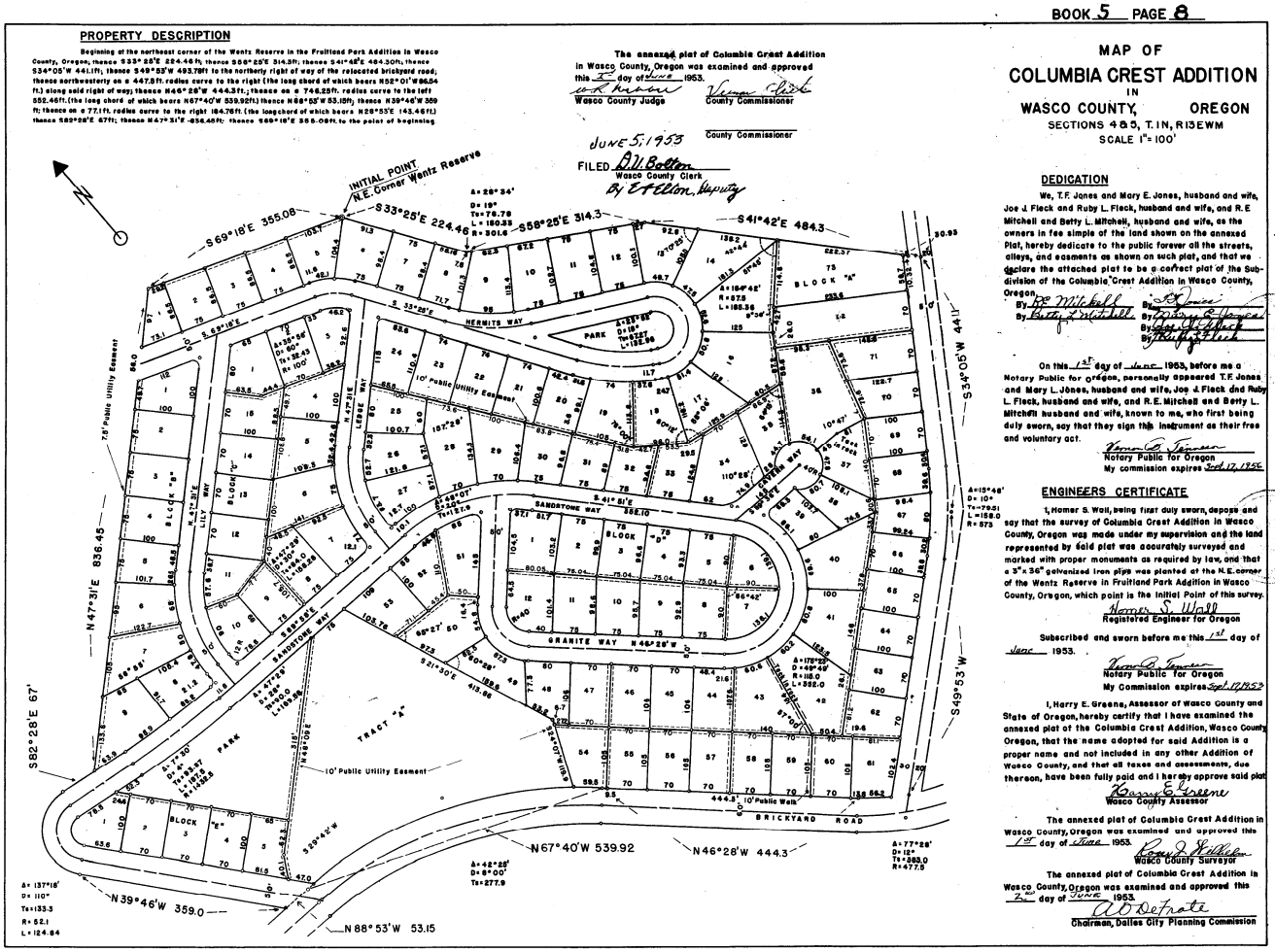
1. *Any unit of land legally created by a short division, partition, or subdivision that was legally recognized under all state laws and local ordinances in effect on November 17, 1986. A unit of land that is eligible for consolidation as provided in the Management Plan shall not be considered a parcel.*

The criterion contains two essential requirements for properties to be considered "Parcels" under the Management Plan: (1) the unit of land must be "legally created by a…subdivision…that was legally recognized under all state laws and local ordinances in effect on November 17, 1986;" and (2) the unit of land cannot be "eligible for consolidation as provided in the Management Plan." Management Plan Glossary, Parcel subsection 1. P. 433.

Parcel: Subsection 1. (Requirement #1)

The Columbia Crest Addition Subdivision was duly recorded by the Wasco County Clerk on June 5, 1953 (Book 5, Page 8). The subdivision created the subject 66 lots. The 66 lots include the following: Block D: Lots 1-12; Block A: Lots 20-73 (minus Lot 66); and Tract A.

See the below recorded Columbia Crest Addition Subdivision plat; the Clerk File Date and Signature; and a highlighted subdivision map of the subject 66 lots. The Columbia Crest Addition Subdivision plat and highlighted 66-lots map are also found within Attachment C: Maps.



BOOK 5 PAGE 8

PROPERTY DESCRIPTION

Beginning at the northeast corner of the Wentz Reserve in the Fruitland Park Addition in Wasco County, Oregon, thence S 33° 25' E 224.46 ft; thence S 58° 25' E 314.3ft; thence S 41° 42' E 484.3ft; thence S 34° 05' W 441.1ft; thence S 49° 53' W 493.78ft to the northerly right of way of the relocated brickyard road; thence northwesterly on a 447.8ft. radius curve to the right (the long chord of which bears N 52° 01' W 86.54 ft.) along said right of way; thence N 46° 28' W 444.3 ft.; thence on a 746.25ft. radius curve to the left 352.46ft. (the long chord of which bears N 67° 40' W 339.92ft.) thence N 89° 58' W 53.15ft; thence N 39° 46' W 359 ft; thence on a 77.1 ft. radius curve to the right 164.76ft. (the long chord of which bears N 28° 53' E 163.46 ft.) thence S 82° 28' E 67ft; thence N 47° 31' E -836.45ft; thence S 69° 18' E 355.08ft. to the point of beginning.

The annexed plat of Columbia Crest Addition in Wasco County, Oregon was examined and approved this 1st day of June 1953.

O. K. Keene — Wasco County Judge

Verna Clark — County Commissioner

County Commissioner

JUNE 5, 1953

FILED D. V. Bolton, Wasco County Clerk

By E. Felton, Deputy

MAP OF

COLUMBIA CREST ADDITION

IN

WASCO COUNTY, OREGON

SECTIONS 4 & 5, T. 1 N., R. 13 E. W. M.

SCALE 1" = 100'

DEDICATION

We, T.F. Jones and Mary E. Jones, husband and wife, Joe J. Fleck and Ruby L. Fleck, husband and wife, and R.E. Mitchell and Betty L. Mitchell, husband and wife, as the owners in fee simple of the land shown on the annexed Plat, hereby dedicate to the public forever all the streets, alleys, and easements as shown on such plat, and that we declare the attached plat to be a correct plat of the Subdivision of the Columbia Crest Addition in Wasco County, Oregon.

By R E Mitchell — By Betty L Mitchell — By T F Jones — By Mary E Jones — By Joe J Fleck — By Ruby L Fleck

On this 1st day of June 1953, before me a Notary Public for Oregon, personally appeared T.F. Jones and Mary L. Jones, husband and wife, Joe J. Fleck and Ruby L. Fleck, husband and wife, and R.E. Mitchell and Betty L. Mitchell husband and wife, known to me, who first being duly sworn, say that they sign this instrument as their free and voluntary act.

Verna C. Jensen
Notary Public for Oregon
My commission expires Sept. 17, 1956

ENGINEERS CERTIFICATE

I, Homer S. Wall, being first duly sworn, depose and say that the survey of Columbia Crest Addition in Wasco County, Oregon was made under my supervision and the land represented by said plat was accurately surveyed and marked with proper monuments as required by law, and that a 3" x 36" galvanized iron pipe was planted at the N.E. corner of the Wentz Reserve in Fruitland Park Addition in Wasco County, Oregon, which point is the initial Point of this survey.

Homer S. Wall
Registered Engineer for Oregon

Subscribed and sworn before me this 1st day of June 1953.

Verna C. Jensen
Notary Public for Oregon
My Commission expires Sept. 17, 1953

I, Harry E. Greene, Assessor of Wasco County and State of Oregon, hereby certify that I have examined the annexed plat of the Columbia Crest Addition, Wasco County Oregon, that the name adopted for said Addition is a proper name and not included in any other Addition of Wasco County, and that all taxes and assessments, due thereon, have been fully paid and I hereby approve said plat

Harry E. Greene
Wasco County Assessor

The annexed plat of Columbia Crest Addition in Wasco County, Oregon was examined and approved this 1st day of June 1953.

Ford J. Fillion
Wasco County Surveyor

The annexed plat of Columbia Crest Addition in Wasco County, Oregon was examined and approved this 2nd day of JUNE 1953.

A. D. Defrate
Chairman, Dalles City Planning Commission

The annexed plat of Columbia Crest Addition in Wasco County, Oregon was examined and approved this 1st day of June 1953.

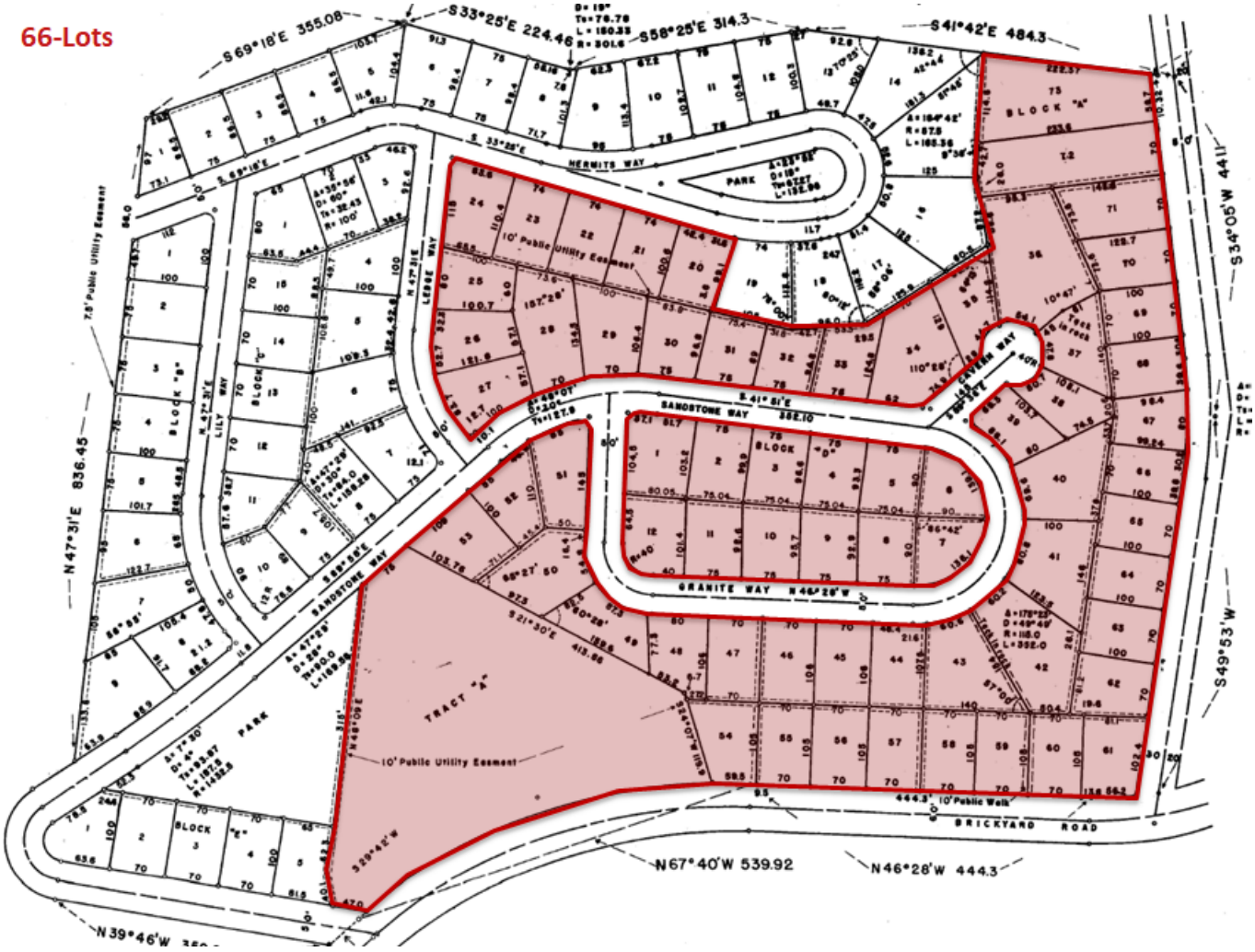
O. K. Keene — Wasco County Judge

Verna Clark — County Commissioner

County Commissioner

JUNE 5, 1953

FILED D. V. Bolton
Wasco County Clerk
By E. Felton, Deputy



The subdivision pre-dates Oregon Statewide Land Use and Planning Goals as well as the National Scenic Area Act. There is no clear indication that the approval of the Columbia Crest Addition Subdivision required review from a controlling subdivision or land use ordinance in 1953. However, staff located a recorded copy of a 1953 "Ordinance No. 3 Subdivision Regulations of Wasco County" in the Planning Department ordinance archives. Ordinance No. 3 was approved by the affirmative vote of a majority of the Wasco County Planning Commission on May 4, 1953. Ordinance No. 3 Subdivision Regulations of Wasco County, Page 14.

Ordinance No. 3 Subdivision Regulations of Wasco County was passed and adopted by the Wasco County Court on May 13, 1953, and recorded with the Wasco County Clerk under Book: P, Pages: 221-238, on May 13, 1953.

Based on the June 2, 1953 recordation of the Columbia Crest Addition Subdivision, it is unclear that Ordinance No. 3, governed the review and approval of the subdivision. However, the ordinance is a significant persuasive indicator of the procedural and substantive law, which may have provided standards for final approval and recordation of the Columbia Crest Subdivision. Ordinance No. 3 Section IV Preliminary Plat, in part, provides the standards for preliminary subdivision plans:

5. INFORMATION REQUIRED: The preliminary plan should include the following information:

a. Proposed name of subdivision, (This name must not duplicate or resemble the name of another subdivision in Wasco County).
b. Date, north point, scale of drawing and sufficient description to define the location and boundaries of the proposed tract.
c. Names and addresses of owner, subdivider and engineer or surveyor.
d. Location of official plan lines or projected streets or highways.
e. Location, names and present width of roads, streets, highways, or ways.
f. The location, names, widths, typical improvements cross sections and approximate existing and finished grades of all roads, streets, highways and ways in the proposed subdivisions. In cases in which street grades exceed six (6%) per cent, such grades shall be shown by center line profiles.
g. The approximate width and location of all easements for drainage or public utilities.
h. Approximate dimensions of all lots.
i. Approximate location of areas subject to inundation or storm water overflow, or all areas covered by water, and the location, width, and direction of flow of all water courses.
j. Existing use or uses of the property, including the location of all existing structures to remain on property.
k. Proposed use of the property and outline of deed restrictions.
l. Statement of the subdivision improvements proposed to be made or completed.
m. Statement regarding water system to be installed, including source, quality and quantity of water.
n. Provisions for sewage disposal, drainage, and flood control which are proposed.
o. Public areas proposed,
p. Such of the foregoing information as may not practicably be shown on the map shall be shown on separate sheets of paper or contained in written statements accompanying the preliminary plan.
q. Submission of drainage plan if necessary, showing profiles of drainage ways.

1953 "Ordinance No. 3 Subdivision Regulations of Wasco County" Page. 2.

Furthermore, Ordinance No. 3 provides that the Planning Commission must review and approve the preliminary plat prior to the final plat's recordation. A copy of the unrecorded and recorded microfilm "Ordinance No. 3 Subdivision Regulations of Wasco County" is provided in Attachment H.

To date, the appellant has provided no information demonstrating that the recorded Columbia Crest Addition Subdivision failed to meet the applicable requirements for duly recorded subdivisions in 1953. Because the plat was signed and duly recorded, there is no indication that the subdivision did not meet the applicable subdivision standards of the era, including Ordinance No. 3.

Additionally, in *Koo v. Polk County*, the Land Use Board of Appeals (LUBA) held:

> Unless a specific process is followed to eliminate lot lines, under ORS 92.107 lots remain discrete lots. *Koo v. Polk County*, 33 Or LUBA 487 (1997).

Pertaining to Block D: Lots 1-12 and Block A: Lots 20-73 (minus Lot 66), staff has found no recorded record that demonstrates Block D: Lots 1-12 and Block A: Lots 20-73 (minus Lot 66) have been reconfigured, vacated, or combined through a specific process such as by deed, sales contract, record of survey, subdivision, partition, or replat.

Based on the aforementioned evidence, staff finds that Block D: Lots 1-12 and Block A: Lots 20-73 (minus Lot 66) were created by a duly recorded subdivision prior to November 17, 1986, and further finds that the lots meet Parcel: Subsection 1. (Requirement #1).

Parcel: Subsection 1. Requirement #2

This requirement mandates that a legally created "Parcel", cannot be eligible for consolidation as provided in the Management Plan. The Management Plan only addresses consolidation of lots in Chapter 7 - General Policies and Guidelines, Consolidation of Lots.

OAR 350-081-0120 and the Management Plan Chapter 7; provide the same criteria for the consolidation of lots. Both require consolidation of lots only if the following criteria are met:

> **Management Plan**
> **Chapter 7 - General Policies and Guidelines**
> *CONSOLIDATION OF LOTS*
> *GMA/SMA Guidelines*
> 1. *A unit of land shall be consolidated with adjacent lands in the same ownership if:*
>
>   A. *In Oregon, the subdivision within which the unit of land is located is undeveloped pursuant to ORS chapter 92;*
>
> 2. *No portion of a consolidated plat shall be considered a separate parcel solely because an existing parcel overlays, and possibly fragments, that consolidated subdivision.*
> 3. *Section 1 shall not be applied to consolidate two or more units of land where each unit of land is developed with a dwelling that qualifies as an existing use. One or more undeveloped units of land shall be consolidated with one or more developed units of land.*
> 4. *To carry out this section, counties shall develop their own procedures for consolidating units of land pursuant to this provision, including amending plats, vacating plats, replatting, or other similar legal action.*
>
> Management Plan, Pages 273-274.

Chapter 7, Consolidation of Lots, Subsection 1.A., requires subdivision lots be consolidated with adjacent property in the same ownership if the subdivision is "undeveloped" pursuant to ORS 92. Further, Subsection 4. Requires counties to develop their own procedures for consolidating units of land. In Wasco County, consolidation and reconfiguration of land is accomplished through the replat process.

The express language within Chapter 7, Consolidation of Lots creates a conflict for land use decisions involving property that "is" eligible for consolidation. If the property "is" eligible, the Management Plan's definition of Parcel: Subsection 1, provides that the property *"*shall not be considered a parcel*"*, but if the property is not considered a "Parcel", it cannot be a "legal parcel", thus, the property is ineligible for consolidation through a land use decision (e.g., preliminary replat approval).

ORS 92.205 through 92.245 provides relevant law regarding "Undeveloped Subdivisions". ORS 92.205 through 92.225 are provided below:

Chapter 92 — Subdivisions and Partitions
UNDEVELOPED SUBDIVISIONS

ORS 92.205 Policy.

(1) The Legislative Assembly finds that many subdivisions for which plats have been approved and recorded have not been developed and that many such subdivisions were approved prior to the adoption of a comprehensive plan, zoning regulations and ordinances and modern subdivision control standards by the jurisdiction within which the lands described in the subdivision plats are situated.

(2) The Legislative Assembly finds, therefore, that it is necessary for the protection of the public health, safety and welfare to provide for the review of undeveloped subdivisions for the purpose of modifying such subdivisions, if necessary, to comply with the current comprehensive plan, zoning ordinances and regulations and modern subdivision control standards, or, if such modification is not feasible, of vacating the nonconforming, undeveloped subdivisions and to vacate any lands dedicated for public use that are described in the plat of each such vacated subdivision. [1973 c.569 §1]

ORS 92.215 Review authorized; manner.

(1) Each agency or body authorized to approve subdivision plats under ORS 92.040 may:
  (a) Review each subdivision approved on or after October 5, 1973, after the expiration of 10 years after the date of such approval.
  (b) Review each subdivision plat approved more than 10 years prior to October 5, 1973.
(2) Each review conducted pursuant to subsection (1) of this section shall be conducted in the manner and subject to the conditions prescribed in ORS 92.225. [1973 c.569 §2]

ORS 92.225 Review of undeveloped or developed subdivision plat lands.

(1) The agency or body required to conduct the review under ORS 92.215 shall investigate the status of the lands included within a subdivision to determine whether the subdivision is undeveloped.
(2) For the purposes of this section, the lands described in the plat of any subdivision under review shall be considered to be developed if any of the following conditions are found by the agency or body conducting the review to exist on such lands:
  (a) Roadways providing access into and travel within the subdivision have been or are being constructed to meet the specifications prescribed therefor by the agency or body that approved the plat of the subdivision;
  (b) Facilities for the supply of domestic or industrial water to lots created by the subdivision have been or are being constructed;
  (c) Sanitary sewerage disposal facilities have been or are being constructed for lots created by the subdivision, or septic tanks have been or are being installed on the land or permits have been issued for their installation on the land;
  (d) Buildings have been or are being constructed upon the land or permits have been issued for the construction of buildings upon the land; and
  (e) One or more lots described in the plat of the subdivision have been sold or otherwise transferred prior to the date of the initiation of such review.
(3) If the agency or body determines that a subdivision is undeveloped after its investigation of the subdivision under subsection (1) of this section, it shall also determine:
  (a) If the undeveloped subdivision complies with the comprehensive plan, zoning regulations and ordinances and subdivision ordinances and regulations then in effect with respect to lands in the subdivision; and

(b) If the undeveloped subdivision does not comply with such plan and ordinances and regulations, whether the subdivision may be revised to comply with such plan and ordinances and regulations.

(4) If the agency or body determines that a subdivision is undeveloped after its investigation of the subdivision under subsection (1) of this section, it shall hold a hearing to determine whether the undeveloped subdivision should be revised and the subdivision replatted or vacated and all lands within the subdivision that have been dedicated for public use vacated. Not later than 30 days before the date of a hearing held by an agency or body under this section, the agency or body shall notify, in writing, each owner of record of land described in the plat of the subdivision under review of the date, place, time and purpose of such hearing. [1973 c.569 §3]

The ORS does not require agencies and local jurisdictions to investigate eligible subdivision plats, nor does it require eligible subdivisions be replatted or vacated. The ORS provides authority to investigate and revise undeveloped subdivisions, but it is not prescriptive.

Because the Columbia Crest Addition Subdivision was duly recorded in 1953, 10 years prior to October 5, 1973, it meets the requirements of ORS 92.215(1)(b). However, the Columbia Crest Addition is a "developed" subdivision according to ORS 92.225(2)(a), (b) (c), (d), and (e). The express language within ORS 92.215 provides "the lands described in the plat of any subdivision under review…" In this case, the undeveloped subject lots are part of the Columbia Crest Addition Subdivision. However, other lots within the subdivision have been developed and contain roadways, water service, septic facilities, dwellings and other accessory structures. Furthermore, multiple lots within the subdivision have been sold or transferred since its recordation in 1953.

The Wasco County Geographic Information System (GIS) provides for 12 registered addresses and 12 existing dwelling units that are within the subdivision on Block B: Lot 1; Block A: Lots 3-7, Lots 9-11, and Lots 13-16; and Block E: Lot 5. Additionally, there is no indication that the dwelling units are not served by septic systems, and Chenowith Water Public Utility District provides water service to the area. Lastly, there are three publicly dedicated roads that include Sandstone Way & Ledge Street (collectively Sandstone Way) and Hermits Way that provide public access to the subdivision.

Based on the aforementioned evidence, staff finds that the Columbia Crest Addition Subdivision is a "developed" subdivision, and thus, the subject lots are not within an "undeveloped" subdivision pursuant to ORS chapter 92. Because the subject lots are eligible for consolidation under Chapter 7, Consolidation of Lots, the lots meet Parcel: Subsection 1. (Requirement #2).

Based on the above findings, staff concludes that Block D: Lots 1-12 and Block A: Lots 20-73 (minus Lot 66) meet the Management Plan's definition of Parcel: Subsection 1.

Parcel: Subsection 2. provides:

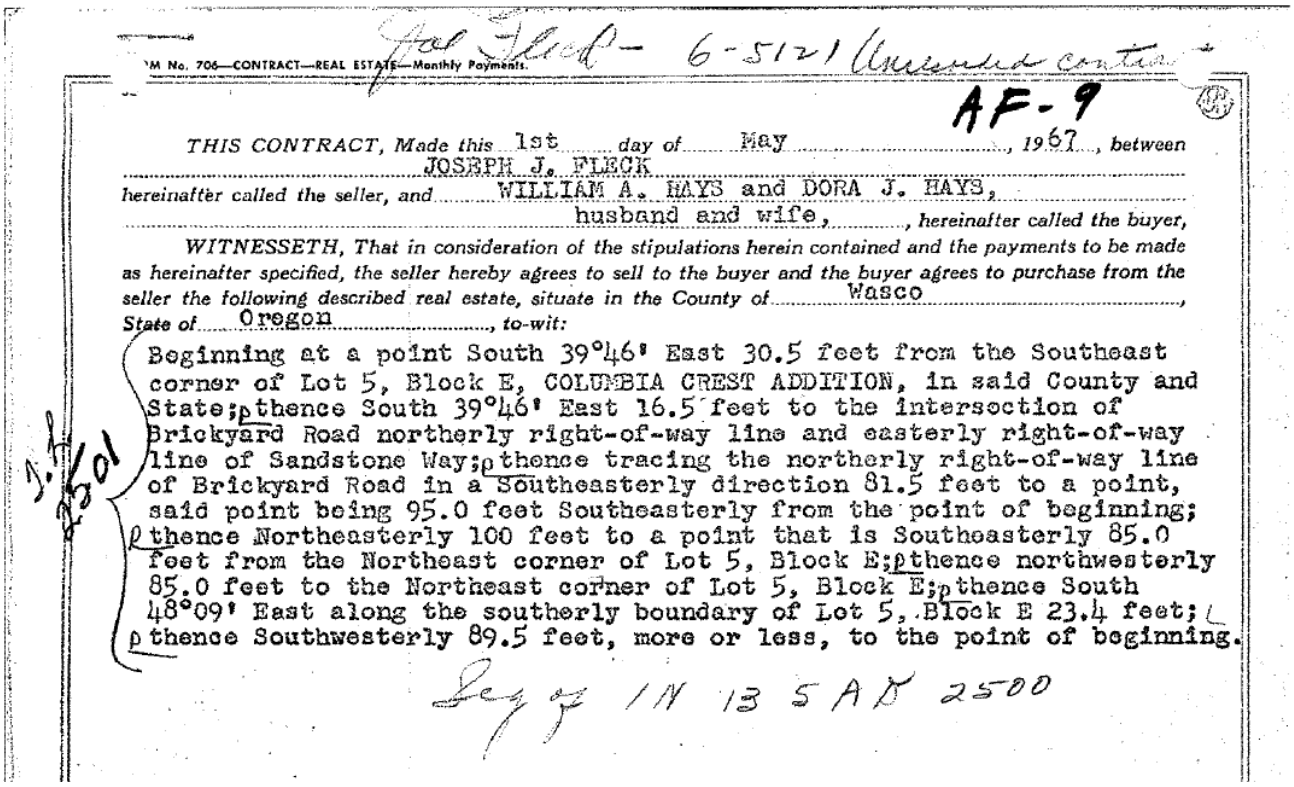
2. Any unit of land legally created and separately described by deed, sales contract, or record of survey prior to November 17, 1986, if the unit of land complied with all planning, zoning, and land division ordinances or regulations applicable at the time of creation and up through November 16, 1986.

Like Subsection 1., this criterion contains two essential requirements for properties to be considered "Parcels" under the Management Plan: (1) the unit of land must be described "by deed, sales contract, or record of survey prior to November 17, 1986; and (2) "the unit of land complied with all planning, zoning, and land division ordinances or regulations applicable at the time of creation and up through November 16, 1986." Management Plan Glossary, Parcel subsection 2. P. 433.

Parcel: Subsection 2. Requirement #1

The unit of land described as "Tract A" was created by the Columbia Crest Addition Subdivision in 1953. Tract A was divided by a land sales contract (AF-9) that was executed on May 1, 1967, between Joseph J. Fleck as seller and William A. and Dora J. Hays, husband and wife, as buyers. The contract (AF-9) was obtained by staff from the Wasco County Assessor's Office. A copy of the land sales contract (AF-9) is provided in Attachment I.

The land sales contract described the following property:



Joe Fleck — 6-5121 Unrecorded contract

M No. 706—CONTRACT—REAL ESTATE—Monthly Payments.

AF-9

THIS CONTRACT, Made this 1st day of May, 1967, between JOSEPH J. FLECK hereinafter called the seller, and WILLIAM A. HAYS and DORA J. HAYS, husband and wife, hereinafter called the buyer,

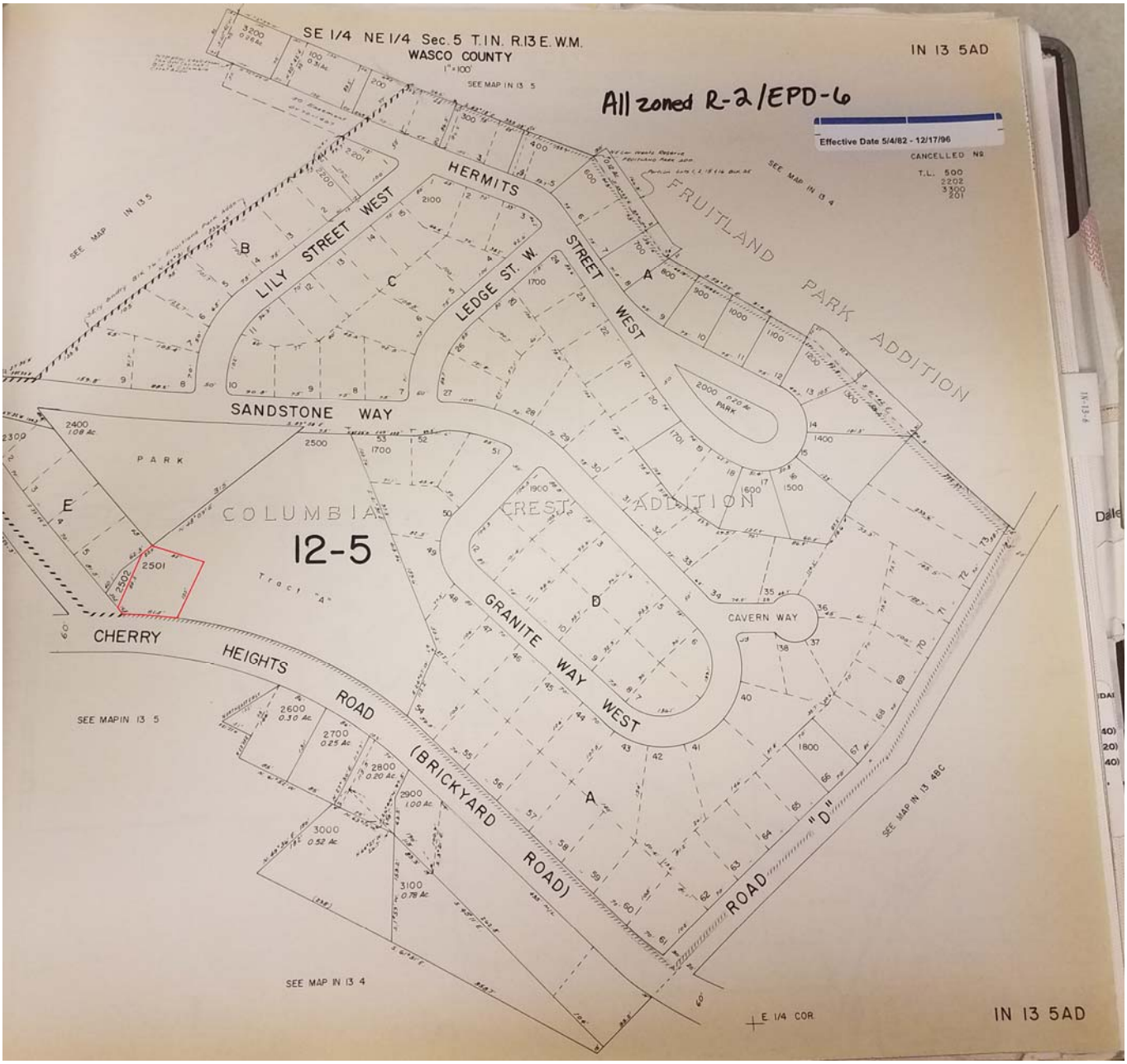
WITNESSETH, That in consideration of the stipulations herein contained and the payments to be made as hereinafter specified, the seller hereby agrees to sell to the buyer and the buyer agrees to purchase from the seller the following described real estate, situate in the County of Wasco, State of Oregon, to-wit:

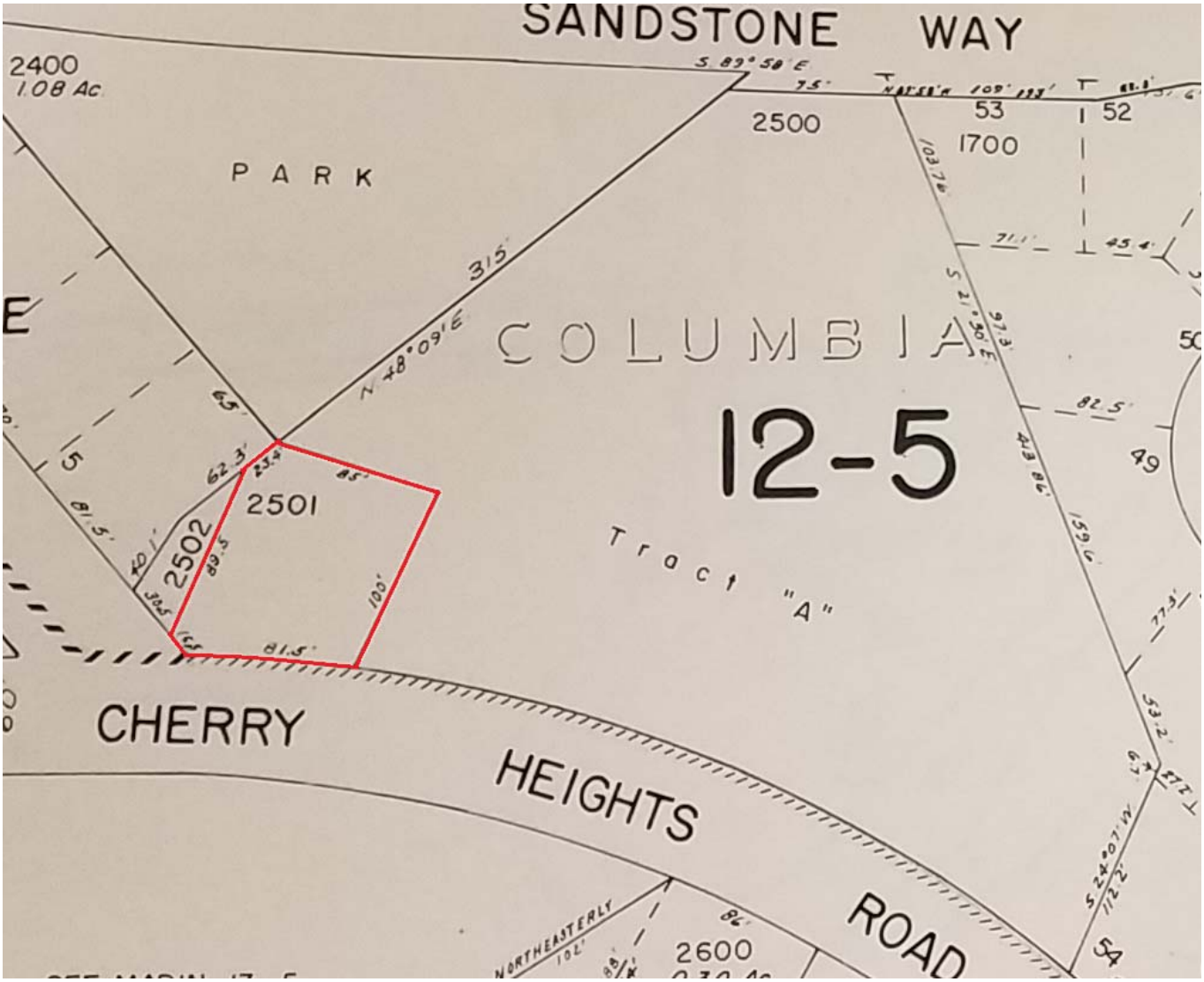
Beginning at a point South 39°46' East 30.5 feet from the Southeast corner of Lot 5, Block E, COLUMBIA CREST ADDITION, in said County and State; thence South 39°46' East 16.5 feet to the intersection of Brickyard Road northerly right-of-way line and easterly right-of-way line of Sandstone Way; thence tracing the northerly right-of-way line of Brickyard Road in a Southeasterly direction 81.5 feet to a point, said point being 95.0 feet Southeasterly from the point of beginning; thence Northeasterly 100 feet to a point that is Southeasterly 85.0 feet from the Northeast corner of Lot 5, Block E; thence northwesterly 85.0 feet to the Northeast corner of Lot 5, Block E; thence South 48°09' East along the southerly boundary of Lot 5, Block E 23.4 feet; thence Southwesterly 89.5 feet, more or less, to the point of beginning.

Leg of IN 13 5 AD 2500

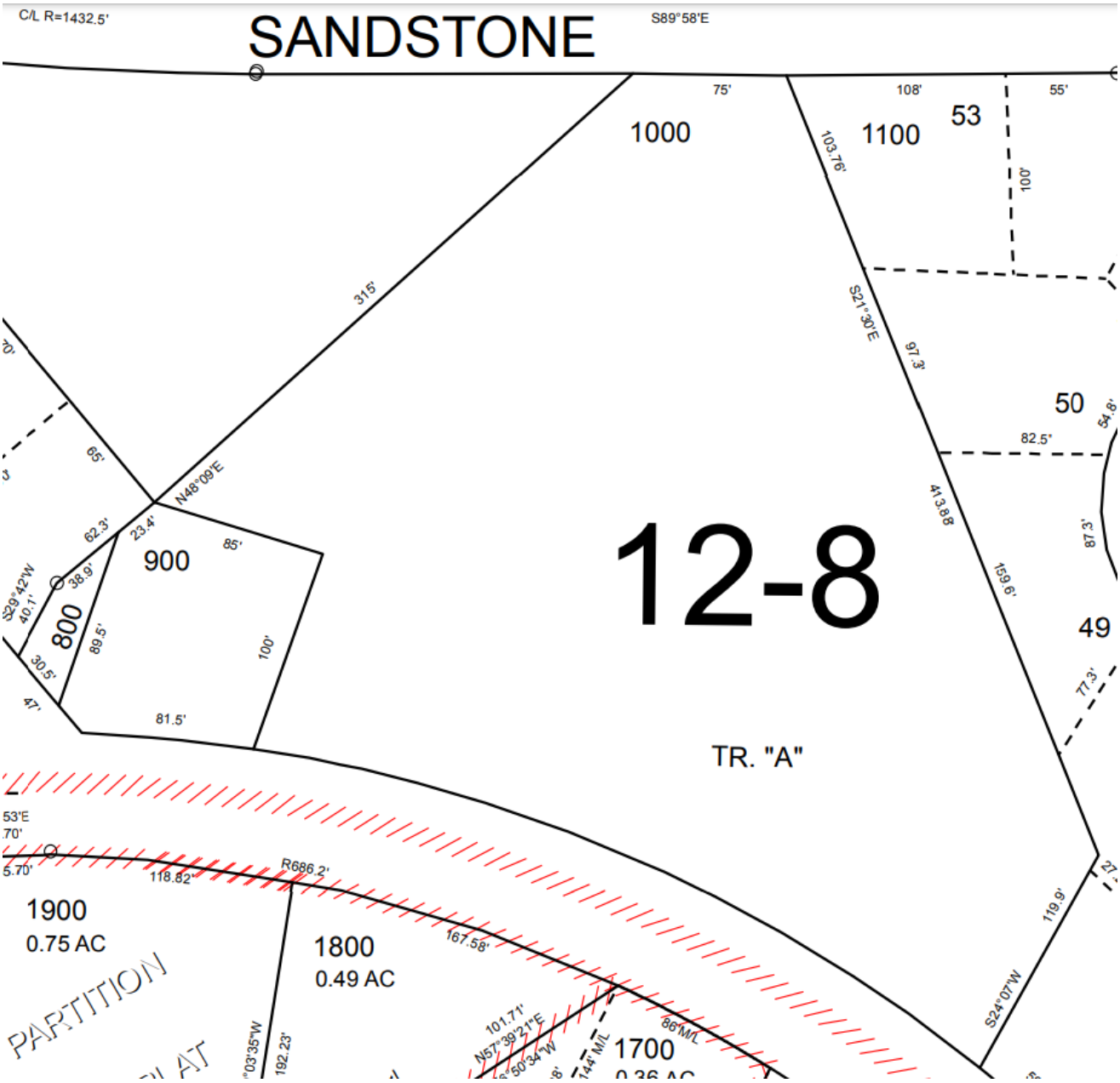
AF-9 Page 1.

The parcel described in (AF-9) is illustrated in red below. The below tax lot map is the effective tax lot map from May 4, 1982:

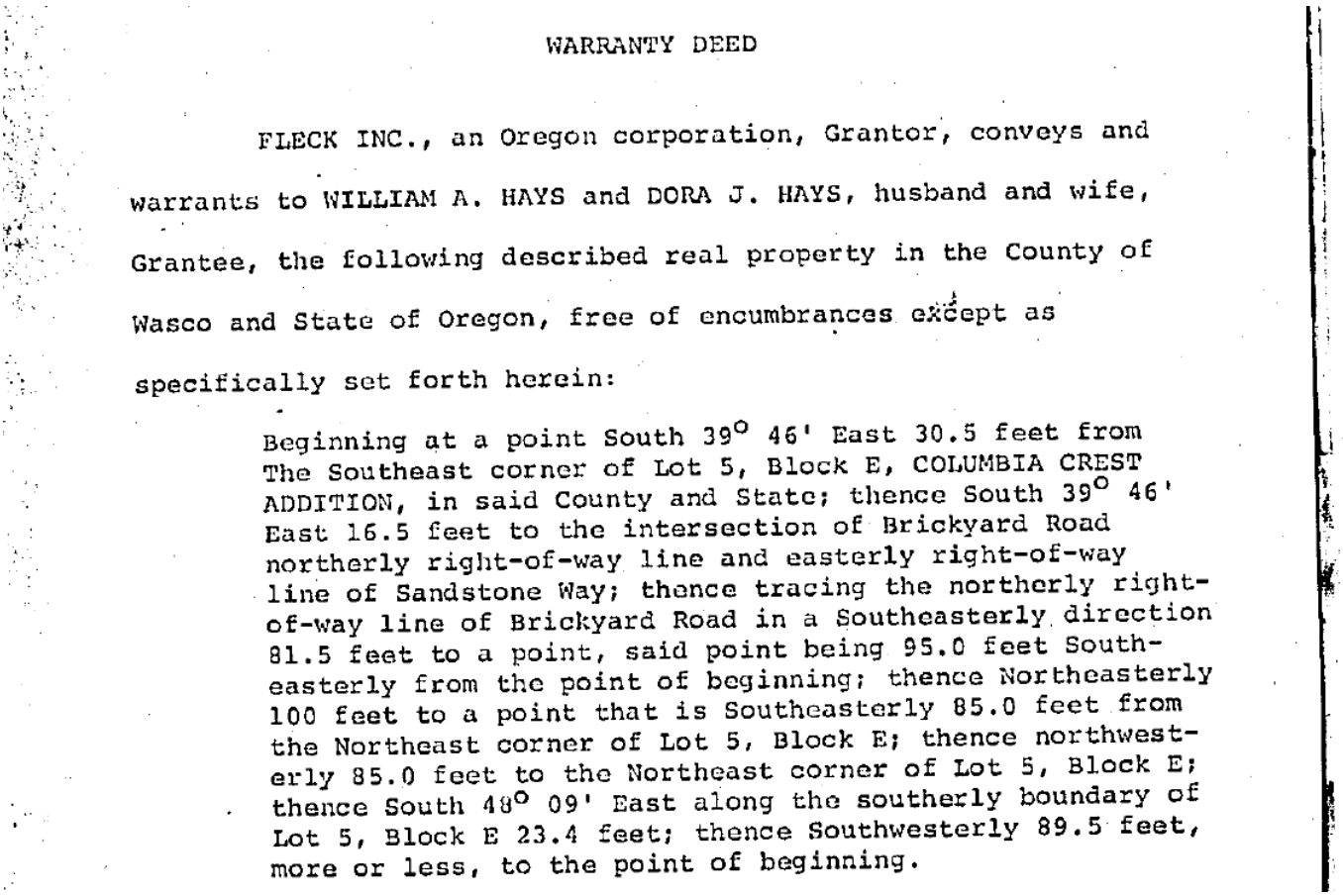

SE 1/4 NE 1/4 Sec. 5 T.1N. R.13E. W.M.
WASCO COUNTY
1" = 100'
IN 13 5AD
All zoned R-2/EPD-6
Effective Date 5/4/82 - 12/17/96
CANCELLED
T.L. 500
2202
3300
201
HERMITS
LILY STREET WEST
LEDGE ST. W.
STREET WEST
FRUITLAND PARK ADDITION
SANDSTONE WAY
PARK
COLUMBIA CREST ADDITION
12-5
Tract "A"
CHERRY HEIGHTS ROAD
(BRICKYARD ROAD)
GRANITE WAY WEST
CAVERN WAY
SEE MAP IN 13 5
SEE MAP IN 13 4
SEE MAP IN 13 4BC
E. 1/4 COR.
IN 13 5AD



The land sales contract describes a unit of land that according to Planning archive records was described as Tax Lot 2501. Currently, the unit of land is described as tax lot 900, located at 1 North, 13 East, Section 5 AD, Tax Lot 900.



The property described in the land sales contract was later conveyed through a Warranty Deed recorded on January 28, 1977 (Warranty Deed 1977-226), which describes the following property:



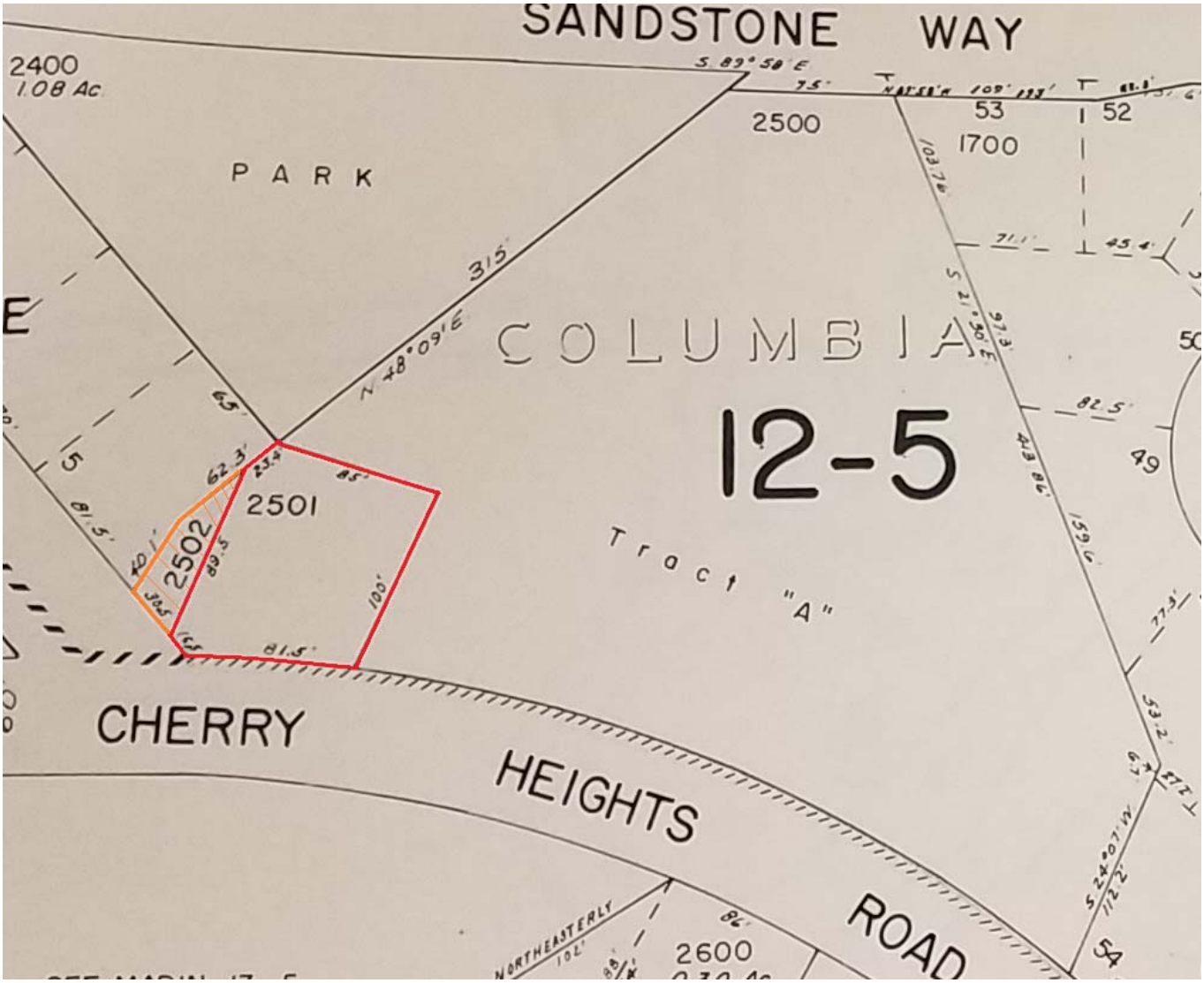
WARRANTY DEED

FLECK INC., an Oregon corporation, Grantor, conveys and warrants to WILLIAM A. HAYS and DORA J. HAYS, husband and wife, Grantee, the following described real property in the County of Wasco and State of Oregon, free of encumbrances except as specifically set forth herein:

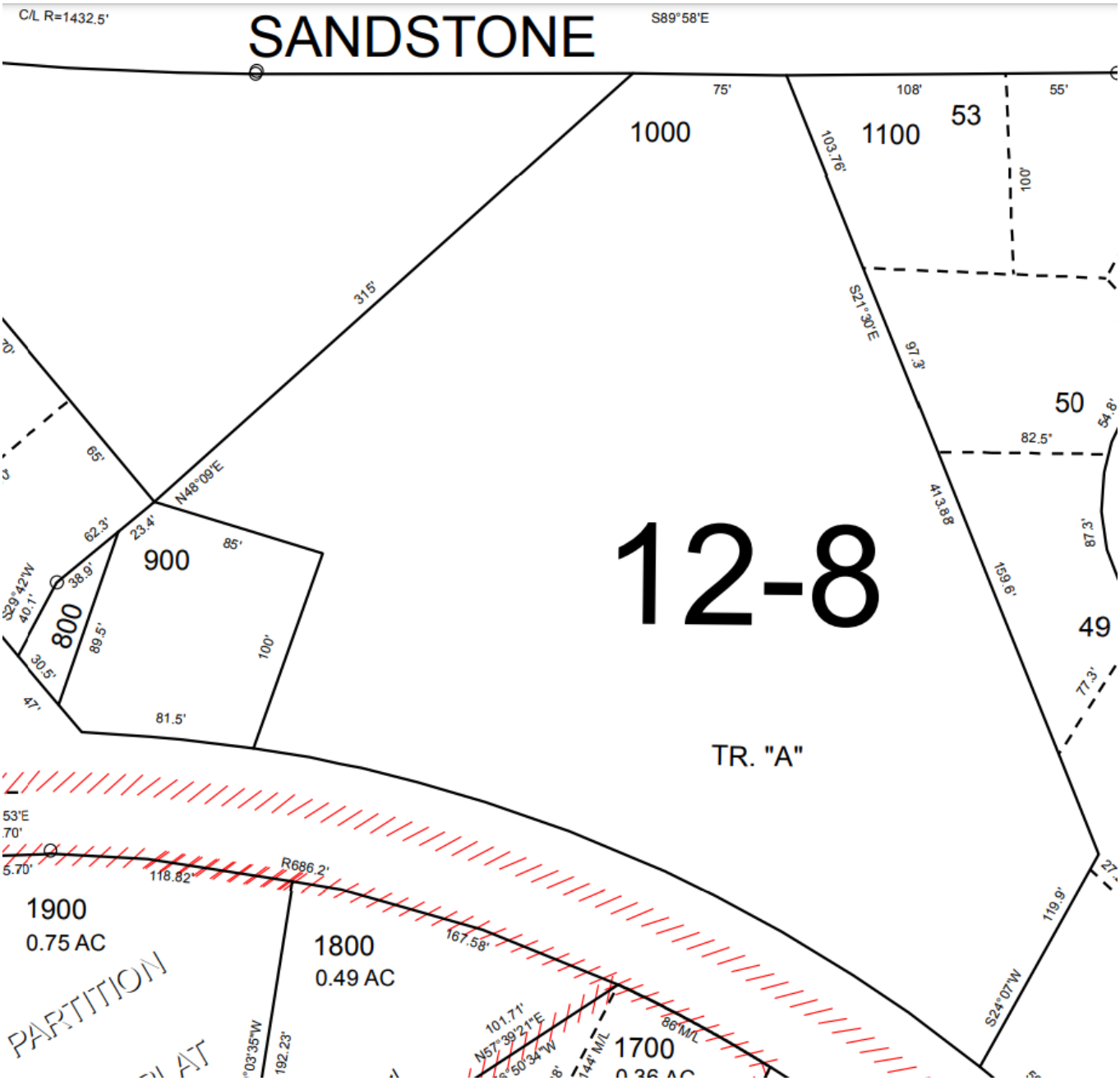
Beginning at a point South 39° 46' East 30.5 feet from The Southeast corner of Lot 5, Block E, COLUMBIA CREST ADDITION, in said County and State; thence South 39° 46' East 16.5 feet to the intersection of Brickyard Road northerly right-of-way line and easterly right-of-way line of Sandstone Way; thence tracing the northerly right-of-way line of Brickyard Road in a Southeasterly direction 81.5 feet to a point, said point being 95.0 feet Southeasterly from the point of beginning; thence Northeasterly 100 feet to a point that is Southeasterly 85.0 feet from the Northeast corner of Lot 5, Block E; thence northwesterly 85.0 feet to the Northeast corner of Lot 5, Block E; thence South 48° 09' East along the southerly boundary of Lot 5, Block E 23.4 feet; thence Southwesterly 89.5 feet, more or less, to the point of beginning.

Warranty Deed 1977-226, Page 1.

The land sales contract lawfully created Tax Lot 900 (formerly Tax Lot 2501). The creation of Tax Lot 900 had the consequence of creating a separate and distinct unit of land described in the May 4, 1982 Tax Lot Map as Tax Lot 2502 (See 1982 map below). A copy of Warranty Deed 1977-226 is provided in Attachment I.



Tax Lot 2502 is currently described as Tax Lot 800 (See current tax lot map). Currently, the unit of land is described as tax lot 800, located at 1 North, 13 East, Section 5 AD, Tax Lot 800. Tax Lot 800 was separated (Orphan Parcel) from Tract A (Parent Parcel) as a separate and distinct unit of land.



The first deed on record describing Tax Lot 800 is Quitclaim Deed 2016-4055, recorded October 31, 2016:

Exhibit "A"

Columbia Crest AddN
BG at most SLy Cor of Lot 5, BLK E
Columbia Crest AddN. SD PT Being
ON NEly R/W BNDRY of Sandstone Way:
TH S 39* 46'E 30.5 FT ALG SD R/W:
TH NELY 89.5 FT TAP ON BNDRY LI of
Lot 5 of SD Columbia Crest ADDN WH
PT IS S48* 09' W 23.4 FT Fm most ELY
Cor of SD Lot 5;
TH S 48* 09' W 38.9 FT ALG BNDRY LI of
SD LOT 5;
TH SWLY 40.1 FT ALG SD BNDRY LI TO
POB.

Tax Lot 800
Acct - 8357 · legal

Quitclaim Deed 2016-4055, Pdf Page 6.

A copy of Quitclaim Deed 2016-4055 is provided in Attachment I.

Pertaining to undescribed units of land, LUBA will affirm a governing body's interpretation of its legal parcel provisions regarding undescribed remainders of a parent parcel divided by deed if the deed was executed prior to when county approval was required to create, reconfigure, or divide land. *Oregon Landwatch v. Deschutes County*, 75 Or LUBA 328 (2017). Wasco County Planning has consistently found undescribed remainders (orphan property) as lawfully created property.

Tract A is then described in Bargain and Sale Deed 1968-0588, recorded April 18, 1968:

Lots 18 through 65 inclusive, and Lots 67 through 73 inclusive, in Block A, COLUMBIA CREST ADDITION.

Lots 1 through 9 inclusive, Block B, COLUMBIA CREST ADDITION.

Lots 1 through 15 inclusive, Block C, COLUMBIA CREST ADDITION.

Lots 1 through 12 inclusive, Block D, COLUMBIA CREST ADDITION.

Lots 1 through 5 inclusive, Block E, COLUMBIA CREST ADDITION.

All of Tract "A", COLUMBIA CREST ADDITION.

Bargain and Sale Deed 1968-0588, Pdf Page 4.

Bargain and Sale Deed 1968-0588 was recorded after the May 1, 1967 execution of the land sales contract (AF-9).

It is unclear whether the intent of Bargain and Sale Deed 1968-0588 was to describe the pre-land sales contract "Tract A" or to describe the post land sales contract "Tract A". In either case, LUBA has consistently held that circuit courts have the final say in the interpretation of ambiguous deeds and determining the grantor's intent. *Oregon Landwatch v. Deschutes County*, 75 Or LUBA 328 (2017). It is clear that according to current land use law, "Tract A" as it exists today was lawfully divided from both Tax Lots 900 and 800 in the 1967 land sales contract (AF-9), and meets Parcel: Subsection 2. (Requirement #1).

Based on the above findings, staff concludes that Tract A meets the Management Plan's definition of Parcel: Subsection 1.

Parcel: Subsection 2. Requirement #2

The second requirement under Subsection 2. is to demonstrate that the unit of land complied with all planning, zoning, and land division ordinances or regulations at the time of creation. Tract A, as it exists today, was created on May 1, 1967 via the land sales contract (AF-9). The governing land use ordinance was the 1956 Ordinance No. 7. Zoning Ordinance for an Unincorporated Portion of Wasco County Adjacent to the City of the Dalles. Ordinance No. 7 was adopted by the Wasco County Court on February 8, 1956, and recorded with the Wasco County Clerk on February 8, 1956. A copy of Ordinance No. 7 is provided in Attachment H.

Ordinance No. 7 had 11 Districts:

SECTION 4. DISTRICTS

A. Establishment of Districts

For the purpose of this ordinance and to carry out these regulations, the unincorporated portions of Wasco County, herein after designated are hereby divided into eleven (11) Districts, known as:

A-1 - AGRICULTURAL DISTRICT
R-1 - ONE-FAMILY DWELLING DISTRICT
R-2 - ONE-FAMILY DWELLING DISTRICT
R-3 - TWO-FAMILY DWELLING DISTRICT
R-4 - MULTIPLE-FAMILY DWELLING DISTRICT
C-1 - COMMERCIAL DISTRICT
C-2 - COMMERCIAL DISTRICT
C-3 - COMMERCIAL DISTRICT
M-1 - LIGHT INDUSTRIAL DISTRICT
M-2 - HEAVY INDUSTRIAL DISTRICT
M-3 - HEAVY INDUSTRIAL DISTRICT

The aforesaid districts and their boundaries are shown on maps attached hereto and made a part of this ordinance. These maps are entitled "ZONING DISTRICT MAPS" and these maps and all of the notations, references and other information shown thereon are as much a part of this ordinance as if the matters and information set forth by said maps were all fully described herein.

Ordinance No. 7, Page 7 (Pdf Page 9).

Each of the 11 Districts provided in Ordinance No. 7 contain Yard and Lot Area minimum requirements. Staff has been unable to locate a 1967 district or zone map for Wasco County. The Wasco County 2040 Comprehensive Plan provides that zoning maps in the county were adopted in the 1970s:

> "February 3, 1970 the first Countywide zoning maps were adopted, adding zoning for residential, commercial and industrial uses. In addition to agricultural, residential, commercial and industrial zones, the new ordinance saw the creation of the F-1 and F-2 zones for forest uses. The agricultural recreational zone also was part of the new 1970 zoning."
>
> Wasco County 2040 Comprehensive Plan, Pdf. Page 10.

Historic records, which include the Columbia Crest Addition Subdivision, and the May 4, 1982 Tax Lot Map indicate a high likeliness that the area where Tract A is located was used or intended to be used for Residential use. The three Residential Districts (R-1, R-2, and R-3) provided in Ordinance No. 7 detail the following Yard and Lot Area minimum requirements:

C. AREA

1. Front Yard: There shall be a front yard having a depth of not less than thirty-five (35) feet from the front lot line.

2. Side Yard: There shall be a side yard on each side of the main building and each side yard shall have a width of not less than fifteen (15) feet.

3. Rear Yard: There shall be a rear yard of not less than thirty-five (35) feet in depth.

4. Lot Area: Every lot shall have a minimum average width of not less than one hundred (100) feet and an area of not less than sixteen thousand (16,000) square feet. A lot having a width of less than one hundred (100) feet and an area of less than sixteen thousand (16,000) square feet of record at the time of the passage of this ordinance may be occupied by a one-family dwelling, provided all yard requirements are complied with,

Ordinance No. 7, R-1 District, Page 14 (Pdf Page 16).

C. AREA

1. Front Yard: There shall be a front yard of not less than twenty-five (25) per cent of the depth of the lot but in any case shall be not less than twenty-five (25) feet in depth; provided, however, that where forty (40) per cent of the frontage is developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such depths shall establish the front yard depth of the entire frontage.

2. Side Yard: On interior lots there shall be a side yard on each side of the main building, and each side yard shall have a width of not less than ten (10) per cent of the width of the lot but in any case shall be not less than seven (7) feet in width.

   On corner lots the interior side yard shall have a width of not less than ten (10) per cent of the width of the lot and not less than seven (7) feet in width but the side yard on the street side of such corner lot shall not be less than ten (10) feet in width.

3. Rear Yard: There shall be a rear yard of not less than twenty-five (25) per cent of the depth of the lot but in any case shall not be less than twenty-five (25) feet in depth.

4. Lot Area: Every lot shall have a minimum average width of not less than seventy (70) feet and an area of not less than eight thousand (8,000) square feet. A lot having a width of less than seventy (70) feet or an area of less than eight thousand (8,000) square feet, of record at the time of the passage of this ordinance, may be occupied by a one-family dwelling, provided all yard requirements are complied with.

Ordinance No. 7, R-2 District, Page 15 (Pdf Page 17).

C. AREA

1. Front Yard: Same as required in the "R-2" ONE-FAMILY DWELLING DISTRICT.

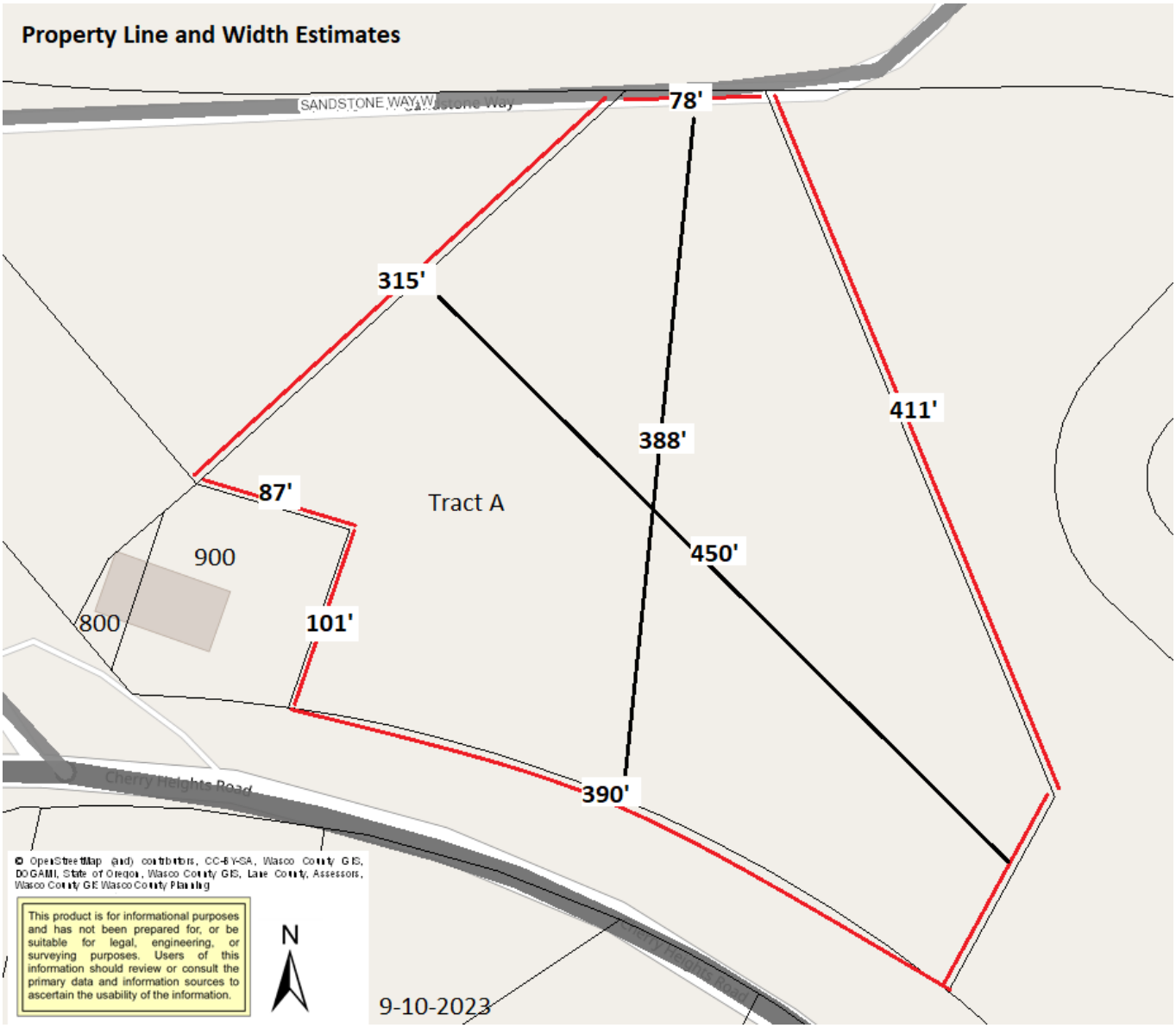
2. Side Yard: Same as required in the "R-2" ONE-FAMILY DWELLING DISTRICT.

3. Rear Yard: Same as required in the "R-2" ONE-FAMILY DWELLING DISTRICT.

4. Lot Area: Every lot for a one-family dwelling shall have a minimum average width of not less than seventy (70) feet and an area of not less than eight thousand (8,000) square feet. Every lot for a two-family dwelling shall have a minimum average width of not less than ninety (90) feet and an area of not less than five thousand (5,000) square feet for each dwelling unit. A lot having a width of less than seventy (70) feet and an area of less than eight thousand (8,000) square feet, of record at the time of the passage of this ordinance may be occupied by a one-family dwelling, provided all yard requirements are complied with.

Ordinance No. 7, R-3 District, Page 16 (Pdf Page 18).

Tract A, as created in 1967 is approximately 2.74 acres (119,354 Square Feet). Property Line and Width Estimates were obtained using Wasco County GIS map and measurement tools:



Based on staff estimates, Tract A would have met the R-1, R-2, and R-3 District Yard and Lot Area size requirements. The creation of Tract A by land sales contract in 1967, meets Parcel: Subsection 2. (Requirement #2).

Based on the above findings, staff concludes that Tract A meets the Management Plan's definition of Parcel: Subsection 2.

The NSA-LUDO provides a separate and distinct definition of Legal Parcel:

NSA-LUDO
Chapter 1.200 Definitions
Parcel (Legal)/Lot of Record - A unit of land created as follows:

a. A lot in an existing, duly recorded subdivision; or

b. A parcel in an existing, duly recorded partition (including major or minor land partitions); or

c. By deed or land sales contract prior to 4 September 1974. A unit of land shall not be considered a separate parcel (legal)/lot of record simply because the subject tract of land:

a. Is a unit of land created solely to establish a separate tax account;
b. Lies in different counties;
c. Lies in different sections or government lots;
d. Lies in different land use or zoning designations; or
e. Is dissected by a public or private road.

Consolidation: See Section 13.200 for "Consolidation of Undeveloped Subdivisions.

FINDING: Addressing the appellant's comment pertaining to the subject property being identified as "5 parcels rather than 66 in the proposed area."

As provided during the Planning Commission hearing, the subject 66 lots are comprised of five separate tax lots. The tax lots are assigned by the Wasco County Assessment and Taxation Office and do not represent the actual delineation of the subdivision lots. Additionally, *South v. City of Portland*, provides that under ORS 92.017, a lawfully created lot or parcel remains a discrete lot or parcel, unless the lot lines are vacated or the lot or parcel is further divided. *Consolidation of several lots into one tax lot does not consolidate or affect the discrete existence of those lots. South v. City of Portland*, 48 Or LUBA 555 (2005). (Emphasis added).

Furthermore, LUBA provided in *Jackson v. City of Portland*, 54 Or LUBA 138 (2007), that unless some expression of intent is provided within a deed that separately lists that lots or parcels are to be merged into a single unit of land, the listing of multiple lots or parcels in a single paragraph or a single sentence does not operate to merge those lots or parcels into a single unit of land.

The NSA-LUDO's "Parcel (Legal)/Lot of Record" provides three methods of property creation that allow a unit of land to qualify as a legal parcel. In this case, Subsections a and c. are relevant because lots within a duly recorded subdivision and properties created by deed or land sales contract prior to September 4, 1974, shall be considered legal parcels. However, according to the Parcel (Legal)/Lot of Record definition, even if subdivision lots are within a duly recorded subdivision, consolidation may be required under Section 13.200 if it is deemed "undeveloped".

The Management Plan's definition of "Parcel" was addressed in the previous finding. Regarding the NSA-LUDO's definition of "Parcel (Legal)/Lot of Record", the Columbia Crest Addition Subdivision was duly recorded by the Wasco County Clerk on June 5, 1953 (Book 5, Page 8). The subdivision created the subject 66 lots..

The subdivision pre-dates Oregon Statewide Land Use and Planning Goals as well as the National Scenic Area Act. Because the plat was signed and duly recorded, there is no objective indication the subdivision did not meet the 1953 "Ordinance No. 3 Subdivision Regulations of Wasco County". Based on the aforementioned evidence, staff finds that the subject lots within Block D: Lots 1-12 and Block A: Lots 20-73 (minus Lot 66) were lawfully created by a duly recorded subdivision and have never been lawfully altered or vacated since the subdivision was recorded.

As provided within the findings for the Management Plan's definition of "Parcel", Tract A was created by the Columbia Crest Addition Subdivision and then lawfully divided by a land sales contract (AF-9) that was executed on May 1, 1967, between Joseph J. Fleck as seller and William A. and Dora J. Hays, husband and wife, as buyers. The contract (AF-9) was obtained by staff from the Wasco County Assessor's Office. A copy of the land sales contract (AF-9) is provided in Attachment I.

Based on the findings provided for the Management Plan's definition of "Parcel" and the above findings, staff concludes that the subject 66 lots which include: Block D: Lots 1-12 and Block A: Lots 20-73 (minus Lot 66) and Tract A are legal parcels under Subsections a and c.

Finally, the NSA-LUDO Chapter 13, Section 13.200 provides the following:

> **NSA-LUDO**
> ***Chapter 13 Nonconforming Uses, Buildings and Lots & Consolidation of Undeveloped Subdivisions and Legal Parcels***
> *Section 13.200 Consolidation of Undeveloped Subdivisions*
> *A. Consolidation of Undeveloped Subdivisions*
>
> *i. A unit of land shall be consolidated with adjacent lands in the same ownership if the subdivision within which the unit of land is located is undeveloped pursuant to ORS 92, Undeveloped Subdivisions.*
>
> *ii. No portion of a consolidated plat shall be considered a separate parcel solely because an existing parcel overlays, and possibly fragments, that consolidated subdivision.*
>
> *iii. Criterion A shall not be applied to consolidate two or more units of land where each unit of land is developed with a dwelling that qualifies as an existing use. One or more undeveloped units of land shall be consolidated with one or more developed units of land.*
>
> *iv. Lots shall be consolidated through the process outlined in ORS 92, Undeveloped Subdivisions, or through a Replat process as outlined in Chapter 21.*

Subsection 13.200.A.1., requires subdivision lots to be consolidated with adjacent property in the same ownership if the subdivision is "undeveloped" pursuant to ORS 92. ORS 92.205 through 92.245 provides relevant law regarding "Undeveloped Subdivisions". The issue of required consolidation was addressed in the previous finding, where staff concluded that the Columbia Crest Addition Subdivision is not an "undeveloped" subdivision.

The Wasco County Planning Department does reconfigure and consolidate property through a Replat process outlined in Chapter 21. Based on the aforementioned evidence, staff finds that required consolidation under Section 13.200 is not required.

Based on the aforementioned findings, staff concludes that the subject 66 lots meet the definition of "Parcel" as provided in the Management Plan, and the definition of "Parcel (Legal)/Lot of Record" in the NSA-LUDO.

STAFF RECCOMENDATION GROUNDS FOR APPEAL #2: Based on the aforementioned findings and conclusions, staff recommends the Wasco County Board of Commissioners dismiss Grounds for Appeal #2.

B. Site Description: The slope and general parcel data were identified through Wasco County GIS (Slope and Imagery Data Layers) analysis and a June 29, 2023, staff site visit. The total area is approximately 16+/-

acres. The Wasco County GIS Slope Layer provides that the proposed area contains between 5-30% slopes. The terrain is rocky, and vegetation is sparse with few trees and mostly natural grasses. The land is within the Mid-Columbia Fire and Rescue for structural fire protection and within Chenowith Water Public Utility District.

C. Surrounding Land Use: The slope and general parcel data were identified through Wasco County GIS (Slope and Imagery Data Layers) analysis and a June 29, 2023, staff site visit. All surrounding properties are within the "R-R" Rural Residential Zone (GMA & SMA), (GMA) R-5. Slopes are similar to the subject properties, between 5-30%; however, slopes north of Hermits Way road can range from 31-74%. Vegetation is also similar to the subject properties. The density of the developed portions of the Columbia Crest Addition and the Fruitland Park Addition Subdivision is low with approximately 30 residential addresses within 200'.

D. Public Comment: The Public Notice of Hearing was mailed on March 16, 2023 for general public notification and comment and June 29, 2023, to all owners of property within 200' of the subject lot, the U.S. Forest Service - Columbia River Gorge National Scenic Area Office, Columbia River Gorge Commission, the four tribal governments, State Historic Preservation Office, and other interested parties registered with Wasco County. The initial March 16, 2023 notification provided a 15-day pre-notice for public comment (ending March 31, 2023). Comments received are included as Attachment E at the end of this report.

Notification of this appeal was provided on August 31, 2022, and published in the local newspaper on September 6, 2023. Comments received are included as Attachment E at the end of this report.

III. FINDINGS:

Wasco County National Scenic Area Land Use & Development Ordinance (NSALUDO)

A. Chapter 2 – Development Approval Procedures

(***)

Section 2.050 – Wasco County Application Authority

The Following includes only the Wasco County Application Authority. All quasi – judicial appeals and legislative actions decided upon by the Columbia River Gorge Commission shall be governed by the Management Plan for the Columbia River Gorge National Scenic Area.

A. The Director shall have the authority to review the following applications for Type II Administrative Actions, and shall follow the procedure provided by this Ordinance to accomplish such review.

(***)

3. Uses permitted Subject to Additional or Referenced Standards (Chapter 3)

(***)

8. Scenic Area Reviews (Chapter 14)

FINDING: The requested subdivision replat also involves a request for the development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), lot preparation and placement of necessary utilities.

(***)

10. Partition Approvals, except as provided for in 2.050(B), re-plats and property line adjustments. (Chapter 21)

FINDING: The requested subdivision replat meets the following definition as provided within Chapter 1 Section 1.200 Definitions:

Replat - The act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat, to increase or decrease the number of lots in a subdivision, or to correct an error or irregularity in the original plat.

Staff finds that the request is a subdivision replat, and complies with Subsection 2.050.A.10.

B. The following applications for Type III and Type IV Quasi-Judicial and Legislative Actions shall be heard by the Planning Commission, pursuant to Sections 2.100, 2.180, 2.190, 2.200, 2.210, and 2.220 of this Ordinance:

Type III Actions

(***)

7. Subdivisions (Chapter 21)

FINDING: The requested subdivision replat meets the following definitions as provided within Chapter 1 Section 1.200 Definitions:

Subdivide - To effect a subdivision, as applied to this Ordinance

Subdivision - Either an act of subdividing land or an area or tract of land subdivided as defined in this section.

Staff finds that the request is a subdivision replat, and complies with Subsection 2.050.B.7, which requires the application be heard and decided by the Wasco County Planning Commission.

The Planning Commission conducted a hearing on August 1, 2023, and approved the request with amended conditions. The decision was noticed on August 3, 2023, and was properly appealed on August 18, 2023.

(***)

Section 2.160 Review of a Decision of the Planning Commission

Fifteen (15) days from the date of a final decision of the Planning Commission, the decision shall become effective unless review is sought pursuant to this Section.

A. Review of the decision of the Planning Commission:

(***)

4. Shall be made by the County Governing Body, pursuant to Section 2.170, upon any party filing a Notice of Review with the Director within fifteen (15) days from the date of the final decision sought to be reviewed; or

FINDING: The Planning Commission Hearing was held on August 1, 2023, where the Planning Commission voted 6-0 to approve the request. The Planning Commission Decision was noticed on August 3, 2023, with a 15-day appeal period ending on August 18, 2023. The appeal was properly received and filed on August 18, 2023. Staff finds that Section 2.160.A.2 has been met.

Section 2.170 Review by the County Governing Body

A. The review of the decision of the Planning Commission by the County Governing Body shall be conducted as a "de novo" hearing, including but not limited to the record established at the Planning Commission level.

B. Review by the County Governing Body upon appeal by a party shall be limited to the grounds relied upon in the petition request for review.

FINDING: The appeal grounds provided in the appeal forms submitted are the following:

(1) The decision violates the NSA-LUDO, including sections 3.160.D.13, 3.160.G, 21.030.C & D, because it unlawfully approves new parcels that violate the applicable minimum lot size for the land use designation.

(2) The decision contains erroneous findings and conclusions regarding the current number of legally existing parcels.

Issues on appeal shall be reviewed by the County Governing Body as a “de novo” hearing, but the review shall be limited to the grounds relied upon in the petition request.

B. Chapter 3 – Basic Provisions

Section 3.160 "R-R" Rural Residential Zone (GMA & SMA)

D. Uses Permitted Subject to Review
The following uses and activities may be allowed on a legal parcel designated Residential subject to Subsection G - Property Development Standards, Chapter 11 – Fire Safety Standards & Chapter 14 - Scenic Area Review, as well as any other listed or referenced standards.

(***)

2. Accessory structures for an existing or approved dwelling that are not otherwise allowed outright, eligible for the expedited development review process, or allowed in criterion 3 below. Noncommercial wind energy conversion systems which fit this category are subject to the applicable provisions of Chapter 19. (GMA & SMA)

FINDING: The request is a Scenic Area Review for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot). Vacation of unused ROW and easements plus dedication and construction of Cavern Way cul-de-sac ROW and lot preparation and utilities (fire hydrants and other structures necessary for development), and to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development). Required street signage and fire hydrants will not be visible from KVAs and are discussed in Chapter 14 of this report. Based on the request, and conditions found throughout this report, the Planning Commission found that the request complies with Subsection 3.160.D.2.

(***)

10. *Construction, reconstruction or modification of roads if designated in the Adopted Wasco County Transportation System Plan or designed and constructed as part of an approved, active development order (GMA & SMA) and railroads (SMA Only).*

FINDING: The request is a Scenic Area Review for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot). Vacation of unused ROW and easements plus dedication and construction of Cavern Way cul-de-sac ROW and lot preparation and utilities, and to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development). Required street signage and fire hydrants will not be visible from KVAs and are discussed in Chapter 14 of this report. Based on the request, and recommended conditions found throughout this report, the Planning Commission found that the request complies with Subsection 3.160.D.10.

(***)

GROUNDS FOR APPEAL #1: "The decision violates the NSA-LUDO, including sections 3.160.D.13, 3.160.G…because it unlawfully approves new parcels that violate the applicable minimum lot size for the land use designation."

13. *Land Divisions and Replats subject to the property development standards listed in G below, Section 21.100 and all other applicable provisions of Chapter 21. (GMA & SMA)*

FINDING: Findings for Subsection 3.160.D.13., are provided below in Section 3.160.G., where staff has found the request to comply with Subsection 3.160.D.13.

G. Property Development Standards

1. Property Size

a. The creation or alteration of a parcel shall be subject to the following standards:

Zone	*Minimum Parcel Size*	*Minimum Parcel Width*
R-R(5)	*Five (5) Acres*	*300'*

(***)

FINDING: The NSA-LUDO Chapter 1, Section 1.200, provides the following definitions:

Land Division - The division or re-division of contiguous land(s) into tracts, parcels, sites or divisions,

regardless of the proposed parcel or tract size or use. A land division includes, but is not limited to short subdivisions, partitions and subdivisions. Land division does not include the creation of cemetery plots while used for that purpose.

Nonconforming lot or parcel - A lot or parcel lawfully created which does not conform to the current requirements of the zone in which it is located.

Replat - The act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat, to increase or decrease the number of lots in a subdivision, or to correct an error or irregularity in the original plat.

The proposed replat will consolidate 66 nonconforming lots into six residential lots, one private open space lot, and one public park lot:

Table 2 - Proposed Lots

Lots	Use	Min Width (feet)	Max Width (feet)	Average Width (feet)	Area (acres)
1	Single Family Res.	342	458	400	4.12
2	Single Family Res.	358	378	368	1.05
3	Single Family Res.	142	240	191	1.02
4	Single Family Res.	57	303	180	2.89
5	Single Family Res.	63	546	304	3.20
6	Single Family Res.	104	424	264	3.09
TOTAL	**SFR Lots**			**284**	**15.37**
Tract "A"	Open Space "Tract A"				1.31
	Park Space Dedication				0.16
TOTAL	**6 SFR Lots + Park + Open Space**				**16.84**
ROW	Cavern Way (50' ROW)				0.82
TOTAL	**TOTAL project area**				**17.66**

As proposed, the 66 nonconforming lots will become more conforming to existing size and width standards, but <u>will not</u> be replatted to meet the existing minimum parcel size of five acres or width of 300 feet.

Friends of the Columbia Gorge provided the following comment on July 20, 2023:

"Replats
Even if there were 66 legally existing lots of record, they could not lawfully be replatted to lots that are below the 5-acre minimum lot size for the area. NSA-LUDO § 3.160.D.13 requires replats to comply with NSA-LUDO § 3.160.G. That provision requires that "[t]he creation or alteration of a parcel shall be subject to" the minimum lot size and parcel width for the zone and variances from minimum parcel sizes may not be granted. NSA-LUDO §§ 3.160.G (emphasis added), 21.030.C & D. Here, the Applicant proposes 8 lots, each below the minimum lot size for the zone. This application cannot be lawfully approved as proposed.

In addition, replats can only be done for recorded plats. ORS §§ 92.185(1), 92.010(13). As

discussed above, it is not clear from the application materials whether the Columbia Crest Subdivision and the Fruitland Park Addition were lawfully approved and recorded. The Applicant bears the burden of establishing that the criteria are met and that burden has not been met.

Based on the evidence available in the application materials and in County parcel data, it is likely that the subject property is only eligible for 3 to 5 residential lots, depending on the criteria and factors discussed above. The applicant proposes 6 residential lots, which cannot be approved."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

The comment pertains to the (GMA) R-5 zone's minimum size and width standards provided in the NSA-LUDO Chapter 3, Section 3.160.G. To summarize, the comment asserts that because the proposed lots do not meet the minimum size and width criteria of the zone, the proposed replat must be denied.

As previously discussed, the existing subdivision lots are lawfully created non-conforming and do not meet the current minimum parcel size and width requirements.

One acre, two acre, five acre, and ten acre minimum zone sizes have been established within the Management Plan. The Management Plan requires that residential development does not adversely affect scenic, cultural, natural, and recreation resources. In addition, the Plan provides that minimum parcel sizes for land divisions are established based upon the following factors:

Management Plan
Chapter 4 Residential Land
Land Use Policies

1. *Minimum parcel sizes for land divisions shall be established, based upon the following factors:*
   A. *Avoidance of hazards, including, but not limited to, steep slopes, fire danger, and groundwater pollution.*

   B. *Adequacy of services, including, but not limited to, transportation, fire protection, police protection, schools, sewage disposal and water.*

   C. *Protection of the following:*
      (1) Existing landscape setting.
      (2) Wildlife habitat.
      (3) Plant habitat.
      (4) Scenic sensitivity.
      (5) Cultural resources.
      (6) Wetlands.
      (7) Scenic travel corridors.

   D. *Potential for conflict with nearby agricultural and forest uses.*

   E. *Proximity to existing and planned recreation uses.*

Management Plan, Pages 229-230.

The aforementioned factors are for land divisions; however, the Management Plan does not define “Replat” or “Nonconforming lot or parcel”, and does not govern the local jurisdiction’s policies or procedures pertaining to the replatting of nonconforming lots or parcels.

The NSA-LUDO provides the purpose of the "R-R" Rural Residential Zone (GMA & SMA) as:

> *Residential development may locate outside Urban Areas so long as it does not adversely affect the scenic, cultural, natural and recreation resources. In addition to consideration of these factors, lands may be designated as residential if deemed suitable for residential development, taking into account the physical characteristics of the areas in question and their geographic proximity to transportation and commercial facilities and other amenities.*

The requested replat of an existing nonconforming subdivision will maximize residential development in an area with significant soil issues that precludes development within the 66 nonconforming lots.. Additionally, the replat avoids steep slopes, decreases available density of development, and increases room for fire fuel breaks around potential development. As provided in this report, the proposed replat also meets the scenic, cultural, natural, and recreation resource criteria within Chapter 14.

The Management Plan only addresses the reconfiguration and consolidation of existing subdivision plats in Chapter 7 - General Policies and Guidelines, Consolidation of Lots.

> **Management Plan**
> **Chapter 7 - General Policies and Guidelines**
> *CONSOLIDATION OF LOTS*
> *GMA/SMA Guidelines*
> 1. *A unit of land shall be consolidated with adjacent lands in the same ownership if:*
>
>   A. *In Oregon, the subdivision within which the unit of land is located is undeveloped pursuant to ORS chapter 92;*
>
> 2. *No portion of a consolidated plat shall be considered a separate parcel solely because an existing parcel overlays, and possibly fragments, that consolidated subdivision.*
> 3. *Section 1 shall not be applied to consolidate two or more units of land where each unit of land is developed with a dwelling that qualifies as an existing use. One or more undeveloped units of land shall be consolidated with one or more developed units of land.*
> 4. *To carry out this section, counties shall develop their own procedures for consolidating units of land pursuant to this provision, including amending plats, vacating plats, replatting, or other similar legal action.*
>
> Management Plan, Pages 273-274.

Chapter 7, Consolidation of Lots, Subsection 1.A., requires that lots be consolidated with adjacent lands in the same ownership if the subdivision is “undeveloped” pursuant to ORS 92. ORS 92.205 through 92.245 provides relevant law regarding “Undeveloped Subdivisions”. As provided above in staff findings for Legal Parcel Status, the Columbia Crest Addition Subdivision is a “developed” subdivision, and is not required to consolidate under Chapter 7, Consolidation of Lots.

Interestingly, Chapter 7, Consolidation of Lots Subsection 4 provides that “counties shall develop their own procedures for consolidating units of land…including amending plats, vacating plats, replatting, or other similar legal action.” It is clear from Subsection 4, that the Management Plan defers to County procedures regarding

consolidation under ORS 92. In this case, total subdivision consolidation under Chapter 7 is not required, but consolidation of the 66 nonconforming lots into eight larger lots through a replat is requested.

In addition to the Management Plan, the NSA-LUDO Chapter 13, Section 13.200 provides the following regarding consolidation of property:

> **NSA-LUDO**
> ***Chapter 13 Nonconforming Uses, Buildings and Lots & Consolidation of Undeveloped Subdivisions and Legal Parcels***
> *Section 13.200 Consolidation of Undeveloped Subdivisions*
> *C. Consolidation of Undeveloped Subdivisions*
>
> *i. A unit of land shall be consolidated with adjacent lands in the same ownership if the subdivision within which the unit of land is located is undeveloped pursuant to ORS 92, Undeveloped Subdivisions.*
>
> *ii. No portion of a consolidated plat shall be considered a separate parcel solely because an existing parcel overlays, and possibly fragments, that consolidated subdivision.*
>
> *iii. Criterion A shall not be applied to consolidate two or more units of land where each unit of land is developed with a dwelling that qualifies as an existing use. One or more undeveloped units of land shall be consolidated with one or more developed units of land.*
>
> *iv. Lots shall be consolidated through the process outlined in ORS 92, Undeveloped Subdivisions, or through a Replat process as outlined in Chapter 21.*

Subsection iv., requires that the consolidation of units of land either follow the process pursuant to ORS 92 or utilize the county's Replat process as provided in the NSA-LUDO Chapter 21 Land Divisions. Wasco County utilizes its own replat process and has its own replat standards for approval in Chapter 21, Section 21.200. Findings pertaining to this replat request are provided in Chapter 21, Section 21.200, where the request is found to comply.

Pertaining to the reconfiguration or consolidation of nonconforming units of land, Wasco County allows replats of nonconforming property that will be altered to become more conforming without explicitly meeting the current size and width standards of the zone. This means that a proposed land use request to reconfigure or consolidate nonconforming property to make it more conforming will not be outright denied on grounds that the resulting replat will not meet minimum standards. Wasco County's replat process encourages the continued use of nonconforming property and conforms with the NSA-LUDO Chapter 13 Nonconforming Uses, Buildings and Lots & Consolidation of Undeveloped Subdivisions and Legal Parcels.

> **NSA-LUDO**
> ***Chapter 13 Nonconforming Uses, Buildings and Lots & Consolidation of Undeveloped Subdivisions and Legal Parcels***
> *Section 13.040 Construction on and Conveyance of Nonconforming Legal Parcels*
> *Nothing in this Ordinance shall be deemed to prohibit construction or reconstruction of conforming uses on nonconforming legal parcels or limit the sale, transfer or conveyance of said legal parcels approved prior to the adoption of this Ordinance, so long as the construction, reconstruction, sale, transfer or conveyance is consistent with all applicable provisions of this Ordinance.*

Wasco County's replat process ensures that nonconforming lands may be consolidated in such a way that enables continued use and future development. Wasco County contains several nonconforming lots within duly recorded subdivisions. Along with the Columbia Crest Addition Subdivision, the Scenic Area contains numerous nonconforming subdivisions that are within the Residential Zone; examples include: Murrays Addition, Murray's Second Addition, West Hi-Land, Hoge's Addition and Terrace Trailer Homes Subdivisions. These subdivisions are developed, and many, if not all of the lots do not conform to existing acreage or width standards.

Furthermore, LUBA provides that local governments may impose land use regulations requiring that two or more nonconforming lots be combined for development purposes. *Campbell v. Multnomah County*, 25 Or LUBA 479 (1993). Wasco County does not require nonconforming property to be combined, but its replat process allows eligible property to be consolidated to become more conforming without meeting the minimum property size standards of the zone. This replat process allows development on properties that would otherwise be precluded from development due to small size.

If the property size standards under Subsection 3.160.G. are strictly administered to include all property regardless of existing nonconformance, nonconforming property can never be reconfigured or consolidated unless the replat can meet the acreage and width standards of the zone. If this is the case, many non-conforming lots within Wasco County will lose an important land alteration remedy that allow continued or future residential use. In addition, other units of land in agriculture or forest zones will be precluded from growing in size unless they can explicitly meet the minimum size requirement.

Based on the aforementioned findings, policy, and procedures, staff finds that the proposal meets the replat criteria within Chapter 21 Land Divisions Section 21.200 Property Line Adjustments & Replats, and further finds that the proposal meets the intended residential purpose of the land use designation and zone. Staff concludes that the request complies with Subsection 3.160.D.13.

In addition, staff finds that Subsection 3.160.G.1.a., is not strictly applicable to this request, and that the requested consolidation through replat is allowed through Chapter 21.

STAFF RECCOMENDATION GROUNDS FOR APPEAL #1 (SECTIONS 3.160.D.13. & 3.160.G: Based on the aforementioned findings and conclusions, staff recommends the Wasco County Board of Commissioners dismiss Grounds for Appeal #1 (SECTIONS 3.160.D.13. & 3.160.G.).

2. *General Setbacks - All structures other than approved signs and fences shall comply with the following general setback standards:*

Front Yard	25'
Interior Side Yard	15'
Exterior Side Yard	20'
Rear Yard	20'

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. All future applicable development on the proposed lots must abide by the above setbacks at the time of application. The Planning Commission found that Subsection 3.160.G.2. is not applicable to this request.

3. *Agricultural Setbacks - In addition to the general setback standards listed in criterion 2 above, all new buildings to be located on a parcel adjacent to lands that are designated Large-Scale or Small-Scale Agriculture and are currently used for or are suitable for agricultural use, shall comply with the following setback standards:*

Adjacent Use	Open or Fenced	Natural or Created Vegetation Barrier	8 foot berm or terrain barrier
Orchards	250’	100’	75’
Row crops/ vegetables	300’	100’	75’
Livestock grazing, pasture, haying	100’	15’	20’
Grains	200’	75’	50’
Berries, vineyards	150’	50’	30’
Other	100’	50’	30’

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. Although lands designated Large-Scale Agriculture are located on the northwest side of Sandstone Way road, all of the proposed lots are not directly adjacent to those agricultural designated lands. Application materials provide the following:

> “Residential Evaluation
> Setbacks from Agricultural Use
> For the proposed Lots 1 and 2, the 50' of Sandstone Road ROW and the 25' front setback add up to 75', which is adequate for all adjacent farm uses as long as there is an 8-foot berm with vegetation that achieves a total berm/vegetation height of at least 15 feet. Material that is excavated for the road and utilities that is unsuitable for structural fill will be utilized to form the required berms along Lots 1 and 2, as shown in the Ag Setback Exhibit EX2. However, if the TL400 and 500 have become residential usage as described above before the replatting of these six lots, then berms would not be necessary since the potential agricultural use would then be over 300 feet away from the proposed lots.”
>
> (Residential Evaluation, Page 2).

Based on these facts, the Planning Commission found that Subsection 3.160.G.3. is not applicable to this request.

4. *Height - Maximum height for all structures shall be thirty-five feet (35’) unless further restricted in accordance with Chapter 14 - Scenic Area Review.*

FINDING: FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential

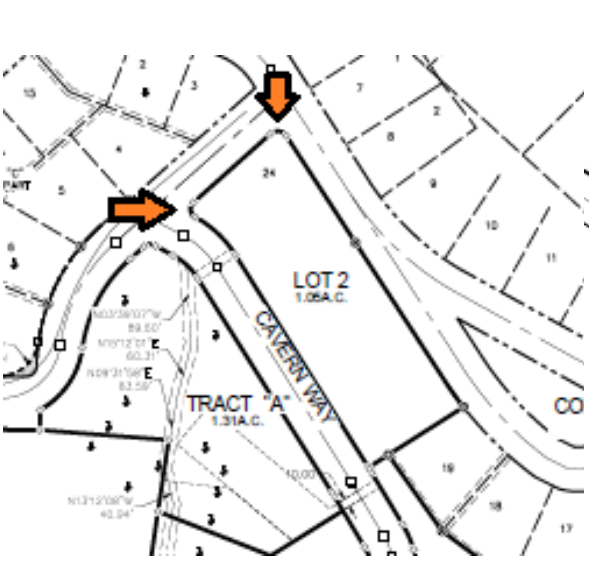
development is requested. All future structures on the proposed lots will need to abide by the height restrictions. The Planning Commission found that Subsection 3.160.G.4 is not applicable to this request.

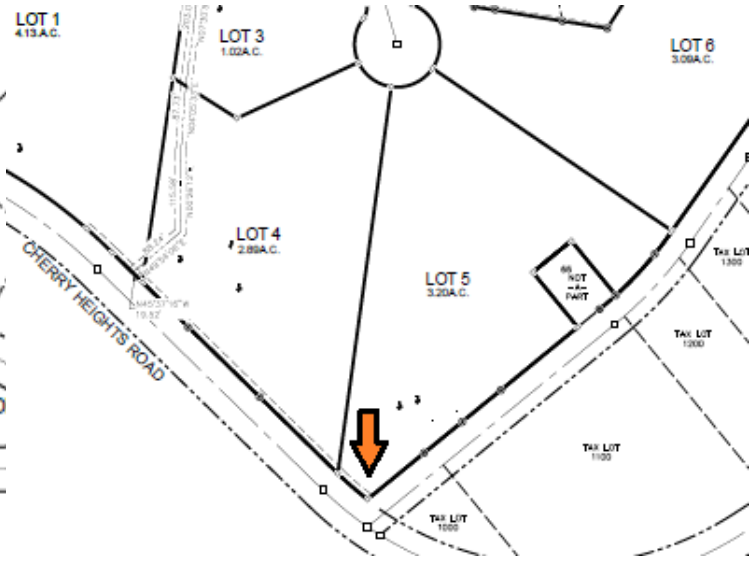
5. *Floodplain: Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.240, Flood Hazard Overlay.*

FINDING: The FEMA Flood Map Service Center is the official public source for flood hazard information produced in support of the National Flood Insurance Program. FEMA flood map data are shared with the Wasco County GIS Division. FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. According to the Wasco County GIS Flood Hazard Overlay (OZ-1) data layer, the area being replatted is not within a delineated floodplain. The Planning Commission found that Subsection 3.160.G.5 is not applicable to this request.

6. *Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.*

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. Of the six proposed lots, Lots 2 & 5 will qualify as corner properties and all future development will have to abide by vision clearance setback standards. (See Lot 2 and Lot 5 diagrams below).





Lots 1, 3, 4, and 6 are not considered corner properties. The Planning Commission found that the request complies with Subsection 3.160.G.6.

7. Parking - Off street parking shall be provided in accordance with Chapter 4.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. All future development on the proposed lots shall abide by the criteria for off street parking is found in Chapter 4, Section 4.040 The Planning Commission found that the request complies with Subsection 3.160.G.7.

C. Chapter 4 – Supplemental Provisions

Section 4.040 Off-Street Parking
At the time of erection of a new structure or at the time of enlargement or change in use of an existing structure, off-street parking spaces shall be provided in accordance with this Section. In an existing use, the parking space shall not be eliminated if elimination would result in less space than is required by this Section. Where square feet are specified the area measured shall be the gross floor area necessary to the functioning of the particular use of the property but shall exclude space devoted to off-street parking or loading. Where employees are specified, persons counted shall be those working on the premises during the largest shift at peak season, including proprietors.

The following are the uses and minimum standards provided for off-street parking unless specified otherwise:

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. Concerning off-street parking, application materials provide the following:

"Grading Plan Narrative
Proposed Soil Conditions
Future grading for each home shall provide a building pad along with parking and access."
(Grading Plan Narrative, Page 6).

Building pockets are identified in the application, which take into consideration future potential off-street parking areas. The Planning Commission found that the request complies with Section 4.040.

D. Chapter 11 – Fire Safety Standards

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. As part of a complete application, the property owners completed a Fire Safety Standard Self-Certification Form. By signing the self-certification form, the owners have acknowledged that they understand these standards and commit to achieving compliance with them within one year of the date of approval and maintain them through the life of the development. This certification further commits all future property owners to this same

requirement. A copy of this self-certification form is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Section 11.110 Siting Standards – Locating Structures for Good Defensibility

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. The submitted preliminary subdivision replat plan, and Wasco County GIS (Slope & Imagery Data), identify building envelopes on the lots for future development that allow for development sites that avoid slopes steeper than 40%, and are set back from the top of slopes greater than 30% by at least 30 feet. All future development on the proposed lots shall abide by all Chapter 11 – Fire Safety Standards, Siting Standards criteria. The Planning Commission found that the request complies with Subsection 11.110.

Section 11.120 Defensible Space – Clearing and Maintaining a Fire Fuel Break

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. The submitted preliminary subdivision replat plan, and Wasco County GIS (Slope & Imagery Data), identify building envelopes on the lots for future development that allow for development sites with a fire fuel break of at least 50 feet. All future development on the proposed lots shall abide by the Chapter 11 – Fire Safety Standards, Defensible Space criteria. The Planning Commission found that the request complies with Subsection 11.120.

Section 11.130 Construction Standards for Dwellings and Structures – Decreasing the Ignition Risks by Planning for a more Fire-Safe Structure

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. All future development on the proposed lots shall abide by the criteria outlined in Chapter 11 – Fire Safety Standards, Construction Standards for Dwellings and Structures, and that the final structural designs shall meet all applicable building code standards. The Planning Commission found that the request complies with Subsection 11.130.

Section 11.140 Access Standards – Providing Safe Access to and Escape From Your Home

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. All of the proposed lots will be accessed by a local road of public access (publicly dedicated road). The existing

Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6. Lot 1 and Lot 2 will have access from the existing Sandstone Way and/or Hermits Way and will require road approach permits. Access provided for all future proposed residential development shall be subject to the criteria discussed in this section.

Additional findings and conditions of approval pertaining to access and fire safety are provided in Chapter 21 within this report. The Planning Commission found that the request complies with Subsection 11.140.

Section 11.150 Fire Protection or On-Site Water Required – Ensuring Dwellings Have Some Fire Protection Available Through Manned or Unmanned Response

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. The proposed lots are located within the Mid-Columbia Fire & Rescue structural protection district. All future development on the proposed lots shall abide by the criteria outlined in Chapter 11 – Fire Protection or On-Site Water Requirements. The Planning Commission found that Subsection 11.150 is not applicable to the request.

Section 11.210 Fire Safety Standard Review Process

A. Compliance with applicable fire safety standards is required by the ordinance for new, replacement, and modified structures in all rural zones.

1. *Fire standards shall be made a part of the conditions of approval when a conditional use permit, site plan or subject to standards review, partition, subdivision, or other land use action is required prior to construction.*

2. *Structures or alterations to structures that are subject to ministerial review must also comply with all applicable fire standards prior to receiving zoning approval on a building permit application.*

3. *In all cases compliance with applicable fire standards shall be self-certified prior to receiving zoning approval on a building permit.*

4. *Certifications shall be verified within one year of approval and may be verified by staff site visits at any time.*

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. As part of a complete application, the property owners completed a Fire Safety Standard Self-Certification Form. By signing the self-certification form, the owners have acknowledged that they understand these standards and commit to achieving compliance with them within one year of the date of approval and maintain them through the life of the development. This certification further commits all future property owners to this same requirement. A copy of this self-certification form is available for inspection at the Wasco County Planning

Department under File 921-23-000023-PLNG. The Planning Commission found that the request complies with Section 11.210.

Section 11.230 - Fire Safety Mitigation Plan

A fire safety mitigation plan is required when an applicant needs to request a modification to one or more fire safety standards listed on the self-certification check list. A fire safety mitigation plan is also required for any land division creating lots that can accommodate dwellings. A fire mitigation plan shall include the following:

A. One or more maps and accompanying narrative statement addressing the following:

1. *Site description.*
2. *Documentation of fire protection service or proposed plan for on-site fire protection.*
3. *Documentation of on-site water supply where required.*
4. *Driveway construction plan including gate features, size and locations of bridges or culverts and proposed signage.*
5. *Documentation of fuel break areas if land on adjoining properties is relied on to meet fuel break requirements.*
6. *Public or private road plans for new roads to serve proposed land divisions (including location, size, and type of bridges and culverts).*
7. *Other information deemed necessary to allow adequate review of the request for modification.*

B. Statement of need
A clear statement of why the fire safety standards cannot feasibly be met.

C. Risk Assessment
An assessment of increased risk of wildfire damage if standard is modified. Risk assessments shall consider the purpose of the standard that cannot be met, the specific proposal, and site conditions to determine what, if any, additional exposure to wild land fire risks could be created by approval of the modification to fire safety standards. The consideration shall include increased risk of the proposed structure becoming a source of ignition and risks to the proposed structure from a wild land fire ignited elsewhere and traveling through the site.

D. Statement of Additional Action Proposed to Eliminate or Minimize Increased Risks
A clear list of additional measures proposed by the applicant to address any increased risks identified in the risk assessment.

FINDING: All land divisions are required to submit a Fire Mitigation Plan identifying all home sites, building envelopes, and access as necessary to demonstrate compliance with all applicable fire standards on proposed lots. The mitigation plan included a site description describing the area around the proposed lots. Fire protection services in the area that will respond to the proposed subdivision is Mid-Columbia Fire & Rescue for structural protection. Water sources for the proposed lots will come from Chenowith Water District. The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6. Lot 1 and Lot 2 will have access from the existing Sandstone Way and/or Hermits Way and will require road approach permits. Required signage will be placed in accordance with state fire and county standards, at the direction of the Wasco County Public Works Director. All fire fuel breaks on the proposed subdivision lots will not rely on neighboring properties to meet the fuel break requirements. A statement of need is not required since the proposal can feasibly meet the fire safety

standards. Additional findings and conditions of approval pertaining to access and fire safety are provided in Chapter 21 within this report. Lastly, additional findings and conditions of approval are provided in Chapter 21 where the proposal has been found to be able to comply with state fire code. With the aforementioned, the proposal can meet the fire safety standards, and a risk assessment is not required, eliminating the need for a statement of additional action.

The Planning Commission found that the request complies with Section 11.230.

E. Chapter 14 – Scenic Area Review

Section 14.020 Complete Application Submittal Requirements for a Scenic Area Review

FINDING: On February 7, 2023, applicants submitted an application for a National Scenic Area review for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested.

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

The applicant provided the required information and the application was declared complete by staff on March 8, 2023. The applicant submitted the required forms.

The Planning Commission found that the application complies with Section 14.020.

(***)

Section 14.100, Provisions For All New Development (GMA & SMA)

A. All new development, except uses allowed through the expedited review process, shall be reviewed under the applicable sections of Key Viewing Areas, Scenic Travel Corridors, Landscape Settings, Natural Resources, Cultural Resources, and Recreation Resources.

FINDING: The following applicable sections of Chapter 14 are addressed below: Section 14.200, Key Viewing Areas, Section 14.300, Scenic Travel Corridors, Section 14.400, Landscape Settings, Section 14.500, Cultural Resources – GMA, Section 14.600, Natural Resources – GMA, Section 14.700, Recreation Resources – GMA, and Section 14.800, Indian Tribal Treaty Rights and Consultation – GMA.

B. New buildings and roads shall be sited and designed to retain the existing topography and to minimize grading activities to the maximum extent practicable.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested.

The applicants submitted a grading plan that included the following:

> "Grading Plan Narrative
> The project site is located off Sandstone Way and Cherry Heights Road, near the crest of the hill outside of the Urban Growth Boundary. It is zoned Scenic Area General Management Rural Residential. The site currently has no structures and consists of approximately 15 acres of vacant grassy land. There are sparse mature Oregon white oak and Ponderosa pine trees, mostly clustered on the site in a few areas that will be primarily protected within open space and outside of building envelopes. The site is hilly with steeper slopes across the southern end. Parcels to the north contain single family homes on small lots, to the west is GMA Agriculture, with an orchard west of vacant lots.
>
> The proposed scope of work involves construction of a local access road with a culdesac for emergency turnaround. The project is a replat of 66 existing non-conforming lots into 6 larger more conforming lots. Average lot size before replat is about 7,000 sf. Average lot size after replat is 112,748 sf (2.59 acres). The access road and culdesac will require cutting and filling to create a level enough area for the access. Cuts will be along the north side of the access road, so will not be visible from KVA's (hidden by the bluff and homes on the bluff). Fill slopes will primarily be along the south side of the access road, so will also be screened from view since the KVA's are only visible along the east end of the site. At the east end ofthe culdesac, the cut and fill are minimized to reduce visibility from the KVA's.
>
> The future homesites on Lots 1-4 are not visible from KVA's, and building envelopes have been provided for Lots 5 and 6 to minimize visibility. Homes on lots 5 and 6 should be reviewed at the time of building permit to ensure that they are properly screened, which may require careful siting and additional vegetation for screening. Lots 1 and 2 may require vegetation or berms to reduce agricultural setbacks, depending on when neighboring lots under the developer's ownership are built on. See the Residential Evaluation memorandum for further information on berming for setbacks. Berms for Lots 1 and 2 will not be visible from KVA's."
>
> (Grading Plan Narrative, Pages 1-2).
>
> "Grading Plan Narrative
> Proposed Soil Conditions
> The proposed project will require approximately 1650 CY of cut and 1200 CY of fill for the access road improvements. Grading for the access with cause minimal disturbance, and will be stabilized by structural fill, the gravel surfacing material and paving. Any cut/fill slopes shall have permanent seeding applied in the spring or fall. Future grading for each home shall provide a building pad along with parking and access. Unless otherwise directed by a Geotechnical Engineer, grading shall be done per Chapter 18 of the Oregon Structural Specialty Code, and as follows:
> • Cut/fill slopes to not exceed 2:1
> • Fill on existing slopes shall be constructed with benching
> • The ground adjacent to the foundation shall be sloped away from the building at a minimum of 5% slope for a minimum distance of 10 feet from the foundation wall. Impervious surfaces may be sloped a minimum of 2% away from the building and may be less than 2% at a door or landing for ADA access.

• Onsite soil is unlikely to be suitable for structural fill under buildings due to the gradation variability and expected cobbles, though it may be used if approved by a Geotechnical Engineer or other qualified inspector. Structural fill shall be placed in horizontal lifts on subgrade that has been cleared of all organic material. The structural fill shall consist of well-graded angular
material placed in compacted lifts at 95% of the maximum dry density as follows:
o For fill 2" or less diameter, lifts shall have a compacted maximum depth of 6"
o For fill 2"to 6" diameter, lifts shall have a compacted maximum depth of 8"
• The new road shall be constructed to serve as a fire access road, with a minimum paved width of 22 feet. Cut slopes shall have a ditch, a minimum of 1 foot deep. Side slopes of the road shall have a maximum slope of 3:1"

(Grading Plan Narrative, Page 6).

No substantive commentary has been submitted that indicates non-conformance of the proposed dedication and construction of Cavern Way cul-de-sac right-of-way (ROW) and necessary utilities, and to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development). Staff finds that the proposed development is designed to retain the existing topography and to minimize grading activities to the maximum extent practicable.

All future development on the proposed lots will be subject to criteria described in this section. The Planning Commission found that Subsection 14.100.B is not applicable to the request.

C. New buildings and expansions of existing development shall be compatible with the general scale of existing nearby development. New buildings that are 1,500 square feet or less are exempt from this guideline. Findings addressing this guideline shall include but are not limited to:

1. Application of the landscape setting design guidelines, if applicable.

2. A defined study area surrounding the development that includes at least ten existing buildings, not including existing buildings within urban areas or outside the National Scenic Area.

3. Individual evaluations of scale for each separate proposed building in the application and each separate building in the study area, including:

a. All finished above ground square footage;

b. Total area of covered decks and porches;

c. Attached garages

d. Daylight basements

e. Breezeways, if the breezeway shares a wall with an adjacent building

f. Dimensions, based on information from the application or on Assessor's records

4. An overall evaluation demonstrating the proposed development's compatibility with surrounding development. Buildings in the vicinity of the proposed development that are significantly larger in size than the rest of the buildings in the study area should be removed from this evaluation.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. All future buildings on the proposed lots may be subject to criteria described in this criterion. The Planning Commission found that Subsection 14.100.C is not applicable to the request.

D. Unless expressly exempted by other provisions, colors of all exterior surfaces of structures on sites not visible from Key Viewing Areas shall be earth-tones found at the specific site or in the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval. The Scenic Resources Implementation Handbook will include a recommended palette of colors.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. As discussed below in Section 14.200, portions of proposed Lots 2, 5, & 6 are visible from Key Viewing Areas (KVA). Exterior colors of future development not visible from KVAs shall be dark earth tones found at the specific site or in the surrounding landscape, and the specific colors approved by the reviewing agency shall be included as a condition of approval. The Planning Commission found that the request complies with Subsection 14.100.D.

E. Additions to existing buildings smaller in total square area than the existing building may be the same color as the existing building. Additions larger than the existing building shall be of dark earth-tone colors found at the specific site or in the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval. The Scenic Resources Implementation Handbook will include a recommended palette of colors.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. The Planning Commission found that Subsection 14.100.E is not applicable to this request.

F. Outdoor lighting shall be directed downward, sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and the Columbia River as well as preventing the lighting from being highly visible from Key Viewing Areas and from noticeably contrasting with the surrounding landscape setting. Shielding and hooding materials shall be composed of nonreflective opaque materials. There shall be no visual pollution due to the siting or brilliance, nor shall it constitute a hazard for traffic.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. No street lighting is proposed. All future development on the proposed lots will be subject to criteria described in this section. The Planning Commission found that the request complies with Subsection 14.100.F.

G. All ground disturbance as a result of site development shall be revegetated no later than the next planting season (Oct-April) with native species. The property owners and their successors in interest shall be responsible for survival of planted vegetation, and replacement of such vegetation that does not survive.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. Regarding the proposed road dedication, Sandstone Way realignment, utility placement, and lot preparation, the application provides the following:

"Grading Plan Narrative
Proposed Soil Conditions
The proposed project will require approximately 1650 CY of cut and 1200 CY of fill for the access road improvements. Grading for the access with cause minimal disturbance, and will be stabilized by structural fill, the gravel surfacing material and paving. Any cut/fill slopes shall have permanent seeding applied in the spring or fall. Future grading for each home shall provide a building pad along with parking and access. Unless otherwise directed by a Geotechnical Engineer, grading shall be done per Chapter 18 of the Oregon Structural Specialty Code, and as follows:
• Cut/fill slopes to not exceed 2:1
• Fill on existing slopes shall be constructed with benching
• The ground adjacent to the foundation shall be sloped away from the building at a minimum of 5% slope for a minimum distance of 10 feet from the foundation wall. Impervious surfaces may be sloped a minimum of 2% away from the building and may be less than 2% at a door or landing for ADA access.
• Onsite soil is unlikely to be suitable for structural fill under buildings due to the gradation variability and expected cobbles, though it may be used if approved by a Geotechnical Engineer or other qualified inspector. Structural fill shall be placed in horizontal lifts on subgrade that has been cleared of all organic material. The structural fill shall consist of well-graded angular
material placed in compacted lifts at 95% of the maximum dry density as follows:
o For fill 2" or less diameter, lifts shall have a compacted maximum depth of 6"
o For fill 2"to 6" diameter, lifts shall have a compacted maximum depth of 8"
• The new road shall be constructed to serve as a fire access road, with a minimum paved width of 22 feet. Cut slopes shall have a ditch, a minimum of 1 foot deep. Side slopes of the road shall have a maximum slope of 3:1"

(Grading Plan Narrative, Page 6).

There is no anticipated permanent ground or vegetation disturbance outside of the areas designated for construction. A **condition** of approval requires that significant ground disturbance shall be revegetated no later than the next planting season (Oct-April) with native species, and property owners and their successors in interest shall be responsible for survival of planted vegetation and the replacement of such vegetation that does not survive. With this condition, the Planning Commission found that the request complies with Subsection 14.100.G.

H. Except as is necessary for site development or fire safety purposes, the existing tree cover screening the development area on the subject parcel from Key Viewing Areas and trees that provide a back drop on the subject parcel which help the development area achieve visual subordinance, shall be

retained. Additionally, unless allowed to be removed as part of the review use, all trees and vegetation within buffer zones for wetlands, streams, lakes, ponds and riparian areas shall be retained in their natural condition. Any of these trees or other trees required to be planted as a condition of approval that die for any reason shall be replaced by the current property owner or successors in interest no later than the next planting season (Oct-April) after their death with trees of the same species or from the list in the landscape setting for the property.

To ensure survival, new trees and replacement trees shall meet the following requirements

1. *All trees shall be at least 4 feet tall at planting, well branched, and formed.*

2. *Each tree shall be braced with 3 guy wires and protected from livestock and wildlife. The guy wires need to be removed after two winters.*

3. *The trees must be irrigated until they are well established.*

4. *Trees that die or are damaged shall be replaced with trees that meet the planting requirements above.*

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. Regarding the proposed road dedication, Sandstone Way realignment, utility placement, and lot preparation, the application provides that "grading for the access with [sic] cause minimal disturbance." (Grading Plan Narrative, Page 6). No applicable residential development is requested. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. Based on these facts, only vegetation necessary for site development will be impacted. The Planning Commission found that the request complies with Subsection 14.100.H.

Section 14.200, Key Viewing Areas

The following is required for all development that occurs on parcels/lots topographically visible from Key Viewing Areas.

A. *Each development and land use shall be visually subordinate to its setting in the GMA as seen from Key Viewing Areas. The extent and type of conditions applied to a proposed development to achieve visual subordinance shall be proportionate to its potential visual impacts as seen from Key Viewing Areas.*

    1. *Decisions shall include written findings addressing the factors influencing potential visual impact including but not limited to:*

        a. *The number of Key Viewing Areas it is visible from;*
        b. *The distance from the building site to the Key Viewing Areas it is visible from;*
        c. *The linear distance along the Key Viewing Areas from which the building site is visible (for linear Key Viewing Areas, such as roads and the Columbia River);*
        d. *The difference in elevation between the building site and Key Viewing Areas;*
        e. *The nature and extent of topographic and vegetative back screening behind the building site as seen from Key Viewing Areas;*

f. The amount of area of the building site exposed to Key Viewing Areas; and
g. The degree of existing vegetation providing screening.

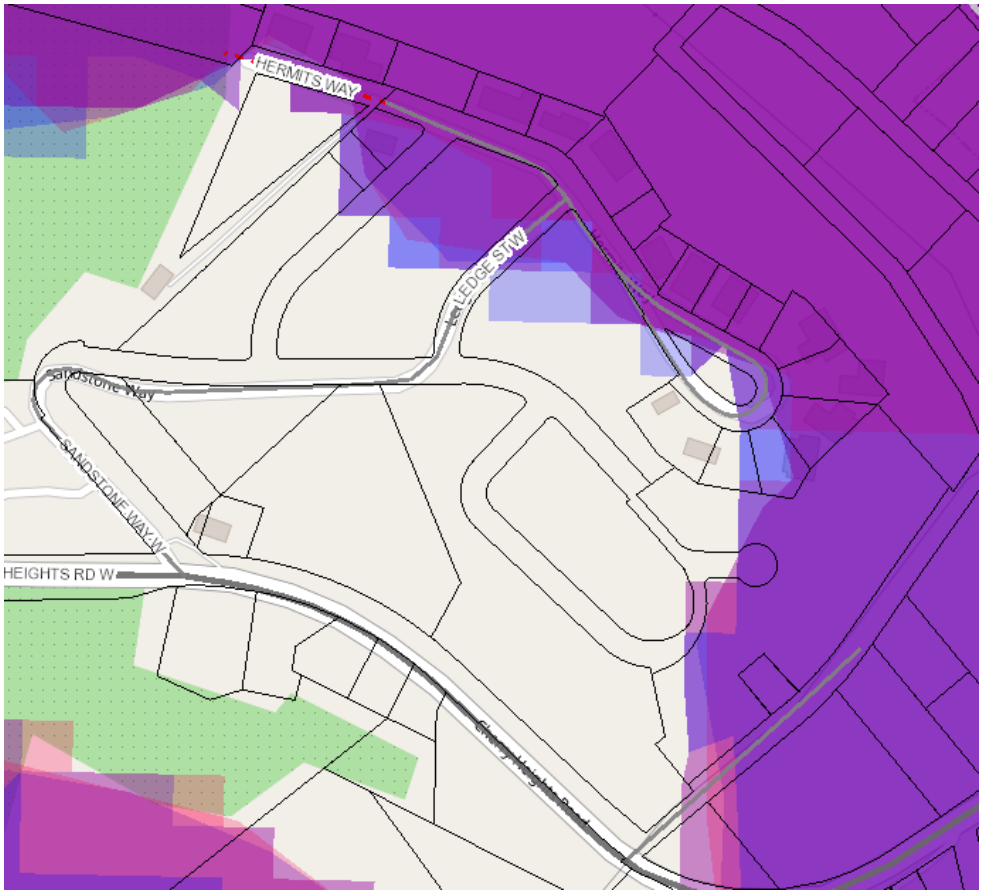
2. Conditions may be applied to various elements of proposed developments to ensure they are visually subordinate to their setting in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA as seen from key viewing areas, including but not limited to:

a. screening by topography
b. siting (location of development on the subject property, building orientation, and other elements);
c. retention of existing vegetation on the applicant's property
d. design (color, reflectivity, size, shape, height, architectural and design details and other elements); and
e. new landscaping on the applicant's property.
f. new berms or other recontouring on the applicant's property, where consistent with other applicable provisions.

FINDING: Visual subordinance is defined in Chapter 1 as "…*the relative visibility of a structure does not noticeably contrast with the surrounding landscape, as viewed from a specified vantage point. As opposed to structures which are fully screened, structures which are visually subordinate may be partially visible. They are not visually dominant in relation to their surroundings…"*

The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested.

The National Scenic Area Seen Areas Composite Overlay available through the Wasco County GIS provides:



According to this map layer, the portions of the following lots will be visible from KVAs, and future development will be subject to the criterion discussed in the section:

Lot 2
Columbia River (Background, middleground)
Interstate 84 (Background, middleground)
Historical Columbia River Highway (Middleground)
Washington State Route 14 (Background)

Lot 5
Columbia River (Background, middleground)
Interstate 84 (Background, middleground)
Washington State Route 14 (Background)

Lot 6
Columbia River (Background, middleground)
Interstate 84 (Background, middleground)
Washington State Route 14 (Background)

Pertaining to applicable KVAs, the application provides the following:

> "Residential Evaluation
> Key Viewing Areas
> KA surveyors evaluated the sightlines to the proposed homesites from Highway 14, 1-84, and The Dalles
> Bridge/Columbia River. The future homesites on Lots 1-4 are not visible from KVA's and building envelopes have been provided for Lots 5 and 6 to minimize visibility. Homes on Lots 5 and 6 should be
> reviewed at the time of building permit to ensure that they are properly screened, which may require
> careful siting and additional vegetation for screening."
>
> (Residential Evaluation, Page 1).

The application materials and the National Scenic Area Seen Areas Composite Overlay provide that the proposed Cavern Way cul-de-sac road is not visible from an applicable KVA. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. All future development may be subject to this criterion. Based on these facts, the Planning Commission found that the request complies with Subsection 14.200.A.

> *B. New development shall be sited to achieve visual subordinance from Key Viewing Areas, unless the siting would place such development in a buffer specified for protection of wetlands, riparian corridors, endemic and listed plants, sensitive wildlife sites or conflict with standards to protect cultural resources. In such situations, development shall comply with this standard to the maximum extent practicable. (GMA Only)*

FINDING: Visual subordinance is defined in Chapter 1 as "…*the relative visibility of a structure does not noticeably contrast with the surrounding landscape, as viewed from a specified vantage point. As opposed to structures which are fully screened, structures which are visually subordinate may be partially visible. They are not visually dominant in relation to their surroundings…"*

No identified wetlands are identified on the subject properties. The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested.

Pertaining to applicable KVAs, the application provides the following:

> "Residential Evaluation
> Key Viewing Areas
> KA surveyors evaluated the sightlines to the proposed homesites from Highway 14, 1-84, and The Dalles
> Bridge/Columbia River. The future homesites on Lots 1-4 are not visible from KVA's and building envelopes have been provided for Lots 5 and 6 to minimize visibility. Homes on Lots 5 and 6 should be

reviewed at the time of building permit to ensure that they are properly screened, which may require
careful siting and additional vegetation for screening."

(Residential Evaluation, Page 1).

The application materials and the National Scenic Area Seen Areas Composite Overlay provide that the proposed Cavern Way cul-de-sac road is not visible from an applicable KVA. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. All future development may be subject to this criterion. Based on these facts, the Planning Commission found that the request complies with Subsection 14.200.B.

C. New development shall be sited to achieve visual subordinance utilizing existing topography, and/or existing vegetation as needed in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA from Key Viewing Areas.

FINDING: Visual subordinance is defined in Chapter 1 as "*…the relative visibility of a structure does not noticeably contrast with the surrounding landscape, as viewed from a specified vantage point. As opposed to structures which are fully screened, structures which are visually subordinate may be partially visible. They are not visually dominant in relation to their surroundings…"*

The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested.

Pertaining to applicable KVAs, the application provides the following:

"Residential Evaluation
Key Viewing Areas
KA surveyors evaluated the sightlines to the proposed homesites from Highway 14, 1-84, and The Dalles
Bridge/Columbia River. The future homesites on Lots 1-4 are not visible from KVA's and building envelopes have been provided for Lots 5 and 6 to minimize visibility. Homes on Lots 5 and 6 should be
reviewed at the time of building permit to ensure that they are properly screened, which may require
careful siting and additional vegetation for screening."

(Residential Evaluation, Page 1).

The application materials and the National Scenic Area Seen Areas Composite Overlay provide that the proposed Cavern Way cul-de-sac road is not visible from an applicable KVA. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. All future development may be subject to this criterion. Required street signage and fire hydrants will not be visible from KVAs.

Based on these facts, the Planning Commission found that the request complies with Subsection 14.200.C.

D. Driveways and buildings shall be designed and sited to minimize visibility of cut banks and fill slopes from Key Viewing Areas.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested.

Pertaining to driveways for anticipated lot preparation and development, the application provides the following:

> "Grading Plan Narrative
> Proposed Stormwater Management
> Grading on the site shall be minimized to only that necessary for the building pads and vehicle-related areas such as driveways, parking areas, and turnarounds. By minimizing ground disturbance and vegetation removal, stormwater runoff will be confined to the disturbed areas. On large parcels, roof and foundation drains may be released at least 10' from the foundation onto rock dispersion pads or into rain gardens. Hard surfacing and driveways will utilize sheet flow dispersion through at least 20' of
> vegetation. No concentrated flows shall be released on or within 30' of the top of slopes exceeding 20% unless approved by a Geotechnical Engineer. Additionally, care shall be taken to not introduce runoff uphill of the septic drainfields. Drainage should be diverted around drainfields using ditches, berms, or french drains if needed to divert runoff around the drainfield."
>
> (Grading Plan Narrative, Page 6).

The application materials and the National Scenic Area Seen Areas Composite Overlay provide that the proposed Cavern Way cul-de-sac road is not visible from an applicable KVA. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. All future development may be subject to this criterion. Based on these facts, the Planning Commission found that the request complies with Subsection 14.200.D.

E. The silhouette of new buildings shall remain below the skyline of a bluff, cliff or ridge as visible from Key Viewing Areas.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested.

The elevation of the subject area is approximately 400' Above Sea Level (ASL). Elevations approximately 0.5 miles to the northwest rise to 572' (ASL). Elevations approximately 0.6 miles south-southwest of the subject area are approximately 600' (ASL). Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. All future development may be subject to this criterion. Based on these facts, the Planning Commission found that the request complies with Subsection 14.200.E.

F. New buildings shall not be permitted on lands visible from Key Viewing Areas with slopes in excess of 30 percent. Variances to this guideline may be authorized according to Chapter 6 of this Ordinance if its application would render a property unbuildable. In determining the slope, the average percent slope of the proposed building footprint shall be utilized.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. The proposed building pockets appear to avoid slopes in excess of 30 percent. All future development may be subject to this criterion. Based on these facts, the Planning Commission found that the request complies with Subsection 14.200.F.

Design/Color

G. Unless expressly exempted by other provisions in this chapter, colors of all exterior surfaces of structures visible from Key Viewing Areas shall be dark earth-tones found at the specific site or in the surrounding landscape. The specific colors approved by the reviewing agency shall be included as a condition of approval.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. Applicable KVAs and visibility was discussed above in Section 14.200.A. Required street signage and fire hydrants will not be visible from KVAs. The Planning Commission found that the request complies with Subsection 14.200.G.

H. The exterior of buildings in the GMA and structures in the SMA on lands visible from Key Viewing Areas shall be composed of non-reflective materials or materials with low reflectivity. Continuous surfaces of glass shall be limited to ensure visual subordinance. The Scenic Resources Implementation Handbook includes a list of recommended exterior materials and screening methods.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. Applicable KVAs and visibility was discussed above in Section 14.200.A. Required street signage and fire hydrants will not be visible from KVAs. The Planning Commission found that the request complies with Subsection 14.200.H.

Landscaping

I. The following criteria shall apply to new landscaping used to screen development from Key Viewing Areas:

1. New landscaping (including new earth berms) shall be required only when application of all other available guidelines in this chapter is not sufficient to make the development visually Page 14-11 Chapter 14 – Scenic Area Review Key Viewing Area subordinate in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA from Key Viewing Areas. Alternate sites shall be considered prior to using new landscaping to achieve visual subordinance. Development shall be sited to avoid the need for new landscaping wherever possible.

2. If new landscaping is required to make a proposed development visually subordinate in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA from Key Viewing Areas, existing on-site vegetative screening and other visibility factors shall be analyzed to determine the extent of new landscaping, and the size of new trees needed to achieve the standard. Any vegetation planted pursuant to this criterion shall be sized to provide sufficient screening to make the development visually subordinate within five years or less from the commencement of construction. If after five years the vegetation has not achieved a size sufficient to screen the development, additional screening may be required by the local government to make the development visually subordinate.

3. Unless as specified otherwise by provisions in this chapter, landscaping shall be installed as soon as practicable, and prior to project completion. 4. Conditions regarding new landscaping or retention of existing vegetation for new developments shall meet both scenic guidelines and the fuel break guidelines listed in the fire protection standards for each zone.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. Applicable KVAs and visibility was discussed above in Section 14.200.A.

Required street signage and fire hydrants will not be visible from KVAs. The Planning Commission found that the request complies with Subsection 14.200.I.

J. Determination of potential visual effects and compliance with visual subordinance policies shall include consideration of the cumulative effects of proposed developments.

FINDING: The subject and adjacent properties are within the the "R-R" Rural Residential Zone (GMA & SMA). The purpose of the zone is the following:

> "Residential development may locate outside Urban Areas so long as it does not adversely affect the scenic, cultural, natural and recreation resources. In addition to consideration of these factors, lands may be designated as residential if deemed suitable for residential development, taking into account the physical characteristics of the areas in question and their geographic proximity to transportation and commercial facilities and other amenities." (NSA-LUDO, Chapter 3, Section 3.16, Page 3-58).

The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. Applicable KVAs and visibility was discussed above in Section 14.200.A. Required street signage and fire hydrants will not be visible from KVAs. The Planning Commission found that the request complies with Subsection 14.200.J.

(***)

Section 14.300, Scenic Travel Corridors
The Historic Columbia River Highway (Highway 30) and Interstate 84 (I-84) are designated as Scenic Travel Corridors, and development along a Scenic Travel Corridor must be set back at least 100' from the edge of pavement of the Scenic Travel Corridor roadway.

FINDING: According to Wasco County GIS data, the land in questions if over 0.55 miles southwest of the applicable travel corridors. The Planning Commission found that the request complies with Subsection 14.300.

Section 14.400, Landscape Settings (GMA & SMA)
Landscape settings are the combination of land uses, landforms and vegetation patterns which distinguish an area in appearance and character from other portions of the National Scenic Area. (***)

E. Rural Residential Landscape Setting

GMA Only

1. In portions of this setting visible from Key Viewing Areas(except those areas described in the "Developed Settings and Visual Subordinance Policies" of the Management Plan or in J below) the following standards shall be employed to achieve visual subordinance for

new development:

a. At least half of any trees planted for screening purposes shall be species native to the setting or commonly found in the area. Examples of native species are identified in the Scenic Implementation Handbook.

b. *At least half of any trees planted for screening purposes shall be coniferous to provide winter screening.*

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. Applicable KVAs and visibility was discussed above in Section 14.200.A. Required street signage and fire hydrants will not be visible from KVAs.

Pertaining to applicable KVAs, the application provides the following:

"Residential Evaluation
Key Viewing Areas
KA surveyors evaluated the sightlines to the proposed homesites from Highway 14, 1-84, and The Dalles
Bridge/Columbia River. The future homesites on Lots 1-4 are not visible from KVA's and building envelopes have been provided for Lots 5 and 6 to minimize visibility. Homes on Lots 5 and 6 should be
reviewed at the time of building permit to ensure that they are properly screened, which may require
careful siting and additional vegetation for screening."

(Residential Evaluation, Page 1).

Future applicable development may be subject this criteria. The Planning Commission found that the request complies with Subsection 14.200.J.

Section 14.500, Cultural Resources – GMA
The purpose of this section is to protect and enhance cultural resources, and ensure that proposed development does not have an adverse effect on significant cultural resources.

(***)

B. Applicability of the Cultural Resource Reconnaissance and Historic Survey Requirements

1. The reconnaissance survey standards of C, Cultural Resource Reconnaissance and Historic Survey, apply until a cultural resource survey of the General Management Areas is complete.

a. Each proposed use or element of a proposed use within an application shall be evaluated independently to determine whether a reconnaissance survey is required; for example, an application that proposes a land division and a new dwelling would require a reconnaissance survey if a survey would be required for the dwelling

b. A reconnaissance survey shall be required for all proposed uses, except:

(1) The modification, expansion, replacement, or reconstruction of existing buildings and structures.

FINDING: A cultural resources survey determination dated June 1, 2023, was submitted to the Planning Department by Chris Donnermeyer, Heritage Resources Program Manager for the Columbia River Gorge National Scenic Area. According to the determination, the proposed use does not require a cultural resource reconnaissance survey and the use will occur on a site that has been determined to be located within a low probability zone, is not within 100 feet of a high probability zone, and does not occur within 500 feet of a known archaeological site. Mr. Donnermeyer's comments are in Attachment E. The Planning Commission found that the request complies with Subsection 14.500.B.1.b.(1).

1. A historic survey shall be required for all proposed uses that would alter the exterior architectural appearance of buildings and structures that are 50 years old or older, or compromise features of the surrounding area that are important in defining the historic or architectural character of the buildings or structures that are 50 years old or older.

FINDING: A cultural resources survey determination dated June 1, 2023, was submitted to the Planning Department by Chris Donnermeyer, Heritage Resources Program Manager, Columbia River Gorge National Scenic Area. According to the determination, the proposed use does not require a historic survey because the request will not alter the exterior architectural appearance of significant buildings and structures on the property that are 50 years old or older. Development will not compromise features of the surrounding area that are important in defining the historic or architectural character of significant buildings or structures that are 50 years old or older. The Planning Commission found that the request complies with Subsection 14.500.B.1.b.(2).

(***)

C. Cultural Resource Reconnaissance and Historic Surveys

1. Gorge Commission/Tribal Government Notice

a. In addition to other public notice requirements that may exist, the County shall notify the Indian tribal governments when:

(1) a reconnaissance survey is required;

FINDING: A cultural resources survey determination dated June 1, 2023, was submitted to the Planning Department by Chris Donnermeyer, Heritage Resources Program Manager, Columbia River Gorge National Scenic Area. According to the determination, the proposed use does not require a cultural resource reconnaissance survey. The Planning Commission found that the request complies with Section 14.500.C.1.a.(1).

(***)

4. Conclusion of the Cultural Resource Protection Process

(***)

c. The cultural resource protection process may conclude when one of the following conditions exist:

(1) The proposed use does not require a reconnaissance or historic survey, no cultural resources are known to exist in the project area, and no substantiated concerns were voiced by interested persons within 20 calendar days of the date that a notice was mailed.

FINDING: A June 1, 2023, Cultural Resources Survey Determination from Chris Donnermeyer, Heritage Program Resources Program Manager, Columbia River Gorge National Scenic Area found that a reconnaissance survey and historic survey are not required to be completed for the subject parcel. No concerns regarding cultural resources were received by the Planning Department within 20 calendar days of the mailing date (March 16, 2023) of the pre-notice to Indian tribal governments or the State Historic Preservation Office (SHPO). The Planning Commission found that the request complies with Subsection 14.500.C.4.c.(1).

(***)

G. Discovery During Construction:

1. Halt Construction: All construction activities within 100 feet of the discovered cultural resource shall cease. The cultural resources shall remain as found; further disturbance is prohibited.

2. Notification: The project applicant shall notify the County Planning Office and the Gorge Commission within 24 hours of the discovery. If the cultural resources are prehistoric or otherwise associated with Native Americans, the project applicant shall also notify the Indian tribal governments within 24 hours.

3. Survey and Evaluation: The Gorge Commission will survey the cultural resources after obtaining written permission from the landowner and appropriate permits from the State Historic Preservation Office (see, ORS 358.905 to 358.955).

FINDING: If cultural resources are found during construction, all construction within 100' of the discovered cultural resource shall cease and the resource shall remain as found; further disturbance is prohibited. In addition, the owner shall notify the Wasco County Planning Department, Gorge Commission and four Indian tribal governments within 24 hours of discovery. **Conditions** of approval require compliance with these requirements. With these conditions, the Planning Commission found that the request complies with Subsection 14.500.G.1-3.

H. Discovery of Human Remains
The following procedures shall be effected when human remains are discovered during a cultural resource survey or during construction. Human remains means articulated or disarticulated human skeletal remains, bones, or teeth, with or without attendant burial artifacts.

FINDING: If human remains (human skeletal remains, bones, or teeth, with or without attendant burial artifacts) are discovered during construction, all survey, excavation and construction activities shall cease, and the human remains shall not be further disturbed. The owner shall notify the Wasco County Planning Department, the Wasco County Sheriff the Gorge Commission, the four Indian tribal governments, and Washington State Physical Anthropologist, Dr. Guy Tasa, must also be notified within 24 hours of discovery. **Conditions** of approval are provided requiring the owner to comply with the requirements in H. With these conditions the Planning Commission found that the request complies with Subsection 14.500.H.

Section 14.600, Natural Resources – GMA

A. Wetlands

(***)

3. Wetlands Buffer Zones

a. The width of wetlands buffer zones shall be based on the dominant vegetation community that exists in a buffer zone.

b. The dominant vegetation community in a buffer zone is the vegetation community that covers the most surface area of that portion of the buffer zone that lies between the proposed activity and the affected wetland. Vegetation communities are classified as forest, shrub, or herbaceous.

(1) A forest vegetation community is characterized by trees with an average height equal to or greater than 20 feet, accompanied by a shrub layer; trees must form a canopy cover of at least 40 percent and shrubs must form a canopy cover of at least 40 percent.

A forest community without a shrub component that forms a canopy cover of at least 40 percent shall be considered a shrub vegetation community.

(2) A shrub vegetation community is characterized by shrubs and trees that are greater than 3 feet tall and form a canopy cover of at least 40 percent.

(3) A herbaceous vegetation community is characterized by the presence of herbs, including grass and grass like plants, forbs, ferns, and non-woody vines.

c. Buffer zones shall be measured outward from a wetlands boundary on a horizontal scale that is perpendicular to the wetlands boundary. The following buffer zone widths shall be required.

(1) Forest communities: 75 feet

(2) Shrub communities: 100 feet

(3) Herbaceous communities: 150 feet

(***)

FINDING: The purpose of this section is to protect water quality, natural drainage, and fish and wildlife. According to State Wetlands Inventory, National Hydrography Dataset maps and digital data from the Gorge Commission available on the Wasco County GIS Map, there are no waterbodies located on subject properties or adjacent properties. The nearest is a freshwater forested/shrub wetland which includes a freshwater intermittent stream, which is located over 300' southwest from the proposed lots. No comments or requests for additional field survey data were received from the Department of State Lands or United States Forest Service. A **condition** of approval requires that the applicant obtain necessary federal, state, and local permits pertinent to the development. The Planning Commission found that the request complies with Subsection 14.600.A.

B. Streams, Ponds, Lakes, and Riparian Areas

(***)

2. Stream, Pond, and Lake Buffer Zones:

(***)

(c) Buffer zones shall be measured outward from a pond or lake boundary on a horizontal scale that is perpendicular to the pond or lake boundary. The following buffer zone widths shall be required.

(i) Forest communities: 75 feet

(ii) Shrub communities: 100 feet

(iii) Herbaceous communities: 150 feet

FINDING: The purpose of this section is to protect water quality, natural drainage, and fish and wildlife habitat of streams, ponds, lakes, and riparian areas, and enhance aquatic and riparian areas. According to State Wetlands Inventory, National Hydrography Dataset maps and digital data from the Gorge Commission available on the Wasco County GIS Map, there are no waterbodies located on subject properties or adjacent properties. The nearest is a freshwater forested/shrub wetland which includes a freshwater intermittent stream, which is located over 300' southwest from the proposed lots. No comments or requests for additional field survey data were received from the Department of State Lands or United States Forest Service. A **condition** of approval requires that the applicant obtain necessary federal, state, and local permits pertinent to the development. The Planning Commission found that the request complies with Subsection 14.600.B.

C. Wildlife Habitat

(***)

3. Uses and Activities Permitted within 1,000 feet of a Sensitive Wildlife Area or Site.

Except for uses permitted without review in Section 3.100 and 3.180(B) (Open Space), uses and activities authorized by the applicable designation may be allowed within 1,000

feet of a sensitive wildlife area or site subject to (4) below, Site Plans and Field Surveys, the remaining applicable sections this Chapter and the following criteria:

(***)

d. The wildlife protection process may terminate if the County, in consultation with the state wildlife agency, determines:

(1) The sensitive wildlife area or site is not active, or

(2) The proposed use would not compromise the integrity of the wildlife area or site or occur during the time of the year when wildlife species are sensitive to disturbance.

FINDING: According to Wasco County GIS data, the proposals are within 50' feet of a designated White Oak habitat. The habitat is located wholly on the north adjacent property. The purpose of this section is to ensure that new uses do not adversely affect sensitive wildlife areas and sites. The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot). No comments or requests for additional field survey data were received from the Oregon Department of Fish and Wildlife or the Untied States Forest Service (USFS). A **condition** of approval requires that the applicant obtain necessary federal, state, and local permits pertinent to the development. The Planning Commission found that the request complies with Subsection 14.600.C.

C. Rare Plants

FINDING: The purpose of this section is to ensure that new uses do not adversely affect plant species listed on an inventory kept by the Gorge Commission, encourage the protection of plant species that are classified "Review" {list 3}, or "Watch" {list 4} by the Oregon Biodiversity Information Center, and enhance the natural habitat of rare plant species. Project notice and opportunity to comment was provided to the Oregon Biodiversity Information Center and the United States Forest Service. No comments or requests for additional field survey data were received from ORBIC or USFS. A **condition** of approval requires that the applicant obtain necessary federal, state, and local permits pertinent to the development. The Planning Commission found that the request complies with Subsection 14.600.D.

Section 14.700, Recreation Resources – GMA

FINDING: The purpose of this section is to protect and enhance recreation resources consistent with Indian treaty rights, and to protect scenic, natural, cultural and recreation resources when providing new recreation opportunities. The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot). No development is proposed. There are no recreational sites on the subject properties and no new recreational use is proposed. The closest recreational site is the Columbia River, which is more than 0.95 miles from the subject properties. The request will have no impact on the recreational use due to distance. The Planning Commission found that the request complies with Subsection 14.700.

Section 14.800, Indian Tribal Treaty Rights and Consultation - GMA

The purpose of this section is to ensure that the Scenic Area Act, the Management Plan, and these implementing ordinances do not affect or modify any treaty or other rights of any Indian

tribe. It requires notification to the four tribal governments when new uses are proposed.

FINDING: Section 14.800 provides protection of Indian Tribal Treaty Rights from new development in the National Scenic Area. Section 14.800.B.3. lists additional notice materials for projects in or providing access to the Columbia River or its fish bearing tributaries or for projects that may affect Indian treaty rights and provides 20 days for tribal governments to submit comments. The subject property has no access to the Columbia River, but pursuant to other noticing requirements, notice of the proposal was mailed or e-mailed to the four tribal governments Notice of Administrative Action was mailed on March 16, 2023, and a 20-day comment period was provided. No comments were received during the comment period.

Section 14.800.C. lists guidelines for tribal government consultation when those governments submit substantive written comments. No comments were received. The Planning Commission found that the proposed development is consistent with Section 14.800.C.

Section 14.800.D. states that the treaty rights protection process may conclude if the Executive Director determines that the proposed uses would not affect or modify treaty or other rights of any Indian tribe. Uses that would affect or modify such rights shall be prohibited.

The subject property does not provide access to the Columbia River or its fish bearing tributaries. No known treaty rights are affected by this proposal and no treaty rights concerns were raised by the tribal governments. Because the proposed use would not affect or modify treaty or other rights of any Indian tribe, the treaty rights protection process may conclude pursuant to Subsection 14.800.D.

F. Chapter 21 – Scenic Area Review

Section 21.030 - Basic Provisions and Design Standards

A. Compliance required: No land within the unincorporated territory of the Columbia River Gorge National Scenic Area portion of Wasco County shall be subdivided or partitioned, and no plat shall be filed or recorded until submitted to and approved by the Approving Authority in accordance with ORS Chapter 92.

B. Minimum Standards: The requirements and standards set forth in this chapter are the minimum ones to Page 21-2 Chapter 21-Land Divisions which a subdivision, partition, or boundary adjustment must conform before approval by the Approving Authority. Scenic, Natural, Cultural and Recreational resource buffers set forth in Chapter 14 - Scenic Area Review shall not be altered or varied to allow design standards to be met.

GROUNDS FOR APPEAL #1: "The decision violates the NSA-LUDO, including sections…21.030.C & D, because it unlawfully approves new parcels that violate the applicable minimum lot size for the land use designation."

C. *Conformity* with the plan: All divisions of land and boundary adjustments shall conform to and be in harmony with the Wasco County Comprehensive Plan and National Scenic Area Land Use Designation Map and the Management Plan for the Columbia River Gorge National Scenic Area and map of that portion of the Columbia River Gorge National Scenic Area within which the subdivision and partition lies.

FINDING: Findings and conclusions addressing conformity with the Management Plan are provided in Section III.B of this report under Subsections 3.160.D.13. and 3.160.G. Based on the findings and conclusion made in Section III.B of this report, staff finds that the request conforms to the Management Plan, and Subsection 21.030.C.

D. Conformity with zoning chapter: All divisions of land and boundary adjustments, regardless of the number of lots or parcels, shall comply with all specifications authorized by Chapter 3 of this Ordinance. All lots created shall conform in all respects with the applicable regulations of Chapter 3, including uses of land, lot size and dimensions, space for off-street parking, landscaping and other requirements as may be set forth. Variances from minimum parcel sizes shall not be granted.

Land divisions shall also be made only in full compliance with standards set in Chapter 14 - Scenic Area Review.

FINDING: Findings and conclusions addressing conformity with Chapter 3, Section 3.160, particularly Subsections 3.160.D.13. and 3.160.G, are provided in Section III.B of this report. Based on the findings and conclusion made in Section III.B of this report, staff finds that the request conforms to the applicable zoning chapter, and Subsection 21.030.D.

STAFF RECCOMENDATION GROUNDS FOR APPEAL #1 (SECTIONS 3.160.D.13. & 3.160.G: Based on the aforementioned findings and conclusions, staff recommends the Wasco County Board of Commissioners dismiss Grounds for Appeal #1 (SECTIONS 21.030C. and 21.030.D.).

E. Relation to Adjoining Street System: A subdivision or partition shall provide for the continuation of the principal streets existing in the adjoining subdivisions or of their proper projection when the adjoining property is not subdivided, and such streets shall be of a width not less than the minimum requirements for streets set forth in these regulations.

FINDING: The proposed replat Prince Heights Subdivision of the Columbia Crest Addition Subdivision will replat 66 lots to six lots. The remainder of the Columbia Crest Addition Subdivision will be located north and northwest of the proposed replat area. The Fruitland Park Addition Subdivision "Track 35" is also located north and northwest of the proposed replat area. The proposed replat subdivision will vacate three undeveloped Columbia Crest Addition Subdivision platted roads (Sandstone Way (portion), Cavern Way, and Granite Way), and replace them with one dedicated cul-de-sac road (Cavern Way). The proposed cul-de-sac road will not interfere with the continuation of principle streets in the adjoining subdivisions or other adjacent non-platted properties.

The Prince Heights Subdivision replat, the Columbia Crest Addition Subdivision, and the Fruitland Park Addition Subdivision "Track 35" are located north of Cherry Heights Road (a public dedicated and maintained road) and south of West 13th Street (a public dedicated and maintained road). The proposed replat provides for the continuation of all principle streets. The Planning Commission found that the request complies with Subsection 21.030.E.

See the "Columbia Crest Subdivision Road Map" and "Prince Heights Subdivision Road Map" in Attachment C.

F. Redevelopment Plan:

1. In subdividing or partitioning tracts of land into large lots which at some future time could be further divided, the Director may require that blocks and lots shall be of such size and shape, be so divided into lots, and meet such building site restrictions as will provide for extension and opening of streets at intervals which will permit a subsequent division of any parcel into lots of a smaller size which shall have the minimum lot frontage on a street.

FINDING: The request is for a replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The subject property is within the "R-R" Rural Residential Zone (GMA)/ (GMA) R-5 (Five-acre minimum parcel size). The proposed lots will be:

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B - 0.16 acres

None of the proposed lots may be further divided. The Planning Commission found that the request complies with Subsection 21.030.F.1.

2. No lot in a platted subdivision shall be reduced in size from that shown on the recorded plat if the newly created lot will have less than the minimum lot area for the zone in which it is located.

FINDING: The request is for a replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The subject property is within the "R-R" Rural Residential Zone (GMA)/ (GMA) R-5 (Five-acre minimum parcel size). None of the proposed lots will be reduced in size. The Planning Commission found that the request complies with Subsection 21.030.F.2.

3. Any lot in a platted subdivision may be enlarged to approximate more closely the minimum lot area for the zone in which the lot is located, provided that no leftover lot areas shall be less than the minimum lot area for the zone.

FINDING: The request is for a replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The subject property is within the "R-R" Rural Residential Zone (GMA)/ (GMA) R-5 (Five-acre minimum parcel size). The proposed lots will be:

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres

Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B - 0.16 acres

The Smilekel Group owns all 66 lots within the designated replat area of the Columbia Crest Addition Subdivision. The Smilekel Group also owns the following properties within the Columbia Crest Addition that are not a part of this subdivision replat. They are identified by tax lot:

Tax Lot	Account No.
1N 13E 5 AD 500	8352
1N 13E 5 AD 400	8351

The two tax lots consist of 22 independent lots. The lots were created by the Columbia Crest Addition Subdivision and recorded by the Wasco County Clerk on June 5, 1953. The lots are legal-nonconforming in size, but are below the current zone size of 5-acres.

Concerning "Tract A" the applicant provided the following statement on June 26, 2023:

> "We will have CCR's that protect the open space. I don't have CCR's yet for this subdivision – they are usually put together by the developer's lawyer, but here's a sample of one I've used in the past.
>
> *Open Space Tract:*
> a. *The designated open space tract within the subdivision shall be preserved in perpetuity and shall not be developed or altered for any purpose.*"

A copy of the this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Additionally, the applicant provides that "Tract A" will be reconfigured from existing lots and be owned by the Home Owner's Association. According to the preliminary plan, there are no "leftover lot areas" that will be less than the minimum lot area for the zone. The Planning Commission found that the request complies with Subsection 21.030.F.3.

> *4. Any person dividing tracts of land into large lots which at some future time could be further divided and still meet the minimum lot size requirement of the zone in which the land is located shall provide suitable road access to each created parcel so that the future development of each parcel will provide access for redevelopment parcels or lots.*

FINDING: The request is for a replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot). The subject property is within the "R-R" Rural Residential Zone (GMA)/ (GMA) R-5 (Five-acre minimum parcel size). The proposed lots will be:

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres

Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B - 0.16 acres

None of the proposed lots can be further divided at some future time. Suitable road access will be provided by the existing Sandstone and Ledge Ways (public dedicated roads), and by the proposed public right of way road Cavern Way cul-de-sac road. The Planning Commission found that the request complies with Subsection 21.030.F.4.

G. Access: A unit of land shall be considered to have access by way of a public road or street, private road, or private easement road, if the following criteria are satisfied:

1. The unit of land abuts on the road or street.

2. There is a legal right appurtenant to the unit of land to use the road or street for ingress and egress. A legal right to use a private road or private easement road may be evidenced by: (a) an express grant or reservation of an easement in a document recorded with the County Clerk; (b) a decree or judgment issued by a court of competent jurisdiction; (c) an order of the County Governing Body; or, (d) an express easement set forth in a duly recorded plat.

3. The road or street provides actual physical access for the unit of land.

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and/or Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way roads platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

The Director of Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "We received a petition to vacate several roads within the Columbia Crest Addition back in May, 2022. The Smilekel Group made that request. I would need an updated road vacation petition, clearly showing what roads or sections of road are proposed for vacation. Then, depending on the Planning Commission decision, we could move forward with the BOC on the vacations, pending approval of the new road dedications / subdivision plat."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

A **condition** of approval requires the applicant, upon approval of the preliminary subdivision request by the Planning Commission, apply with the Wasco County Public Works Department for a road vacation petition to vacate those roads identified within the preliminary subdivision plat in order that they be replaced with the proposed publicly dedicated Cavern Way cul-de-sac road. Staff also finds that the

Wasco County Board of Commissioners cannot completely vacate Sandstone (portion), Cavern Way, and Granite Way before the proposed road dedication and subdivision replat are granted final approved because the road vacation would leave numerous lots within the Columbia Crest Addition without public access. Staff has determined that the final road vacation order for Sandstone Way (portion), Cavern Way, and Granite Way roads can only take effect upon the final approval and recording of the final plat of the Prince Heights Subdivision, including the public dedication of the proposed Cavern Way cul-de-sac road. The vacation order for Sandstone Way (portion), Cavern Way, and Granite Way roads must be **conditioned** to take effect upon the final approval and recording of the final plat of the Prince Heights Subdivision, including the public dedication of the proposed Cavern Way cul-de-sac road.

With this **condition** and vacation/dedication timing, the Planning Commission found that the request complies with Subsection 21.030.G.3.

H. Access Requirements for Land Divisions: Each unit of land shall be provided with access by a public road meeting standards noted in Table 1 (Rural Public Roadway Design Standards) & 2 (Urban Public Roadway Design Standards), except as provided below and in Table 3 (Private Access Standards):

1. Private Easement Road In all zones a unit of land may have access by way of a private easement road upon a finding that such road provides access for not more than three (3) units of land, serves not more than three (3) units of land, and that the easement is a minimum 30' in width;

The requirements of Section 21.300 are not applicable to a Private Easement Road.

If the private easement road could provide access for more than three (3) units of land based on existing zoning, structural setbacks shall be established from the potential right of way of the public or private road and not the right of way of the private easement road.

FINDING: The proposed subdivision is not within a resource zone, and the proposed lots will be accessed by dedicated public roads. Subsection 21.030.H.1 is not applicable to the request.

2. Private Road - In resource areas only (areas zoned F-1, F-3, A-1 and A-2), a unit of land may have access by way of a private road upon findings of the Approving Authority that:

a. Such private road provides access for not more than ten (10) units of land and serves not more than ten (10) units of land;

b. Private road approval is obtained pursuant to Section 21.400;

c. Private road is constructed to standards of Section 21.430 when more than three (3) units of land use roadway;

d. The primary use of the road is to provide access for resource activities. Conflicting uses shall be minimized;

e. When service to more than ten (10) units of land is possible, provision shall be made to serve the area by public road, including but not limited to: (a) dedication of right

of way; (b) extension and improvement of the roadway to public road standards such that not more than ten (10) units of land may be served.

If the private road could provide access for more than ten (10) units of land based on existing zoning, structural setbacks shall be established from the potential right of way of the public road and not the right of way of the private road.

FINDING: The proposed subdivision is not within a resource zone, and the proposed lots will be accessed by dedicated public roads. Subsection 21.030.H.2 is not applicable to the request.

I. Alignment: As far as practical, streets other than minor streets shall be in alignment with existing streets by continuations of the center lines thereof. Staggered street alignment resulting in "T" intersections shall wherever practical leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and otherwise shall not be less than one hundred twenty five (125) feet.

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6. On June 26, 2023, the applicant provided additional details as to why a cul-de-sac road is being proposed:

> "[The] primary reasons are topographical and preserving the limited drainfield areas. We are minimizing land disturbance with a cul-de-sac vs a through road. The steepness of the site means that constructing a through road would require significant grading and excavation to create additional road. The topography is also too steep to create a through road to either the east or south, so a looped road would be the only option other than a cul-de-sac. By opting for a cul-de-sac, the need for extensive land disturbance is reduced since it involves developing a smaller area. The use of a cul-de-sac also allows for better utilization of the buildable area and suitable septic drainfield locations."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Based on the proposal, Subsection 21.030.I is not applicable to the request.

J. Half Streets: Half streets, while generally not acceptable, may be approved where essential to the reasonable development of the subdivision or partition when in conformity with the requirements of this Ordinance and when possible to require the dedication of the other half when the adjoining property is subdivided. Whenever an existing half street is adjacent to land to be subdivided, the remaining half of the street shall be dedicated within such subdivision. Reserve strips and street plugs may be required to insure the objectives of obtaining full width streets.

FINDING: The NSA-LUDO Chapter 1 Section 1.200, provides the following definition for "Half Street":

Half Street - One-half of the right-of-way of a public way equally divided by the property or border line, dedicated to the public together with the total width, here, of the public way by all owners, at the time of the recording of any plat including such half street or way.

The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way, Granite Way, and Cavern Way roads (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way road that will provide access to the newly created Lots 3, 4, 5, and 6. The current looped road(s) (Sandstone Way, Granite Way, and Cavern Way) have never been constructed and are considered "paper roads". There is no need or request in this preliminary subdivision for a half-street.

Based on the proposal, Subsection 21.030.J is not applicable to the request.

K. Streets Adjacent to Railroads, Freeways and Parkways: When a subdivision or partition contains or is adjacent to a railroad, a parallel street may be required on each side of such railroad. A land strip of not less than twenty five (25) feet in width shall be provided along a railroad right of way for screen planting or park purposes between the railroad and residential lots. Parallel, local service streets shall be provided on each side of a freeway or parkway either within or abutting their right of way. When such parallel streets are less than eighty (80) feet from such freeway or parkway the intervening property shall be used for only park or thoroughfare purposes. Streets paralleling railroads, at those cross streets where grade separations are proposed, shall be located at a distance from the railroad that provides for such grade separation structure.

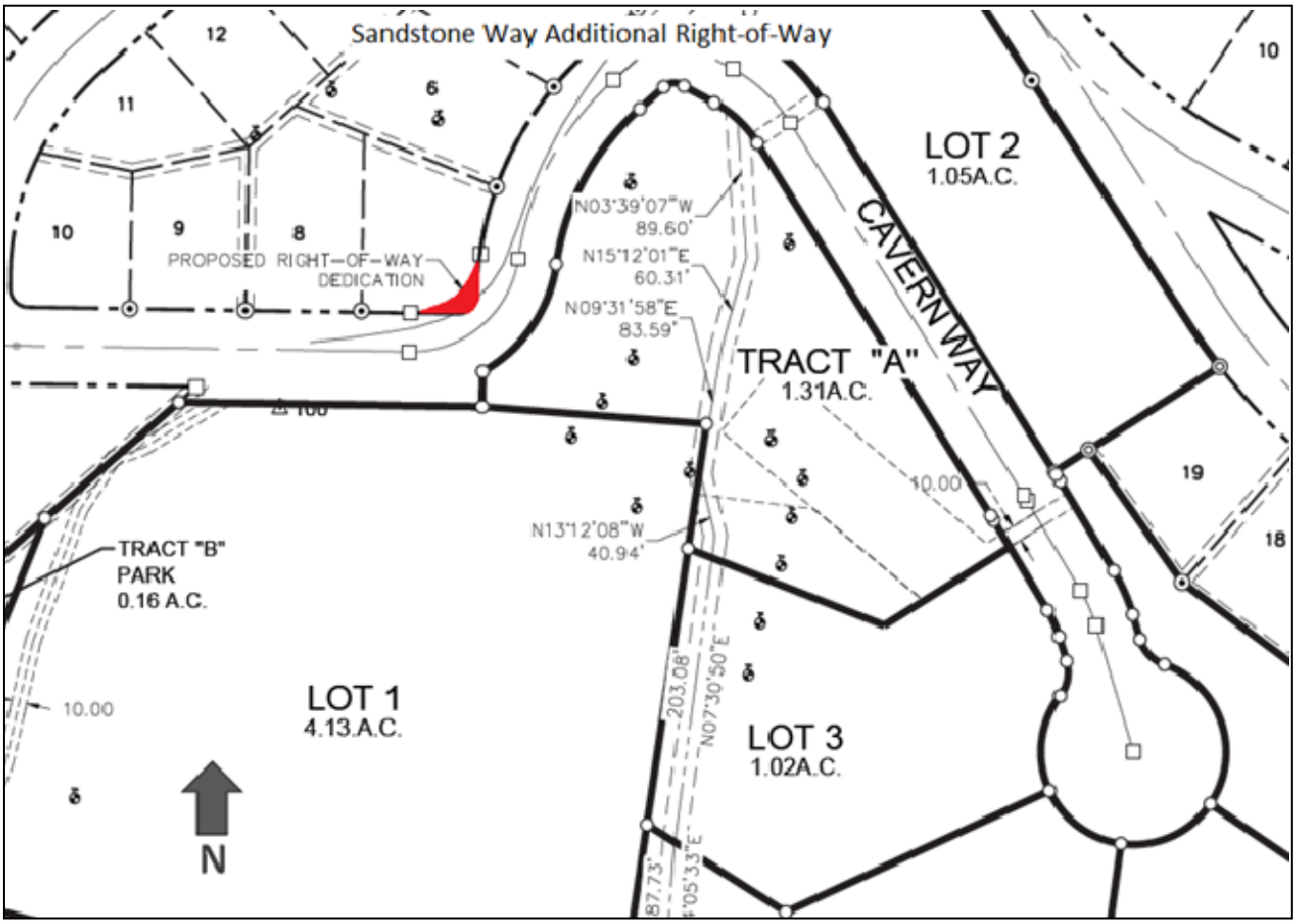
FINDING: None of the existing or proposed streets are adjacent to railroads, freeways, or parkways. Based on the proposal, Subsection 21.030.K is not applicable to the request.

L. Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right of way shall be provided at the time of subdivision or partitioning.

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6. Lot 1 and Lot 2 will have access from the existing Sandstone Way and/or Hermits Way and will require road approach permits. A **condition** of approval requires the owner obtain Road Approach Permits for all of the proposed lots, if required by the Wasco County Public Works Department.

Additionally, the applicant proposes to dedicate additional right-of way over the existing Sandstone Way and utilities (portions of which were constructed outside of the original dedicated right-of-way). This will center the right-of-way over the existing Sandstone Road. (See "Sandstone Way Additional Right-of-Way Dedication" Map).



The Director of Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "Cherry Heights is a fully maintained county road, with an ADT over 1500. Adding a few additional lots and traffic trips will not adversely impact that road. Sandstone, Hermits Way are currently public roads of local access. They are paved roads, in fair shape, but they are not maintained by the county. I am not looking to add them into the county road system. Please make sure a homeowners association or road maintenance agreement is a requirement of the subdivision approval."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Staff has confirmed that the county does perform maintenance on Sandstone Way up to the first curve in the road (approximately 450' north of Cherry Heights Road). The 1953 approved Columbia Crest Subdivision platted the roads at 50' wide. Examination of the 1953 "Ordinance No. 3 Subdivision Regulations of Wasco County" provides the following standards:

MINIMUM AND PREFERRED RIGHT-OF-WAYS AND WIDTHS FOR ROAD SURFACING

Type of Street	Right-of-Ways		Road Surfacing	
	Minimum	Preferred	Minimum	Preferred
Arterials	80	100	26	36
Secondary Arterials	60	80	26	36
Business & Industrial Streets	66	80	36	42
Local Streets	50	60	20	34
Dead-end Streets (not more than 400' long and serving a maximum of 18 single family dwellings)	50	50	20	20
Turn-arounds for dead-end streets	40' radius		30' radius	
Alley				
Residential	14	20		
Business or Industrial	20	20		

It is unclear when Sandstone Way and Hermits Way were actually constructed. A June 29, 2023, staff site visit confirmed that the paved (road surfaced) widths of both roads range from 35' to 25', which appears to be consistent with the "Road Surfacing" minimum standards for Local Streets and Dead-end Streets in the 1953 "Ordinance No. 3 Subdivision Regulations of Wasco County". On July 3, 2023, the Director of the Wasco County Public Works Department Arthur Smith provided comment concerning the estimated road conditions and adequacy of width for Sandstone Way and Hermits Way:

> "The existing roadway widths are adequate to serve the additional lots and appear to have been built to meet our minimum road standards. I would not require any road widening. My only request would be for a Road Maintenance Agreement or Homeowners Agreement to ensure that the public roads are maintained after development."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Staff sought additional comment from Mid-Columbia Fire and Rescue Division Chief Jay Wood concerning the existing width of Sandstone Way and Hermits Way. Chief Wood did not provided additional comment.

Based on technical commentary, and the underlying facts, the Planning Commission found that the request complies with Subsection 21.030.L.

> *M. Future Extension of Streets: Where necessary to give access to or permit a satisfactory future subdivision or partitioning of adjoining land, streets shall be extended to the boundary of the subdivision or partition and the resulting dead end streets may be approved without a turnaround. Reserve strips and street plugs may be required to preserve the objectives of street extensions.*

FINDING: The NSA-LUDO Chapter 1 Section 1.200, provides the following definition for "Reserve Street":

Street Plug or Reserve Strip - A narrow strip of land controlling access to a street or half street, title to which is dedicated to the County and the disposal of which land shall be placed within the jurisdiction of the County Governing Body for disposal under conditions approved by the Commission.

The proposed replat Prince Heights Subdivision of the Columbia Crest Addition Subdivision will replat 66 lots to six lots. The remainder of the Columbia Crest Addition Subdivision will be located north and northwest of the proposed replat area. The Fruitland Park Addition Subdivision "Track 35" is also located north and northwest of the proposed replat area.

The proposed subdivision replat lots obtain primary access from Cherry Heights Road, which is a publicly maintained County Road. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way. The existing Sandstone Way (portion), Cavern Way, and Granite Way roads platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

Due to the geography and existing developed surrounding subdivision lots, the proposed cul-de-sac road is not proposed in a way that will require the continuation of the street or a future street extension.

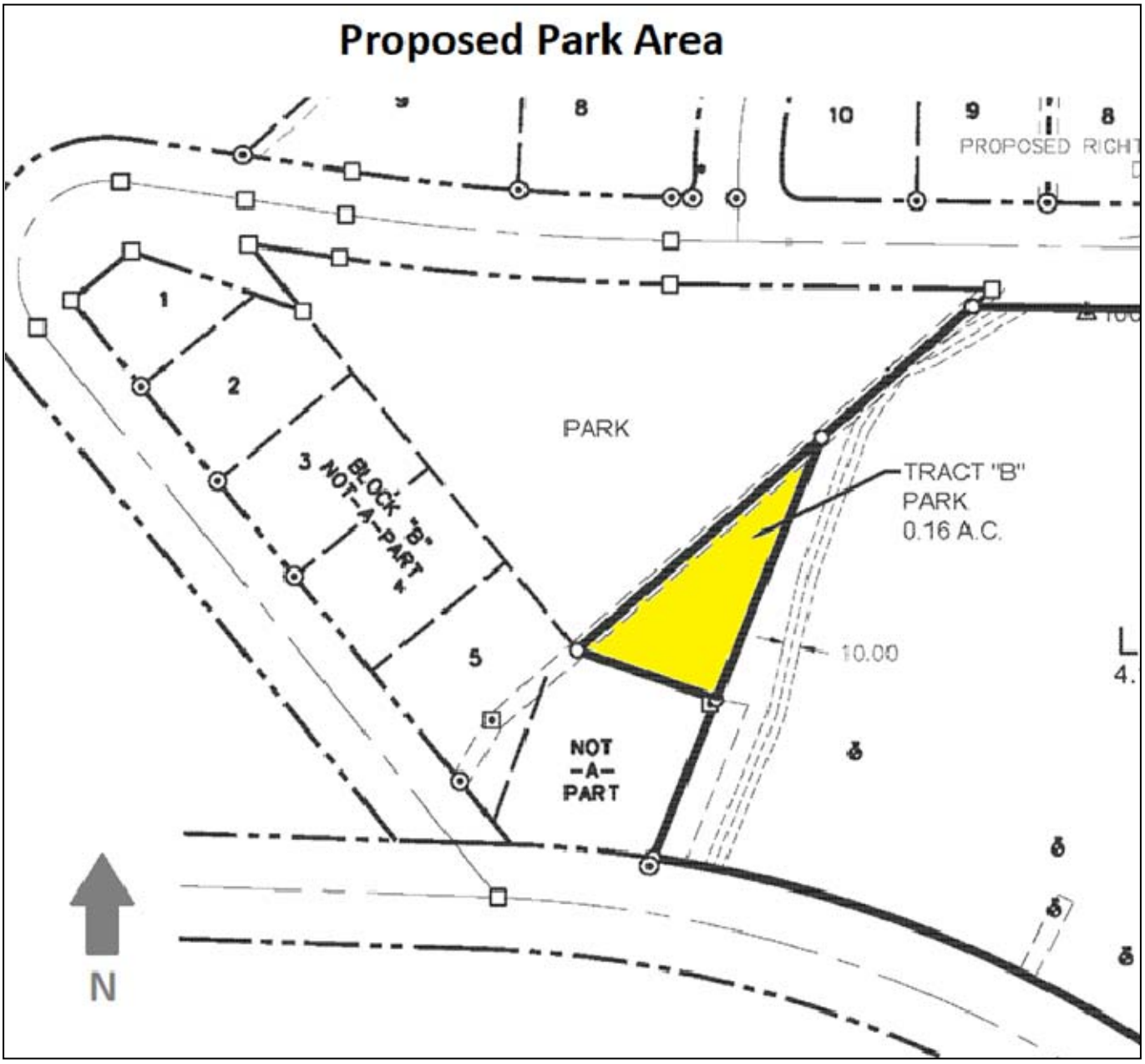
Based on these findings, the Planning Commission found that the request with Subsection 21.030.M.

N. Alleys: The minimum width of alleys, when provided in residential blocks, shall be twenty (20) feet. Alleys shall be provided in commercial and industrial districts and shall not be less than twenty (20) feet in width. The corners of all alleys at their intersection with streets and other alleys shall be rounded and have a radius of not less than ten (10) feet.

FINDING: No blocks or alleys have been proposed through the subdivision request. Subsection 21.030.N is not applicable to the request.

O. Pedestrian Ways: When desirable for public convenience, pedestrian ways may be required to connect to cul-de-sacs or to pass through unusually long or oddly shaped blocks.

FINDING: All of the proposed Lots will have frontage along publicly dedicated roads and no blocks are proposed. However, a 0.16-acre unit of land "Tract B" is proposed to be dedicated as public park space. "Tract B" is proposed to serve the proposed subdivision, and the surrounding residentially zoned properties. The park is planned on the west side of an existing area designated as a park, and on the east side of the proposed Lot 1 (See "Proposed Park Area" below). The proposed park area is land locked and does not have public street frontage.



Concerning the proposed park space, comments were received from the Executive Director of the northern Wasco County Parks & Recreation District Scott Baker on July 6, 2023:

> "As we discussed, 1N 13E 5 AD 600 Account Number: 13902 is not currently owned or maintained by NWCPRD. It has little or no recreational value and increasing its size .16 acre does not make it a better fit for public recreation. My opinion is that Wasco County would be better served by a cash payment in lieu of the property. If Wasco county is the owner of the adjacent "publicly owned" property, I would encourage them to surplus the property and acquire much needed park space on the westside."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Additional comments pertaining to the proposed park dedication were received from the Wasco County Assessor Jill Amery and Wasco County Administrator Tyler Stone on July 12, 2023:

Jill Amery wrote:

> "The current park lot as you have seen from the previous correspondence has been very problematic. Though it isn't my decision on which path to take, my opinion for this subdivision is to not add another park space. Let the developer pay into the fund. If my initial calculation of the lots impacted are correct, the developer could pay an approximate $6,480.51 into the fund and forego the park."

Tyler Stone wrote:

> "Wasco County currently does not have a dedicated program to support the continued management of dedicated public space. I encourage you to recommend, in lieu of dedication of land…a payment to the County that will be held in a special fund for acquisition and the development and support of nearby public parks and facilities."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

The NSA-LUDO Chapter 21 Land Divisions provides the following options pertaining to final subdivision plat approval:

Section 21.310 Final Subdivision Plat Approval

E. Parks, Playgrounds, or Recreational Areas: The Approving Authority may require parks, playgrounds, or recreational areas be provided in the final subdivision plan and dedicated to the County in locations and of size indicated by the Plan for the area in which the subdivision is located.

F. Recreational Fund: Where no parks, playgrounds or recreational areas are required by the Commission, the subdivider shall pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. Such sum shall be paid to the County Clerk prior to recording of the final subdivision plan and such sum shall be held by him in a special fund for acquisition and development of parks, playgrounds, and recreational areas within the immediate area of the subdivision.

Based on the provided commentary, the fact that fee ownership of the existing park space has not been properly established, and that there are other public recreation options that do not require the dedication of public park space, the Planning Commission determined that public open park space not be required for this subdivision replat. In lieu of the park dedication, the Planning Commission has provided a **condition** of approval requiring the subdivider pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. Such sum shall be paid to the County Clerk prior to recording of the final subdivision plat and such sum shall be held by the County Clerk in a special fund for acquisition and development of parks, playgrounds, and recreational areas within the immediate area of the subdivision.

With the condition of approval, the Planning Commission found that the request with Subsection 21.030.O.

P. Cul-de-sacs: In general, dead end (cul-de-sac) streets are not desirable, but if provided, shall terminate in a turnaround that is consistent with Chapter 11 and the local fire department.

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

Application materials provide that the proposed Cavern Way cul-de-sac road will be "[a] 22' wide paved road with 2' wide gravel shoulders (in a 50' wide road tract)…approximately 590' in length, with a 48' radius (96' diameter) culdesac for fire turnaround at the end." (Project# 170105 Replat narrative, Page 13-14). Furthermore, the application provides that road maintenance for Cavern Way "will be provided by the homeowners and will be managed with a road maintenance agreement." (Project# 170105 Replat narrative, Page 10). A preliminary copy of the road maintenance agreement is provided in Attachment F and available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

On June 26, 2023, the applicant provided additional details as to why a cul-de-sac road is being proposed:

> "[The] primary reasons are topographical and preserving the limited drainfield areas. We are minimizing land disturbance with a cul-de-sac vs a through road. The steepness of the site means that constructing a through road would require significant grading and excavation to create additional road. The topography is also too steep to create a through road to either the east or south, so a looped road would be the only option other than a cul-de-sac. By opting for a cul-de-sac, the need for extensive land disturbance is reduced since it involves developing a smaller area. The use of a cul-de-sac also allows for better utilization of the buildable area and suitable septic drainfield locations."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Concerning road maintenance, the Director of the Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "Please make sure a homeowners association or road maintenance agreement is a requirement of the subdivision approval."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Concerning applicable state fire laws, Mid-Columbia Fire and Rescue Division Chief Jay Wood provided comment on June 28, 2023:

> "To be clear, page 4 of the PDF you sent over is the proposed, and if so here are the requirements for access and water supply as per Oregon Fire Codes (OFC). All these requirements would come into play upon building.

Fire Apparatus Access:

- The fact that this is over 2 residential lots/buildings, these requirements come into play, again upon building. Access roads need to extend to within 150 feet of each structure on each lot. The 150 feet is from where we park the fire apparatus and then around the exterior of the building (where we would potentially pull the hose for fire attack). See note below regarding individual driveways on the lots.
- The rest of the access specifications come from Appendix D of the OFC
  - The height of the access needs to be at least 13'6" along the entire access road. Trees will need to be maintained at that height throughout and any overhead signs, etc as well.
  - The driving surface needs to be "all weather" though there is no good interpretation of what this really means. Generally accepted is concrete and/or asphalt. For a one or two lot development, a gravel driveway suffices. See note below about driveways on individual lots.
  - The access road must support an imposed load of 85,000, the gross weight of our heaviest fire apparatus including driveways.
  - Minimum width of the access road is 26' driving surface for two reasons;
    - Access roads great than 500 feet require 26' width
    - Hydrants will be required so the road must be 26' (see water supply below).
  - Grade shall be 10 percent of slope or less. There is the short pitch of greater than 10 percent allowed if necessary and by approval of the Fire District.
  - Dead end roads greater than 150 feet must have a turnaround. The cul-de-sac works as a turnaround; however, the minimum dimension of the cul-de-sac is 96 feet. Alternatives could be a hammer head "T", a "Y" or other arrangement that has at least 2 legs that are at a minimum of 60 feet in length.
  - No Parking Signs will be required unless the access road is greater than 32' in width.
    - At exactly 26' width, signs on both sides are required.
    - Greater than 26' width only requires on side to be signed.
    - Signs have to be a minimum of 12" wide by 18" high with red letters with white reflective background. Wording of "No Parking" and "Fire Lane" are required. Arrows can be used if a portion of the roadway is greater than 32' then necks down to less than 32'.
  - Probably not an issue with this as it's residential, but if the building heights are 30' or three stories, two roads to access the buildings are required (access for ladder truck)
- Structures on the lots must be within the 150' from the access road OR they must have access roads/driveways that meet the height, weight, grade and turnaround requirements. Width can be reduced to 12' drivable surface on individual lots with one or two dwellings (such as an ADU)
- There is the possibility of exceptions to some of these requirements if the dwellings (not garages, outbuildings) have an approved automatic fire sprinkler system installed in the residences. Typically, we see this with grades greater than 10 percent of slope or hydrant placement issues due to underground issues (rock usually), however, we can discuss further with you and/or the developer.

Water supply

- Because there is a water system in that area (Chen. Water PUD), one or more hydrants will be required. The hydrant/hydrant system will need to flow 1,000 Gallons per minute with a 20 pounds per square inch residual pressure.

    - If all of the homes will have sprinklers, that can be dropped to 500 gallons per minute at 20 psi residual.
    - If 1,000 gallons, the flow has to have the capacity to be maintained for 1-hour. If 500 gallons, then the duration is ½-hour.
    - The developer may be required to provide the available fire flow as noted if the water system cannot support the requirements. That can be in the form of:
        - their own water system of reservoirs and hydrant(s)
        - supplementing the current water system by paying for upgrades to the public system.
- Maximum distance from a dwelling to a hydrant is 200 feet. In other words, a hydrant will need to be installed within 200' of the center of the cul-de-sac (after being redrawn with the correct diameter requirement). This will need to be discussed if the dwellings are not near the cul-de-sac end of the lots (set back from the cul-de-sac with a driveway). If dwellings/buildings are set back from the street, it may be best to install the hydrant at the cul-de-sac.
    - This can be increased to 250' if sprinklers installed.
- Another hydrant would need to be installed within 500 feet of the one servicing the cul-de-sac. This can be increased to 625' if sprinklers are installed in all dwellings on each of the subject lots.
- Lot 1, if accessed by Sandstone Way will have to be situated so it is within that 500'/625' or an additional hydrant will need to be installed."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

In general, dead end (cul-de-sac) roads are not desirable, but considering the fire safety commentary, the geography of the area and the limited suitable land to locate septic drain fields, the following conditions of approval ensure the cul-de-sac road and final subdivision plan is consistent with Chapter 11 Fire Safety Standards and Chapter 21 Land Division of this Ordinance, and state fire codes concerning fire apparatus access:

(1) To ensure access roads extend to within 150 feet of each structure on each lot, a **condition** of approval requires that designated development areas for proposed Lots 1-6 shall be within 150 feet of the primary access road for the individual lot, or that Lots 1-6 must contain access roads or driveways that shall be engineered to support an imposed load of 85,000 lbs., are 12' wide, and that the grade of the access driveway shall be 10 percent of slope or less.

(2) To ensure that no obstacles exist for fire apparatus access, a **condition** of approval requires that the Cavern Way cul-de-sac road shall be maintained free of vegetation, signage, or any other man-made or natural objects, and that the height of trees, signage, or other man-made or natural objects shall be at least 13'6" along the entire Cavern Way cul-de-sac road.

(3) To ensure the public is notified of restricted parking areas for fire apparatus, a **condition** of approval requires that the subdivder provide signage for both sides of the Cavern Way cul-de-sac road, and that the signage shall be a minimum of 12" wide x 18" high with red letters with white reflective background with wording of "No Parking" and "Fire Lane". The signage shall be reviewed and approved by Mid-Columbia Fire and Rescue and the Wasco County Public Works Department.

(4) To ensure that all fire apparatus have access to the proposed Lots 3-6 along the Cavern Way cul-de-sac road, a **condition** of approval requires that the road shall be paved and engineered to support an imposed load of 85,000 lbs., that the paved portion shall be at least 26' wide, that the grade shall be 10 percent of slope or less, and that the road shall have a 48' radius (96' diameter) cul-de-sac for fire turnaround at the end . A **variance** to the 10 percent slope condition may be granted upon demonstration of need by the applicant and approval by the local fire district.

(5) A **condition** of approval for road maintenance for Cavern Way cul-de-sac road shall be provided by the homeowners and will be managed with a road maintenance agreement.

According to Chief Wood, the subdivision area is within the Chenowith Water District. The Wasco County Geographic Information System "Water Districts" map layer provides that the water district is the Columbia Crest Water District. In any case, in consideration of water supply for fire apparatus, the following recommended conditions of approval are proposed to ensure the cul-de-sac road and final subdivision plan is consistent with Chapter 11 and state fire codes concerning water supply:

(1) To ensure on-site water is available for structural fire protection, a **condition** of approval requires that fire hydrants shall be provided at least 200 feet from all designated development areas for the proposed Lots 1-6; or

(2) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units shall be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval requires that fire hydrants shall be provided at least 250 feet from all designated development areas for the proposed Lots 1-6.

(3) A **condition** of approval requires that a fire hydrant shall be provided within 500 feet of the fire hydrant servicing the cul-de-sac; or

(4) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval requires that the fire hydrant shall be provided within 625 feet of the fire hydrant servicing the cul-de-sac.

(5) If Lot 1 is accessed by Sandstone Way, a a **condition** of approval requires that a fire hydrant shall be situated so it is within 500 feet of the fire hydrant servicing the cul-de-sac, or that a separate fire hydrant shall be installed for Lot 1; or

(6) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval requires that the fire hydrant shall be provided within 625 feet of the fire hydrant servicing the cul-de-sac, or that a separate fire hydrant shall be installed for Lot 1.

(7) The fire hydrants shall have a flow rate of 1,000 gallons per minute with 20 pounds per square inch of residual pressure, and that the flow capacity shall be maintained for at least 60-minutes; or

(8) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units shall be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval requires that the required fire hydrant shall have a flow rate of 500

gallons per minute at 20 pounds per square inch of residual pressure that can be maintained for at least 30-minutes.

(9) To ensure the proposed fire hydrants can meet required flow rate conditions, a **condition** of approval requires that prior to public dedication of the proposed Cavern Way cul-de-sac, the subdivider shall provide objective substantial evidence from the local fire district that the proposed fire hydrants will have the required flow rates; or

(10) If the subdivider cannot demonstrate the required fire hydrant flow rate requirements, the subdivider, prior to public dedication of the proposed Cavern Way, shall provide objective substantial evidence from the local fire district that the required flow rates can be obtained from providing their own water system of reservoirs and hydrants, or by supplementing the current water system through upgrading the public water system. Upgrading the current water system to meet fire hydrant flow rate requirements is the sole responsibility of the subdivider.

To ensure adequate and safe access is provided to the area, a **condition** of approval requires that prior to submittal of the final subdivision plat and public road dedication, all conditions required under this criterion shall be illustrated with dimensions on the plat, and, or, practically demonstrated to have been achieved. With the recommended conditions, the Planning Commission found that the request with Subsection 21.030.P.

Q. Street Intersections:

1. *All streets shall intersect at right angles (90 degrees) one to the other; where an intersection at ninety (90) degrees cannot be secured by reason of physical conditions of the site an angular intersection of not less than sixty (60) degrees may be permitted.*

2. *Property corners at street intersections shall be rounded and with a radius of not less than ten (10) feet.*

3. *Major thoroughfares intersections shall have roadway curb radii of not less than twenty five (25) feet; all other street intersections shall have roadway curb radii of not less than twenty (20) feet.*

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6. As evidenced on the preliminary subdivision plat plan, the Cavern Way cul-de-sac road joins the existing Sandstone Way at or near a right angle (90 degrees). No major thoroughfare intersections are planned.

The west side of the proposed Tract A and Lot 2 contain property corners at the Cavern Way cul-de-sac road and Sandstone Way intersection. The preliminary subdivision plat provides for rounded property corners, but does not explicitly provide that the radius of the corners are at least 10 feet or greater. A **condition** of approval requires that the final subdivision plat detail applicable property corners at street intersections that are rounded and with a radius of not less than ten (10) feet.

With these conditions of approval, the Planning Commission found that the request complies with Subsection 21.030.Q.

> *R. Reserve Strips: Reserve strips or street plugs dedicated to the County and controlling the access to a street may be approved or required when necessary to:*
>
> *1. Prevent access to the street on a side where additional width is required to meet the minimum right of way standards;*
>
> *2. Prevent access to abutting property at the end of a street in order to assure the proper extension of the street pattern and the orderly development of land lying beyond the street; or*
>
> *3. Prevent the uncontrolled development of land.*

FINDING: The NSA-LUDO Chapter 1 Section 1.200, provides the following definition for "Reserve Street":

> *Street Plug or Reserve Strip - A narrow strip of land controlling access to a street or half street, title to which is dedicated to the County and the disposal of which land shall be placed within the jurisdiction of the County Governing Body for disposal under conditions approved by the Commission.*

The proposed replat Prince Heights Subdivision of the Columbia Crest Addition Subdivision will replat 66 lots to six lots. The remainder of the Columbia Crest Addition Subdivision will be located north and northwest of the proposed replat area. The Fruitland Park Addition Subdivision "Track 35" is also located north and northwest of the proposed replat area.

The proposed subdivision replat lots obtain primary access from Cherry Heights Road, which is a publicly maintained County Road. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way. The existing Sandstone Way (portion), Cavern Way, and Granite Way roads platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

Due to the geography and existing developed surrounding subdivision lots, the proposed cul-de-sac road is not proposed in a way that will require the continuation of the street or a future street extension for the purposes of preventing access to the street on a side where additional width is required to meet the minimum right of way standards; prevent access to abutting property at the end of a street in order to assure the proper extension of the street pattern; or prevent the uncontrolled development of land.

Based on these findings, the Planning Commission found that the request with Subsection 21.030.R.

> *S. Marginal Access Streets: Where a subdivision or partition abuts or contains an existing or proposed arterial street, the Approving Authority may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.*

FINDING: The proposed subdivision does not abut any arterial streets, and none are proposed. Subsection 21.030.S is not applicable.

T. Utility Lines: Easements for sewers, water mains, electrical lines, or other public utilities shall be dedicated whenever necessary. The easements shall be at least twelve (12) feet wide and centered on lot lines where possible, except for utility pole tieback easements which may be reduced to six feet in width.

FINDING: Application materials provides the following concerning existing and proposed easements:

"In addition, the previously platted subdivision contains public utility easements as per the plat of Columbia Crest that are (and will not be) utilized. This re-p/at proposes extinguishment of the unnecessary easements. See attached Existing Easements/Road Vacation Exhibit for details of easements and ROW to be extinguished." (Project# 170105 Replat narrative, Page 6)

"Sanitary
Homes will be on septic/drainfield systems. Primary and Replacement drainfield locations have been evaluated and approved for each lot. Drain fields for Lots 1 (reserve), 2 and 6 have been evaluated and approved to be within easements in the open space tract. The open space tract contains remote set asides for individual drainfields and their associated backup drainfields. The developer also had Aqua Resource Design and Consulting (septic design consultant) review the pits for design of the systems prior to the sanitarian's review. Their memo is attached to this narrative, as are the sanitarian's approved drainfield locations (note that lot numbering and configuration has changed since original soil evaluation). Subsequently, in 2022, the developer contracted with EMS Environmental Consultants to stake the drain fields and conduct a hydrology study for drain fields located along the central drainage area as requested by the previous sanitarian. The drainfields as staked in the field caused a slight shift in the access road and lot lines from the pre-app layout, which is reflected in the current plans. Note that we have also adjusted the lot lines since the original sanitary approval to include as many of the drainfields as possible on the lots. Drainfields are located in the open space tract where there is not sufficient soil on the lot for a drainfield." (Project# 170105 Replat narrative, Page 13)

A **condition** requires that existing easements to be extinguished shall be illustrated on the final subdivision plat, and that all proposed and non-extinguished existing easements shall be illustrated on the final subdivision plat, and that the proposed easements be at least (12) feet wide and centered on lot lines where possible, except for utility pole tieback easements which may be reduced to six feet in width. With the recommended condition, the Planning Commission found that the request with Subsection 21.030.T.

U. Water Courses: If a subdivision or partition is traversed by a water course such as a drainage way, channel, or stream, there shall be provided a storm water easement or drainage right of way conforming substantially to the lines of the water course, and such further width as will be adequate for the purpose. Streets or parkways parallel to major water courses may be required.

FINDING: The Wasco County GIS "State Wetlands Inventory" layer provides that no delineated waterways exist on the proposed subdivision replat area. A Freshwater Forested/Shrub Wetland is delineated running in an east-west direction approximately 400 feet south of the proposed subdivision area.

Concerning watercourses and drainage, application materials provide the following:

> **"**Stream and Floodplain
> No development is proposed within a designated flood zone or stream setback. FEMA maps do not show
> any flood zones mapped on this property, and it is unlikely there would be flooding since these lots are on a hill and without a water source (creek, river, etc)." (Project# 170105 Replat narrative, Page 8).
>
> **"**Drainage
> This project will create little impervious area since most of the roads are already in place. The homes,
> driveways, and access road will utilize dispersion and infiltration. Care will be taken to not release
> storm water on or near the tops of the steep slopes or directly above drainfields. An 18" culvert will be
> installed under the new road where there is an apparent seasonal drainage. This drainage has not been
> observed by the developer or engineer to flow but will be accommodated as a precaution." (Project# 170105 Replat narrative, Page 13).

Additional comment pertaining to drainage was provided on June 30, 2023 and July 10, 2023, respectively:

> "The westernmost easement is for the existing water main. The other one is for the dry drainage channel that runs down the hill."
>
> "Yes, that is the apparent drainage. I've never seen water in it, but it is there, so we are accommodating it. Our surveyors tied it so that we could add the easement."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

A staff site visit was conducted on June 29, 2023. While taking photographs along Sandstone Way, staff was approached by Roger Howe, a resident who lives at (Map: 1N 13E 4 BC 2100, Account Number: 8344). Among other issues discussed, Mr. Howe explained that a seasonal drainage stream exists on or near where the proposed Tract A, Lot 2, and Cavern Way cul-de-sac road are proposed. Mr. Howe expressed concern that the seasonal drainage should be preserved. The preliminary plat provides for a "dry drainage channel" easement running north-south across Tract A, Lot 3, and Lot 4 to accommodate for the apparent seasonal drainage. The applicant has indicated that "

This criterion provides that the affected property must be "traversed by a water course such as a drainage way, channel, or stream" in order for a "storm water easement or drainage right of way" be required. The applicant has made note that a drainage way exists and neighbors have also mentioned it during a staff site visit. The federal hydrology and state wetlands inventory GIS layers do not illustrate a waterway of any type on the subject property. Based on local knowledge of the seasonal drainage and the applicant's willingness to accommodate the unconfirmed seasonal drainage, a **condition** of approval requires an 18" culvert be installed under the proposed Cavern Way cul-de-sac road in the area where the seasonal drainage way is purported to be located, and that the proposed "dry drainage channel

easement" illustrated on Sheet 5 of 5 of the "PRINCE HEIGHTS SUBDIVISION APPROVALS AND NOTES" be provided for in the final subdivision plat.

Given the aforementioned information and recommended condition of approval, the Planning Commission found that the request with Subsection 21.030.U.

> *V. Environmental Hazards: If a subdivision or partition contains known hazards resulting from potential for flooding, land movement, high water tables, erosion, or similar natural phenomena, the Approving Authority may require dedication of protective easements for uses that would minimize aggravation of the environmental hazard.*

FINDING: According to the Wasco County GIS Overlay Zone (OZ) FEMA Flood Zone layer, OZ Geologic Hazards layer, no identified flood or geologic hazard has been mapped on the subject property.

From the application materials provided, it is clear that soil conditions on the subject property outright prohibit or at the very least, significantly restrict the construction of septic systems on the existing 66 smaller lots. Concerning soil quality and septic system expertise, staff requested comment from Eric Grendel Environmental Health, REHS North Central Public Health District. Mr. Grendel provided the following comments on June 28, 2023:

> "I appreciate you reaching out to seek input from the Environmental Health Department.
>
> I've reviewed this proposed replat a few times since taking over the onsite septic program for NCPHD and have also met with my predecessor John Zalaznik who conducted the site evaluation back in 2017, to discuss his interpretation of the proposed replat and development.
>
> Prior to John's evaluation, this proposal went through a Preliminary Feasibility Study by Aqua Resource Design & Consulting and was most notably finalized by REHS Brannon Lamp who is a highly regarded consultant for environmental health services. In Brannon's results, he suggested that the Re-Plat include a series of easements and some help from a designer to adequately demonstrate that the design could support both primary and secondary drainfield areas for 7-8 lots.
>
> Klein Associates was then hired in July of 2017 to create a schematic for the proposed development and replat for the individual lots, which included Aqua Resources sampled soil pit sites. This was provided to John Zalaznik for his site evaluation which was conducted on 9/28/17.
>
> John's evaluated 8 lots for onsite septic suitability and proposed that the area have an Engineered hydrologic Study be conducted due to his concerns over the loading capacity of the site and landslide potential.
>
> Environmental Management Services, INC. (EMS) was then hired to determine whether or not the site was stable to accept the projected daily flow for wastewater.
>
> EMS determined that there were some factors that would indicate there be a cautious approach with the designing of the septic systems and determined that a pressurized distribution system be considered to prevent the uneven distribution of effluent to avoid instability of localized saturated soils. EMS also recommended that Erosion Control Measures be implemented to further prevent any destabilization that could occur.

From my standpoint, working with small lots (Murray's Addition, Sportsman's Park, Pine Hollow) is a major challenge once they've been developed because finding a suitable replacement site can be limited. Since these lots have not been developed yet, NCPHD can require certain criteria to be met before approving a structural permit for sanitation, or a construction permit for onsite wastewater disposal however, larger lots such as the ones proposed do provide more room for adjustments (even if they're on easements). Many times, people may build something in an area that doesn't require a permit and don't think about that space being the only suitable replacement area which can compound an already difficult situation.

While the hypothetical situations are endless as to what could occur in any development, I do believe that expanding the footprint of these lots would be more suitable than trying to squeeze in several ATT systems on smaller lots if they were found to be approved for onsite wastewater treatment.

This replat has had several environmental specialists provide insight into the proposed development, in which I cannot see anything that would keep this from moving forward as long as it's designed and installed appropriately."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Mentioned in Mr. Grendel's comments was the Environmental Management Systems, Inc. Hydrology Study that was submitted with the subdivision application. The Engineering Hydrologic Study that was published as Job: 22-0073 on December 12, 2022 by Environmental Management Systems, Inc. provides the following regarding erosion, and recommends a number of construction standards for septic and drainfield placement:

"EXISTING CONDITIONS & POTENTIAL IMPACTS
• Site Conditions did not present obvious active indicators of erosion or soil movement, but the County Feasibility Evaluator, John Zalaznik, REHS expressed concerns about site stability and required an Engineering Study of the Hydrologic impact of installation of drainfields on the common area to be used for drainfields." (Engineering Hydrologic Study Job: 22-0073, Page 2).

The Engineering Hydrologic Study report provides a list of findings regarding septic and drainfield installation as well as erosion control measures.

"FINDINGS:
• Use of traditional gravity trenches was not considered because of limited space and because gravity dispersal would result in localized saturated flow, with potential for destabilizing the site. Void spaces would be larger with gravity piping, but since this is not being considered, is moot.

• Use of traditional Gravel trenches would add significant weight that could be destabilizing to the site.

• Use of EZFiow Polystyrene Gravel Substitute would result in significantly less weight on the sloped site than gravel, so actually be considered to stabilize the site.

• Use of pressurized piping reduces uneven distribution of effluent thereby avoiding instability caused by localized saturation. 1 inch diameter PVC piping would be used in either gravel or EZFiow configurations, and present negligible weigh on the site.

• Erosion Control Measures should be implemented to prevent destabilization.

EMS performed the following project tasks to support this project:

• Designed & Staked the Initial and Reserve Drainfield lines to serve Alternative Treatment Technology (ATT) systems located in each respective lot and which will pump treated effluent to their respective easement areas located in Tract A.

• Prepared septic designs modified as needed based on hydrologic evaluation and County requirements.

• Consulted with the manufacturer of EZFiow Polystyrene Gravel Substitute for concurrence with the proposed use of their products.

• Prepared this report and design for review by the project engineer and County DEQ Agent.

EMS designed the drainfield components to receive highly treated effluent from the ATT System located at each of the 4 sites. The design has the following mitigating factors to further reduce instability:

1. Use of lightweight EZ Flow Polystyrene Substitute Drain Media instead of gravel.

2. Pressure Distribution to equalize the effluent flow over each active drainfield trench.

3. Spacing of>= 20 feet between installed drainfield lines, spreading effluent out across the site. Reserve lines are designated for future installation planned, but not installed. If ever used, these lines would replace the initially installed lines.

4. Removal of Excess Soil would also slightly reduce the amount of weight on the overall drainfield area. This step is considered optional to provide additional stability. If kept on the drainfield site, excess soil must be spread out over the total initial and reserve area.

5. Site gravel substitute to be covered in the trench excavation, and seeded for stability, immediately following approved inspection by EMS and authorized NCPHD Personnel." (Engineering Hydrologic Study Job: 22-0073, pp. 2-4).

Considering public comment, prior evaluations conducted by North Central Public Health, and the Engineering Hydrologic Study (Environmental Management Systems, Inc. Job: 22-0073), staff believes that the report's numerated findings should be viewed in a coalesced manner with regards to overall erosion control within the proposed subdivision area. However, the findings within the report are oriented towards the construction of the drainfield and septic systems, and provide for no specific area where a protective easements would be required for erosion control.

The subject area is not located within an area mapped or known to contain environmental hazards with potential for flooding, land movement, high water tables, erosion, or similar natural phenomena. The Planning Commission found that Subsection 21.030.V is not applicable to this request.

W. Blocks: No block shall exceed twelve hundred (1200) feet in length between streets. In blocks over eight hundred (800) feet in length there shall be a cross walkway of not less than ten (10) feet in width, near the middle of the block. The width of blocks shall be such as to allow two tiers of lots, except where in the opinion of the Approving Authority a relatively short length of double frontage lots are unavoidable.

FINDING: No blocks have been proposed for the subdivision, Subsection 21.030.W is not applicable to the request.

X. Lots:

1. Lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for the types of use permitted. Lot dimensions shall not include part of existing or proposed streets. All lots shall be buildable, except a public utility lot. Depth and width of utility lots shall be adequate to provide for standard setbacks for service structures, and to furnish off street parking facilities required by the kind of use contemplated. In no other case shall the width or area be less than that prescribed for the zone in which the lot is proposed.

FINDING: The proposed subdivision will be located in "R-R" Rural Residential Zone (GMA & SMA), GMA R-5. The proposed replat of existing subdivision lots within the Columbia Crest Addition Subdivision will make the lots more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot). Regarding property size, the application provides the following:

"Property size
As shown in the attached plan sheets, these five taxlots are currently platted as 66 lots plus right-of-way in an undeveloped subdivision_ but the lack of public sewer and limited suitable drainfield area prevents such dense residential development to take place. Since the original platting of this subdivision, zoning has changed to GMA R-R-5, a rural residential zoning in the Scenic Area's General Management Area,
with minimum lot sizes of 5 acres.

This property is currently zoned GMA R-5 but was platted as a part of a subdivision in 1953 with average lot size of approximately 7,000 sf (measured in CAD). The goal of this application is to re-p/at from 66 small lots to 6 larger residential lots, one open space tract and one road ROW. By increasing the average residential lot size from about 7,ooo+/- sf to 112,748 sf (2.59 acres), the proposed lots will be much closer to conformance with the current zoning code." (Project# 170105 Replat narrative, Page 6).

Table 2 - Proposed Lots

Lots	Use	Min Width (feet)	Max Width (feet)	Average Width (feet)	Area (acres)
1	Single Family Res.	342	458	400	4.12
2	Single Family Res.	358	378	368	1.05
3	Single Family Res.	142	240	191	1.02
4	Single Family Res.	57	303	180	2.89
5	Single Family Res.	63	546	304	3.20
6	Single Family Res.	104	424	264	3.09
TOTAL	**SFR Lots**			**284**	**15.37**
Tract "A"	Open Space "Tract A"				1.31
	Park Space Dedication				0.16
TOTAL	**6 SFR Lots + Park + Open Space**				**16.84**
ROW	Cavern Way (50' ROW)				0.82
TOTAL	**TOTAL project area**				**17.66**

(Project# 170105 Replat narrative, Page 7).

The proposed subdivision has been reviewed in accordance with the property development standards for the applicable zoning, where the proposal was found to comply. The purpose of the zoning and intent of a subdivision is to allow for residential development. The lot dimensions do not include existing or proposed streets. No public utility lots are proposed; however, Tract A is proposed to be an open space tract that will contain remote set aside easement areas for individual drain fields and their associated backup drain fields for Lots 1, 2, and 6. The Planning Commission found that the request complies with Subsection 21.030.X.1.

2. *Each side lot line shall be at right angles to the adjacent street line or radial to a curved street line, unless the Approving Authority determines that variation from these requirements is necessitated by unusual circumstances such as topography and site location.*

FINDING: As illustrated in the preliminary subdivision plan, all of the proposed side lot lines will either be at right angles to its adjacent street (Lots 1, 2, 3, and Tract A), and radial to a curved street (Lots 4, 5, and 6). The Planning Commission found that the request complies with Subsection 21.030.X.2.

3. *Lots with double frontage shall be avoided, except where the Approving Authority determines that such lots are essential to provide separation or residential development from major traffic arterials or adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A planting screen easement at least ten (10) feet wide, across which there shall be no rights of access, may be required along the line of lots abutting such a traffic arterial or other incompatible use. Such area shall be considered the rear portion of the lot.*

FINDING: Lot 2 has triple frontage from Sandstone Way, Hermits Way loop road, and the proposed Cavern Way cul-de-sac road. Currently, the preliminary plat has not designated which road access will be provided from. A **condition** of approval requires that at least a (10) feet wide planting screen easement, across which there shall be no right of vehicle access be shown on the final plat for no less than two of the three frontage roads (Sandstone Way, Hermits Way, and/or Cavern Way cul-de-sac road).

Lot 1 has double frontage with Sandstone Way and Cherry Heights Road. Lot 1 will have access from Sandstone Way. Sandstone Way will be the primary access road for Lot 1. A **condition** of approval requires that at least a (10) feet wide planting screen easement, across which there shall be no right of vehicle access be shown on the final plat for Cherry Heights Road.

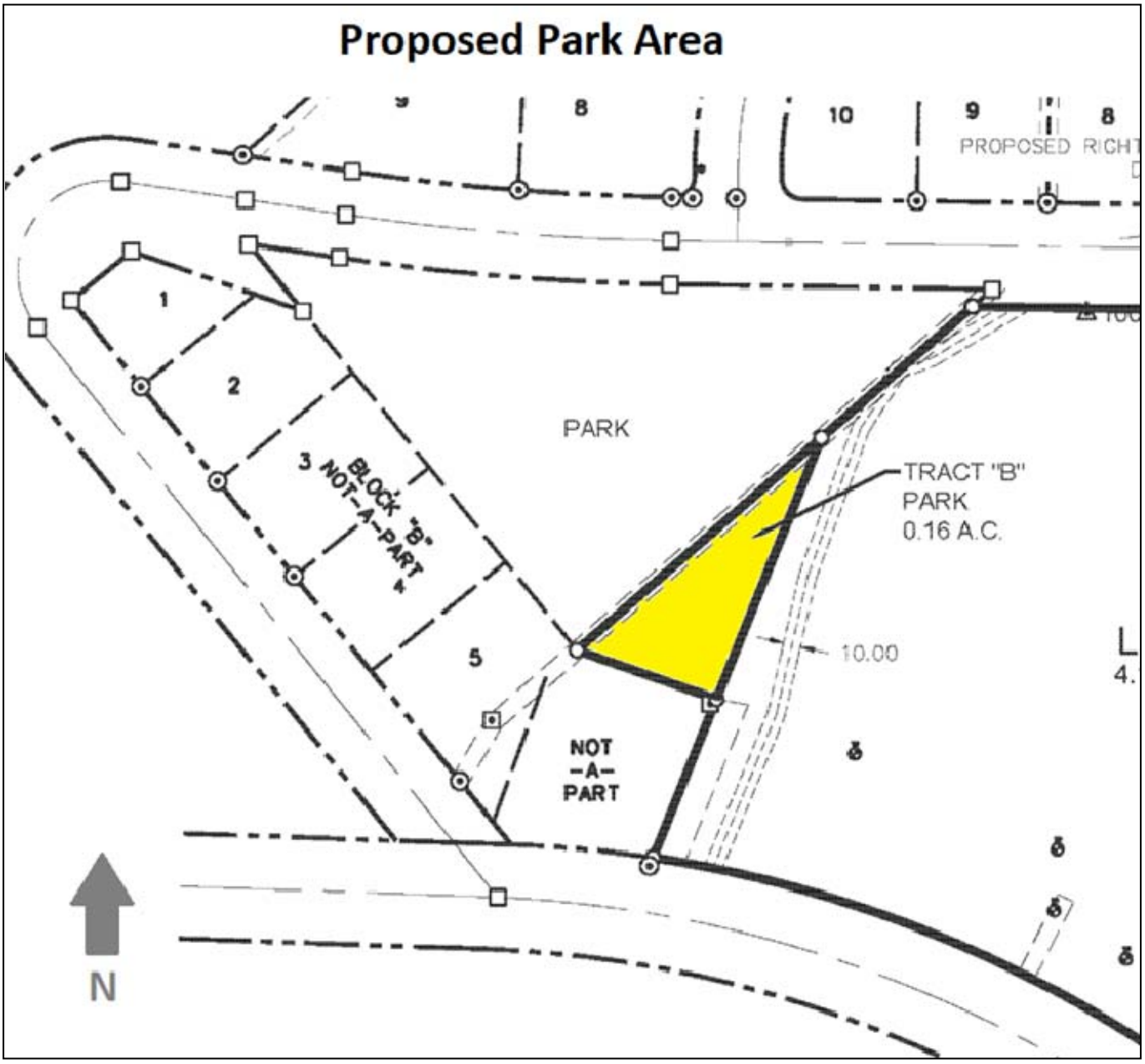
No other proposed lot has double frontage. With the recommended condition of approval, the Planning Commission found that the request with Subsection 21.030.X.3.

> *4. Flag lots shall not be permitted, except when unusual circumstances exist. Such circumstances may include characteristics of topography and site which affect construction on the property or access to the property. Approval of the creation of flag lots by the Approving Authority shall be based on specific findings indicating what unusual circumstances exist.*

FINDING: None of the proposed lots are designed in such a manner to be defined as a flag lot. The Planning Commission found that the request complies with Subsection 21.030.X.4.

> *Y. Public Open Space:*
> *Elementary and high school sites, neighborhood playgrounds, parks and recreation areas shall be located in accordance to the development pattern of the County or the County area. When such public school or recreation sites are within the area of an approved subdivision they may be dedicated to the County or shall be reserved until such time as the County is able to acquire them. Parks and recreation areas shall be provided at the rate of one (1) acre of recreation area to every one hundred people.*

FINDING: All of the proposed Lots will have frontage along publicly dedicated roads and no blocks are proposed. However, a 0.16-acre unit of land "Tract B" is proposed to be dedicated as public park space. "Tract B" is proposed to serve the proposed subdivision, and the surrounding residentially zoned properties. The park is planned on the west side of an existing area designated as a park, and on the east side of the proposed Lot 1 (See "Proposed Park Area" below). The proposed park area is land locked and does not have public street frontage.



Concerning the proposed park space, comments were received from the Executive Director of the northern Wasco County Parks & Recreation District Scott Baker on July 6, 2023:

> "As we discussed, 1N 13E 5 AD 600 Account Number: 13902 is not currently owned or maintained by NWCPRD. It has little or no recreational value and increasing its size .16 acre does not make it a better fit for public recreation. My opinion is that Wasco County would be better served by a cash payment in lieu of the property. If Wasco county is the owner of the adjacent "publicly owned" property, I would encourage them to surplus the property and acquire much needed park space on the westside."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Additional comments pertaining to the proposed park dedication were received from the Wasco County Assessor Jill Amery and Wasco County Administrator Tyler Stone on July 12, 2023:
Jill Amery wrote:

> "The current park lot as you have seen from the previous correspondence has been very problematic. Though it isn't my decision on which path to take, my opinion for this subdivision is to not add another park space. Let the developer pay into the fund. If my initial calculation of the lots impacted are correct, the developer could pay an approximate $6,480.51 into the fund and forego the park."

Tyler Stone wrote:

> "Wasco County currently does not have a dedicated program to support the continued management of dedicated public space. I encourage you to recommend, in lieu of dedication of land, you to require a payment to the County that will be held in a special fund for acquisition and the development and support of nearby public parks and facilities."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

The NSA-LUDO Chapter 21 Land Divisions provides the following options pertaining to final subdivision plat approval:

Section 21.310 Final Subdivision Plat Approval

G. Parks, Playgrounds, or Recreational Areas: The Approving Authority may require parks, playgrounds, or recreational areas be provided in the final subdivision plan and dedicated to the County in locations and of size indicated by the Plan for the area in which the subdivision is located.

H. Recreational Fund: Where no parks, playgrounds or recreational areas are required by the Commission, the subdivider shall pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. Such sum shall be paid to the County Clerk prior to recording of the final subdivision plan and such sum shall be held by him in a special fund for acquisition and development of parks, playgrounds, and recreational areas within the immediate area of the subdivision.

Based on the provided commentary, the fact that fee ownership of the existing park space has not been properly established, and that there are other public recreation options that do not require the dedication of public park space, the Planning Commission determined that public open park space not be required for this subdivision replat. In lieu of the park dedication, the Planning Commission has provided a **condition** of approval requiring the subdivider pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. Such sum shall be paid to the County Clerk prior to recording of the final subdivision plat and such sum shall be held by the County Clerk in a special fund for acquisition and development of parks, playgrounds, and recreational areas within the immediate area of the subdivision.

With the condition of approval, the Planning Commission found that the request with Subsection 21.030.Y.

Z. Subdivision Name: The name of any subdivision shall not duplicate or be so similar as to be confused with the name of any existing subdivision or parcel or area within the County.

FINDING: To ensure that the name of the proposed subdivision would not duplicate or be so similar as to be confused with the name of any existing subdivision or parcel or area within the county, staff contacted Bradley Cross, the Wasco County Surveyor by email for confirmation. Staff received a response on July 10, 2023, stating: "This name is not in use and there is nothing similar. We have a Highland Heights, but I believe there is enough difference to allow the use of Prince's Heights."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Since the subdivision name will not be a duplicate, or be similar enough to be confused with the name of an existing subdivision or parcel or area within the county, the Planning Commission found that the request complies with Subsection 21.030.Z.

AA. Street Names: Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the names of existing streets. Street names and numbers shall conform to the established pattern in the surrounding area and, if near a city, to the pattern in the city, and shall be subject to the approval of the Approving Authority.

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

Since the proposed street name will not be a duplicate, or be similar enough to be confused with the name of another existing street name within the county, the Planning Commission found that the request complies with Subsection 21.030.AA.

BB. Street Signs: All street and highway signs shall meet the County standards for such signs.

FINDING: To ensure compliance with the criterion, a **condition** of approval requires that placement of all street signage within the subdivision, to include the Cavern Way cul-de-sac road sign, shall be the responsibility of the developer, and prior to placement, the signage shall be approved by the Wasco County Public Works Department to ensure it meets county standards. With the recommended condition, the Planning Commission found that the request with Subsection 21.030.BB.

Section 21.200 Property Line Adjustments & Replats

A. Property Line Adjustments

1. Application - The decision on a request for a Property Line Adjustment shall be under Chapter 2. A completed application, as prescribed by the Director, shall be filed prior to any action on a Property Line Adjustment. A completed application shall contain the same information required for preliminary partition plans in Section 21.100(A).

FINDING: The request is for a Replat (Prince Heights Subdivision) of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

The requested subdivision replat meets the following definition as provided within Chapter 1 Section 1.200 Definitions:

> *Replat - The act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat, to increase or decrease the number of lots in a subdivision, or to correct an error or irregularity in the original plat.*

The request will decrease the number lots within the Columbia Crest Addition Subdivision. Staff finds that the replat request complies with Subsection 21.200.B.1., and shall be reviewed according to Subsection 21.200.A Property Line Adjustments.

The replat application was processed on February 8, 2023, and deemed complete on March 8, 2023. Staff finds that the request complies with Subsection 21.200.A.1.

> 2. *Approval Standards for all zones except Agriculture Special, Open Space and Public Recreation: The request for a property line adjustment shall be approved by the Director if the following criteria are met;*
>
> a. *The adjustment will not result in the creation of any new parcel(s).*

FINDING: The request is for a Scenic Area Review for a Replat (Prince Heights Subdivision) of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

The request seeks to consolidate existing lawfully created property, and will not result in added new parcels. Staff finds that the request complies with Subsection 21.200.A.2.a.

> *b. GMA Only: The adjustment shall not result in the potential to create a new parcel(s) or residential development in excess of the maximum density allowed by the land use designation(s) for the affected parcels. Adjustments that would result in the potential to create additional parcels through subsequent land divisions, shall be subject to the full provisions of Chapter 14 Scenic Area Review.*

FINDING: The subject lots are within the "R-R" Rural Residential Zone (GMA & SMA), GMA R-5. The Management Plan provides the following regarding maximum density allowed by the land use designation:

> **Management Plan**
> ***Chapter 4 Residential Land***
> *Land Use Policies*
> *2. The following minimum parcel sizes shall be established:*
> *C. A 5- or 10-acre minimum for those lands designated Residential that are situated in areas where a higher density would conflict with the factors listed in Policy 1, above. A 10-acre minimum shall be established where a 5-acre minimum would result in an adverse cumulative impact on one or more of the factors listed in Policy 1, above.*

The request is for a Scenic Area Review for a Replat (Prince Heights Subdivision) of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

The proposed replat will reduce density of lots within the existing subdivision and will not result in the potential to create additional parcels through subsequent land divisions. Staff finds that the request complies with Subsection 21.200.A.2.b.

> *c. The proposal will not render any property unusable, nor shall the usefulness, utility or viability of the property be reduced from the designated purpose statement of the zoning district in which the property is located.*

FINDING: The NSA-LUDO provides the purpose of the “R-R” Rural Residential Zone (GMA & SMA) as:

> *Residential development may locate outside Urban Areas so long as it does not adversely affect the scenic, cultural, natural and recreation resources. In addition to consideration of these factors, lands may be designated as residential if deemed suitable for residential development,*

taking into account the physical characteristics of the areas in question and their geographic proximity to transportation and commercial facilities and other amenities.

The request is for a Scenic Area Review for a Replat (Prince Heights Subdivision) of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

None of the proposed lots will create an unusable property. The Private Open Space Tract A will be used for primary septic drain fields for Lots 2 and 6 and as a reserve drain field for Lot 1. Tract A will facilitate residential use of the six proposed lots. The Planning Commission has determined that the Public Park space Tract B will not be required for the proposed replat. Instead the Planning Commission has provided a condition of approval requiring the subdivider pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. The proposed park space will be enveloped into Lot 1. The Planning Commission found that the request complies with Subsection 21.200.A.2.c.

d. GMA Only: Property which presently conforms to the lot size requirements of the zoning district in which it is located shall not become nonconforming as a result of the property line adjustment, except to allow a public or non-profit entity to acquire land for the purpose of protecting and enhancing scenic, cultural, recreation or natural resources, provided the land to be acquired would be protected by a conservation easement or other similar property restriction that precludes future land divisions and development.

SMA Only: The adjustment shall not result in a parcel greater than or equal to 40 acres becoming less than 40 acres.

FINDING: The existing 66 nonconforming lots do not conform to the lot size requirement of the zone. However, the proposed replat seeks to consolidate the 66 lots into to six residential lots, one private open space lot, and one public park lot). Staff finds that the request complies with Subsection 21.200.A.2.d.

e. SMA Only: The adjustment shall not result in a parcel less than 40 acres becoming 40 acres or greater.

FINDING: The request is within the "R-R" Rural Residential Zone (GMA & SMA), GMA R-5. Staff finds that Subsection 21.200.A.2.e. is not applicable to this request.

f. Property line adjustments shall result in greater conformity where it can be achieved. Property line adjustments to nonconforming property (less than the current

minimum lot size in the GMA and less than 40 acres in the SMA) shall not result in greater nonconformity, except to accomplish one of the following purposes:

(1) Resolve boundary disputes, correct physical encroachments, provide reasonable access, or meet buffer or set back requirements, provided:
a. in the GMA, the parcel to be enlarged would not become eligible for a subsequent land division and in the SMA the parcel to be enlarged would not become 40 acres or greater, and
b. the amount of land transferred would be the minimum necessary to resolve the issue.

FINDING: The request is for a Scenic Area Review for a Replat (Prince Heights Subdivision) of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

The request will not result in greater nonconformity. Staff finds that the request complies with Subsection 21.200.A.2.f.

g. Allow a public or non-profit entity to acquire land for the purpose of protecting and enhancing scenic, cultural, recreation or natural resources, provided the land to be acquired would be protected by a conservation easement or other similar property restriction that precludes future land divisions (in the GMA) and residential development.

FINDING: The request does not involve a public or non-profit entity. Staff finds that Subsection 21.200.A.2.g. is not applicable to this request.

B. Replats shall be reviewed according to 1 or 2 below with the exception that the requirements of ORS 92.180 - 92.190 shall apply.

1. Replats which result in a reconfiguration between lots or parcels in a recorded subdivision or partition, a decrease of lots in a recorded subdivision, or a correction of an error or irregularity in the original plat shall be reviewed according to A above.

FINDING: The request is for a Scenic Area Review for a Replat (Prince Heights Subdivision) of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to six residential lots, one private open space lot, and one public park lot).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

The requested subdivision replat meets the following definition as provided within Chapter 1 Section 1.200 Definitions:

> *Replat - The act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat, to increase or decrease the number of lots in a subdivision, or to correct an error or irregularity in the original plat.*

The request will decrease the number lots within the Columbia Crest Addition Subdivision. Staff finds that the replat request complies with Subsection 21.200.B.1., and shall be reviewed according to Subsection 21.200.A Property Line Adjustments.

> ***Section 21.300 - Preliminary Subdivision Plan Approval***
>
> *The approval of a preliminary subdivision plan is reviewed by the Planning Commission subject to the provisions of Chapter 2.*
>
> *A. Application for Preliminary Subdivision Plan Approval:*
>
> 1. *An application for preliminary subdivision plan approval shall be initiated as provided in Chapter 2 of this Ordinance.*
>
> 2. *In addition to the complete application requirements for Chapter 14 - Scenic Area Review the applicant shall file with the Director a preliminary subdivision plan, together with improvement plans and other supplementary information required by B below to demonstrate the design and objectives of the subdivision.*
>
> 3. *The preliminary plan shall be clearly and legibly drawn. It shall show all required information to scale so that the Approving Authority may have an adequate understanding of what is proposed. Under ordinary circumstances, the scale of the drawing is to be one (1) inch equals one hundred (100) feet, or one (1) inch equals fifty (50) feet.*

FINDING: An application for a subdivision was submitted to the Planning Department on February 7, 2023, to be decided upon by the Planning Commission. A preliminary notification was issued on March 16, 2023. A Cultural and Historical Survey Determination was made by Chris Donnermeyer Heritage Resources Program Manager
Columbia River Gorge National Scenic on June 6, 2023. Any other improvement plans or supplementary information required is addressed in subsection B below. The preliminary subdivision plan that was received was legibly drawn and all information located on it was to scale so that the approving authority would have

an adequate understanding of what was proposed. The scale of the preliminary subdivision plan submitted was 1" = 100'. The Planning Commission found that the request complies with Subsection 21.300.A.

B. Information Required in the Preliminary Subdivision Plan:

1. All existing and proposed means of utilities for each tract including but not limited to water, sewer, telephone lines, and electrical lines.

FINDING: Application materials provide the following:

"Residential Evaluation
Power and communications
Power will be provided by Northern Wasco PUD from the existing power poles along Sandstone Way. Underground power and transformers will be placed at their direction. Communications will follow the power in a joint utility trench."

(Residential Evaluation, Page 3).

Utility easements and proposed means of utilities are illustrated on the preliminary subdivision maps and the application forms have provided the information required by this criterion. The Planning Commission found that the request complies with Subsection 21.300.B.1.

2. Any existing permanent structures and their setbacks to existing and proposed subdivision lot lines.

FINDING: The preliminary subdivision maps, application forms, and Wasco County GIS provide the information necessary for this criterion. The Planning Commission found that the request complies with Subsection 21.300.B.2.

3. Predominant topographical features such as bluffs and rock outcroppings.

FINDING: The Septic Site Evaluations within the application contain maps of the subject area with contour lines. Additionally, the Wasco County GIS provides staff with topographic and slope percentage maps for reference and preliminary evaluation. The Planning Commission found that the request complies with Subsection 21.300.B.3.

4. Typical cross-sections of proposed streets, showing all improvements proposed within the street right of way at such scale to clearly show the details thereof.

FINDING: The preliminary subdivision maps and application forms provide the information necessary for this criterion. The Planning Commission found that the request complies with Subsection 21.300.B.4.

5. Contour lines may be required at intervals to be determined by the Director.

FINDING: The Septic Site Evaluations within the application contain maps of the subject area with contour lines. Additionally, the Wasco County GIS provides staff with topographic and slope percentage maps for reference and preliminary evaluation. The Planning Commission found that the request complies with Subsection 21.300.B.5.

6. *The names of adjacent subdivisions or the names of recorded owners of adjoining parcels of unsubdivided land.*

FINDING: The names of adjacent subdivisions is provided illustrating the the Columbia Crest Addition Subdivision and the Fruitland Park Addition Subdivision. The Planning Commission found that the request complies with Subsection 21.300.B.6.

7. *The location, width and names of all existing or plotted streets or other public ways within or adjacent to the tract, existing permanent buildings, railroad rights of way and other important features such as section lines, political subdivisions or corporation lines and school district boundaries.*

FINDING: The preliminary subdivision maps, application forms, and Wasco County GIS provides the information necessary for this criterion. The Planning Commission found that the request complies with Subsection 21.300.B.7.

8. *Vicinity sketch showing how the proposed streets and alleys may connect with existing streets in neighboring subdivisions or undeveloped property.*

FINDING: The preliminary subdivision maps and application forms provide the information necessary for this criterion. The Planning Commission found that the request complies with Subsection 21.300.B.8.

9. *Zoning classification and plan map designation of the land.*

FINDING: The preliminary subdivision maps and application forms provide the information necessary for this criterion. The Planning Commission found that the request complies with Subsection 21.300.B.9.

10. *The location of any environmental hazard; area unsuitable for building purposes; or land subject to mass movement, excessive erosion, or similar natural phenomena.*

FINDING: According to the Wasco County GIS Overlay Zone (OZ) FEMA Flood Zone layer, OZ Geologic Hazards layer, no identified flood or geologic hazard has been mapped on the subject property. Findings provided within subsection 21.030.V. address environmental hazards. Accordingly, the preliminary subdivision maps and application forms provides the information necessary for this criterion. The Planning Commission found that the request complies with Subsection 21.300.B.10.

11. *The proposed name of the subdivision or major partition.*

FINDING: The proposed name of the subdivision is the “Prince Heights Subdivision”. The Planning Commission found that the request complies with Subsection 21.300.B.11.

12. *North point, scale, date of application, and basis of bearing.*

FINDING: The preliminary subdivision maps and application forms contain a north point, a scale, a date of applilcation, and a basis of bearing, which reads “OREGON STATE PLANE COORDINATES SYSTEM NORTH ZONE, GRID NORTH, GROUND DISTANCE ESTABLISHED BY G.PS. OBSERVATION ALONG THE WEST LINE OF BLOCK "B" COLUMBIA CREST ADDITION”. The Planning Commission found that the request complies with Subsection 21.300.B.12.

13. Areas subject to flooding, storm water overflow and all water courses and their directional flows, including marshes and wetlands;

FINDING: According to the Wasco County GIS Overlay Zone (OZ) FEMA Flood Zone layer, OZ Geologic Hazards layer, no identified flood or geologic hazard has been mapped on the subject property. The federal hydrology and state wetlands inventory GIS layers do not illustrate a waterway of any type on the subject property. The preliminary subdivision maps and application forms provide the following regarding storm water and drainage management:

"Grading Plan Narrative
Proposed Stormwater Management
Grading on the site shall be minimized to only that necessary for the building pads and vehicle-related areas such as driveways, parking areas, and turnarounds. By minimizing ground disturbance and vegetation removal, stormwater runoff will be confined to the disturbed areas. On large parcels, roof and foundation drains may be released at least 10' from the foundation onto rock dispersion pads or into rain gardens. Hard surfacing and driveways will utilize sheet flow dispersion through at least 20' of vegetation. No concentrated flows shall be released on or within 30' of the top of slopes exceeding 20% unless approved by a Geotechnical Engineer. Additionally, care shall be taken to not introduce runoff uphill of the septic drainfields. Drainage should be diverted around drainfields using ditches, berms, or french drains if needed to divert runoff around the drainfield."

(Grading Plan Narrative, Page 6).

"Residential Evaluation
Drainage
This project will create little impervious area since most ofthe roads are already in place. The homes, driveways, and access road will utilize sheetflow and downspout dispersion. Care will be taken to not release stormwater on or near the tops of the steep slopes or directly above drainfields. Erosion control measures during construction, such as sediment fence, will be utilized to prevent construction
stormwater from leaving the site."
(Residential Evaluation, Page 3).

"Stream and Floodplain
No development is proposed within a designated flood zone or stream setback. FEMA maps do not show
any flood zones mapped on this property, and it is unlikely there would be flooding since these lots are on a hill and without a water source (creek, river, etc)."

(Project# 170105 Replat narrative, Page 8).

"Drainage
This project will create little impervious area since most of the roads are already in place. The homes,
driveways, and access road will utilize dispersion and infiltration. Care will be taken to not release
storm water on or near the tops of the steep slopes or directly above drainfields. An 18" culvert will be

installed under the new road where there is an apparent seasonal drainage. This drainage has not been
observed by the developer or engineer to flow but will be accommodated as a precaution."

(Project# 170105 Replat narrative, Page 13).

Based on application materials submitted, the Planning Commission found that the request complies with Subsection 21.300.B.13.

14. *Names and addresses of the subdivider, engineer, surveyor, land planner or landscape architect.*

FINDING: The preliminary subdivision maps and application forms provide the names and addresses of the subdivider, engineer and surveyor. The subdivider/owner is the Smilikel Group and the engineer/surveyor is Klein & Associates. The Planning Commission found that the request complies with Subsection 21.300.B.14.

15. *The tract description according to the real estate records of Wasco County.*

FINDING: The preliminary subdivision maps and application forms provide the tract description according to the real estate records of Wasco County. The Planning Commission found that the request complies with Subsection 21.300.B.15.

16. *The boundary lines (accurate in scale) of the tract to be subdivided.*

FINDING: The preliminary subdivision maps and application forms provide the boundary lines of the subject tract. The Planning Commission found that the request complies with Subsection 21.300.B.16.

17. *All parcels of land intended to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purpose of conditions or limitations of such reservation, if any.*

FINDING: The preliminary subdivision maps indicate a public park "Tract B" and private open space area "Tract A". The Planning Commission found that the request complies with Subsection 21.300.B.17.

18. *All existing and proposed public and private easements, restrictions, and covenants providing for, or affecting all services, utilities, or access must be shown on the face of the map along with the legal description. If it is a pre-existing easement or if the easement has been filed with the County Clerk prior to the final approval of the land partition, then the Recorder's number shall appear on the face of the map; and*

FINDING: The preliminary subdivision maps indicate the locations of public and private easements. A **condition** of approval requires that the final plat provide all existing and proposed public and private easements, restrictions, and covenants providing for, or affecting all services, and utilities, and that if the easement has been filed with the County Clerk prior to the final approval of the land partition, then the Recorder's number shall appear on the face of the map.

FINDING: During the August 1, 2023, Planning Commission Hearing, commissioners requested that assurances be provided that "Tract A" shall never be further divided or developed. The proposed use of "Tract A" contains remote set asides for individual drainfields and their associated backup drainfields (for

drain fields for Lots 1 (reserve), 2 and 6). Based on the Planning Commission's inquires and statements made during the hearing, a **condition** of approval requires that all necessary easements, restrictions, and covenants be provided for Tract A to ensure the lot is used for the purpose provided within the application and approved by the Planning Commission on August 1, 2023.]

As proposed and with the recommended condition of approval, the Planning Commission found that the request complies with Subsection 21.300.B.18.

19. *Proposed lots, approximate lot dimensions, and lot numbers. Where lots are to be used for purposes other than residential, it shall be indicated upon such lots.*

FINDING: The preliminary subdivision maps and application forms provide the information necessary for this criterion. The Planning Commission found that the request complies with Subsection 21.300.B.19.

20. *Parks, playgrounds, recreation areas, parkways, and other open space for public use.*

FINDING: The preliminary subdivision maps indicate a public park "Tract B" and private open space area "Tract A". The Planning Commission found that the request complies with Subsection 21.300.B.20.

21. *Locations of proposed tree plantings or other plantings. Appropriate information clearly stating the map is a tentative plan.*

FINDING: Application materials provide the following regarding proposed landscaping:

"Residential Evaluation
Proposed Landscaping
The disturbed areas shall be revegetated with native grasses such as Koeleria macrantha (Prairie Junegrass) by seed. Seeding in non-irrigated areas (roadside slopes) shall be done during spring or fall, when they will be irrigated by rain. Irrigation shall be provided by the owner to ensure growth of plants for any areas planted during dry weather and through dry seasons, until established. If berms are placed to reduce setbacks for Lots 1 and 2 shall be planted per the guidance in the Wasco County and National Scenic Area (NSA) Land Use and Development Code to create a combined height of 15' (8' berm plus 7' planting)."

(Residential Evaluation, Page 3).

The preliminary subdivision maps and application forms have provided the information required by this criterion. The Planning Commission found that the request complies with Subsection 21.300.B.21.

22. *Proposed source of water supply, if any; estimated volume to be available, together with data regarding the location, type, and size of all storage facilities, distribution lines, fire hydrants, and gate valves.*

FINDING: Application materials provide the following regarding proposed source of water supply:

"Residential Evaluation
Utilities
Lots 1 and 2 will obtain water service from existing water mains in the existing roads. The developer proposes to install a 4" looped water main from the existing water mains in

> Sandstone Way and deadend main in Hermit's Way to serve lots 3-6. This plan has been discussed with Chenowith Water District, and they indicate that there is plenty of water plan for the proposed homes and they will let us know if they will require looping to Hermit's Way."
>
> (Residential Evaluation, Page 3).

Additional water requirements are included in Section 21.030.P., regarding state fire safety standards. Staff contacted Chenowith Water district by email on July 9, 2023, for comments. Darrin Eckman provided the following comments on July 17, 2023:

> "As the Engineer of Record for the Chenowith Water PUD I wanted to go on record regarding the development proposed by the Smilekel Group (921-23-000023-PLNG).
>
> > The proposed subdivision is within the Chenowith Water PUD service area and we are willing to provide domestic water service to the six residential lots.
> >
> > We have been in communication with the developers engineer, Ms. Elizabeth Betts (Klein & Associates, Inc.), and are in general agreement that the developer will:
> >
> > - Connect to the existing 6" line at the intersection of Ledge Way and Hermits Way;
> > - Replace the existing 4" water main in Ledge Way with 6" from Hermits Way to the proposed Cavern Way;
> > - Install new 6" water main in Cavern Way from Ledge Way to its southerly terminus;
> > - Install a fire hydrant assembly at the southerly terminus in the cul-de-sac;
> > - Install typical residential water services to each lot with the meter to be placed in and at the edge of the Cavern Way ROW; and
> > - Provide a 20-foot wide public utility easement across Lot 1 where the existing CWPUD watermain is located.
>
> All materials and work to conform to CWPUD standards. The developer is to enter into an Agreement to Reimburse for CWPUD contracted fees and pay the Subdivision Plan Review fee ($750).
>
> Each lot owner will be required to pay the Meter Drop-in Fee ($500) and System Development Charge ($3,100) at the time service is requested. Fees are subject to change."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

A **condition** of approval requires that the final subdivision review shall provide the proposed source of water supply, estimated volume to be available, together with data regarding the location, type, and size of all storage facilities, distribution lines, fire hydrants, and gate valves.

Based on the aforementioned information, commentary, the preliminary subdivision maps and application forms, and the recommended condition of approval, the Planning Commission found that the request complies with Subsection 21.300.B.22.

> *23. If domestic water supply proposed by the developer includes the drilling of wells, information on the feasibility of well drilling. Such information will be provided even if the developer is not required by the Commission to drill the wells.*

FINDING: Application materials provide the following regarding proposed source of water supply:

> "Residential Evaluation
> Utilities
> Lots 1 and 2 will obtain water service from existing water mains in the existing roads. The developer proposes to install a 4" looped water main from the existing water mains in Sandstone Way and deadend main in Hermit's Way to serve lots 3-6. This plan has been discussed with Chenowith Water District, and they indicate that there is plenty of water plan for the proposed homes and they will let us know if they will require looping to Hermit's Way."
>
> (Residential Evaluation, Page 3).

Based on the aforementioned information, the preliminary subdivision maps and application forms, and the recommended condition of approval, the Planning Commission found that the request complies with Subsection 21.300.B.23.

24. The proposed method of sewage disposal.

a. If to be served by a community sewer system, data regarding the location, type, size, approximate grade, and capacity of all collection lines, feeder lines, trunk lines, pumping stations, storage facilities, backflow prevention devices, and gate valves. If treatment is to be accomplished by an existing municipal or public sewage facility, a statement regarding the ability of the facility to accommodate the projected increased load. If treatment is to be accomplished by a new installation or privately owned treatment facility, a statement regarding conformity to applicable regulations of the Oregon State Department of Environmental Quality.

b. If to be served by a community collection and storage system, data regarding the location, type, size, approximate grade, and capacity of all lines, holding tanks, storage facilities, pumping facilities, and valves.

c. If to be served by subsurface sewage disposal, a statement from an authorized representative of the Department of Environmental Quality, State of Oregon, or the County Sanitarian regarding the approval of each lot or parcel to be sold for installation of septic tank facilities.

FINDING: Sanitation for the proposed six lots will be provided by subsurface sewage disposal (septic and drain field). Subsection 21.300.B.23.c is applicable.

From the application materials provided, it is clear that soil conditions on the subject property outright prohibit or at the very least, significantly restrict the construction of septic systems on the existing 66 smaller lots. Concerning soil quality and septic system expertise, staff requested comment from Eric Grendel Environmental Health, REHS North Central Public Health District. Mr. Grendel provided the following comments on June 28, 2023:

> "I appreciate you reaching out to seek input from the Environmental Health Department.

I've reviewed this proposed replat a few times since taking over the onsite septic program for NCPHD and have also met with my predecessor John Zalaznik who conducted the site evaluation back in 2017, to discuss his interpretation of the proposed replat and development.

Prior to John's evaluation, this proposal went through a Preliminary Feasibility Study by Aqua Resource Design & Consulting and was most notably finalized by REHS Brannon Lamp who is a highly regarded consultant for environmental health services. In Brannon's results, he suggested that the Re-Plat include a series of easements and some help from a designer to adequately demonstrate that the design could support both primary and secondary drainfield areas for 7-8 lots.

Klein Associates was then hired in July of 2017 to create a schematic for the proposed development and replat for the individual lots, which included Aqua Resources sampled soil pit sites. This was provided to John Zalaznik for his site evaluation which was conducted on 9/28/17.

John's evaluated 8 lots for onsite septic suitability and proposed that the area have an Engineered hydrologic Study be conducted due to his concerns over the loading capacity of the site and landslide potential.

Environmental Management Services, INC. (EMS) was then hired to determine whether or not the site was stable to accept the projected daily flow for wastewater.

EMS determined that there were some factors that would indicate there be a cautious approach with the designing of the septic systems and determined that a pressurized distribution system be considered to prevent the uneven distribution of effluent to avoid instability of localized saturated soils. EMS also recommended that Erosion Control Measures be implemented to further prevent any destabilization that could occur.

From my standpoint, working with small lots (Murray's Addition, Sportsman's Park, Pine Hollow) is a major challenge once they've been developed because finding a suitable replacement site can be limited. Since these lots have not been developed yet, NCPHD can require certain criteria to be met before approving a structural permit for sanitation, or a construction permit for onsite wastewater disposal however, larger lots such as the ones proposed do provide more room for adjustments (even if they're on easements). Many times, people may build something in an area that doesn't require a permit and don't think about that space being the only suitable replacement area which can compound an already difficult situation.

While the hypothetical situations are endless as to what could occur in any development, I do believe that expanding the footprint of these lots would be more suitable than trying to squeeze in several ATT systems on smaller lots if they were found to be approved for onsite wastewater treatment.

This replat has had several environmental specialists provide insight into the proposed development, in which I cannot see anything that would keep this from moving forward as long as it's designed and installed appropriately."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Mentioned in Mr. Grendel's comments was the Environmental Management Systems, Inc. Hydrology Study that was submitted with the subdivision application. The Engineering Hydrologic Study that was published as Job: 22-0073 on December 12, 2022 by Environmental Management Systems, Inc. provides the following regarding erosion, and recommends a number of construction standards for septic and drainfield placement:

> **"**EXISTING CONDITIONS & POTENTIAL IMPACTS
> • Site Conditions did not present obvious active indicators of erosion or soil movement, but the County Feasibility Evaluator, John Zalaznik, REHS expressed concerns about site stability and required an Engineering Study of the Hydrologic impact of installation of drainfields on the common area to be used for drainfields." (Engineering Hydrologic Study Job: 22-0073, Page 2).

The Engineering Hydrologic Study report provides a list of findings regarding septic and drainfield installation as well as erosion control measures.

> "FINDINGS:
> • Use of traditional gravity trenches was not considered because of limited space and because gravity dispersal would result in localized saturated flow, with potential for destabilizing the site. Void spaces would be larger with gravity piping, but since this is not being considered, is moot.
>
> • Use of traditional Gravel trenches would add significant weight that could be destabilizing to the site.
>
> • Use of EZFiow Polystyrene Gravel Substitute would result in significantly less weight on the sloped site than gravel, so actually be considered to stabilize the site.
>
> • Use of pressurized piping reduces uneven distribution of effluent thereby avoiding instability caused by localized saturation. 1 inch diameter PVC piping would be used in either gravel or EZFiow configurations, and present negligible weigh on the site.
>
> • Erosion Control Measures should be implemented to prevent destabilization.
>
> EMS performed the following project tasks to support this project:
>
> • Designed & Staked the Initial and Reserve Drainfield lines to serve Alternative Treatment Technology (ATT) systems located in each respective lot and which will pump treated effluent to their respective easement areas located in Tract A.
>
> • Prepared septic designs modified as needed based on hydrologic evaluation and County requirements.
>
> • Consulted with the manufacturer of EZFiow Polystyrene Gravel Substitute for concurrence with the proposed use of their products.
>
> • Prepared this report and design for review by the project engineer and County DEQ Agent.
>
> EMS designed the drainfield components to receive highly treated effluent from the ATT System located at each of the 4 sites. The design has the following mitigating factors to further reduce instability:

1. Use of lightweight EZ Flow Polystyrene Substitute Drain Media instead of gravel.

2. Pressure Distribution to equalize the effluent flow over each active drainfield trench.

3. Spacing of>= 20 feet between installed drainfield lines, spreading effluent out across the site. Reserve lines are designated for future installation planned, but not installed. If ever used, these lines would replace the initially installed lines.

4. Removal of Excess Soil would also slightly reduce the amount of weight on the overall drainfield area. This step is considered optional to provide additional stability. If kept on the drainfield site, excess soil must be spread out over the total initial and reserve area.

5. Site gravel substitute to be covered in the trench excavation, and seeded for stability, immediately following approved inspection by EMS and authorized NCPHD Personnel." (Engineering Hydrologic Study Job: 22-0073, pp. 2-4).

The preliminary plat provides the location of the proposed septic system drainfields (See Preliminary Plat Sheet 5 of 5). Drain fields for Lots 1 (reserve), 2 and 6 have been evaluated and approved to be within easements in the open space tract (Tract A). Lots 4, 5, and 3 will contain their own primary and reserve drain fields.

FINDING: A **condition** of approval requires the final plat provide a statement from an authorized representative of the Department of Environmental Quality, State of Oregon, or the County Sanitarian regarding the approval of each lot or parcel to be sold for installation of septic tank facilities. The preliminary subdivision maps, application forms, commentary, and recommended condition of approval, the Planning Commission found that the request complies with Subsection 21.300.B.24.c.

25. Proposed building setback lines

FINDING: The preliminary subdivision maps and application forms provide staff with the information required within this criterion. The Planning Commission found that the request complies with Subsection 21.300.B.25.

C. Development Phasing:

1. A preliminary subdivision plan may provide for platting in as many as three (3) phases. The preliminary plan must show each phase and be accompanied by proposed time limitations for approval of the final plat for each phase.

2. Time limitations for the various phases must meet the following requirements:

a. Phase 1 final plat shall be approved within twelve (12) months of preliminary approval.

b. Phase 2 final plat shall be approved within twenty four (24) months of preliminary approval.

c. Phase 3 final plat shall be approved within thirty six (36) months of preliminary approval.

FINDING: The applicant has not proposed phasing the development of the subdivision, therefore the timeline criterion in Subsection E below will apply, and Subsection 21.300.C is not applicable to the request.

D. Criteria for Approval of Preliminary Subdivision Plan:

1. A decision on the preliminary subdivision plan application shall be made by the Approving Authority as provided in Chapter 2 of this Ordinance.

2. The preliminary subdivision plan shall be approved if the Approving Authority finds the following:

a. The information required by this Chapter has been provided;

b. The design and development standards of Section 21.030 of this Chapter have been met; and

c. If the preliminary plan provides for development in more than one phase, the Approving Authority makes findings and conclusions that such phasing is necessary due to the nature of the development, and that the applicant will be able to comply with the proposed time limitations.

FINDING: As identified in Chapter 2, the decision on the preliminary subdivision plan will be determined by the Planning Commission. The Planning Commission hearing will be held on August 1, 2023. Staff has recommended approval of the preliminary subdivision plan since the information required by Chapter 21 was provided, and the proposal was found to comply with the development standards of Section 21.030. The development of the subdivision will not be phased. The Planning Commission found that the request complies with Subsection 21.300.D.

E. Duration of Preliminary Subdivision Plan Approval:

1. Approval of a preliminary subdivision plan shall be valid for twenty-four (24) months from the date of approval of the preliminary plan, provided that if the approved preliminary plan provides for phased development, the approval shall be valid for the time specified for each phase, subject to the limitations of Section 21.200 C 2 of this Ordinance.

2. If any time limitation is exceeded, approval of the preliminary subdivision plan, and any subsequent phases, shall be void. Any subsequent proposal by the applicant for division of the property shall require a new development request.

F. Granting of Extensions

1. An applicant may request an extension of the validity of a preliminary subdivision plan approval, or, if the preliminary plan provides for phased development, an extension of the validity of preliminary approval with respect to the phase the applicant is then

developing. Such request shall be considered an Administrative Action and shall be submitted to the Director, in writing, prior to expiration of such approval, stating the reason why an extension should be granted.

2. *The Director may grant one extension of up to twelve (12) months in the validity of a preliminary subdivision plan approval or, if the preliminary plan provides for phased development, one extension of up to twelve (12) months in the validity of a preliminary subdivision plan approval with respect to the phase then being developed, if it is determined that a change of conditions, for which the applicant was not responsible, would prevent the applicant from obtaining final plat approval within the original time limitation.*

FINDING: Following approval from the planning commission, the preliminary subdivision plan will be valid for a 24-month period, with no phasing proposed in accordance with Subsection 21.200C.2. To ensure compliance, a **condition** of approval requires that approval of the preliminary subdivision plan is valid for 24 months from the date of final approval, which is the end of the 15-day appeal period following the final decision of the Planning Commission. A final subdivision plat must be submitted for review by the authorized decision making body prior to the expiration of the 24 month period of validity. If the time limitation expires, approval of the preliminary subdivision plan shall be void. Any subsequent proposal by the applicant for a division of the property shall require a new development request. An extension of time may be granted, if it is applied for in accordance with Section 2.250 Extension of Validity of Land Use Approvals, and Subsection 21.200.F of the Wasco County National Scenic Area Land Use and Development Ordinance. With the recommended condition, the Planning Commission found that the request complies with Subsections 21.300.E and 21.300.F.

Section 21.310 Final Subdivision Plat Approval

Approval of a final subdivision plat is reviewed by the Planning Commission and subject to the provision of Chapter 2.

A. *Application for Final Subdivision Approval:*

1. *Before expiration of the validity of the preliminary subdivision plan approval obtained pursuant to 21.300, the applicant shall cause an Oregon licensed land surveyor to survey the subdivision and to prepare a final plat, in conformance with the approved preliminary plan.*

2. *The applicant shall initiate a request for final plat approval by filing with the Director a final plat, an exact reproducible copy, other supporting documents as described in B, Final Subdivision Plat Requirements through D, Performance Bond, below, and the appropriate fees as established by the County Governing Body.*

FINDING: Prior to the expiration of the preliminary subdivision approval, the applicant, per the requirements of Section 21.300, requires that the applicant shall initiate a request for final plat approval by filing with the Director a final plat, an exact reproducible copy, other supporting documents as described in B, Final Subdivision Plat Requirements through D, Performance Bond, and the appropriate fees as established by the County Governing Body.

The Wasco County Planning Department shall review the final subdivision plat for conformance, and schedule a public hearing before the available decision making authority for final review and approval.

B. Final Subdivision Plat Requirements:

1. The final plat shall be prepared in conformance with all provisions of this Section.

FINDING: A copy of Subsection 21.310.B. is provided in Attachment G. A **condition** of approval requires the final plat shall be prepared in conformance with all applicable provisions of Subsection 21.310.B.

(***)

C. Agreement for Improvements

1. Before approval of the final subdivision plat, the applicant shall either install the improvements required by the preliminary plan approval and repair existing streets and other public facilities damaged in the development of the subdivision, or shall execute and file with the County Governing Body an agreement between himself and the County specifying the period within which required improvements and repairs will be completed. The agreement may provide that if work is not completed within the period specified, the County may complete the work and recover the full cost and expense thereof from the applicant.

2. An applicant may request an extension of time for completion of required improvements. Such request will be considered an application for administrative action. Such extension shall be approved only if changed conditions for which the applicant is not responsible have made it impossible for him to fulfill the agreement within the original time limit(s).

FINDING: A **condition** of approval requires that prior to final subdivision plat approval and pubic road dedication, the applicant shall either install the improvements required by the preliminary plan approval and repair existing streets and other public facilities damaged in the development of the subdivision, or shall execute and file with the County Governing Body an agreement between himself and the County specifying the period within which required improvements and repairs will be completed. The agreement may provide that if work is not completed within the period specified, the County may complete the work and recover the full cost and expense thereof from the applicant.

The applicant may request an extension of time for completion of required improvements. Such request will be considered an application for administrative action. Such extension shall be approved only if changed conditions for which the applicant is not responsible have made it impossible for him to fulfill the agreement within the original time limit(s).

D. Performance Bond

1. To assure full performance of the improvement agreement, an applicant shall provide one of the following:

a. A surety bond executed by a surety company authorized to transact business in the State of Oregon on a form approved by the District Attorney; or

b. cash deposit with the County Tax Collector; or

c. certification or letter of assurance by a bank or other reputable lending institution that money is being held to cover the cost of improvements and incidental expenses, and that said money will be released only upon the direction of the County Road Master. The bank certification or letter of assurance shall be approved by the District Attorney; or

d. cash deposit with an escrow agent authorized to transact business in the State of Oregon subject to escrow instructions that require the escrow agent to release the money only upon the direction of the County Road Master. Escrow instructions shall be approved by the District Attorney.

2. Such assurance shall be for a sum determined by a qualified licensed engineer or in the case of survey monuments, a licensed land surveyor as sufficient to cover the costs of included improvements and repairs or monuments and including related County expenses; and

3. Such assurance provides that: If the applicant fails to carry out provisions of the agreement or the County has unreimbursed costs or expenses resulting from such failure, the County shall call on the bond or cash deposit for reimbursement; if the amount of the bond or cash deposit exceeds the cost and expense incurred by the County, the County shall release the remainder; and if the amount of the bond or cash deposit is less than the cost and expense incurred by the County, the applicant shall be liable to the County for the difference.

FINDING: If the applicant elects to execute and file with the County Governing Body an agreement for improvement as specified in Subsection 21.310.C.1., to ensure full performance of said agreement, a **condition** of approval requires the applicant provide one of the following options prior to final subdivision plat and public road dedication approval:

a. A surety bond executed by a surety company authorized to transact business in the State of Oregon on a form approved by the District Attorney; or

b. cash deposit with the County Tax Collector; or

c. certification or letter of assurance by a bank or other reputable lending institution that money is being held to cover the cost of improvements and incidental expenses, and that said money will be released only upon the direction of the County Road Master. The bank certification or letter of assurance shall be approved by the District Attorney; or

d. cash deposit with an escrow agent authorized to transact business in the State of Oregon subject to escrow instructions that require the escrow agent to release the money only upon the direction of the County Road Master. Escrow instructions shall be approved by the District Attorney.

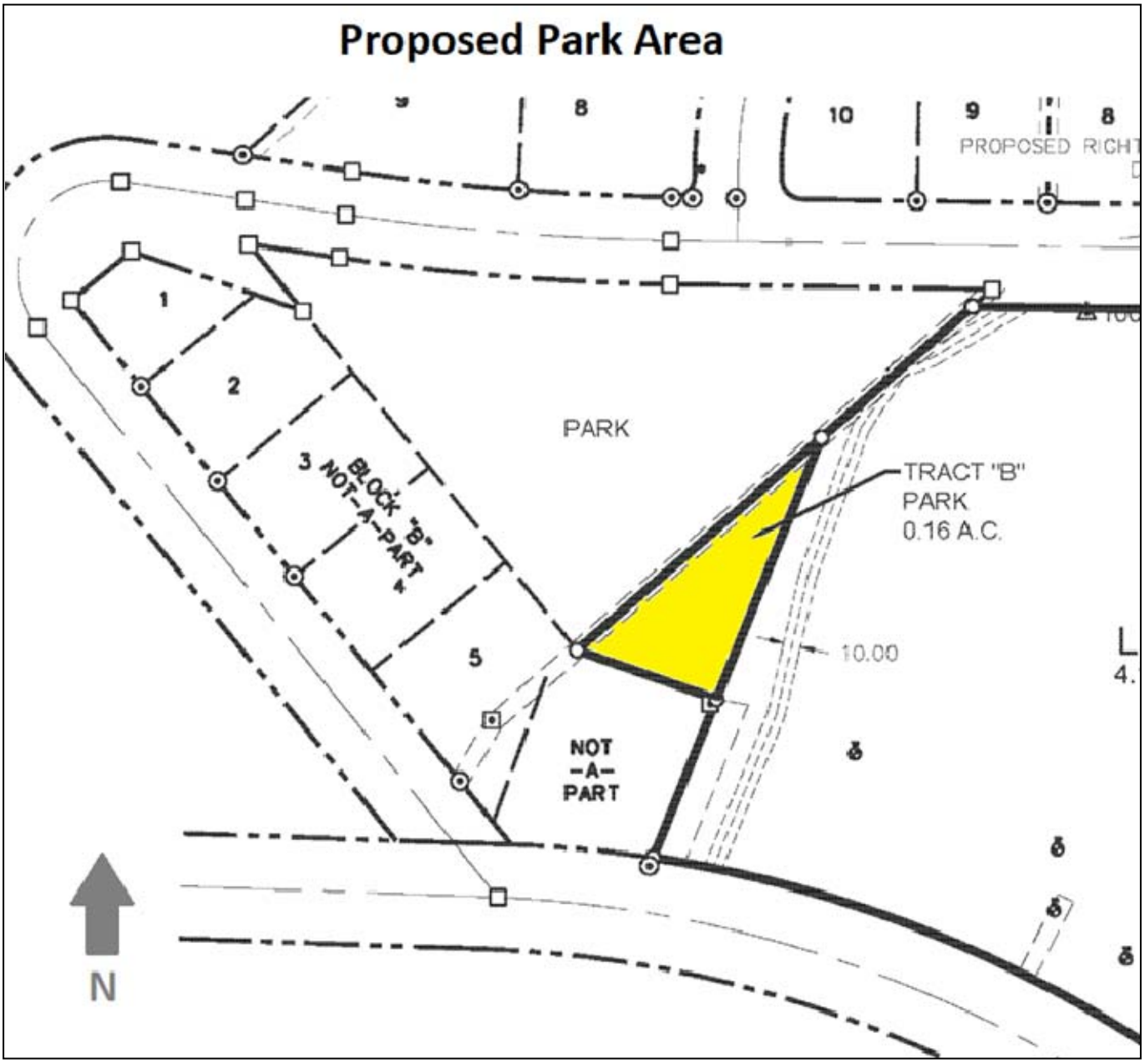
Additionally, a **condition** of approval requires that the assured amount shall be for a sum determined by a qualified licensed engineer or in the case of survey monuments, a licensed land surveyor as sufficient to cover the costs of included improvements and repairs or monuments and including related County expenses; and

Such assurance provides that: If the applicant fails to carry out provisions of the agreement or the County has unreimbursed costs or expenses resulting from such failure, the County shall call on the bond or cash deposit for reimbursement; if the amount of the bond or cash deposit exceeds the cost and expense incurred by the County, the County shall release the remainder; and if the amount of the bond or cash deposit is less than the cost and expense incurred by the County, the applicant shall be liable to the County for the difference.

E. Parks, Playgrounds, or Recreational Areas: The Approving Authority may require parks, playgrounds, or recreational areas be provided in the final subdivision plan and dedicated to the County in locations and of size indicated by the Plan for the area in which the subdivision is located.

F. Recreational Fund: Where no parks, playgrounds or recreational areas are required by the Commission, the subdivider shall pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. Such sum shall be paid to the County Clerk prior to recording of the final subdivision plan and such sum shall be held by him in a special fund for acquisition and development of parks, playgrounds, and recreational areas within the immediate area of the subdivision.

FINDING: All of the proposed Lots will have frontage along publicly dedicated roads and no blocks are proposed. However, a 0.16-acre unit of land will be dedicated to public park space. “Tract B” will serve the proposed subdivision, and the surrounding residentially zoned properties. The park will be situated on the west side of an existing area designated as a park, and on the east side of the proposed Lot 1 (See “Proposed Park Area” below). The proposed park area is land locked and does not have public street frontage.



Concerning the proposed park space, comments were received from the Executive Director of the northern Wasco County Parks & Recreation District Scott Baker on July 6, 2023:

> "As we discussed, 1N 13E 5 AD 600 Account Number: 13902 is not currently owned or maintained by NWCPRD. It has little or no recreational value and increasing its size .16 acre does not make it a better fit for public recreation. My opinion is that Wasco County would be better served by a cash payment in lieu of the property. If Wasco county is the owner of the adjacent "publicly owned" property, I would encourage them to surplus the property and acquire much needed park space on the westside."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Additional comments pertaining to the proposed park dedication were received from the Wasco County Assessor Jill Amery and Wasco County Administrator Tyler Stone on July 12, 2023:
Jill Amery wrote:

> "The current park lot as you have seen from the previous correspondence has been very problematic. Though it isn't my decision on which path to take, my opinion for this subdivision is to not add another park space. Let the developer pay into the fund. If my initial calculation of the lots impacted are correct, the developer could pay an approximate $6,480.51 into the fund and forego the park."

Tyler Stone wrote:

> "Wasco County currently does not have a dedicated program to support the continued management of dedicated public space. I encourage you to recommend, in lieu of dedication of land, you to require a payment to the County that will be held in a special fund for acquisition and the development and support of nearby public parks and facilities."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

None of the proposed lots will create an unusable property. The Private Open Space Tract A will be used for primary septic drain fields for Lots 2 and 6 and as a reserve drain field for Lot 1. Tract A will facilitate residential use of the six proposed lots. The Planning Commission has determined that the Public Park space Tract B will not be required for the proposed replat. Instead the Planning Commission has provided a condition of approval requiring the subdivider pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. The proposed park space will be enveloped into Lot 1.

Based on commentary, the fact that fee ownership of the existing park space has not been properly established, and that there are public recreation options that do not include the dedication of public park space, the Planning Commission determined that the Public Park space Tract B will not be required for the proposed replat. Instead the Planning Commission provided a **condition** of approval requiring the subdivider pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. Such sum shall be paid to the County Clerk prior to recording of the final subdivision plat and such sum shall be held by the County Clerk in a special fund for acquisition and development of parks, playgrounds, and recreational areas within the immediate area of the subdivision. The proposed park space will be enveloped into Lot 1.

With recommended conditions, the Planning Commission found that the request with Subsection 21.310.B

(***)

H. Standards for Final Subdivision Plat Approval

1. The Planning Commission shall grant final subdivision plat approval if they determine that the final plat and supporting documents are in substantial conformance with the approved preliminary plan, including any conditions imposed by the Approving Authority. Substantial conformance means that any differences

between the preliminary and final plans are "minor amendments", as defined in 21.110(A)(1).

2. *The granting of final plat approval shall not be affected by a change in the zone or plan map designation of the subject property made after approval of the preliminary subdivision plan.*

3. *Approval of a final plat by the Approving Authority shall constitute an acceptance by the public of the dedication of any street shown on the plat. Acceptance of a street by approval of the final plat shall not constitute an acceptance to maintain the street. Acceptance for maintenance of any street by virtue of approval of the final plat shall be by a separate process of petitioning the County Governing Body for acceptance of road maintenance. Approval of the final plat shall not act as an acceptance by the public of any other land for public purposes.*

I. *Filing and Recording of Final Plat*

1. *After final plat approval, the applicant shall submit without delay the final plat for signatures of the following County officials, in the order listed:*

   a. *Planning Commission Chairman;*

   b. *County Surveyor;*

   c. *County Assessor/Tax Collector;*

   d. *An authorized representative of the Department of Environmental Quality, State of Oregon, or the County Sanitarian;*

   e. *County Sheriff;*

   f. *County Commissioners;*

   g. *County Clerk.*

2. *The final plat shall be recorded within thirty (30) days of the date that the approvals and signatures required by H, Standards and Recording of Final Plat and (1) above were obtained.*

***Section* 21.400 Private Road Approval and Public Road or Street Dedications**

Any person desiring to create a public street or private road not part of a subdivision or land division shall
make written application to the Director. Approval of a public or private road is reviewed by the County Governing Body. Public or private roads being created as part of a subdivision or land division shall be reviewed by the Planning Commission subject to the provisions of Chapter 2.

A. *Application for Tentative Plan*

1. *An application for tentative plan approval for road or street dedication or private road approval shall be initiated as provided in Chapter 2 of this Ordinance.*

2. *The applicant shall submit to the Director a written application and of a Tentative Plan prepared in accordance with B below, Information Required on Tentative Plan*

3. *The Director shall distribute a copy of the Tentative Plan to the County Road Master and obtain their recommendation on the proposed action.*

FINDING: The property owner submitted a written subdivision and road dedication application to the Wasco County Planning Department and a digital copy of a preliminary subdivision plan map which also serves as the tentative public road dedication map to the Planning Department on February 7, 2023.

The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way roads platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

The tentative plan contained all of the information provided in Subsection 21.300.B, and a copy of the tentative plan was distributed to the Wasco County Public Works Director for recommendation on March 16, 2023 and June 26, 2023.

The Director of Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "We received a petition to vacate several roads within the Columbia Crest Addition back in May, 2022. The Smilekel Group made that request. I would need an updated road vacation petition, clearly showing what roads or sections of road are proposed for vacation. Then, depending on the Planning Commission decision, we could move forward with the BOC on the vacations, pending approval of the new road dedications / subdivision plat."

Additional comments concerning the existing Sandstone Way and Hermits Way, and the proposed Cavern Way cul-de-sac Road were received on July 3, 2023:

> "The existing roadway widths are adequate to serve the additional lots and appear to have been built to meet our minimum road standards. I would not require any road widening. My only request would be for a Road Maintenance Agreement or Homeowners Agreement to ensure that the public roads are maintained after development."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

The application provides that road maintenance for Cavern Way "will be provided by the homeowners and will be managed with a road maintenance agreement." (Project# 170105 Replat narrative, Page 10). A preliminary copy of the road maintenance agreement is provided in Attachment F and available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

The Planning Commission found that the request complies with Subsection 21.300.A.

B. Information Required on Tentative Plan: Tentative Plans shall include the following information presented in the following form:

1. The Tentative Plan shall be clearly and legibly drawn to an appropriate scale so that the Approving Authority may have an adequate understanding of what is proposed.

2. A vicinity map showing the proposal in relationship to other existing or proposed streets.

3. Date, north point and scale

4. Name and address of applicant and the person preparing the Tentative Plan.

5. Appropriate identification of the drawing as a Tentative Plan.

6. Location of the proposed dedication or private road abutting the unit of land proposed to be approved by the Section, Township and Range sufficient to define its location and, if available, a centerline description or right of way boundary description.

7. Zoning classification and Comprehensive Plan Map designation.

8. The names of adjacent subdivisions and the names of recorded owners of adjoining lots, parcels or units of land and the amount of frontage each owner has on the proposed dedication or on the private road.

9. Existing roads or street(s) intersecting or meeting the proposed dedication or private road.

FINDING: The tentative plan was professionally drawn by Klein & Associates Inc., and is clearly and legibly drawn to an appropriate scale. A vicinity map demonstrates the proposed road, Cavern Way, a cul-de-sac road to be dedicated in relation to the Prince Heighs Subdivision replat site. (See Preliminary Subdivision Replat Sheet 4 of 5). Staff confirms that the tentative plan conforms to all applicable criteria listed in the Wasco County LUDO Subsection 21.300.B. The Planning Commission found that the request with Subsection 21.400.B.

C. Approval of Road or Street Dedication

1. After considering the recommendation by the County Roadmaster, the Approving Authority shall approve the Tentative Plan for road or street dedication and recommend to the County Governing Body the dedication of a public road if it determines that:

a. the information required by this section has been provided;

b. the road or street is or will be improved to meet all applicable standards of these regulations; and

c. dedication of the road or street to the public is consistent with the goals, policies and map of the Comprehensive Plan.

FINDING: The Management Plan for the Columbia River Gorge National Scenic Area provides little guidance regarding road and street dedications or transportation networks; however, Oregon statewide Planning

Goal 12 provides that a Transportation Plan shall "provide and encourage a safe, convenient, and economic transportation system." In order to achieve the planning goal's overall vision, the Wasco County 2040 Comprehensive Plan (See also policies and goals provided in the 2009 Wasco County Transportation Systems Plan (TSP) plan), sets forth several policies and implementation strategies.

Two specific transportation policies relevant to this request are the following:

> **12.1.1** Plan for and maintain an interconnected system of roads that will link communities for all users and that will provide for the existing and future needs for transportation of goods and people in the region. (Wasco County 2040 Comprehensive Plan, Page 259).
>
> **12.1.6** Ensure transparency of infrastructure requirements and ongoing costs for future development.
>
> **Implementation for Policy 12.1.6:**
>
> a. A waiver of remonstrance for future road improvements may be required to be recorded with the County Clerk's office at the time of partition, subdivision or planned unit development application approval.
>
> b. A restrictive covenant agreement requiring acknowledgment of improvement and maintenance costs for local access roads will be required to be recorded with the County Clerk's office at the time of partition, subdivision or planned unit development application approval. (Wasco County 2040 Comprehensive Plan, Page 261).

The proposed road dedication will provide public access to residentially developable properties. Based on the request and expert commentary, the public dedication of the proposed Cavern Way cul-de-sac road will be classified as a public road of local access that will <u>not be added into Wasco County's publicly maintained road system</u>.

Based on Mr. Smith's commentary and the implementation policies within the Wasco County Comprehensive Plan, the following **condition** of approval shall be achieved prior to final subdivision plat approval:

> (1) A waiver of remonstrance for future publicly funded road improvements for the proposed Cavern Way road be recorded with the Wasco County Clerk; and
>
> (2) A restrictive covenant agreement requiring acknowledgment of improvement and maintenance costs for the proposed Cavern Way cul-de-sac be recorded with the Wasco County Clerk.

With the recommended conditions, the Planning Commission found that the request is consistent with the goals and policies of the Comprehensive Plan and Subsection 21.300.C.1.

> *2. If Tentative Plan to dedicate a road or street is recommended to the County Governing Body, and the street to be dedicated has not been improved, the Approving Authority shall recommend conditional approval on improvements of the road or street to the improvement standards recommended by the County Roadmaster.*

FINDING: The property owner submitted a written subdivision and road dedication application to the Wasco County Planning Department and a digital copy of a preliminary subdivision plan map which also serves as the tentative public road dedication map to the Planning Department on February 7, 2023.

The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way roads platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

The Director of Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "We received a petition to vacate several roads within the Columbia Crest Addition back in May, 2022. The Smilekel Group made that request. I would need an updated road vacation petition, clearly showing what roads or sections of road are proposed for vacation. Then, depending on the Planning Commission decision, we could move forward with the BOC on the vacations, pending approval of the new road dedications / subdivision plat."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

The proposed Cavern Way cul-de-sac road has not been constructed, and cannot be dedicated until the existing dedicated roads have been properly vacated. However, the existing dedicated Sandstone Way (portion), Cavern Way, and Granite Way roads cannot be vacated before the proposed subdivision and road dedication are approved because the existing lots within the Columbia Crest Addition Subdivision would be left without public access. A **condition** of approval requires the proposed Cavern Way cul-de-sac road conform with applicable criteria contained within Sections 21.410 through 21.440.

With the recommended conditions, the Planning Commission found that the request is consistent with the goals and policies of the Comprehensive Plan and Subsection 21.300.C.2.

D. Acceptance of Dedication by the County Governing Body

1. Before the County Governing Body may accept the dedication, the applicant must have completed any improvements required as a condition of the approval of the dedication or have complied with 21.310(D).

FINDING: The County Governing Body may not accept the public road dedication until the applicant has either completed any improvements required as a condition of the approval of the dedication, or has complied with Section 21.310.D (Performance Bond). If the applicant chooses to complete road improvements in lieu of compliance with Section 21.310.D (Performance Bond), a **condition** of approval requires that the Wasco County Public Works Director review and approve the completed road improvements prior to the final subdivision and road dedication application being submitted. With the recommended condition, the Planning Commission found that the request is consistent with the goals and policies of the Comprehensive Plan and Subsection 21.300.D.1.

2. *Prior to acceptance by the County Governing Body, the owner of the land to be dedicated shall submit a preliminary title report issued by a title insurance company in the name of the owner of the interest in the land.*

FINDING: A **condition** of approval requires the property owner to submit a preliminary title report issued by a title insurance company in the name of the owner of interest in the land prior to the signing of the final order by the Wasco County Board of Commissioners dedicating the proposed public road of local access as a public road. With the recommended condition, the Planning Commission found that the request is consistent with the goals and policies of the Comprehensive Plan and Subsection 21.300.D.2.

3. *Upon acceptance of the dedication by the County Governing Body, the owner of the land to be dedicated shall prepare a warranty deed dedicating the land to the public.*

4. *The County Governing Body shall indicate their approval of the dedication by an order accepting the deed and by recording such order with the recording of the deed.*

FINDING: A **condition** of approval requires the owner of the property prepare a Dedication Deed dedicating Cavern Way illustrated and described in the "Tentative Plan" to the public, upon the acceptance of the dedication of the road issued by the Wasco County Board of Commissioners. After the deed is prepared, the Wasco County Board of Commissioners shall indicate their approval of the dedication by an order accepting the deed and by recording such order with the recording of the deed. With this condition, the Planning Commission found that the request with Subsections 21.300.D.3-4.

5. *No road or street will be accepted for maintenance as part of the county road system unless it meets the standards of subsection (B) and (C) of this Section and is ordered accepted by the County Governing Body pursuant to law.*

FINDING: Based on the application, expert commentary from the Wasco County Public Works Director, staff recommends the subject road **not be included** into the Wasco County road system for public maintenance, and that based on that recommendation, Subsection 21.300.D.5, is not applicable to this request.

E. Approval of a Private Road

1. *The County Roadmaster shall determine if the private road meets the improvement standards and shall submit his findings as a written recommendation to the Approving Authority.*

2. *The Approving Authority shall approve a private road if it finds that the private road meets the basic provisions and design standards of Section 21.030 and also the improvement standards for private roads.*

3. *Upon approval of such private road, the applicant shall submit a boundary line or centerline survey of the road, unless the location of the road is already established by existing property line surveys recorded with the County Surveyor. The boundary line survey shall be submitted to the Director and the Wasco County Surveyor.*

FINDING: The proposed Cavern Way cul-de-sac road will be a public dedicated road, not a private road. The Planning Commission found that the request that Subsection 21.300.E is not applicable to this request.

Section 21.410 - Improvements
The improvement standards contained in Sections 21.410 through 21.440 shall apply to all subdivisions, street dedications and private road approvals in Wasco County.

A. Improvement Requirements: The following improvements shall be installed at the expense of the subdivider partitioner, or person(s) creating the road:

1. Roadways in all cases shall conform with the improvement standards set forth herein.

FINDING: A **condition** of approval requires that all roadway construction shall conform with applicable criteria contained within Sections 21.410 through 21.440. With the recommended condition of approval, the Planning Commission found that the request complies with Subsection 21.410.A.1.

2. Sidewalks shall be constructed in dedicated pedestrian ways along streets where determined necessary by the Approving Authority for pedestrian safety.

FINDING: Staff has conferred with the Wasco County Public Works Director Arthur Smith on July 13, 2023 concerning sidewalks. Mr. Smith provided comment on July 17, 2023:

> "Wasco County's Rural road standards do not include sidewalks, curbs or gutters. I would apply the Rural road standards here, unless you believe that the City of The Dalles is interested in annexing this development?. Most county roads are "shared" roadways, with no dedicated bike lanes, so I would not recommend a bike lane."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Based on provided commentary, sidewalks shall not be required for this request. The Planning Commission found that the request complies with Subsection 21.410.A.2.

3. The applicant shall undertake on site grading and construction or installation of drainage facilities necessary for the purpose of proper drainage of the subdivision, partition, or properties adjacent to the dedicated road.

FINDING: Concerning watercourses, drainage, and grading, application materials provide the following:

> "Grading Plan Narrative
> The proposed scope of work involves construction of a local access road with a culdesac for emergency turnaround. The project is a replat of 66 existing non-conforming lots into 6 larger more conforming lots. Average lot size before replat is about 7,000 sf. Average lot size after replat is 112,748 sf (2.59 acres). The access road and culdesac will require cutting and filling to create a level enough area for the access. Cuts will be along the north side of the access road, so will not be visible from KVA's (hidden by the bluff and homes on the bluff). Fill slopes will primarily be along the south side of the access road, so will also be screened from view since the KVA's are only visible along the east end of the site. At the east end ofthe culdesac, the cut and fill are minimized to reduce visibility from the KVA's." (Grading Plan Narrative, Page 1).

> **"**Stream and Floodplain
> No development is proposed within a designated flood zone or stream setback. FEMA maps do not show

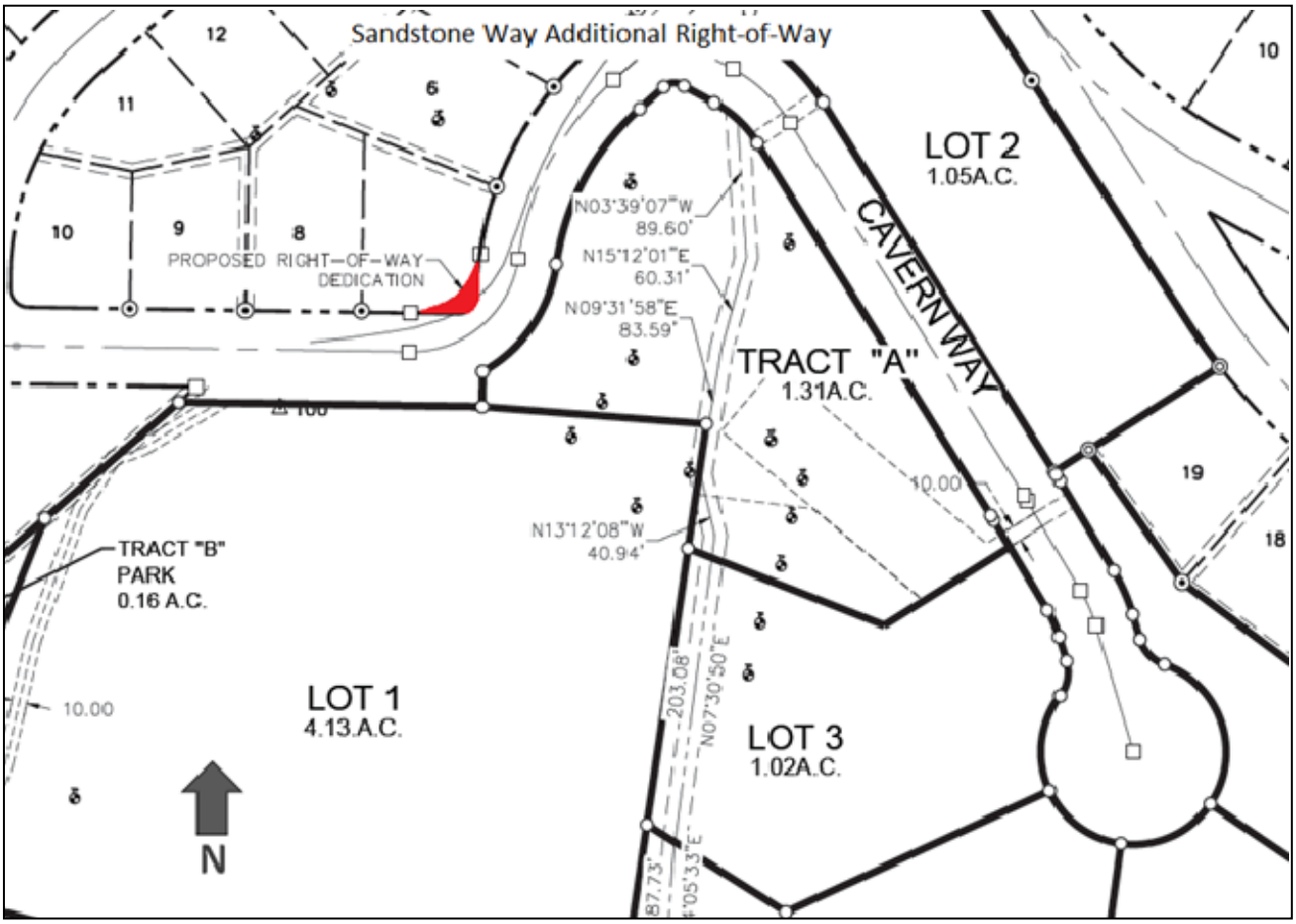
any flood zones mapped on this property, and it is unlikely there would be flooding since these lots are on a hill and without a water source (creek, river, etc)." (Project# 170105 Replat narrative, Page 8).

"Drainage
This project will create little impervious area since most of the roads are already in place. The homes,
driveways, and access road will utilize dispersion and infiltration. Care will be taken to not release
storm water on or near the tops of the steep slopes or directly above drainfields. An 18" culvert will be
installed under the new road where there is an apparent seasonal drainage. This drainage has not been
observed by the developer or engineer to flow but will be accommodated as a precaution." (Project# 170105 Replat narrative, Page 13).

As provided above in Subsection 21.030.U, a **condition** of approval requires an 18" culvert be installed under the proposed Cavern Way cul-de-sac road in the area where the seasonal drainage way is purported to be located. A **condition** of approval requires that all proposed construction on Sandstone Way and the proposed construction of the Cavern Way cul-de-sac road ensure that drainage facilities necessary for the purpose of proper drainage of the subdivision and properties adjacent to the dedicated road are installed prior to final subdivision approval. With recommended conditions, the Planning Commission found that the request complies with Subsection 21.410.A.3.

4. *The applicant shall make improvements to existing County or public roads determined necessary by the Approving Authority at connections and intersections with subdivision streets and at locations where additional subdivision lots or partition parcels are created which front on County maintained roads.*

FINDING: The applicant proposes to dedicate additional right-of way over the existing Sandstone Way and utilities (portions of which were constructed outside of the original dedicated right-of-way). This will center the right-of-way over the existing Sandstone Road. (See "Sandstone Way Additional Right-of-Way Dedication" Map).



The development of the proposed Cavern Way cul-de-sac, additional right-of-way for Sandstone Way, and other preparatory work on the replatted lots may have deleterious effects on the existing Sandstone Way and Hermits Way access roads. A **condition** of approval requires that all roadway construction shall conform with applicable criteria contained within Sections 21.410 through 21.440. With the recommended condition, the Planning Commission found that the request with Subsection 21.410.A.3.

> 5. *Road signs shall be required as an improvement in a subdivision or partition. Wasco County shall install and maintain such road or street signs, provided the person(s) creating the road pays the expense of the initial improvement.*

FINDING: Concerning signage, application materials provide the following:

> "Signs
> Signs are not proposed with this project other than the stop/street sign at the new intersection." (Project# 170105 Replat narrative, Page 13).

The Wasco County Public Works Director Arthur Smith has not provided additional commentary regarding signage.

Regarding subsection 21.030.P., Mid-Columbia Fire and Rescue Division Chief Jay Wood provided substantial comments concerning necessary parking signage along the proposed Cavern Way cul-de-sac road, and a **condition** of approval requires that the subdivder provide signage for both sides of the

Cavern Way cul-de-sac road, and that the signage shall be a minimum of 12" wide x 18" high with red letters with white reflective background with wording of "No Parking" and "Fire Lane". The signage shall be reviewed and approved by Mid-Columbia Fire and Rescue.

A **condition** of approval requires of approval requiring the subdivider purchase at least one street sign and one stop sign, and obtain approval from the Wasco County Public Works Department for the signage. The subdivider shall also purchase any additional signage the Wasco County Public Works Director finds necessary for the health, safety, and welfare of residents. The Wasco County Public Works Department shall install the signage.

6. *When necessary, and consistent with Wasco County's standards, sidewalks shall be required as part of a new road when a proposed development or land division is within an urban growth boundary, or when:*

    a. *The subject property is located within one-quarter mile of a school, shopping center, recreation area, or other use likely to create pedestrian traffic; or*

    b. *The surrounding area is developed with sidewalks or is zoned for commercial, industrial or urban residential uses.*

7. *Sidewalk(s) shall be constructed to applicable standards (see Table 2 Urban Wasco County Roadway Design Standards in the Wasco County Transportation System Plan). Sidewalk requirements may be waived, or may be deferred through a road improvement agreement when, in the opinion of the County, sidewalks would not be immediately necessary to accommodate pedestrian traffic.*

8. *Bicycle facilities shall be required along new roads when necessary to extend an existing bicycle route, or when a bicycle route or way is proposed within an adopted Transportation System Plan.*

FINDING: Staff has conferred with the Wasco County Public Works Director Arthur Smith on July 13, 2023 concerning sidewalks and bicycle facilities. Mr. Smith provided comment on July 17, 2023:

> "Wasco County's Rural road standards do not include sidewalks, curbs or gutters. I would apply the Rural road standards here, unless you believe that the City of The Dalles is interested in annexing this development?. Most county roads are "shared" roadways, with no dedicated bike lanes, so I would not recommend a bike lane."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Based on provided commentary, sidewalks and bicycle facilities shall not be required for this request. The Planning Commission found that the request complies with Subsections 21.410.A.6-8.

B. *Improvement Policies and Standards: The improvement policies and standards contained herein shall apply to development conducted under provisions of this Ordinance. They are primarily intended to govern the design and construction of streets and roads which are to be accepted into the Wasco County maintained road system. These policies and standards also apply to other roads, both public and private, as determined appropriate by the Approving Authority.*

It shall be the duty of the Wasco County Roadmaster to interpret the provisions and requirements of these standards in such a way as to carry out their intent and purposes.

FINDING: The Wasco County Public Works Department Director Arthur Smith has provided commentary and recommendations throughout this report. The Planning Commission found that the request complies with Subsection 21.410.B.

Section 21.420 - Public Streets and Roads

A. General Design Policies: The design of improvements governed by these standards shall, in general, conform to policies set forth in the current editions of the following publications by the American Association of State Highway and Transportation Officials (AASHTO):

1. "A Policy on Geometric Design on Highways and Streets".

2. "Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT < 400)"

FINDING: A **condition** of approval requires of approval that the proposed Cavern Way road, in general, be constructed according to policies set forth in the current editions of the following publications by the American Association of State Highway and Transportation Officials (AASHTO): "A Policy on Geometric Design on Highways and Streets", and "Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT < 400)". With this condition, the Planning Commission found that the request complies with Subsection 21.420.A

B. Design Criteria

1. Improvement of public streets and roads shall conform to the design standards designated for the particular classifications indicated in Table 21-1(Rural Public Roadway Design Standards) & 21-2 (Urban Public Roadway Design Standards) of this Chapter.

2. Roadway sections shall conform to the sections designated for the particular classifications.

3. The design of structural sections of all roadways required by this Ordinance, including arterials, collectors, local access roads and principal highways shall conform with the General Design Policies under Section 21.410 A and the standard specifications which are applicable to construction of improvements under Section 21.410 E 2 of this Chapter. Any deviation from these standards shall be approved by the County Roadmaster.

FINDING: Figure 21-3 – Hierarchy of Property Access "#4" (Page 21-49) provides that the proposed road must be a public road. Table 21-1 (Rural Public Roadway Design Standards) & 21-2 (Urban Public Roadway Design Standards) are provided below:

Table 21-1 – Rural Wasco County Public Roadway Design Standards

	Rural Local Roads									Rural Minor Collector			Rural Major Collector			Rural Arterial		
	Unpaved			Unpaved			Paved			Paved			Paved			Paved		
Design ADT	<25			25-250			25-250			250-400			400 – 2,000			>2,000		
Terrain[1]	L	R	M	L	R	M	L	R	M	L	R	M	L	R	M	L	R	M
Design Speed (mph)	30	30	20	30	30	20	30	30	20	40	30	20	50	40	30	60	50	40
Max Grade (%)	7	10	12	7	10	12	7	10	12	7	9	12	6	8	10	3	4	8
Stopping Sight Distance (ft)	220	235	135	220	235	135	220	235	135	340	230	135	475	350	235	600	610	350
Passing Sight Distance (ft)	-	-	-	-	-	-	1,090	[2]	[2]	1,470	[2]	[2]	1,835	[2]	[2]	2,135	[2]	[2]
Traveled Way Width (ft)	18	18	18	22	22	22	22	22	22	22	22	22	24	24	24	24	24	24
Paved Shoulder Width (each side)																		
- Non Bike Route	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	2	2	2
- Bike Route (ft)	-	-	-	-	-	-	-	-	-	2	2	2	5	5	5	6	6	6
Gravel Shoulder Width (each side)	-	-	-	-	-	-	2	2	2	2	2	2	2	2	2	2	2	2
Roadway Width (Non Bike / Bike Route) (ft)	18	18	18	22	22	22	26	26	26	28 30	28 30	28 30	30 38	30 38	30 38	32 40	32 40	32 40
Number of Lanes	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Minimum ROW Width (ft)	50	50	50	50	50	50	50	50	50	60	60	60	60	60	60	60	60	60
Preferred Access Spacing[3]	75			100			100			150			300			500		

[1] L= Level, R=Rolling, M=Mountainous
[2] See AASHTO manual for guidance.
[3] Lower spacing may be allowed when supported by a traffic study and/or approved by the County Engineer.

FINDING: Aside from additional construction standards recommended as conditions of approval for fire safety within subsection 21.030.P, a **condition** of approval requires that the proposed Cavern Way road shall conform to the design standards designated for the "Paved Rural Local Road" indicated in Table 21-1 (Rural Public Roadway Design Standards). Additionally, a **condition** of approval requires the applicant submit documentation that the constructed public access road has been approved by The Wasco County Public Works Director and has been determined to conform to the "Paved Rural Local Road" and "Local Street" classifications indicated in Table 21-1 (Rural Public Roadway Design Standards) & 21-2 (Urban Public Roadway Design Standards) of this Chapter. This must be completed prior to public dedication by the Wasco County Board of Commissioners. With these recommended conditions, the Planning Commission found that the request with Subsection 21.420.B.1-3.

C. Drawings

1. The County Road Master shall have the authority to publish "Standard Drawings" for the design of public streets and roads. These drawings may be included in the separately adopted document listed in B(1) above.

2. The applicant's design shall conform to the "Standard Drawings".

FINDING: Staff has conferred with the Wasco County Public Works Director Arthur Smith on July 17, 2023 concerning sidewalks and bicycle facilities. Mr. Smith provided comment on July 17, 2023:

"We may have some drawings for typical road cross sections in our TSP (from 2009). That was done before I became Director. However, we defer to the ODOT / APWA standard drawings and specifications."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Based on Mr. Smith's commentary, the Planning Commission found that the request complies with Subsection 21.420.C.

D. General Considerations

1. The County Roadmaster may impose additional design requirements as are reasonably necessary to provide safe and adequate access.

FINDING: The Wasco County Public Works Director Arthur Smith provided the following commentary on July 17, 2023:

> "Wasco County's Rural road standards do not include sidewalks, curbs or gutters. I would apply the Rural road standards here, unless you believe that the City of The Dalles is interested in annexing this development?. Most county roads are "shared" roadways, with no dedicated bike lanes, so I would not recommend a bike lane."

Considering Mr. Smith's comments, the Planning Commission found that the request complies with Subsection 21.420.D.1.

2. There shall be provided a cul-de-sac at the end of each street or road that ends within the confines of a proposed subdivision or partition. Any proposed street or road that terminates at a proposed subdivision or development boundary will be provided with a temporary cul-de-sac or turnaround which may be discontinued at such time as the road or street is extended.

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

Application materials provide that the proposed Cavern Way cul-de-sac road will be "[a] 22' wide paved road with 2' wide gravel shoulders (in a 50' wide road tract)…approximately 590' in length, with a 48' radius (96' diameter) culdesac for fire turnaround at the end." (Project# 170105 Replat narrative, Page 13-14). Furthermore, the application provides that road maintenance for Cavern Way "will be provided by the homeowners and will be managed with a road maintenance agreement." (Project# 170105 Replat narrative, Page 10). A preliminary copy of the road maintenance agreement is provided in Attachment F and available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

On June 26, 2023, the applicant provided additional details as to why a cul-de-sac road is being proposed:

> "[The] primary reasons are topographical and preserving the limited drainfield areas. We are minimizing land disturbance with a cul-de-sac vs a through road. The steepness of the site means that constructing a through road would require significant grading and excavation to create additional road. The topography is also too steep to create a through road to either the

> east or south, so a looped road would be the only option other than a cul-de-sac. By opting for a cul-de-sac, the need for extensive land disturbance is reduced since it involves developing a smaller area. The use of a cul-de-sac also allows for better utilization of the buildable area and suitable septic drainfield locations."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Concerning road maintenance, the Director of the Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "Please make sure a homeowners association or road maintenance agreement is a requirement of the subdivision approval."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Concerning applicable state fire laws, Mid-Columbia Fire and Rescue Division Chief Jay Wood provided comment on June 28, 2023. Chief Wood's full commentary is provided within the "Section 21.030.P Finding", where additional conditions of approval are provided regarding fire safety.

Considering the application proposal, commentary, and recommended conditions of approval throughout this report, the Planning Commission found that the request complies with Subsection 21.420.D.2.

> 3. *Any road or street which does not connect directly to a County maintained road, city maintained street or state highway shall not be accepted for maintenance by the County. No other road or street shall be accepted for maintenance as a part of the County road system unless it is ordered accepted by the County Governing Body pursuant to law.*

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6. The proposed Cavern Way cul-de-sac road will be connected to the existing non-county maintained Sandstone Way road.

The Director of Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "Cherry Heights is a fully maintained county road, with an ADT over 1500. Adding a few additional lots and traffic trips will not adversely impact that road. Sandstone, Hermits Way are currently public roads of local access. They are paved roads, in fair shape, but they are not maintained by the county. I am not looking to add them into the county road system. Please make sure a homeowners association or road maintenance agreement is a requirement of the subdivision approval."

Concerning road maintenance, the Director of the Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "Please make sure a homeowners association or road maintenance agreement is a requirement of the subdivision approval."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Based on the request, the proposed Cavern Way cul-de-sac road will not be publicly maintained; however, application materials provide that road maintenance for Cavern Way "will be provided by the homeowners and will be managed with a road maintenance agreement." (Project# 170105 Replat narrative, Page 10). A preliminary copy of the road maintenance agreement is provided in Attachment F and available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

The Planning Commission found that Subsection 21.420.D.3. is not applicable to this request.

E. Development Requirements

1. Engineering:

a. Plans Construction plans may be required for improvements governed by these standards. Such construction plans shall be prepared under the direction of a consultant engineer registered in the State of Oregon, and shall be submitted for approval to the County Roadmaster and shall include the following information:

(1) Widths of all proposed road right-of-way dedication.

(2) Centerline alignment showing P.C. and P.T. stationing on all curves, necessary curve data and bearing of tangents.

(3) Original ground line and grade line profile on the centerline of the proposed road.

(4) Vertical curve data showing P.I. elevations and stations, length of vertical curve and tangent grades.

(5) Proposed drainage structures, showing both size and type of structure.

(6) Toe of fill and top of cut lines.

(7) Typical structural section of roads to be constructed.

(8) Section lines, fractional section lines and/or Donation Land Claim lines. Also, bearing and distance from which the centerline description is prepared, and basis of bearings.

(9) A vicinity map in the upper left hand corner of the first plan sheet showing the relationships of the proposed road to cities, state highways, county roads, or other well-defined topographical features.

(10)Proposed utilities, showing location and type. Also, a written statement that locations have been approved by affected utility companies. A composite map shall be furnished by the consultant engineer to all affected utilities.

(11)The plans shall contain a standard symbol sheet approved by the County Road Master.

(12)The stamp and signature of a consultant engineer preparing the plans.

(13)The location and dimensions of the pedestrian circulation system.

(14)The location and dimensions of bicycle parking, when required.

FINDING: A **condition** of approval requires that the final road construction plans shall be prepared under the direction of a consultant engineer registered in the State of Oregon, and shall be submitted for approval to the Wasco County Public Works Director (County Roadmaster) and shall include the information provided for within Subsections 21.420.1.a.(1)-(14).

With the recommended condition, the Planning Commission found that the request complies with Subsection 21.420.E.1.a.

b. Cost Estimates The consultant engineer shall submit, with his proposed construction plans, a construction cost estimate. This estimate shall include all related road work and affected utility installation and/or relocation.

FINDING: A **condition** of approval requires that the consultant engineer shall submit, with his proposed construction plans, a construction cost estimate. This estimate shall include all related roadwork and affected utility installation and/or relocation.

With the recommended condition, the Planning Commission found that the request complies with Subsection 21.420.E.1.b.

c. Monumentation All horizontal curve points shall be referenced with a 5/8" x 30" steel rod set perpendicular to the tangents at the right of way line and witnessed by a white 4" x 4" x 4' cedar post or a four foot section of steel fence post painted white. In the case of a curbed street, the witness posts may be omitted.

FINDING: A **condition** of approval requires requiring that a survey be filed with the Wasco County Surveyor and meet the monumentation requirements provided for in this subsection. With the recommended condition, the Planning Commission found that the request complies with Subsection 21.420.E.1.c.

2. Construction:

a. Standard Specifications The Standard Specifications which are applicable to the construction of improvements governed by these standards are the following (except as they may be modified, supplemented or superseded by provisions contained herein):

(1) "Standard Specifications for Highway Construction", most recent edition, published by the Oregon Department of Transportation, Highway Division, except for the General Provisions contained in Sections 102 through 109.

(2) "Oregon Standard Specifications for Construction", most recent edition, published by the Oregon Chapter of the American Public Works Association (APWA) and the Oregon Department of Transportation (ODOT).

References to "State and Highway Commission" shall be construed to mean Wasco County and the Wasco County Governing Body, respectively. "Engineer" and "Director" shall be construed to mean the County Roadmaster, or his properly authorized agent(s) acting within the scope of his (their) particular duties.

b. Permits A permit to occupy and perform operations shall be obtained from the County Roadmaster prior to commencing construction within the right of way of any County maintained road.

c. Bond Requirements Before the dedication or deed to the public for street or road right of way is accepted by the County Governing Body, the applicant shall provide a performance bond or other security, as set forth in Section 21.210 F of this Ordinance.

d. Inspection Schedule After financial assurance is received by the County, the applicant shall arrange for periodic inspection by his consultant engineer. At a minimum, such inspection shall occur at the following stages of construction:

(1) After clearing and grubbing is completed.

(2) After grading and drainage is completed.

(3) After rock surface is completed.

(4) After paving is completed.

FINDING: A **condition** of approval requires that the construction of the proposed road shall be built according to criteria provided for within Subsection 21.410.E.2.a.-d. With the recommended condition, the Planning Commission found that the request will comply with Subsections 21.420.E.2.a-d.

e. Certification and Warranty Requirements

(1) When the project is completed, the consultant engineer shall certify to the County, in writing, that the project has been constructed in substantial conformance with the plans and specifications. The certification shall include a copy of the results of all conformance tests performed in conjunction with the design and construction of the project.

(2) Upon receiving said certification, the County will accept the project for normal and routine maintenance, provided the applicant posts a warranty bond equal to twenty percent (20%) of the performance bond required in Section E 2 c of this

Section for the correction of any deficiencies that may arise within a period of one (1) year.

(3) Upon receiving the warranty bond for the correction of deficiencies and upon certification by the County Roadmaster that the provisions of the improvement agreement are complete, the performance bond required by Section E 2 c of this Section shall be released to the applicant.

(4) The County Roadmaster shall inspect the project at the end of one (1) year and list the deficiencies to be corrected and shall notify the applicant of such deficiencies. In the event no deficiencies are found, the warranty bond will be released to the applicant at that time.

(5) Upon notification of the deficiencies, the applicant shall commence corrective work within thirty (30) days and shall complete such work at the earliest possible date. Upon satisfactory completion, the warranty bond shall be released to the applicant.

(6) In the event the applicant fails to commence corrective work within thirty (30) days of notification of deficiencies, the County shall cause the corrective work to be accomplished and call on the warranty bond for reimbursement. If the amount of the warranty bond exceeds cost and expenses incurred by the County, the County shall release the remainder; and if the amount of the warranty bond is less than the cost and expenses incurred by the County, the applicant shall be liable to the County for the difference.

FINDING: A **condition** of approval requires that the final construction of the proposed road shall be certified and obtain the warranty requirements as required by subsections 21.410.E.2.e. With the recommended condition the Planning Commission found that the request will comply with Subsection 21.420.E.2.e.

f. As Constructed Plans The County Roadmaster, at the completion of the project, may require the consultant engineer to furnish permanent reproducible plans of the work or an "as constructed" modification of the original permanent reproducible plans previously submitted, as may be required under Section E 1 a of this Section.

(1) The title sheet shall contain the consultant engineer's signed P.E. stamp and a certification signed by the engineer "that the project has been constructed in substantial conformance with the plans and specifications".

(2) The title sheet shall contain in the title block the name of the street or road; the name of the subdivision; the names of the applicant and consultant engineer preparing the plan; the location of the street or road according to Section, Township and Range; a typical section showing surfacing, thickness and types, side slopes and cut and fill slopes; and, a vicinity map of approximately 1"= 1 mile showing where the street or road is located in relation to Sections, Townships and Ranges and surrounding topographical features and its connections to existing County or State highways.

(3) The plans shall show the centerline alignment and all curve data, and direction of tangents, the location and monumentation of the street or road, right of way widths, drainage easements, section lines, lot lines of the subdivision, and all drainage structures, their sizes, lengths and locations, and underground utilities, their types, sizes and locations.

(4) The plans shall show the original ground line and the finish grade on the centerline, all P.I. elevations and stations, elevations of vertical curves and tangent grades.

(5) The plans shall have a title block in the lower right hand corner giving the name of the street or road, the subdivision, the name of the consultant engineer preparing the plans and the name of the applicant.

(6) The consultant engineer will provide accurate "as constructed" plans to all affected utility companies.

FINDING: A **condition** of approval requires that if at the completion of the project, the Wasco County Public Works Director (The County Roadmaster) determines that "As Constructed Plans" shall be furnished, the consultant engineer shall furnish permanent reproducible plans of the work or an "as constructed" modification of the original permanent reproducible plans previously submitted in accordance with Subsections 21.410.E.2.f.(1)-(6). With the recommended condition, the Planning Commission found that the request will comply with Subsection 21.420.E.2.f.

g. Signing Permanent traffic control and street or road identification signs will be required for all subdivisions.

(1) The applicant shall deposit (in cash) with the County Roadmaster, an amount determined by the Roadmaster adequate for the construction and installation of permanent signing required. Upon receiving said cash deposit, the County will prepare, place and maintain required permanent signing.

(2) Temporary construction signing will be required on all streets and roads under construction which are being used by the public. Temporary construction signing shall be in conformance with the "Manual on Uniform Traffic Control Devices", as published by the Department of Transportation, Federal Highway Administration, and supplemented by State of Oregon "Standard Practice and Interpretations", and shall be furnished, installed, maintained and removed at the expense of the applicant.

FINDING: Findings and conditions of approval regarding signage are found in Subsections 21.030.P and 21.030.BB. For reference those conditions are provided below:

To ensure the public is notified of restricted parking areas for fire apparatus, a **condition** of approval requires that the subdivder provide signage for both sides of the Cavern Way cul-de-sac road, and that the signage shall be a minimum of 12" wide x 18" high with red letters with white reflective background with wording of "No Parking" and "Fire Lane". The signage shall be reviewed and approved by Mid-Columbia Fire and Rescue.

To ensure compliance with the criterion, a **condition** of approval requires that placement of all street signage within the subdivision, to include the Cavern Way cul-de-sac road sign, shall be the responsibility of the developer, and prior to placement, the signage shall be approved by the Wasco County Public Works Department to ensure it meets county standards.

A **condition** of approval requires: (1) The developer consult with the Wasco County Road Department and Mid-Columbia Fire and Rescue to determine the amount and type of signage required; (2) the developer furnish required permanent road signs to the Wasco County Public Works Department for installation; or (3) pay the cost of the signage, which estimated cost will be provided for by the Wasco County Public Works Director. The County will prepare, place and maintain required permanent signing.

Staff also recommends that all temporary construction signing required shall be in conformance with the "Manual on Uniform Traffic Control Devices", as published by the Department of Transportation, Federal Highway Administration, and supplemented by State of Oregon "Standard Practice and Interpretations", and shall be furnished, installed, maintained and removed at the expense of the applicant.

With recommended conditions, the Planning Commission found that the request will comply with Subsection 21.420.E.2.g.

Section 21.440 Roadway Improvement Standards

A. Roadway Requirements: No development shall occur unless the roadways adjacent to the development meet the standards of this section, unless the following applies:

1. A development may be approved if the adjacent roadway does not meet the standards but halfstreet improvements meeting the standards of this title are constructed adjacent to the development.

2. Roadways under the jurisdiction of the Oregon Department of Transportation shall be improved to state standards.

B. Minimum Right-of-Way Width - The width of street right-of-way provided in Table 1 shall be the minimum widths of rights-of-way for streets existing along and adjacent to any boundary of the subdivision or partition which is the natural or planned continuation of the alignment of the existing or proposed streets. Unless otherwise indicated on the official roadway map, the width of all rights-of-way and roadway improvements shall be in compliance with the following:

1. Arterials: A minimum right-of-way width of sixty (60) feet.

2. Collectors: A minimum right-of-way width of sixty (60) feet.

3. Local Roads: A minimum right-of-way width of fifty (50) feet.

C. Partial street improvements - Partial street improvements resulting in a pavement width of less than 16 feet; while generally not acceptable, may be approved where essential to reasonable development when in conformity with the other requirements of these regulations, and when it will be practical to require the improvement of the other half when the adjoining property developed.

D. Improvements Guarantee in Lieu of Improvements - If the County could and would otherwise require the applicant to provide street improvements, the County Road Master may accept a future improvements guarantee in lieu of street improvements if one or more of the following conditions exist:

1. *A partial improvement is not feasible due to the inability to achieve proper design standards;*

2. *A partial improvement may create a potential safety hazard to motorists or pedestrians;*

3. *Due to the nature of existing development on adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide a significant improvement to street safety or capacity; Page 21-40 Chapter 21-Land Divisions*

4. *The improvement would be in conflict with an adopted capital improvement plan;*

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

6. *Additional planning work is required to define the appropriate design standards for the street and the application is for a project which would contribute only a minor portion of the anticipated future traffic on the street.*

E. Off-site Improvements - Off-site improvements, such as pavement construction or re-construction of existing street(s) proposed for access to the subdivision or partition, which are inadequate or in failing condition, may be required. Off-site transportation improvements will include bicycle and pedestrian improvements, as identified in the adopted Wasco County Transportation System Plan.

FINDING: The proposed Prince Heights replat subdivision will vacate three undeveloped Columbia Crest Addition Subdivision platted roads (Sandstone Way (portion), Cavern Way, and Granite Way), and replace them with one dedicated cul-de-sac road (Cavern Way). The proposed cul-de-sac road will not interfere with the continuation of principle streets in the adjoining subdivisions or other adjacent non-platted properties.

The Columbia Crest Addition Subdivision was approved in 1953. There are several "paper roads" within the subdivision that were planned, but never built. (See below maps "Columbia Crest Vacated Road Map" and "Prince Heights Road Map") (See Maps in Attachment C)



Columbia Crest Subdivision Road Map

- Developed Roads
- Undeveloped Roads "Paper Roads"
- Proposed Vacated Roads



Prince Heights Subdivision Road Map

- Developed Roads
- Undeveloped Roads "Paper Roads"
- Proposed Road

Concerning the condition of built adjacent roadways, the Director of Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "Cherry Heights is a fully maintained county road, with an ADT over 1500. Adding a few additional lots and traffic trips will not adversely impact that road. Sandstone, Hermits Way are currently public roads of local access. They are paved roads, in fair shape, but they are not

> maintained by the county. I am not looking to add them into the county road system. Please make sure a homeowners association or road maintenance agreement is a requirement of the subdivision approval."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

The adjacent Sandstone Way Road and Hermits Way road are "Local Roads". Staff has confirmed that the county does perform maintenance on Sandstone Way up to the first curve in the road (approximately 450' north of Cherry Heights Road). The 1953 approved Columbia Crest Subdivision platted the roads at 50' wide. Examination of the 1953 "Ordinance No. 3 Subdivision Regulations of Wasco County" provides the following standards:

MINIMUM AND PREFERRED RIGHT-OF-WAYS AND WIDTHS FOR ROAD SURFACING

Type of Street	Right-of-Ways		Road Surfacing	
	Minimum	Preferred	Minimum	Preferred
Arterials	80	100	26	36
Secondary Arterials	60	80	26	36
Business & Industrial Streets	66	80	36	42
Local Streets	50	60	20	34
Dead-end Streets (not more than 400' long and serving a maximum of 18 single family dwellings)	50	50	20	20
Turn-arounds for dead-end streets	40' radius		30' radius	
Alley				
Residential	14	20		
Business or Industrial	20	20		

It is unclear when Sandstone Way and Hermits Way were actually constructed. A June 29, 2023, staff site visit confirmed that the paved (road surfaced) widths of both roads range from 35' to 25', which appears to be consistent with the "Road Surfacing" minimum standards for Local Streets and Dead-end Streets in the 1953 "Ordinance No. 3 Subdivision Regulations of Wasco County". On July 3, 2023, the Director of the Wasco County Public Works Department Arthur Smith provided comment concerning the estimated road conditions and adequacy of width for Sandstone Way and Hermits Way:

> "The existing roadway widths are adequate to serve the additional lots and appear to have been built to meet our minimum road standards. I would not require any road widening. My only request would be for a Road Maintenance Agreement or Homeowners Agreement to ensure that the public roads are maintained after development."

Mr. Smith provided additional comments on July 18, 2023:

> "Based on my recent inspections, the adjacent public roadways - Sandstone Way and Hermits Way meet our rural road standards. The first portion of Sandstone Way is county maintained,

and both roadways are paved surface roads, with adequate width and drainage. I would not recommend any road improvements on these adjacent roads."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Sandstone Way and Hermits Way roads provide primary access to existing developed lots within the Columbia Crest Addition Subdivision, and via the proposed Cavern Way cul-de-sac road, will provide access to the six replatted lots. Technical commentary has not indicated that any adjacent roadway must be improved or widened in order to accommodate the planned replatted six lots. However, development of the proposed Cavern Way cul-de-sac road, additional right-of-way for Sandstone Way, and other preparatory work on the replatted lots may have deleterious effects on the existing Sandstone Way and Hermits Way access roads. A **condition** of approval requires the owner repair damages, if any, that are made to Sandstone Way or Hermits Way during the development of the proposed Cavern Way cul-de-sac road and during preparatory work, if any, on the replatted lots. All necessary repairs shall meet applicable standards contained in Sections 21.410 through 21.440. It is recommended that the owner obtain an existing conditions report on Sandstone Way and Hermits Way prior to construction.

Accordingly, the Planning Commission found that the request Subsections 21.440.A-E are not applicable to this request.

Section 21.450 Access Control

A. Purpose. The following access control standards apply to industrial, commercial and residential developments including land divisions. Access shall be managed to maintain an adequate level of service and to maintain the functional classification of roadways as required by the Wasco County Transportation System Plan. Major roadways, including arterials and collectors, serve as the primary system for moving people and goods within and through the county. Access management is a primary concern on these roads. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function. The regulations in this section further the orderly layout and use of land, protect community character, and conserve natural resources by promoting well-designed road and access systems and discouraging the unplanned subdivision or partitioning of land.

B. Access Control Standards.

1. Traffic Impact Analysis Requirements. The County or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also, Section 4.180 Traffic Impact Analysis.)

2. The County or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas shall not permit backing onto a public street.

3. *Access Options. When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (a minimum of 10 feet per lane is required).*

    a. *Option 1. Access to the lower order roadway.*

    b. *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.*

    c. *Option 3. Access is from a public street adjacent to the development parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in Subsection e., below.*

4. *Subdivisions and Partitions Fronting Onto an Arterial Street. New residential land divisions fronting onto an arterial street shall be required to provide secondary (local or collector) streets for access to individual lots.*

5. *Access Spacing. Minimum access spacing standards apply to newly established public street intersections, private drives, and non-traversable medians.*

    a. *Standards are found in Table 7.2, Rural Wasco County Roadway Design Standards and Table 7-3 Urban Wasco County Roadway Design Standards, in the Wasco County Transportation System Plan.*

    b. *Access to State Highways and Interchanges. Access to a transportation facility under the jurisdiction of the Oregon Department of Transportation (ODOT) shall be subject to the applicable standards and policies contained in the Oregon Highway Plan and the requirements of OAR 734-051.*

6. *Number of Access Points. For single-family housing types, one street access point is permitted per lot, when secondary (local or collector) street access cannot otherwise be provided. The number of street access points for commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with Subsection (g) below, in order to maintain the required access spacing, and minimize the number of access points.*

7. *Shared Driveways. The number of driveway and the frequency with which private streets intersect with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The County shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:*

    a. *Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension.*

"Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).

b. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.

c. Exception. Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, parcel configuration, and similar conditions) prevent extending the street/driveway in the future.

C. Notwithstanding Section 21.450, upon the recommendation of the County Road Master the County may reduce access spacing standards if the following conditions are met:

1. Joint access (shared) driveways and cross access easements are provided in accordance with the standards;

2. The site plan incorporates an integrated access and circulation system in accordance with the standards;

3. The property owner enters into a written agreement with the County that pre-existing connections on the site will be closed and eliminated after construction of each side of the shared driveway;

4. The proposed access plan for redevelopment properties moves in the direction of the spacing standards; and

5. The reduced access spacing is consistent with all applicable provisions of Chapter 14.

D. The County Road Master may modify or waive the access spacing standards for roadways under County jurisdiction where the physical site characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical and would make meeting the access standards infeasible, subject to the following:

1. The application of the location of access standard will result in the degradation of operational and safety integrity of the transportation system.

2. The granting of the modification or waiver shall meet the purpose and intent of these standards and shall not be considered until every feasible option for meeting access standards is explored.

3. Applicants for modification or waivers from these standards must provide proof of unique or special conditions that make strict application of the standards impractical. Applicants shall include proof that:

a. Indirect or restricted access cannot be obtained;

b. No engineering or construction solutions can be applied to mitigate the condition;

c. No alternative access is available from a road with a lower functional classification than the primary roadway;

d. The hardship is not self-created; and e. The modification or waiver is necessary to protect scenic, natural, cultural or recreation resources in Chapter 14 or is at a minimum consistent with the standards to project them.

E. Street/roadway Connectivity and Formation of Blocks Required. In order to promote efficient vehicular and pedestrian circulation throughout the county, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private roads, in accordance with AASHTO design standards. For residential and commercial developments, the maximum block length shall not exceed 600 feet, with the maximum perimeter not to exceed 1,400 feet.

FINDING: The proposed Prince Heights replat subdivision will vacate three undeveloped Columbia Crest Addition Subdivision platted roads (Sandstone Way (portion), Cavern Way, and Granite Way), and replace them with one dedicated cul-de-sac road (Cavern Way). The proposed cul-de-sac road will not interfere with the continuation of principle streets in the adjoining subdivisions or other adjacent non-platted properties.

The existing Sandstone Way (portion), Cavern Way, and Granite Way roads platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

The Prince Heights Subdivision replat, the Columbia Crest Addition Subdivision, and the Fruitland Park Addition Subdivision "Track 35" are located north of Cherry Heights Road (a public dedicated and maintained road) and south of West 13th Street (a public dedicated and maintained road).

Concerning public access and existing road conditions, the Director of Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "Cherry Heights is a fully maintained county road, with an ADT over 1500. Adding a few additional lots and traffic trips will not adversely impact that road. Sandstone, Hermits Way are currently public roads of local access. They are paved roads, in fair shape, but they are not maintained by the county. I am not looking to add them into the county road system. Please make sure a homeowners association or road maintenance agreement is a requirement of the subdivision approval."

Mr. Smith provided additional comments on July 18, 2023:

> "I have reviewed the existing average daily traffic volumes for Cherry Heights Road and Sandstone Way - I have no data for the public roads. These roads can easily absorb the additional traffic generated by the proposed development and will not cause any increased maintenance. I do not foresee any access control issues resulting from this development."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Sandstone Way and Hermits Way roads provide primary access to existing developed lots within the Columbia Crest Addition Subdivision, and, with access from the proposed Cavern Way cul-de-sac road, will provide access to the six replatted lots. Technical commentary has not indicated that additional access control standards are required for approval of this subdivision replat. Accordingly, the Planning Commission found that the request that Subsections 21.450.A-E are not applicable to this request.

Section 21.460 Pedestrian Access and Circulation

A. Site Layout and Design - To ensure safe, direct, and convenient pedestrian circulation, all developments shall provide a continuous pedestrian system. The pedestrian system shall be based on the standards in subsections 1-4, below:

1. Continuous Walkway System - The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets or roads and to private property with a previously reserved public access easement for this purpose, in accordance with the provisions of Section 21.030(E) (Relation to Adjoining Street System).

2. Safe, Direct, and Convenient - Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets/roadways, based on the following definitions:

a. Reasonably direct - A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

b. Safe and convenient - Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

c. "Primary entrance" for commercial, mixed use, and office buildings is the main public entrance to the building. In the case where no public entrance exists, street/roadway connections shall be provided to the main employee entrance.

d. "Primary entrance" for residential buildings is the front door (i.e., facing the street or road). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard, or breezeway which serves as a common entrance for more than one dwelling.

3. Connections Within Development - Connections within developments shall be provided as required in subsections a-c, below:

a. Walkways shall connect all building entrances to one another to the extent practicable, as generally shown in Figure 21-1;

b. Walkways shall connect all on-site parking areas, storage areas, recreational facilities and common areas, and shall connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections; and

c. Large parking areas shall be broken up so that no contiguous parking area exceeds three (3) acres or the space required for the maximum number of cars allowed by the applicable provisions of this ordinance. Parking areas may be broken up with plazas, large landscape areas with pedestrian access ways (i.e., at least 20 feet total width), streets/roadways, or driveways with street-like features, Street-like features, for the purpose of this section, means a raised sidewalk of at least 4-feet in width, 6-inch curb, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian-oriented lighting. The parking areas shall be designed consistent with all applicable provisions of this ordinance including but not limited to Section 14.200 (Key Viewing Areas), 14.600 (Natural Resources) and 14.700 (Recreation Resources).

B. Walkway Design and Construction - Walkways, including those provided with pedestrian access ways, shall conform to all of the standards in subsections 1-4, as generally illustrated in Figure 21-2:

1. Vehicle/Walkway Separation. Except for crosswalks (subsection 2), where a walkway abuts a driveway or street, it shall be raised 6 inches and curbed along the edge of the driveway/street. Alternatively, the Approving Authority may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or concrete bollards designed for withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians.

2. Crosswalks - Where walkways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials (e.g., light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Painted or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.

3. Walkway Width and Surface - Walkway and access way surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the Public Works Director, at least six (6) feet wide. Multi-use paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt, at least 10 feet wide.

4. Accessible Routes - Walkways shall comply with applicable Americans with Disabilities Act (ADA) requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.

FINDING: Concerning pedestrian access and circulation, the Director of Wasco County Public Works Department Arthur Smith provided comment on July 17 and July 18, 2023:

> "Wasco County's Rural road standards do not include sidewalks, curbs or gutters. I would apply the Rural road standards here, unless you believe that the City of The Dalles is interested in annexing this development?. Most county roads are "shared" roadways, with no dedicated bike lanes, so I would not recommend a bike lane."
>
> "As I stated before, most rural county roads are shared use roads - drivers, bicyclists and pedestrians all have the same right to travel the public roadway. Our rural road standards do

provide for a shoulder area outside the paved road and that shoulder is adequate for the expected pedestrian use to be generated by this development (pedestrians can obviously walk along the main roadway, when not in conflict with vehicular traffic). I would not recommend any additional pedestrian path or pedestrian system."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Application materials, and technical commentary has not indicated that pedestrian access is required for approval of this subdivision replat. Accordingly, The Planning Commission found that Subsections 21.460.A-B are not applicable to this request.

G. Chapter 23 Sign Provisions

Section 23.010 Purpose

A. Protect and enhance scenic resources by minimizing visual impacts of signage, while authorizing signage necessary for commerce, recreation, safety and public information.

B. Encourage the use of the Columbia River Gorge National Scenic Area Graphic Signing System for public signs in and adjacent to public rights-of-way.

Section 23.020 Signs (GMA Only)

A. Except for signs allowed without review pursuant to Sections 3.100 and 3.180(B), all new signs must meet the following standards unless these guidelines conflict with the Manual on Uniform Traffic Control Devices for public safety, traffic control or highway construction signs. In such cases, the standards in the Manual for Uniform Traffic Control Devices shall supersede these guidelines.

FINDING: Concerning signage, application materials provide the following:

"Signs
Signs are not proposed with this project other than the stop/street sign at the new intersection."
(Project# 170105 Replat narrative, Page 13).

The Wasco County Public Works Director Arthur Smith has not provided additional commentary regarding signage.

Findings and conditions of approval for signage are provided for in Chapter 21 of this report. The signage is required by local and state law and are allowed without review pursuant to Sections 3.100 and 3.180(B). The Planning Commission found that Chapter 23 is not applicable to this request.

ATTACHMENT E – PUBLIC COMMENTS

Comments submitted during review.

03162023: Wasco County Sheriff Lane Magill Comments

03222023-07202023: Friends of the Columbia River Gorge Comments

06012023: Heritage Resources Program Manager Survey Determination

06262023-07112023: Applicant Elizabeth Betts Comments

06262023-07182023: Wasco County Public Works Department Arthur Smith Comments

06282023: North Central Public Health District Eric Grendel Comments

06282023: Mid-Columbia Fire & Rescue Chief Jay Wood Comments

06302023-07062023: North Wasco County Parks & Recreation District Scott Baker Comments

06302023-07122023: Wasco County Assessor Jill Amery & Brenna La Vigne Comments

07102023: Wasco County Surveyor Brad Cross Comments

07122023: Wasco County Administrator Tyler Stone Comments

07142023: Kristin Campbell & Chris Crean Comments

07172023: Chenowith Water Darrin Eckmann Comments

09122023: Wasco County Surveyor Bradley Cross

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07142023: Kristin Campbell & Chris Crean Comments

07172023: Chenowith Water Darrin Eckmann Comments

09122023: Wasco County Surveyor Bradley Cross

Daniel Dougherty <danield@co.wasco.or.us>

Request for Comments: APPEAL [921-23-000023-PLNG_SMILEKEL]

Bradley Cross <bradleyc@co.wasco.or.us> Tue, Sep 12, 2023 at 7:34 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hi Dan,
I have reviewed the plat of Columbia Crest Addition, including looking at any files and the hard copy of the surveyor's copy of the plat that would typically indicate any vacations or corrections. I don't see anything that indicates any changes to the original plat.
There are some conveyances noted in the attached 2020 vesting deed from 1968 to the County that appear to be an acquisition of small portions of additional right of way taken in fee title, but these would typically be recognised as public dedications.
I've attached a copy of the 1968 deed, it has a map that clearly shows the location of the county acquisition.
Tract A also has some additional deed exceptions from 1977 & 2016.

Bradley Cross | ***County Surveyor***
PUBLIC WORKS

bradleyc@co.wasco.or.us | www.co.wasco.or.us
541-506-2644 | Fax 541-506-2641
2705 East Second Street | The Dalles, OR 97058

[Quoted text hidden]

2 attachments

Document 1968-1498.pdf
215K

Document 2020-1795.pdf
152K

Daniel Dougherty <danield@co.wasco.or.us>

Subdivision Comments Requested [File No. 921-23-000023-PLNG]

3 messages

Daniel Dougherty <danield@co.wasco.or.us> Sun, Jul 9, 2023 at 3:34 PM
To: districtmanager@chenowithwater.com, Ben Beseda <BBeseda@tennesoneng.com>

Good afternoon,

The Wasco County Planning Department recieved a subdivision to replat 66 lots to 6 lots within the Columbia Crest Addition Subdivision Scenic Area:
.

Map/Tax Lot	Acct. #	Acres
1N 13E 5 AD 300	8347	2.28
1N 13E 5 AD 1000	8355	2.74
1N 13E 5 AD 1100	15570	3.76
1N 13E 5 AD 1200	8350	1.90
1N 13E 4 BC 2600	15569	4.27

The proposal seeks to vacate "paper roads" in the Columbia Crest Subdivision and dedicate a single point of access (see Cavern Way Cu-De-Sac in maps below). The subdivision replat proposes a new publicly dedicated road “Cavern Way” (Cul-De-Sac) which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated “Sandstone Way” and/or "Hermits Way".

The proposed Cul-De-Sac will be 22' wide paved with 2' wide gravel shoulders (50' wide road tract). I've provided a couple of maps I created and the actual subdivision Pdf. Maps. The entire application is located: https://www.co.wasco.or.us/departments/planning/active_landuse_applications.php.

I'm hoping to get your professional opinion concerning water usage impacts or other related commentary. A pre-notice was sent on March 16, 2023 for comments, and a Planning Commission hearing for the decision will be heard on August 1.

Thanks for your help.

Respectfully,

Daniel



Map 1

Columbia Crest Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"



Prince Heights Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

541-506-2560 | Fax 541-506-2561
2705 E Second Street | The Dalles, OR 97058

Office Notice about COVID-19

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Email is still the best way to reach me!

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It is informational only and a matter of public record.

Prince Hts Plans - Prelim Plat and Survey Exhibits (1).pdf
2810K

Ben Beseda <BBeseda@tennesoneng.com> Mon, Jul 10, 2023 at 6:10 AM
To: Daniel Dougherty <danield@co.wasco.or.us>, "districtmanager@chenowithwater.com" <districtmanager@chenowithwater.com>

Good morning Daniel. My partner Darrin Eckman has taken over as engineer for Chenowith Water PUD. I have forwarded your email to him for comments.

Thanks, Ben

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Sunday, July 9, 2023 3:34 PM
To: districtmanager@chenowithwater.com; Ben Beseda <BBeseda@tennesoneng.com>
Subject: Subdivision Comments Requested [File No. 921-23-000023-PLNG]

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Thanks for your help.

Respectfully,

Daniel



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Developed Roads

Undeveloped Roads "Paper Roads"



Prince Heights Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

[Quoted text hidden]

Darrin Eckman <eckmand@aks-eng.com> Mon, Jul 17, 2023 at 10:46 AM
To: Daniel Dougherty <danield@co.wasco.or.us>
Cc: "jebm@chenowithwaterpud.com" <jebm@chenowithwaterpud.com>

Good morning Daniel,

As the Engineer of Record for the Chenowith Water PUD I wanted to go on record regarding the development proposed by the Smilekel Group (921-23-000023-PLNG).

The proposed subdivision is within the Chenowith Water PUD service area and we are willing to provide domestic water service to the six residential lots.

We have been in communication with the developers engineer, Ms. Elizabeth Betts (Klein & Associates, Inc.), and are in general agreement that the developer will:

- ***Connect to the existing 6" line at the intersection of Ledge Way and Hermits Way;***
- ***Replace the existing 4" water main in Ledge Way with 6" from Hermits Way to the proposed Cavern Way;***
- ***Install new 6" water main in Cavern Way from Ledge Way to its southerly terminus;***
- ***Install a fire hydrant assembly at the southerly terminus in the cul-de-sac;***
- ***Install typical residential water services to each lot with the meter to be placed in and at the edge of the Cavern Way ROW; and***
- ***Provide a 20-foot wide public utility easement across Lot 1 where the existing CWPUD watermain is located.***

All materials and work to conform to CWPUD standards. The developer is to enter into an Agreement to Reimburse for CWPUD contracted fees and pay the Subdivision Plan Review fee ($750).

Each lot owner will be required to pay the Meter Drop-in Fee ($500) and System Development Charge ($3,100) at the time service is requested. Fees are subject to change.

Please let me know if you have any questions…

Please note that I have taken over for Ben Beseda as the Chenowith Water PUD Engineer-of-Record and you can remove him from the email list and add me.

Also the CWPUD Manager's (Jeb) email address has changed to: jebm@chenowithwaterpud.com

Finally – Tenneson Engineering has merged with AKS Engineering & Forestry so my email has changed from what you had in the past.

We are still getting the old …tennesoneng.com emails forwarded to us but at some point that may end.

Thanks Daniel!

Darrin Eckman, PE, CWRE

TENNESON ENGINEERING | AN AKS COMPANY

P: 541.296.9177 | www.aks-eng.com | eckmand@aks-eng.com

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Sunday, July 9, 2023 3:34 PM
To: districtmanager@chenowithwater.com; Ben Beseda <BBeseda@tennesoneng.com>
Subject: Subdivision Comments Requested [File No. 921-23-000023-PLNG]

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I'm hoping to get your professional opinion concerning water usage impacts or other related commentary. A pre-notice was sent on March 16, 2023 for comments, and a Planning Commission hearing for the decision will be heard on August 1.

Thanks for your help.

Respectfully,

Daniel



Map 1

Columbia Crest Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"



Prince Heights Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us>

Road Vacation & Dedication Question

3 messages

Daniel Dougherty <danield@co.wasco.or.us> Thu, Jul 13, 2023 at 3:22 PM
To: Kristen Campbell <kcampbell@campbellphillipslaw.com>

Hi Kristen,

We've got a preliminary subdivision replat (Prince Heights Subdivision) request that involves a replat of 66 lots into six lots within the Columbia Crest Subdivision, a road vacation and a public road dedication (I've attached maps below).



Columbia Crest Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Proposed Vacated Roads



Prince Heights Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

The issue is the timing of the vacation and dedication. The BOCC can't technically vacate Sandstone (portion), Cavern Way, and Granite Way before the new dedication and subdivision replat are approved because the vacation would leave numerous lots within the Columbia Crest Addition without public access. My solution is that the vacation order contains a condition that final vacation of Sandstone (portion), Cavern Way, and Granite Way occur on the final approval of the Prince Heights Subdivision plat and dedication of Cavern Way cul-de-sac Road. I suppose the vacation, approval of the subdivision, and dedication can occur simultaneously at the same hearing.

My proposed condition is provided below:

Staff has conferred with the Wasco County Public Works Director Arthur Smith and the Wasco County Surveyor Brad Cross, and recommends the following **condition** of approval: The final road vacation for Sandstone Way (portion), Cavern Way, and Granite Way roads shall be conditioned to take effect only upon the final approval of the proposed Prince Heights Subdivision plat and the approved public dedication of the proposed Cavern Way cul-de-sac road.

Please let me know what you think. Thanks for your assistance.

Respectfully,

Daniel

--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

541-506-2560 | Fax 541-506-2561
2705 E Second Street | The Dalles, OR 97058

Office Notice about COVID-19

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Email is still the best way to reach me!

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It is informational only and a matter of public record.

Kristen Campbell <kcampbell@campbellphillipslaw.com> Fri, Jul 14, 2023 at 11:33 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hi Daniel,

I did the initial once over and punted to Chris.

Let me know if you have any additional questions!

Kristen

From: Christopher Crean <chris@gov-law.com>
Sent: Friday, July 14, 2023 11:17 AM
To: Kristen Campbell <kcampbell@campbellphillipslaw.com>

Cc: Kristen Ketchel-Bain <kristen@gov-law.com>
Subject: RE: Road Vacation & Dedication Question

It's a good plan. My only comment is to tweak the condition of approval, which is not really a "condition of approval" since it doesn't require the applicant to do anything. It's really just a delayed effective date. Here's my suggestion:

> "The final road vacation for Sandstone Way (portion), Cavern Way, and Granite Way roads shall take effect only upon the [final approval???] [recording???] of the final plat of the Prince Heights Subdivision, including the public dedication of the proposed Cavern Way cul-de-sac road."

I'm not entirely clear whether a final plat is "approved" or just "recorded." I know it has to be recorded (ORS 92.025), but it also may be "approved." Dan and/or the surveyor will know.

Chris

Christopher D. Crean
Beery Elsner & Hammond LLP

1804 NE 45th Avenue

PORTLAND, OR 97213

t (503) 226-7191 | c (503) 347-9863

www.gov-law.com

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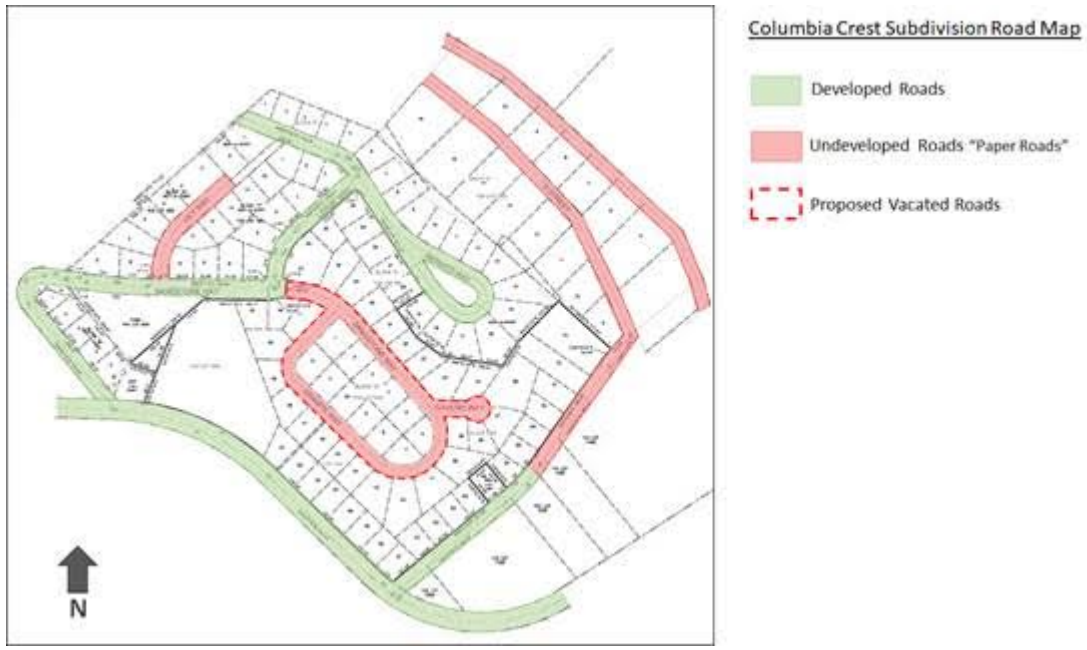
From: Kristen Campbell [mailto:kcampbell@campbellphillipslaw.com]
Sent: Thursday, July 13, 2023 3:58 PM
To: Christopher Crean
Subject: FW: Road Vacation & Dedication Question

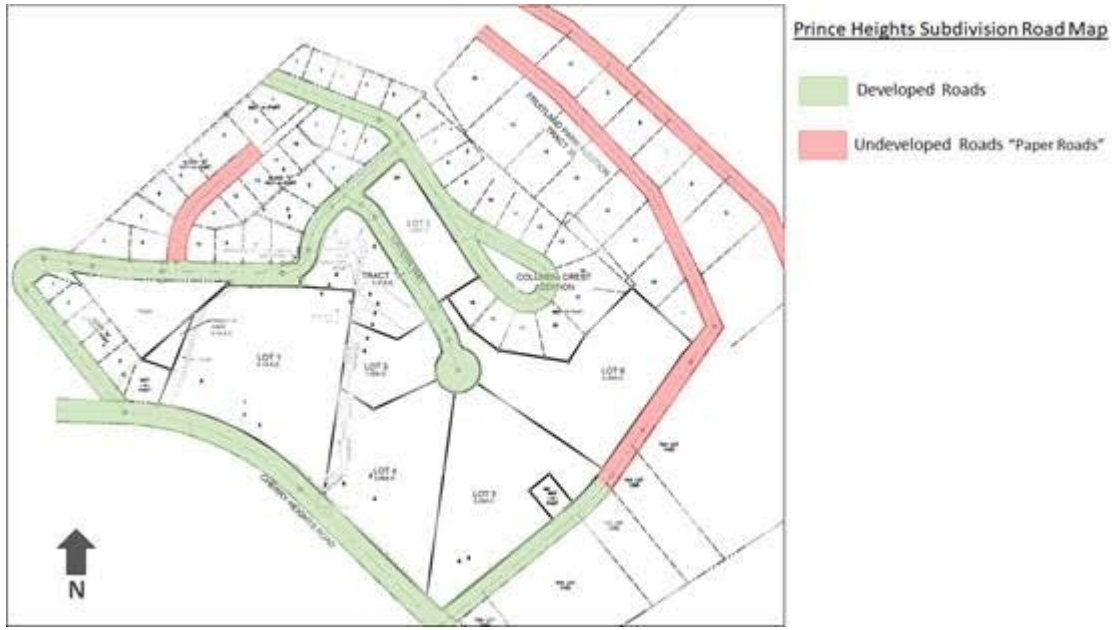
I don't see an obvious problem with this approach. What say you?!? Thanks for any input.

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Thursday, July 13, 2023 3:23 PM
To: Kristen Campbell <kcampbell@campbellphillipslaw.com>
Subject: Road Vacation & Dedication Question

Hi Kristen,

We've got a preliminary subdivision replat (Prince Heights Subdivision) request that involves a replat of 66 lots into six lots within the Columbia Crest Subdivision, a road vacation and a public road dedication (I've attached maps below).





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My proposed condition is provided below:

Staff has conferred with the Wasco County Public Works Director Arthur Smith and the Wasco County Surveyor Brad Cross, and recommends the following **condition** of approval: The final road vacation for Sandstone Way (portion), Cavern Way, and Granite Way roads shall be conditioned to take effect only upon the final approval of the proposed Prince Heights Subdivision plat and the approved public dedication of the proposed Cavern Way cul-de-sac road.

Please let me know what you think. Thanks for your assistance.

Respectfully,

Daniel

--

Daniel Dougherty | ***Senior Planner***

PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

541-506-2560 | Fax 541-506-2561
2705 E Second Street | The Dalles, OR 97058

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Daniel Dougherty <danield@co.wasco.or.us> Fri, Jul 14, 2023 at 11:42 AM
To: Kristen Campbell <kcampbell@campbellphillipslaw.com>

Many thanks to you and Chis.

Have a great weekend.

Respectfully,

Daniel
[Quoted text hidden]
--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Daniel Dougherty <danield@co.wasco.or.us>

Replat Letter

2 messages

Kathy Clark <kathyc@co.wasco.or.us> Wed, Jul 12, 2023 at 4:33 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Good Afternoon, Daniel-

Tyler asked that I send this to you. :-)

Kathy Clark | ***Executive Assistant***
ADMINISTRATIVE SERVICES

kathyc@co.wasco.or.us | www.co.wasco.or.us
541-506-2520 | Fax 541-506-2551
511 Washington Street, Suite 101 | The Dalles, OR 97058

Email is the best way to reach me! In an effort to prevent, slow, and stop the spread of COVID-19 to our citizens and staff, our office will be limiting business to phone, email and online service. Please keep in mind that response time may vary. Thank you for your patience during this time.

WCCommentSmekelRePlat.docx.pdf
540K

Daniel Dougherty <danield@co.wasco.or.us> Wed, Jul 12, 2023 at 4:43 PM
To: Kathy Clark <kathyc@co.wasco.or.us>

Hi Kathy,

Many thanks! Please tell Tyler thanks:)

Respectfully,

Daniel
[Quoted text hidden]
--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Dear Planning Commission,

I am writing to provide comment on subdivision replat File 921-23-000023-PLNG related to the requirement for parks, playgrounds or recreational lands to be dedicated to Wasco County.

Wasco County currently does not have a dedicated program to support the continued management of dedicated public space. I encourage you to recommend, in lieu of dedication of land, you to require a payment to the County that will be held in a special fund for acquisition and the development and support of nearby public parks and facilities.

Sincerely,

Tyler Stone
Wasco County Administrator

Daniel Dougherty <danield@co.wasco.or.us>
to Bradley

Jul 10, 2023, 7:36 AM (13 days ago) Reply

Good morning Brad,

I hope your weekend went well. Can you tell me if the Prince Heights Subdivision name is already in use in Wasco County? I'm sure it's not, but would appreciate your comment for the record.

Respectfully,

Daniel

...

[Message clipped] View entire message

Bradley Cross
to me

Jul 10, 2023, 7:55 AM (13 days ago) Reply

This name is not in use and there is nothing similar. We have a Highland Heights, but I believe there is enough difference to allow the use of Prince's Heights.

Bradley Cross | ***County Surveyor***
PUBLIC WORKS

bradleyc@co.wasco.or.us | www.co.wasco.or.us
541-506-2644 | Fax 541-506-2641
2705 East Second Street | The Dalles, OR 97058

Daniel Dougherty <danield@co.wasco.or.us>

Inquiry: Who Owns this Property

4 messages

Daniel Dougherty <danield@co.wasco.or.us> Fri, Jun 30, 2023 at 7:32 AM
To: Brenna La Vigne <brennal@co.wasco.or.us>

Hi Brenna,

I'm trying to figure out who owns the following property. I'm guessing Wasco County.

Map: 1N 13E 5 AD 600
Account Number: 13902
Taxpayer: THE PUBLIC
Mailing Address: UNDETERMINED

The unit of land was created by the Columbia Crest Addition subdivision in 1953.

Thanks for your help.

Respectfully,

Daniel

--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

541-506-2560 | Fax 541-506-2561
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Brenna La Vigne <brennal@co.wasco.or.us> Fri, Jun 30, 2023 at 7:58 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hi Daniel,

From what Mel and I understand is that when the subdivision was created they designated that lot as a park. No one really owns it. Typically parks will be deeded over to the HOA but since this is an older subdivision I can not speak for why they did this the way it is. So no, Wasco County does not own it.

Thank you,

Brenna La Vigne | ***Deeds Clerk***
ASSESSMENT & TAX

brennal@co.wasco.or.us | www.co.wasco.or.us
541-506-2510 | Fax 541-506-2511
511 Washington Street, Suite #208 | The Dalles, OR 97058

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Fri, Jun 30, 2023 at 8:03 AM
To: Brenna La Vigne <brennal@co.wasco.or.us>

Hi Brenna,

That's interesting. Can I put my name crest flag in the soil and obtain it for myself by right of conquest? :) Thanks for your help.

Respectfully,

Daniel
[Quoted text hidden]

Brenna La Vigne <brennal@co.wasco.or.us> Fri, Jun 30, 2023 at 8:10 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Yeah it had us stumped too. But it is also not the only parcel that is owned by "The Public".

Haha yes, please do that! And sorry I couldn't be anymore help. I swear the way things were done in the past gives me heartburn sometimes lol.

Brenna La Vigne | ***Deeds Clerk***
ASSESSMENT & TAX

brennal@co.wasco.or.us | www.co.wasco.or.us
541-506-2510 | Fax 541-506-2511
511 Washington Street, Suite #208 | The Dalles, OR 97058

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us>

Comments Requested: Scenic Area Subdivision Replat [File No. 921-23-000023-PLNG]

Jill Amery <jilla@co.wasco.or.us> Wed, Jul 12, 2023 at 1:46 PM
To: Daniel Dougherty <danield@co.wasco.or.us>
Cc: Kelly Howsley - Glover <kellyg@co.wasco.or.us>

Hi Daniel,

Doing some catch up today. The current park lot as you have seen from the previous correspondence has been very problematic. Though it isn't my decision on which path to take, my opinion for this subdivision is to not add another park space. Let the developer pay into the fund. If my initial calculation of the lots impacted are correct, the developer could pay an approximate $6,480.51 into the fund and forego the park.

I hope this is helpful to you. Please let me know if you have any additional questions.
Jill

[Quoted text hidden]
--

Jill Amery | ***Assessor/Tax Collector***
ASSESSMENT & TAX

jilla@co.wasco.or.us | www.co.wasco.or.us
541-506-2512 | Fax 541-506-2511
511 Washington St. Suite 208 | The Dalles, OR 97058

Daniel Dougherty <danield@co.wasco.or.us>

Seeking Public Comment: [Planning File No. 921-23-000023-PLNG]

Daniel Dougherty <danield@co.wasco.or.us> Fri, Jun 30, 2023 at 10:03 AM
To: todd@nwprd.org

Good morning,

Wasco County Planning has received a subdivision replat application (see details below) that's within the North Wasco County Park and Recreation District, and we are hoping you can provide feedback pertaining to a criterion related to parks and recreation.

An application for a Scenic Area Review for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). The replat subdivision is named the Prince Heights Subdivision. Vacation of unused ROW and easements plus dedication of ROW to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

The National Scenic Area Land Use and Development Ordinance (NSA-LUDO) Section 21.030.Y provides the following:
Y. Public Open Space: Elementary and high school sites, neighborhood playgrounds, parks and recreation areas shall be located in accordance to the development pattern of the County or the County area. When such public school or recreation sites are within the area of an approved subdivision they may be dedicated to the County or shall be reserved until such time as the County is able to acquire them. Parks and recreation areas shall be provided at the rate of one (1) acre of recreation area to every one hundred people.

Wasco County Planning is looking for feedback, comments or advice pertaining to the fulfillment of this criterion. Are you concerned about long-term maintenance/ability to be adequately maintained? Would a sum paid to Wasco County be preferred instead of a public land dedication. I'm slightly concerned considering the proposed 0.16-acre park is adjacent to a long ago platted park (located at Map: 1N 13E 5 AD 600 Account Number: 13902) that I cannot locate the fee owner or figure out if the platted park is actively maintained.

I've attached the Notice of Hearing for your reference and provided maps of the existing and replatted subdivisions. The link to the application is here: https://www.co.wasco.or.us/departments/planning/active_landuse_applications.php. (You can find the application materials via file number 921-23-000023-PLNG).

Your comments/feedback are greatly appreciated.

Respectfully,

Daniel

--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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2 attachments

06272023_PCHearing_Notice_921-23-000023-PLNG.pdf
845K

Prince Hts Plans - Prelim Plat and Survey Exhibits (1).pdf
2810K

Daniel Dougherty <danield@co.wasco.or.us>

Sandstone Way property

Scott Baker <scottb@nwprd.org> Fri, Jun 30, 2023 at 2:49 PM
To: danield@co.wasco.or.us

Hello Daniel,

I have some, but limited information about the Sandstone way "park" property you emailed Todd about. 1N 13E 5 AD 600 Account Number: 13902 Please give me a call and I'll share what I know and my thoughts about additional park property at that location. I'm out of the office until July 5th.

Best regards,
Scott Baker
(541) 296-9533

Daniel Dougherty <danield@co.wasco.or.us>

Sandstone properties

1 message

Scott Baker <scottb@nwprd.org> Thu, Jul 6, 2023 at 4:06 PM
To: danield@co.wasco.or.us

Hello Daniel,

It was nice to talk with you today. As we discussed, 1N 13E 5 AD 600 Account Number: 13902 is not currently owned or maintained by NWCPRD. It has little or no recreational value and increasing its size .16 acre does not make it a better fit for public recreation. My opinion is that Wasco County would be better served by a cash payment in lieu of the property. If Wasco county is the owner of the adjacent "publicly owned" property, I would encourage them to surplus the property and acquire much needed park space on the westside.

Please let me know if I can be of further assistance,

Scott Baker

Daniel Dougherty <danield@co.wasco.or.us>

Comment Request: Scenic Area Subdivision (Replat) [File No. 921-23-000023-PLNG]

2 messages

Daniel Dougherty <danield@co.wasco.or.us> Fri, May 12, 2023 at 1:34 PM
To: Eric Grendel <ericg@ncphd.org>

Hi Eric,

I'm reaching out for feedback concerning this proposed subdivision (replat request). The request involves the following tax lots:

Map/Tax Lot
1N 13E 5 AD 300
1N 13E 5 AD 1000
1N 13E 5 AD 1100
1N 13E 5 AD 1200
1N 13E 4 BC 2600

The request is a Scenic Area Review for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning
(66 lots replatted to 6 lots). Vacation of unused ROW and easements plus dedication of ROW to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B - 0.16 acres

I attached the original Pre-Notice for reference, and the application's submitted Septic Evaluations that were conducted a few years ago. I've also provided the application link: https://cms5.revize.com/revize/wascocounty/document_center/Planning/Actions/Smilekel_Group_921-23-000023-PLNG/APP_921-23-000023-PLNG_SMILEKEL_GROUP.pdf

I've recieved several comments (none written yet, but several phone calls and a meeting) with neighbors who are all concerned about the soil quality in the area and the proposed areas of septic system. If there is contention with this replat, it's likely to center around septic feasibility in the area and the proposed sites for septic systems.

Any feedback for the record would be of great help.

If you need additional information or have questions please let me know.

Have a great weekend sir.

Respectfully,

Daniel

--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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2 attachments

Signed_PreNotice_for_Comments_NSA_921-23-000023-PLNG_Smilekel.pdf
349K

Septic_Eval_&_Soils.pdf
13185K

Eric Grendel <ericg@ncphd.org> Wed, Jun 28, 2023 at 11:17 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hey Daniel,

I appreciate you reaching out to seek input from the Environmental Health Department.

I've reviewed this proposed replat a few times since taking over the onsite septic program for NCPHD and have also met with my predecessor John Zalaznik who conducted the site evaluation back in 2017, to discuss his interpretation of the proposed replat and development.

Prior to John's evaluation, this proposal went through a Preliminary Feasibility Study by Aqua Resource Design & Consulting and was most notably finalized by REHS Brannon Lamp who is a highly regarded consultant for environmental health services. In Brannon's results, he suggested that the Re-Plat include a series of easements and some help from a designer to adequately demonstrate that the design could support both primary and secondary drainfield areas for 7-8 lots.

Klein Associates was then hired in July of 2017 to create a schematic for the proposed development and replat for the individual lots, which included Aqua Resources sampled soil pit sites. This was provided to John Zalaznik for his site evaluation which was conducted on 9/28/17.

John's evaluated 8 lots for onsite septic suitability and proposed that the area have an Engineered hydrologic Study be conducted due to his concerns over the loading capacity of the site and landslide potential.

Environmental Management Services, INC. (EMS) was then hired to determine whether or not the site was stable to accept the projected daily flow for wastewater.

EMS determined that there were some factors that would indicate there be a cautious approach with the designing of the septic systems and determined that a pressurized distribution system be considered to prevent the uneven distribution of effluent to avoid instability of localized saturated soils. EMS also recommended that Erosion Control Measures be implemented to further prevent any destabilization that could occur.

From my standpoint, working with small lots (Murray's Addition, Sportsman's Park, Pine Hollow) is a major challenge once they've been developed because finding a suitable replacement site can be limited. Since these lots have not been developed yet, NCPHD can require certain criteria to be met before approving a structural permit for sanitation, or a construction permit for onsite wastewater disposal however, larger lots such as the ones proposed do provide more room for adjustments (even if they're on easements). Many times, people may build something in an area that doesn't require a permit and don't think about that space being the only suitable replacement area which can compound an already difficult situation.

While the hypothetical situations are endless as to what could occur in any development, I do believe that expanding the footprint of these lots would be more suitable than trying to squeeze in several ATT systems on smaller lots if they were found to be approved for onsite wastewater treatment.

This replat has had several environmental specialists provide insight into the proposed development, in which I cannot see anything that would keep this from moving forward as long as it's designed and installed appropriately.

Sorry for the late response and feedback to your inquiry Daniel. This development has a few layers that I really wanted to feel confident with my input when addressing your questions.

I hope this helps. Feel free to reach out anytime if you have questions.

Eric Grendel
Environmental Health, REHS
North Central Public Health District
419 E. 7th St. The Dalles, OR 97058
ericg@ncphd.org
Ph:(541)506-2622
Cell:(541)993-0021
(He/Him)

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us>

Subdivision Comments [File No. 921-23-000023-PLNG]

7 messages

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jun 26, 2023 at 11:19 AM
To: jwood@mcfr.org

Good morning Chief Wood,

We recieved a subdivision to replat 66 lots to 6 lots within the Columbia Crest Addition Subdivision Scenic Area:

.

Map/Tax Lot	Acct. #	Acres
1N 13E 5 AD 300	8347	2.28
1N 13E 5 AD 1000	8355	2.74
1N 13E 5 AD 1100	15570	3.76
1N 13E 5 AD 1200	8350	1.90
1N 13E 4 BC 2600	15569	4.27

The proposal seeks to vacate "paper roads" in the Columbia Crest Subdivision and dedicate a single point of access (see Cavern Way Cu-De-Sac in maps below). The subdivision replat proposes a new publicly dedicated road “Cavern Way” (Cul-De-Sac) which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated “Sandstone Way” and/or "Hermits Way".

The proposed Cul-De-Sac will be 22' wide paved with 2' wide gravel shoulders (50' wide road tract). I've provided a couple of maps I've created and the actual subdivision Pdf. Maps. The entire application is located

I'm hoping to get your professional opinion concerning fire safety. A pre-notice was sent on March 16, 2023 for comments, and a Planning Commission hearing for the decision will be heard on August 1.

Thanks for your help.

Respectfully,

Daniel



Columbia Crest Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Proposed Vacated Roads



Map 2

Prince Heights Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Proposed Road

--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Prince Hts Plans - Prelim Plat and Survey Exhibits (1).pdf
2810K

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jun 26, 2023 at 11:41 AM
To: jwood@mcfr.org

Hi Chief Wood,

I forgot to mention that the cul-de-sac proposes a 590' Length and will have a 48' radius turnaround.

Thanks for your assistance.

Respectfully,

Daniel
[Quoted text hidden]

Jay Wood <jwood@mcfr.org> Wed, Jun 28, 2023 at 9:17 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Good morning,

I was out of the office Monday and worked on this yesterday. To be clear, page 4 of the PDF you sent over is the proposed, and if so here are the requirements for access and water supply as per Oregon Fire Codes (OFC). All these requirements would come into play upon building.

Fire Apparatus Access:

- The fact that this is over 2 residential lots/buildings, these requirements come into play, again upon building. Access roads need to extend to within 150 feet of each structure on each lot. The 150 feet is from where we park the fire apparatus and then around the exterior of the building (where we would potentially pull the hose for fire attack). See note below regarding individual driveways on the lots.
- The rest of the access specifications come from Appendix D of the OFC
  - The height of the access needs to be at least 13’6” along the entire access road. Trees will need to be maintained at that height throughout and any overhead signs, etc as well.
  - The driving surface needs to be “all weather” though there is no good interpretation of what this really means. Generally accepted is concrete and/or asphalt. For a one or two lot development, a gravel driveway suffices. See note below about driveways on individual lots.
  - The access road must support an imposed load of 85,000, the gross weight of our heaviest fire apparatus including driveways.
  - Minimum width of the access road is 26’ driving surface for two reasons;
    - Access roads great than 500 feet require 26’ width
    - Hydrants will be required so the road must be 26’ (see water supply below).
  - Grade shall be 10 percent of slope or less. There is the short pitch of greater than 10 percent allowed if necessary and by approval of the Fire District.
  - Dead end roads greater than 150 feet must have a turnaround. The cul-de-sac works as a turnaround; however, the minimum dimension of the cul-de-sac is 96 feet. Alternatives could be a hammer head “T”, a “Y” or other arrangement that has at least 2 legs that are at a minimum of 60 feet in length.
  - No Parking Signs will be required unless the access road is greater than 32’ in width.
    - At exactly 26’ width, signs on both sides are required.
    - Greater than 26’ width only requires on side to be signed.
    - Signs have to be a minimum of 12” wide by 18” high with red letters with white reflective background. Wording of “No Parking” and “Fire Lane” are required. Arrows can be used if a portion of the roadway is greater than 32’ then necks down to less than 32’.
  - Probably not an issue with this as it’s residential, but if the building heights are 30’ or three stories, two roads to access the buildings are required (access for ladder truck)
- Structures on the lots must be within the 150’ from the access road OR they must have access roads/driveways that meet the height, weight, grade and turnaround requirements. Width can be reduced to 12’ drivable surface on individual lots with one or two dwellings (such as an ADU)
- There is the possibility of exceptions to some of these requirements if the dwellings (not garages, outbuildings) have an approved automatic fire sprinkler system installed in the residences. Typically, we see this with grades greater than 10 percent of slope or hydrant placement issues due to underground issues (rock usually), however, we can discuss further with you and/or the developer.

Water supply

- Because there is a water system in that area (Chen. Water PUD), one or more hydrants will be required. The hydrant/hydrant system will need to flow 1,000 Gallons per minute with a 20 pounds per square inch residual pressure.
  - If all of the homes will have sprinklers, that can be dropped to 500 gallons per minute at 20 psi residual.
  - If 1,000 gallons, the flow has to have the capacity to be maintained for 1-hour. If 500 gallons, then the duration is ½-hour.
  - The developer may be required to provide the available fire flow as noted if the water system cannot support the requirements. That can be in the form of:
    - their own water system of reservoirs and hydrant(s)
    - supplementing the current water system by paying for upgrades to the public system.
- Maximum distance from a dwelling to a hydrant is 200 feet. In other words, a hydrant will need to be installed within 200' of the center of the cul-de-sac (after being redrawn with the correct diameter requirement). This will need to be discussed if the dwellings are not near the cul-de-sac end of the lots (set back from the cul-de-sac with a driveway). If dwellings/buildings are set back from the street, it may be best to install the hydrant at the cul-de-sac.
  - This can be increased to 250' if sprinklers installed.
- Another hydrant would need to be installed within 500 feet of the one servicing the cul-de-sac. This can be increased to 625' if sprinklers are installed in all dwellings on each of the subject lots.
- Lot 1, if accessed by Sandstone Way will have to be situated so it is within that 500'/625' or an additional hydrant will need to be installed.

Please let me know if you have any questions. I'd be happy to get out of the office and meet with you and/or the developer as needed.

Thank you for reaching out on this one. I didn't see the earlier notice (but did get the email). Not sure how I missed this one.

Jay

Jay Wood, Division Chief

Prevention/Public Education

Mid-Columbia Fire and Rescue

1400 W. 8th Street

The Dalles, Oregon 97058

jwood@mcfr.org

Office: 541-296-9445

Cell: 541-993-1677

Educate, Serve and Protect

[Quoted text hidden]
[Quoted text hidden]
[Quoted text hidden]

> Good morning Chief Wood,
>
> [Quoted text hidden]



Columbia Crest Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Proposed Vacated Roads



Map 2

Prince Heights Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Proposed Road

--

Daniel Dougherty | ***Senior Planner***

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danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Wed, Jun 28, 2023 at 4:26 PM
To: Sean Bailey <seanb@co.wasco.or.us>

Hi Sean,

I've forwarded you Chief Woods' comments.

Respectfully,

Daniel
[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Thu, Jun 29, 2023 at 3:50 PM
To: Jay Wood <jwood@mcfr.org>

Chief Wood,

Many thanks for your comments. I've got an additional item I'd like your feedback on as it's discretionary.

There's a criterion in our Land Divisions Chapter 21:

L. Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right of way shall be provided at the time of subdivision or partitioning.

Concerning "Sandstone Way" that will provide primary access from Cherry Heights to the proposed Cavern Way cul-de-sac: I measured Sandstone to be approximately 35' wide at Cherry Heights, roughly 30' w at the first eastward turn, and approximately 25' w at Hermits Way. This is a public road of local access, and I'm not sure when it was actually built, or to what standards it was built to. The original subdivision plat has Sandstone at 50' w. I'm trying to determine if the replat warrants the widening of Sandstone. Do you believe the request warrants Sandstone to be widened based on potential fire safety standards? Truthfully, if the developer could figure out how to make the septic system work, they could sell the existing 66 small lots and not necessarily have to deal with Sandstone Way at all...they might have to build out the platted paper roads approved under the original plat, but there'd be no mechanism under Planning to require additional right of way.

Thanks for the help! I'll likely have additional questions as we proceed.

Respectfully,

Daniel

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Sun, Jul 9, 2023 at 4:41 PM
To: Jay Wood <jwood@mcfr.org>

Good afternoon Chief Wood,

I've provided your comments in the staff report and relied upon them for findings and conditions of approval regarding our cul-de-sac criterion:

Chapter 21 Land Divisions Section 21.030.G

G. Cul-de-sacs: In general, dead end (cul-de-sac) streets are not desirable, but if provided, shall terminate in a turnaround that is consistent with Chapter 11 and the local fire department.

I'm hoping to get your feedback concerning the following findings/conditions, so that I can square them away prior to the hearing (It's quite a process to alter them after a decision is made).

In general, dead end (cul-de-sac) roads are not desirable, but considering the geography of the area and limited suitable spaces to locate septic drain fields, the following recommended conditions of approval are proposed to ensure the cul-de-sac road and final subdivision plan is consistent with Chapter 11 and state fire codes concerning fire apparatus access:

(1) To ensure access roads extend to within 150 feet of each structure on each lot, a **condition** of approval is recommended requiring that designated development areas for proposed Lots 1-6 shall be within 150 feet of the primary access road for the individual lot, or that Lots 1-6 must contain access roads or driveways that shall be engineered to support an imposed load of 85,000 lbs., are 12' wide, and that the grade of the access driveway shall be 10 percent of slope or less.

(2) To ensure that no obstacles exist for fire apparatus access, a **condition** of approval is recommended requiring that the Cavern Way cul-de-sac road shall be maintained free of vegetation, signage, or any other man-made or natural objects, and that the height of trees, signage, or other man-made or natural objects shall be at least 13'6" along the entire Cavern Way cul-de-sac road.

(3) To ensure the public is notified of restricted parking areas for fire apparatus, a **condition** of approval is recommended requiring that signage be provided on both sides of the Cavern Way cul-de-sac road, and that the signage must be a minimum of 12" wide x 18" high with red letters with white reflective background with wording of "No Parking" and "Fire Lane".

(4) To ensure that all fire apparatus have access to the proposed Lots 3-6 along the Cavern Way cul-de-sac road, a **condition** of approval is recommended requiring that the road shall be paved and engineered to support an imposed load of 85,000 lbs., that the paved portion shall be at least 26' wide, and that the grade shall be 10 percent of slope or less. A **variance** to the 10 percent slope condition may be granted upon demonstration of need by the applicant and approval by the local fire district.

According to Chief Wood, the subdivision area is within the Chenowith Water District. The Wasco County Geographic Information System "Water Districts" map layer provides that the water district is the Columbia Crest Water District. In any case, in consideration of water supply for fire apparatus, the following recommended conditions of approval are proposed to ensure the cul-de-sac road and final subdivision plan is consistent with Chapter 11 and state fire codes concerning water supply:

(1) To ensure on-site water is available for structural fire protection, a **condition** of approval is recommended that fire hydrants shall be provided at least 200 feet from all designated development areas for the proposed Lots 1-6; or

(2) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units shall be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval is recommended that fire hydrants shall be provided at least 250 feet from all designated development areas for the proposed Lots 1-6.

(3) A **condition** of approval is recommended that a fire hydrant shall be provided within 500 feet of the fire hydrant servicing the cul-de-sac; or

(4) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval is recommended that the fire hydrant shall be provided within 625 feet of the fire hydrant servicing the cul-de-sac.

(5) If Lot 1 is accessed by Sandstone Way, a **condition** of approval is recommended requiring that a fire hydrant shall be situated so it is within 500 feet of the fire hydrant servicing the cul-de-sac, or that a separate fire hydrant shall be installed for Lot 1; or

(6) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval is recommended that the fire hydrant shall be provided within 625 feet of the fire hydrant servicing the cul-de-sac, or that a separate fire hydrant shall be installed for Lot 1.

(7) The fire hydrants shall have a flow rate of 1,000 gallons per minute with 20 pounds per square inch of residual pressure, and that the flow capacity shall be maintained for at least 60-minutes; or

(8) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units shall be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval is recommended that the required fire hydrant shall have a flow rate of 500 gallons per minute at 20 pounds per square inch of residual pressure that can be maintained for at least 30-minutes.

(9) To ensure the proposed fire hydrants can meet required flow rate conditions, a **condition** of approval is recommended that prior to public dedication of the proposed Cavern Way cul-de-sac, the subdivider shall provide objective substantial evidence from the local fire district that the proposed fire hydrants will have the required flow rates; or

(10)If the subdivider cannot demonstrate the required fire hydrant flow rate requirements, the subdivider, prior to public dedication of the proposed Cavern Way, shall provide objective substantial evidence from the local fire district that the required flow rates can be obtained from providing their own water system of reservoirs and hydrants, or by supplementing the current water system through upgrading the public water system. Upgrading the current water system to meet fire hydrant flow rate requirements is the sole responsibility of the subdivider.

Thanks for your feedback.

Respectfully,

Daniel

On Wed, Jun 28, 2023 at 9:17 AM Jay Wood <jwood@mcfr.org> wrote:

[Quoted text hidden]

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Sun, Jul 9, 2023 at 4:48 PM
To: Jay Wood <jwood@mcfr.org>

I missed the cul-de-sac requirement, and added it into Access Condition 4:

(4) To ensure that all fire apparatus have access to the proposed Lots 3-6 along the Cavern Way cul-de-sac road, a **condition** of approval is recommended requiring that the road shall be paved and engineered to support an imposed load of 85,000 lbs., that the paved portion shall be at least 26' wide, that the grade shall be 10 percent of slope or less, and that the road shall have a 48' radius (96' diameter) cul-de-sac for fire turnaround at the end . A **variance** to the 10 percent slope condition may be granted upon demonstration of need by the applicant and approval by the local fire district.

Respectfully,

Daniel

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us>

Subdivision Comments [File No. 921-23-000023-PLNG]

8 messages

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jun 26, 2023 at 10:13 AM
To: Arthur Smith <arthurs@co.wasco.or.us>, Bradley Cross <bradleyc@co.wasco.or.us>

Good morning,

We recieved a subdivision to replat 66 lots to 6 lots within the Columbia Crest Addition Subdivision Scenic Area:
.

Map/Tax Lot	Acct. #	Acres
1N 13E 5 AD 300	8347	2.28
1N 13E 5 AD 1000	8355	2.74
1N 13E 5 AD 1100	15570	3.76
1N 13E 5 AD 1200	8350	1.90
1N 13E 4 BC 2600	15569	4.27

I know the proposal has been tossed around since at least 2018, and we've discussed the process on road vacation and road dedications.

Correct me if I'm wrong, but from my understanding, the BOCC can't vacate the existing Cavern Way, Sandstone Way, and Granite Way roads before it dedicates the new Cavern Way. The Planning Commission will make a decision in the matter (Preliminary Plan) on August 1. I'm trying to figure out how to condition the dedication and vacation so it works with any requirements you folks might have for the final plat. I'm also looking for any technical feedback you might have. I'll send additional questions in this thread as they arise.

I've attached a couple of maps, the Pdf. subdivision plan and linked the online location of the application (See File No. 921-23-000023-PLNG): https://www.co.wasco.or.us/departments/planning/active_landuse_applications.php.

Thanks for the help.

Respectfully,

Daniel

See maps below:



Columbia Crest Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Proposed Vacated Roads



Map 2

Prince Heights Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Proposed Road

--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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It is informational only and a matter of public record.

Prince Hts Plans - Prelim Plat and Survey Exhibits (1).pdf
2810K

Arthur Smith <arthurs@co.wasco.or.us> Mon, Jun 26, 2023 at 10:47 AM
To: Daniel Dougherty <danield@co.wasco.or.us>
Cc: Bradley Cross <bradleyc@co.wasco.or.us>

We received a petition to vacate several roads within the Columbia Crest Addition back in May, 2022. The Smilekel Group made that request. I would need an updated road vacation petition, clearly showing what roads or sections of road are proposed for vacation. Then, depending on the Planning Commission decision, we could move forward with the BOC on the vacations, pending approval of the new road dedications / subdivision plat. Brad and I have discussed this issue before. Thanks

Arthur
[Quoted text hidden]
--

Arthur Smith | ***Director***
PUBLIC WORKS

arthurs@co.wasco.or.us | www.co.wasco.or.us
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2705 East 2nd Street | The Dalles, OR 97058

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jun 26, 2023 at 11:48 AM
To: Arthur Smith <arthurs@co.wasco.or.us>

Hi Arthur,

Thanks for the update. Do you have opinions of the potential impact this proposal will have on Cherry Heights Road or Sandstone Way/Hermits Way?

Anticipated ADT impacts to existing roads?

The proposed Cul-De-Sac will be 22' wide paved with 2' wide gravel shoulders (50' wide road tract), will be 590' in length, and have a 48' radius (96' diameter) turnaround. The application provides that the road will be maintained by the homeowners with a maintenance agreement.

Respectfully,

Daniel

[Quoted text hidden]

Arthur Smith <arthurs@co.wasco.or.us> Mon, Jun 26, 2023 at 1:38 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Daniel,

Cherry Heights is a fully maintained county road, with an ADT over 1500. Adding a few additional lots and traffic trips will not adversely impact that road. Sandstone, Hermits Way are currently public roads of local access. They are paved roads, in fair shape, but they are not maintained by the county. I am not looking to add them into the county road system. Please make sure a homeowners association or

road maintenance agreement is a requirement of the subdivision approval. Thanks

Arthur
[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Thu, Jun 29, 2023 at 3:44 PM
To: Arthur Smith <arthurs@co.wasco.or.us>

Hi Arthur,

Thanks for the comments. There's a criterion in our Land Divisions Chapter 21:

L. Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right of way shall be provided at the time of subdivision or partitioning.

Concerning "Sandstone Way" that will provide primary access from Cherry Heights to the proposed Cavern Way cul-de-sac: I measured Sandstone to be approximately 35' wide at Cherry Heights, roughly 30' w at the first eastward turn, and approximately 25' w at Hermits Way. This is a public road of local access, and I'm not sure when it was actually built, or to what standards it was built to. The original subdivision plat has Sandstone at 50' w. I'm trying to determine if the replat warrants the widening of Sandstone. Do you believe the request warrants Sandstone to be widened based on the proposed replat and potential traffic. Truthfully, if the developer could figure out how to make the septic system work, they could sell the 66 small lots and not necessarily have to deal with Sandstone Way at all...they might have to build out the platted paper roads, but there'd be no mechanism under Planning to require additional right of way.

Thanks for the help! I'll likely have additional questions as we proceed.

Respectfully,

Daniel
[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Thu, Jun 29, 2023 at 3:47 PM
To: Arthur Smith <arthurs@co.wasco.or.us>

Hi Arthur,

Accidentally sent my email to you before it was ready. See below:

Thanks for the comments. There's a criterion in our Land Divisions Chapter 21:

L. Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right of way shall be provided at the time of subdivision or partitioning.

Concerning "Sandstone Way" that will provide primary access from Cherry Heights to the proposed Cavern Way cul-de-sac: I measured Sandstone to be approximately 35' wide at Cherry Heights, roughly 30' w at the first eastward turn, and approximately 25' w at Hermits Way. This is a public road of local access, and I'm not sure when it was actually built, or to what standards it was built to. The original subdivision plat has Sandstone at 50' w. I'm trying to determine if the replat warrants the widening of Sandstone? Do you believe the request warrants Sandstone to be widened based on the proposed replat and potential traffic? Truthfully, if the developer could figure out how to make the septic system work, they could sell the 66 small lots and not necessarily have to deal with Sandstone Way at all...they might have to build out the platted paper roads, but there'd be no mechanism under Planning to require additional right of way.

Thanks for the help! I'll likely have additional questions as we proceed.

Respectfully,

Daniel
[Quoted text hidden]

Arthur Smith <arthurs@co.wasco.or.us> Mon, Jul 3, 2023 at 8:37 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Good morning,

The existing roadway widths are adequate to serve the additional lots and appear to have been built to meet our minimum road standards. I would not require any road widening. My only request would be for a Road Maintenance Agreement or Homeowners Agreement to ensure that the public roads are maintained after development. Thanks

Arthur
[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Wed, Jul 12, 2023 at 11:20 AM
To: Arthur Smith <arthurs@co.wasco.or.us>, Bradley Cross <bradleyc@co.wasco.or.us>

Gentleman,

I'm looking for feedback pertaining to the following conditions of approval concerning the proposed Prince Heights Subdivision Caver Way cul-de-sac road dedication and the necessary road vacations for Sandston Way (portion), Caver Way, and Granite Way roads in the existing Columbia Crest Addition Subdivision.

Pertaining to Road Maintenance:

Based on Mr. Smith's commentary and the implementation policies within the Wasco County Comprehensive Plan, staff recommends the following **conditions** of approval be achieved prior to final subdivision plat approval:

(1) A waiver of remonstrance for future publicly funded road improvements for the proposed Cavern Way road be recorded with the Wasco County Clerk; and

(2) A restrictive covenant agreement requiring acknowledgment of improvement and maintenance costs for the proposed Cavern Way cul-de-sac be recorded with the Wasco County Clerk.

With the recommended conditions, staff finds the request is consistent with the goals and policies of the Comprehensive Plan and Section 21.300.C.1.

Pertaining to the Road Vacation and Dedication:

The proposed Cavern Way cul-de-sac road has not been constructed, and cannot be dedicated until the existing dedicated roads have been properly vacated. However, the existing dedicated Sandstone Way (portion), Cavern Way, and Granite Way roads cannot be vacated before the proposed subdivision and road dedication are approved because the existing lots within the Columbia Crest Addition Subdivision would be left without public access. Staff has conferred with the Wasco County Public Works Director Arthur Smith and the Wasco County Surveyor Brad Cross, and recommends the following **condition** of approval: The final road vacation for Sandstone Way (portion), Cavern Way, and Granite Way roads shall be conditioned to take effect only upon the final approval of the proposed Prince Heights Subdivision plat and the approved public dedication of the proposed Cavern Way cul-de-sac road.

Please let me know what you think. Thanks for your assistance.

Respectfully,

Daniel

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us>

Subdivision Sidewalks

8 messages

Daniel Dougherty <danield@co.wasco.or.us> Thu, Jul 13, 2023 at 11:09 AM
To: Arthur Smith <arthurs@co.wasco.or.us>

Hi Arthur,

I'm looking for feedback pertaining to sidewalk and bike lane criteria for the proposed subdivision. Do you think that the request needs sidewalks or bicycle lanes? The area currently lacks sidewalks, bicycle lanes and has a low residential density.

1. When necessary, and consistent with Wasco County's standards, sidewalks shall be required as part of a new road when a proposed development or land division is within an urban growth boundary, or when:

a. The subject property is located within one-quarter mile of a school, shopping center, recreation area, or other use likely to create pedestrian traffic; or

b. The surrounding area is developed with sidewalks or is zoned for commercial, industrial or urban residential uses.

2. Sidewalk(s) shall be constructed to applicable standards (see Table 2 Urban Wasco County Roadway Design Standards in the Wasco County Transportation System Plan). Sidewalk requirements may be waived, or may be deferred through a road improvement agreement when, in the opinion of the County, sidewalks would not be immediately necessary to accommodate pedestrian traffic.

3. Bicycle facilities shall be required along new roads when necessary to extend an existing bicycle route, or when a bicycle route or way is proposed within an adopted Transportation System Plan.

Thanks for the help.

Respectfully,

Daniel
--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Arthur Smith <arthurs@co.wasco.or.us> Mon, Jul 17, 2023 at 8:50 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Daniel,

Wasco County's Rural road standards do not include sidewalks, curbs or gutters. I would apply the Rural road standards here, unless you believe that the City of The Dalles is interested in annexing this development?. Most county roads are "shared" roadways, with no dedicated bike lanes, so I would not recommend a bike lane.

Arthur
[Quoted text hidden]
--

Arthur Smith | ***Director***
PUBLIC WORKS

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Daniel Dougherty <danield@co.wasco.or.us> Mon, Jul 17, 2023 at 2:32 PM
To: Arthur Smith <arthurs@co.wasco.or.us>

Hi Arthur,

I don't believe the City is interested. Thanks for the feedback.

Another question:

Have you published:

A. Drawings

1. The County Road Master shall have the authority to publish "Standard Drawings" for the design of public streets and roads. These drawings may be included in the separately adopted document listed in B(1) above.

Respectfully,

Daniel
[Quoted text hidden]

Arthur Smith <arthurs@co.wasco.or.us> Mon, Jul 17, 2023 at 2:36 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

We may have some drawings for typical road cross sections in our TSP (from 2009). That was done before I became Director. However, we defer to the ODOT / APWA standard drawings and specifications. Thanks

Arthur
[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jul 17, 2023 at 2:45 PM
To: Arthur Smith <arthurs@co.wasco.or.us>

Excellent. Thank you for your comments. I think that's about it. I should have the Staff Report and recommended Conditions of Approval finished by tomorrow. Can I shoot the road related conditions your way for a quick once over?

Respectfully,

Daniel
[Quoted text hidden]

Arthur Smith <arthurs@co.wasco.or.us> Mon, Jul 17, 2023 at 2:52 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Yes, no problem.
[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Tue, Jul 18, 2023 at 9:25 AM
To: Arthur Smith <arthurs@co.wasco.or.us>

Hi Arthur,

I've got three more questions for you if you have the time. There's three more sections that need findings, concerning adjacent roadway improvements, access improvements (traffic study, and pedestrian access). In the case of ublic, agency, or interest group comments, I want to make sure I've buttoned up or covered any possible concerns. I know we've addressed these issues in prior sections, but comments specific to the sections would be extremely helpful.

First
Section 21.440 Roadway Improvement Standards
A. Roadway Requirements: No development shall occur unless the roadways adjacent to the development meet the standards of this section, unless the following applies:
1. A development may be approved if the adjacent roadway does not meet the standards but halfstreet improvements meeting the standards of this title are constructed adjacent to the development.

Based on the application materials and your previous statements, I don't believe that adjacent roadways (primarily Sandstone and Hermits Way) need to be improved, and meet the standards, but additional comments would be helpful.

Second
Section 21.450 Access Control Standards.
1. Traffic Impact Analysis Requirements. The County or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also, Section 4.180 Traffic Impact Analysis.)

This entire section is concerned with access to the subdivision. Primary public access comes from Cherry Heights via Sandstone Way (and/or Hermits for Lots 1 &2) and for Lots 3, 4, 5, and 6, the proposed Cavern Way cul-de-sac road. Based on the application materials and your previous statements, I don't believe that access control will be an issue, but additional comments would be helpful.

Third
Section 21.460 Pedestrian Access and Circulation
A. Site Layout and Design - To ensure safe, direct, and convenient pedestrian circulation, all developments shall provide a continuous pedestrian system.

You've made comment that considering the rural nature of the subdivision area, sidewalks will not be required. The overall application, density of the area, and history of the developed lots within the existing Columbia Crest Addition do not support requiring pedestrian access for the 6 proposed replatted lots, but additional comments would be helpful.

Thanks for your help.

Respectfully,

Daniel
[Quoted text hidden]

Arthur Smith <arthurs@co.wasco.or.us> Tue, Jul 18, 2023 at 10:51 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Daniel,

Thank you for the opportunity to comment - see below:

First
Section 21.440 Roadway Improvement Standards
A. Roadway Requirements: No development shall occur unless the roadways adjacent to the development meet the standards of this section, unless the following applies:
1. A development may be approved if the adjacent roadway does not meet the standards but half street improvements meeting the standards of this title are constructed adjacent to the development.

Based on the application materials and your previous statements, I don't believe that adjacent roadways (primarily Sandstone and Hermits Way) need to be improved, and meet the standards, but additional comments would be helpful.

Based on my recent inspections, the adjacent public roadways - Sandstone Way and Hermits Way meet our rural road standards. The first portion of Sandstone Way is county maintained, and both roadways are paved surface roads, with adequate width and drainage. I would not recommend any road improvements on these adjacent roads.

Second
Section 21.450 Access Control Standards.
1. Traffic Impact Analysis Requirements. The County or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also, Section 4.180 Traffic Impact Analysis.)

This entire section is concerned with access to the subdivision. Primary public access comes from Cherry Heights via Sandstone Way (and/or Hermits for Lots 1 &2) and for Lots 3, 4, 5, and 6, the proposed Cavern Way cul-de-sac road. Based on the application materials and your previous statements, I don't believe that access control will be an issue, but additional comments would be helpful.

I have reviewed the existing average daily traffic volumes for Cherry Heights Road and Sandstone Way - I have no data for the public roads. These roads can easily absorb the additional traffic generated by the proposed development and will not cause any increased maintenance. I do not foresee any access control issues resulting from this development.

Third
Section 21.460 Pedestrian Access and Circulation
A. Site Layout and Design - To ensure safe, direct, and convenient pedestrian circulation, all developments shall provide a continuous pedestrian system.

You've made comment that considering the rural nature of the subdivision area, sidewalks will not be required. The overall application, density of the area, and history of the developed lots within the existing Columbia Crest Addition do not support requiring pedestrian access for the 6 proposed replatted lots, but additional comments would be helpful.

As I stated before, most rural county roads are shared use roads - drivers, bicyclists and pedestrians all have the same right to travel the public roadway. Our rural road standards do provide for a shoulder area outside the paved road and that shoulder is adequate for the expected pedestrian use to be generated by this development (pedestrians can obviously walk along the main roadway, when not in conflict with vehicular traffic). I would not recommend any additional pedestrian path or pedestrian system.

Thank you,

Arthur
[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us>

Inquiry [File No. 921-23-000023-PLNG]

21 messages

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jun 26, 2023 at 8:47 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good morning,

I hope your weekend went well. As I dive deeper into the staff report, I'll likely submit questions to you.

Question 1: The leftover TRACT "A" (1.31 Acres). Who will own it, maintain it (HOA?)

Section 21.030.F

> *3. Any lot in a platted subdivision may be enlarged to approximate more closely the minimum lot area for the zone in which the lot is located, provided that no leftover lot areas shall be less than the minimum lot area for the zone.*

"Leftover lot areas" aren't necessarily defined, but Tract A as a leftover private open space tract might fall within that definition if pressed. The lots within the subdivision are being enlarged to approximate the minimum zone size, but more information about Tract A will help address this criterion.

Respectfully,

Daniel
--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Elizabeth Betts <elizabeth@kleinassocinc.com> Mon, Jun 26, 2023 at 9:14 AM
To: Daniel Dougherty <danield@co.wasco.or.us>
Cc: Jim Klein <jimk@kleinassocinc.com>

Hi Daniel,

Tract A will be owned by the HOA. It is open space and will also contain easements for some of the septic drainfields. I'm curious whether a Tract considered a leftover lot area since it will never be proposed to be built on?

Best,

Elizabeth Betts, PE

Klein & Associates, Inc

Office: 541-386-3322

Web: kleinassocinc.com

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Monday, June 26, 2023 8:47 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Inquiry [File No. 921-23-000023-PLNG]

Good morning,

I hope your weekend went well. As I dive deeper into the staff report, I'll likely submit questions to you.

Question 1: The leftover TRACT "A" (1.31 Acres). Who will own it, maintain it (HOA?)

Section 21.030.F

> *3. Any lot in a platted subdivision may be enlarged to approximate more closely the minimum lot area for the zone in which the lot is located, provided that no leftover lot areas shall be less than the minimum lot area for the zone.*

"Leftover lot areas" aren't necessarily defined, but Tract A as a leftover private open space tract might fall within that definition if pressed. The lots within the subdivision are being enlarged to approximate the minimum zone size, but more information about Tract A will help address this criterion.

Respectfully,

Daniel

--

Daniel Dougherty | ***Senior Planner***

PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Daniel Dougherty <danield@co.wasco.or.us> Mon, Jun 26, 2023 at 11:23 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good morning,

Is a covenant proposed for Tract A keeping it open-space?

Also,

Section 21.030.
P. Cul-de-sacs: In general, dead end (cul-de-sac) streets are not desirable, but if provided, shall terminate in a turnaround that is consistent with Chapter 11 and the local fire department.

Can you provide additional details as to why the Cul-de-sac is being proposed as opposed to a through street? I'm guessing slope and elimination of developable land to be used for septic fields, but if you can provide additional details that would be great.

Respectfully,

Daniel
[Quoted text hidden]
--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Elizabeth Betts <elizabeth@kleinassocinc.com> Mon, Jun 26, 2023 at 1:42 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hi Daniel,

We will have CCR's that protect the open space. I don't have CCR's yet for this subdivision – they are usually put together by the developer's lawyer, but here's a sample of one I've used in the past.

Open Space Tract:

a. *The designated open space tract within the subdivision shall be preserved in perpetuity and shall not be developed or altered for any purpose.*

For the cul-de-sac, you are correct in your thoughts. My primary reasons are topographical and preserving the limited drainfield areas. We are minimizing land disturbance with a cul-de-sac vs a through road. The steepness of the site means that constructing a through road would require significant grading and excavation to create additional road. The topography is also too steep to create a through road to either the east or south, so a looped road would be the only option other than a cul-de-sac. By opting for a cul-de-sac, the need for extensive land disturbance is reduced since it involves developing a smaller area. The use of a cul-de-sac also allows for better utilization of the buildable area and suitable septic drainfield locations.

Best,

Elizabeth

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Tue, Jun 27, 2023 at 11:20 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good morning,

Thanks for the additional information.

Pertaining to 21.030.L
L. Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right of way shall be provided at the time of subdivision or partitioning.

Arthur Smith provided that Sandstone and Hermits Way are local roads of public access that are not maintained by the County. Per application materials, the newly proposed Cavern Way cul-de-sac will be publicly dedicated (local road of public access) and maintained by the HOA (a condition of approval will be added to the decision ensuring this occurs). Two questions:

(1) Are there plans to provide for the maintenance of the existing Sandstone and Hermits Way roads?
(2) What is current condition of Sandstone and Hermits Way roads? Every indication I have is that they are paved, at least 30' wide (maybe wider), and meet existing Fire Safety Standards.

Respectfully,

Daniel
[Quoted text hidden]
--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Elizabeth Betts <elizabeth@kleinassocinc.com> Wed, Jun 28, 2023 at 12:39 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hi Daniel,

For your questions below:

1. There is normally a road maintenance agreement for privately maintained roads. I do not know how the road maintenance agreement (if there is one) is set up for the existing Sandstone or Hermit's Way. If these parcels were part of that agreement, then they would need to participate in the maintenance. Does Arthur have that documentation? I don't believe that Hermit's Way would be impacted or accessed by this subdivision other than the sawcuts for water and dry utility trench, which will be restored/paved; therefore maintenance of Hermit's Way does not seem to be something that would be indicated for this project.

The existing ROW on both roads is 50'. We are also revising and dedicating ROW on Sandstone in the curve so that the existing road will actually be in ROW (it was constructed outside of ROW).

2. The streets are paved and appear to be in decent condition. The pavement in our limited survey area on Sandstone exceeds 20' width (varies up to 24') and gravel shoulders are about 2' wide. I've attached a photo of Sandstone taken during surveying a few years ago as well as one of the intersection of Sandstone and Hermit's looking east on Hermit's. Again, I don't believe that Hermits Way would be impacted or used by this subdivision other than the sawcuts for water and dry utility trench, which will be restored/paved, so width of Hermit's would not be pertinent to this project since access will be from Sandstone.

Hope that helps – let me know if you have additional questions.

Best regards,

[Quoted text hidden]

2 attachments



IMG_4489.JPG
6874K



20211117_121310.jpg
4491K

Daniel Dougherty <danield@co.wasco.or.us> Wed, Jun 28, 2023 at 4:25 PM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good afternoon,

I've provided Chief Woods (Mid Col. Fire Dept.) comments for your reference:

Good morning,

I was out of the office Monday and worked on this yesterday. To be clear, page 4 of the PDF you sent over is the proposed, and if so here are the requirements for access and water supply as per Oregon Fire Codes (OFC). All these requirements would come into play upon building.

Fire Apparatus Access:

- The fact that this is over 2 residential lots/buildings, these requirements come into play, again upon building. Access roads need to extend to within 150 feet of each structure on each lot. The 150 feet is from where we park the fire apparatus and then around the exterior of the building (where we would potentially pull the hose for fire attack). See note below regarding individual driveways on the lots.
- The rest of the access specifications come from Appendix D of the OFC

- The height of the access needs to be at least 13'6" along the entire access road. Trees will need to be maintained at that height throughout and any overhead signs, etc as well.
- The driving surface needs to be "all weather" though there is no good interpretation of what this really means. Generally accepted is concrete and/or asphalt. For a one or two lot development, a gravel driveway suffices. See note below about driveways on individual lots.
- The access road must support an imposed load of 85,000, the gross weight of our heaviest fire apparatus including driveways.
- Minimum width of the access road is 26' driving surface for two reasons;
  - Access roads great than 500 feet require 26' width
  - Hydrants will be required so the road must be 26' (see water supply below).
- Grade shall be 10 percent of slope or less. There is the short pitch of greater than 10 percent allowed if necessary and by approval of the Fire District.
- Dead end roads greater than 150 feet must have a turnaround. The cul-de-sac works as a turnaround; however, the minimum dimension of the cul-de-sac is 96 feet. Alternatives could be a hammer head "T", a "Y" or other arrangement that has at least 2 legs that are at a minimum of 60 feet in length.
- No Parking Signs will be required unless the access road is greater than 32' in width.
  - At exactly 26' width, signs on both sides are required.
  - Greater than 26' width only requires on side to be signed.
  - Signs have to be a minimum of 12" wide by 18" high with red letters with white reflective background. Wording of "No Parking" and "Fire Lane" are required. Arrows can be used if a portion of the roadway is greater than 32' then necks down to less than 32'.
- Probably not an issue with this as it's residential, but if the building heights are 30' or three stories, two roads to access the buildings are required (access for ladder truck)

- Structures on the lots must be within the 150' from the access road OR they must have access roads/driveways that meet the height, weight, grade and turnaround requirements. Width can be reduced to 12' drivable surface on individual lots with one or two dwellings (such as an ADU)
- There is the possibility of exceptions to some of these requirements if the dwellings (not garages, outbuildings) have an approved automatic fire sprinkler system installed in the residences. Typically, we see this with grades greater than 10 percent of slope or hydrant placement issues due to underground issues (rock usually), however, we can discuss further with you and/or the developer.

Water supply

- Because there is a water system in that area (Chen. Water PUD), one or more hydrants will be required. The hydrant/hydrant system will need to flow 1,000 Gallons per minute with a 20 pounds per square inch residual pressure.
  - If all of the homes will have sprinklers, that can be dropped to 500 gallons per minute at 20 psi residual.
  - If 1,000 gallons, the flow has to have the capacity to be maintained for 1-hour. If 500 gallons, then the duration is ½-hour.
  - The developer may be required to provide the available fire flow as noted if the water system cannot support the requirements. That can be in the form of:
    - their own water system of reservoirs and hydrant(s)
    - supplementing the current water system by paying for upgrades to the public system.
- Maximum distance from a dwelling to a hydrant is 200 feet. In other words, a hydrant will need to be installed within 200' of the center of the cul-de-sac (after being redrawn with the correct diameter requirement). This will need to be discussed if the dwellings are not near the cul-de-sac end of the lots (set back from the cul-de-sac with a driveway). If dwellings/buildings are set back from the street, it may be best to install the hydrant at the cul-de-sac.

- This can be increased to 250’ if sprinklers installed.
- Another hydrant would need to be installed within 500 feet of the one servicing the cul-de-sac. This can be increased to 625’ if sprinklers are installed in all dwellings on each of the subject lots.
- Lot 1, if accessed by Sandstone Way will have to be situated so it is within that 500’/625’ or an additional hydrant will need to be installed.

Please let me know if you have any questions. I’d be happy to get out of the office and meet with you and/or the developer as needed.

Thank you for reaching out on this one. I didn’t see the earlier notice (but did get the email). Not sure how I missed this one.

Jay

Jay Wood, Division Chief

Prevention/Public Education

Mid-Columbia Fire and Rescue

1400 W. 8th Street

The Dalles, Oregon 97058

jwood@mcfr.org

Office: 541-296-9445

Cell: 541-993-1677

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--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

541-506-2560 | Fax 541-506-2561
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Daniel Dougherty <danield@co.wasco.or.us> Wed, Jun 28, 2023 at 4:51 PM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good afternoon,

(1) The application materials provided Lots 1 & 2 will access "from existing public roads (existing Sandstone Way or Hermits Way)". Negating Hermits Way, my concern is making sure that Sandstone (at the very least) meets the current conditions of a "Rural Local Road" in accordance with Table 21-1 – Rural Wasco County Public Roadway Design Standards, located in Chapter 21 of the NSA-LUDO. Arthur's didn't express any concern with the proposed replat subdivision concerning Average Daily Trips. His primary concern was to make it clear that the county doesn't maintain Sandstone Way, Hermits Way, ect..., and that the new Cavern Way should contain a road maintenance agreement. I'm not sure when Sandstone & Hermits Way were constructed, what the standards were in 1953, or when they were constructed, but since this is a current land use application seeking preliminary approval of a new subdivision where primary access will come from Sandstone Way, we'll have to ensure that at the very least the existing access way meets or will meet current standards. I've also forwarded you Chief Woods' comments.

Respectfully,

Daniel

Table 21-1 – Rural Wasco County Public Roadway Design Standards

	Rural Local Roads									Rural Minor Collector			Rural Major Collector			Rural Arterial		
	Unpaved			Unpaved			Paved			Paved			Paved			Paved		
Design ADT	<25			25-250			25-250			250-400			400 – 2,000			>2,000		
Terrain[1]	L	R	M	L	R	M	L	R	M	L	R	M	L	R	M	L	R	M
Design Speed (mph)	30	30	20	30	30	20	30	30	20	40	30	20	50	40	30	60	50	40
Max Grade (%)	7	10	12	7	10	12	7	10	12	7	9	12	6	8	10	3	4	8
Stopping Sight Distance (ft)	220	235	135	220	235	135	220	235	135	340	230	135	475	350	235	600	610	350
Passing Sight Distance (ft)	-	-	-	-	-	-	1,090	[2]	[2]	1,470	[2]	[2]	1,835	[2]	[2]	2,135	[2]	[2]
Traveled Way Width (ft)	18	18	18	22	22	22	22	22	22	22	22	22	24	24	24	24	24	24
Paved Shoulder Width (each side)																		
- Non Bike Route	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	2	2	2
- Bike Route (ft)	-	-	-	-	-	-	-	-	-	2	2	2	5	5	5	6	6	6
Gravel Shoulder Width (each side)	-	-	-	-	-	-	2	2	2	2	2	2	2	2	2	2	2	2
Roadway Width (Non Bike / Bike Route) (ft)	18	18	18	22	22	22	26	26	26	28 30	28 30	28 30	30 38	30 38	30 38	32 40	32 40	32 40
Number of Lanes	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Minimum ROW Width (ft)	50	50	50	50	50	50	50	50	50	60	60	60	60	60	60	60	60	60
Preferred Access Spacing[3]	75			100			100			150			300			500		

[1] L= Level, R=Rolling, M=Mountainous

[2] See AASHTO manual for guidance.

[3] Lower spacing may be allowed when supported by a traffic study and/or approved by the County Engineer.

[Quoted text hidden]

--

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Elizabeth Betts <elizabeth@kleinassocinc.com> Wed, Jun 28, 2023 at 4:56 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Thank you, Daniel,

I'll take a look at the info in you email and Chief Woods' email tomorrow and get back to you. If I recall correctly, our proposed cul-de-sac road width was based on the pre-app meeting, during which nothing was indicated to be done to Sandstone or Hermit's Way, so that is why we are not proposing any improvements to those roads. Anyway, I'll go through each comment from Chief Woods to make sure those are addressed.

Best,
Elizabeth

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From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Wednesday, June 28, 2023 4:51:09 PM
[Quoted text hidden]

[Quoted text hidden]

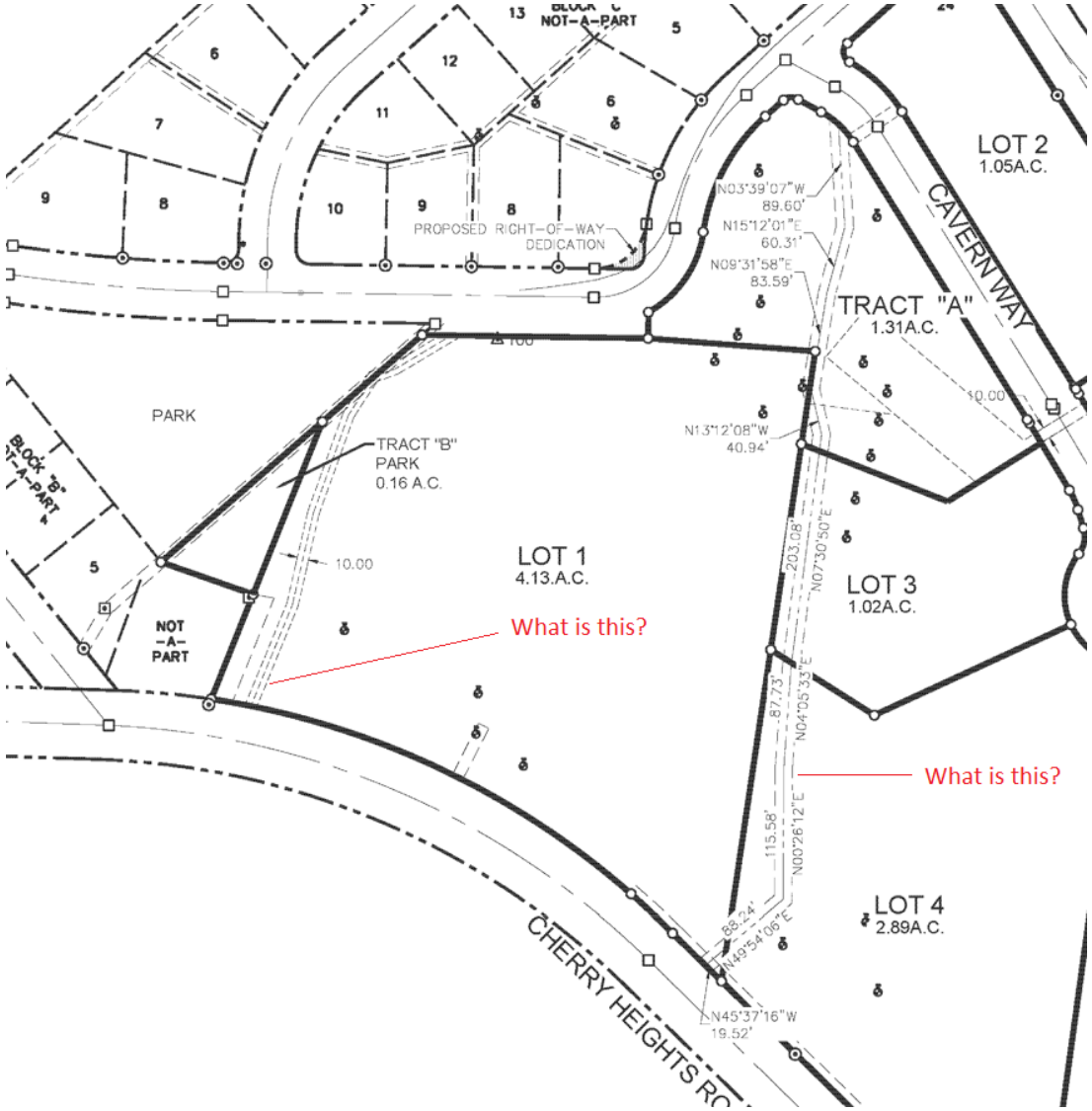
Daniel Dougherty <danield@co.wasco.or.us> Thu, Jun 29, 2023 at 4:55 PM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Hi Elizabeth,

Looking at the plat Sheet 5:

(1) Under Easement Note: "A new septic and access easement, over, under, and across that portion of Tract "B" for the benefit of Lots 3, 4, 5, 6, 7, and 8. I'm guessing this was for the original plan of 8 lots. Can you point me in the right direction of where this easement is on Sheet 5?

(2) I'm guessing the below are access/utility/stormwater easements.



Thanks for the help.

Respectfully,

Daniel
[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Fri, Jun 30, 2023 at 7:21 AM

To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good morning,

I want to confirm that Tract A is proposed to be used for the primary drain fields for Lots 1, 2, and 6.

Respectfully,

Daniel
[Quoted text hidden]

Elizabeth Betts <elizabeth@kleinassocinc.com> Fri, Jun 30, 2023 at 8:58 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hi Daniel,

You are correct, that note should be updated for the current layout. The drainfields contained in Tract A are shown on the preliminary site plan, sheet C1.0: Lot 1 reserve, Lot 2 primary and reserve, Lot 6 primary and reserve. I will have our surveyor revise the Preliminary Plat sheet 5 with the correct note as well as turn on the drainfield easements for each of those drainfields and label the two easements you are pointing out below. The westernmost easement is for the existing water main. The other one is for the dry drainage channel that runs down the hill.

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Friday, June 30, 2023 7:22 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Re: Inquiry [File No. 921-23-000023-PLNG]

Good morning,

I want to confirm that Tract A is proposed to be used for the primary drain fields for Lots 1, 2, and 6.

Respectfully,

Daniel

On Thu, Jun 29, 2023 at 4:55 PM Daniel Dougherty <danield@co.wasco.or.us> wrote:

> Hi Elizabeth,
>
> Looking at the plat Sheet 5:
>
> (1) Under Easement Note: "A new septic and access easement, over, under, and across that portion of Tract "B" for the benefit of Lots 3, 4, 5, 6, 7, and 8. I'm guessing this was for the original plan of 8 lots. Can you point me in the right direction of where this easement is on Sheet 5?
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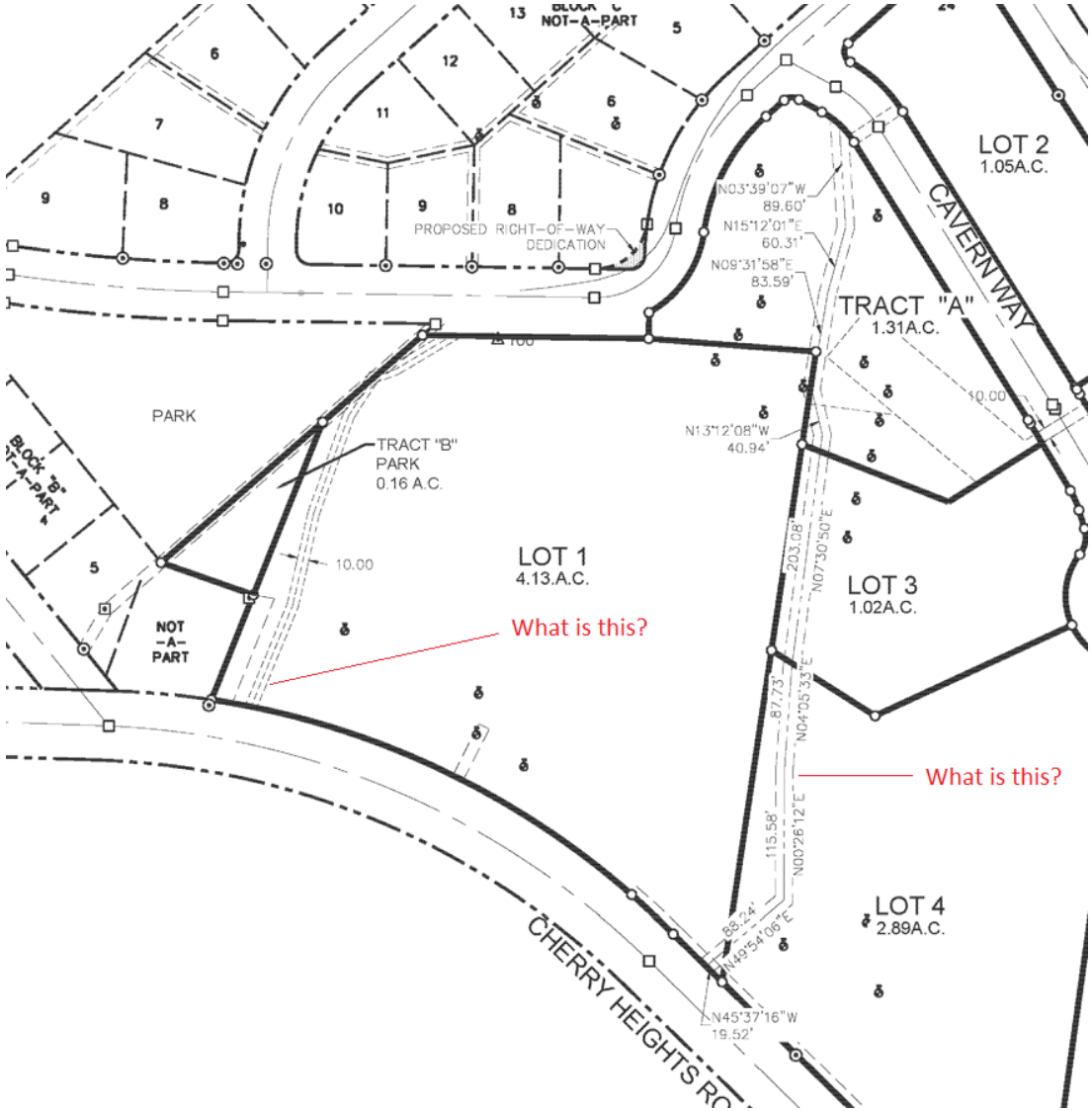

Thanks for the help.

Respectfully,

Daniel

On Wed, Jun 28, 2023 at 4:56 PM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

> Thank you, Daniel,
>
> I'll take a look at the info in you email and Chief Woods' email tomorrow and get back to you. If I recall correctly, our proposed cul-de-sac road width was based on the pre-app meeting, during which nothing was indicated to be done to Sandstone or Hermit's Way, so that is why we are not proposing any improvements to those roads. Anyway, I'll go through each comment from Chief Woods to make sure those are addressed.
>
> Best,
>
> Elizabeth
>
> Get Outlook for Android
>
> ---
>
> **From:** Daniel Dougherty <danield@co.wasco.or.us>
> **Sent:** Wednesday, June 28, 2023 4:51:09 PM
> **To:** Elizabeth Betts <elizabeth@kleinassocinc.com>
> **Subject:** Re: Inquiry [File No. 921-23-000023-PLNG]
>
> Good afternoon,
>
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- Non Bike Route	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	2	2	2
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[1] L= Level, R=Rolling, M=Mountainous
[2] See AASHTO manual for guidance.
[3] Lower spacing may be allowed when supported by a traffic study and/or approved by the County Engineer.

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Fri, Jun 30, 2023 at 9:52 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good morning,

Last question/issue for today.

The proposed Tract B (Public Park). Since the proposed park is adjacent to an existing platted park I'm interested to know who actually owns the existing park at:

Map: 1N 13E 5 AD 600
Account Number: 13902
Taxpayer: THE PUBLIC

Mailing Address: UNDETERMINED

I can't seem to locate the owner in fee for the property indicated as "Park" on the Col. Crest Addn. Subdivision. Do you know who owns the park (an HOA)? I've reached out to the Assessor's Office for assistance. I assume that Wasco County owns the property, but no one has indicated that is the case. Considering long term maintenance of public parks is/has been an issue in prior subdivision applications, I think it's important to (1) figure out who owns/maintains the existing park; and (2) look at long term maintenance solutions for the proposed park.

Respectfully,

Daniel
[Quoted text hidden]
--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Elizabeth Betts <elizabeth@kleinassocinc.com> Fri, Jun 30, 2023 at 1:08 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hi Daniel –

Great question! Our client spent a lot of time researching the owner of the park, as they originally thought to incorporate it into their replat and dedicate park in another location on the project. They finally gave it up, and I don't think they found the owner. If I remember correctly, it may be the heirs and descendants of the original owners of the lots in the original subdivision. The subdivision requirements require the developer to dedicate park or pay the equivalent, so we dedicated park adjoining the existing park, thinking that was the best option.

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jul 10, 2023 at 6:59 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good morning,

Is the dry drainage channel for the "apparent" seasonal water drainage? The Wasco County GIS does not delineate a waterway on the property, but a neighbor has made mention of a seasonal waterway near the same dry drainage channel illustrated on the plat (he wants the drainage way preserved). The application provides for a culvert under the road for the drainage. Satellite imagery doesn't really provide much regarding the usual vegetation along watercourses (seasonal or otherwise).

Thanks for your help.

Respectfully,

Daniel
[Quoted text hidden]
--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Elizabeth Betts <elizabeth@kleinassocinc.com> Mon, Jul 10, 2023 at 8:17 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Good morning, Daniel,

Yes, that is the apparent drainage. I've never seen water in it, but it is there, so we are accommodating it. Our surveyors tied it so that we could add the easement.

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jul 10, 2023 at 1:00 PM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Hi Elizabeth,

Regarding Section 21.030.X.3:

3. Lots with double frontage shall be avoided, except where the Approving Authority determines that such lots are essential to provide separation or residential development from major traffic arterials or adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A planting screen easement at least ten (10) feet wide, across which there shall be no rights of access, may be required along the line of lots abutting such a traffic arterial or other incompatible use. Such area shall be considered the rear portion of the lot.

Lot 2 will have triple road frontage. Have your clients decided which road will provide primary access to Lot 2? If not, I think we might be able to craft a condition of approval that the final plat contain the vegetation easement and vehicle access restriction on the selected roads. We've done it before; however, we're now dealing with the developer who changed their mind post subdivision recording. Considering the issue, I'm not too sure if the Director would like to see that type of condition.

Respectfully,

Daniel
[Quoted text hidden]
--

Daniel Dougherty | ***Senior Planner***
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danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Elizabeth Betts <elizabeth@kleinassocinc.com> Mon, Jul 10, 2023 at 1:35 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hi Daniel,

I'd see the access being along either Hermits or Cavern, rather than Sandstone. If the neighbors on Hermits appear opposed to access on Hermits, then it seems like access from Cavern would be appropriate so that we aren't impacting Hermits Way.

I've attached the revised preliminary plat with the easements and drainfields better noted.

[Quoted text hidden]

17-01-05-Prince Heights Sub 5 - rev.pdf
4544K

Daniel Dougherty <danield@co.wasco.or.us> Tue, Jul 11, 2023 at 9:22 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good morning,

Thanks for the updated plat. Regarding Section 21.200.B.17.,

17. Proposed source of water supply, if any; estimated volume to be available, together with data regarding the location, type, and size of all storage facilities, distribution lines, fire hydrants, and gate valves.

Do you have the estimated volume to be available, or any specific data concerning water supply? I think the response given in the application:

> "Residential Evaluation
> Utilities
> Lots 1 and 2 will obtain water service from existing water mains in the existing roads. The developer proposes to install a 4" looped water main from the existing water mains in Sandstone Way and deadend main in Hermit's Way to serve lots 3-6. This plan has been discussed with Chenowith Water District, and they indicate that there is plenty of water plan for the proposed homes and they will let us know if they will require looping to Hermit's Way."

along with other recommended conditions of approval (specifically those provided for by Chief Wood) covers down on this requirement, and I will find the preliminary plan meets the criterion; however, if the public requests specific data at the hearing, it might be wise to have it available. I have reached out to Chenowith Water District for comment, but have not heard back from them.

Respectfully,

Daniel

[Quoted text hidden]

--

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Email is still the best way to reach me!

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Daniel Dougherty <danield@co.wasco.or.us> Tue, Jul 11, 2023 at 9:34 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Sorry about that, it's actually, 21.200.B.22

22. Proposed source of water supply, if any; estimated volume to be available, together with data regarding the location, type, and size of all storage facilities, distribution lines, fire hydrants, and gate valves.

[Quoted text hidden]

Elizabeth Betts <elizabeth@kleinassocinc.com> Tue, Jul 11, 2023 at 9:42 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Good morning, Daniel,

We have been in discussion with Tenneson (consulting engineer for Chenowith). Chenowith PUD said they have good supply up there, but I can ask them for specifics on the flow and pressure, if needed. As for gate valves, assuming we hot tap the main in Hermits Way, there will be a 6" gate valve there, a cluster of (2) 6" gate valves and 4" gate valve (to tie existing Sandstone/Ledge main south of Cavern) at the intersection of Sandstone/Ledge and our new Cavern Way, plus a 6" gate valve for the hydrant. Darrin sent me the following summary of what Chenowith will require:

The proposed subdivision is within the Chenowith Water PUD service area and we are willing to provide domestic water service to the six residential lots.

We have been in communication with the developers engineer, Ms. Elizabeth Betts (Klein & Associates, Inc.), and are in general agreement that the developer will:

- *Connect to the existing 6" line at the intersection of Ledge Way and Hermits Way;*
- *Replace the existing 4" water main in Ledge Way with 6" from Hermits Way to the proposed Cavern Way;*
- *Install new 6" water main in Cavern Way from Ledge Way to its southerly terminus;*
- *Install a fire hydrant assembly at the southerly terminus in the cul-de-sac;*
- *Install typical residential water services to each lot with the meter to be placed in and at the edge of the Cavern Way ROW; and*
- *Provide a 20-foot wide public utility easement across Lot 1 where the existing CWPUD watermain is located.*

All materials and work to conform to CWPUD standards. The developer is to enter into an Agreement to Reimburse for CWPUD contracted fees and pay the Subdivision Plan Review fee ($750).

Each lot owner will be required to pay the Meter Drop-in Fee ($500) and System Development Charge ($3,100) at the time service is requested. Fees are subject to change.

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Tuesday, July 11, 2023 9:34 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Re: Inquiry [File No. 921-23-000023-PLNG]

Sorry about that, it's actually, 21.200.B.22

22. Proposed source of water supply, if any; estimated volume to be available, together with data regarding the location, type, and size of all storage facilities, distribution lines, fire hydrants, and gate valves.

On Tue, Jul 11, 2023 at 9:22 AM Daniel Dougherty <danield@co.wasco.or.us> wrote:

> Good morning,
>
> Thanks for the updated plat. Regarding Section 21.200.B.17.,
>
> *17. Proposed source of water supply, if any; estimated volume to be available, together with data regarding the location, type, and size of all storage facilities, distribution lines, fire hydrants, and gate valves.*
>
> Do you have the estimated volume to be available, or any specific data concerning water supply? I think the response given in the application:
>
> "Residential Evaluation

Utilities

Lots 1 and 2 will obtain water service from existing water mains in the existing roads. The developer proposes to install a 4" looped water main from the existing water mains in Sandstone Way and deadend main in Hermit's Way to serve lots 3-6. This plan has been discussed with Chenowith Water District, and they indicate that there is plenty of water plan for the proposed homes and they will let us know if they will require looping to Hermit's Way."

along with other recommended conditions of approval (specifically those provided for by Chief Wood) covers down on this requirement, and I will find the preliminary plan meets the criterion; however, if the public requests specific data at the hearing, it might be wise to have it available. I have reached out to Chenowith Water District for comment, but have not heard back from them.

Respectfully,

Daniel

On Mon, Jul 10, 2023 at 1:35 PM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

> Hi Daniel,
>
> I'd see the access being along either Hermits or Cavern, rather than Sandstone. If the neighbors on Hermits appear opposed to access on Hermits, then it seems like access from Cavern would be appropriate so that we aren't impacting Hermits Way.
>
> I've attached the revised preliminary plat with the easements and drainfields better noted.
>
> Best,
>
> Elizabeth
>
> ---
>
> **From:** Daniel Dougherty <danield@co.wasco.or.us>
> **Sent:** Monday, July 10, 2023 1:01 PM

To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Re: Inquiry [File No. 921-23-000023-PLNG]

Hi Elizabeth,

Regarding Section 21.030.X.3:

3. Lots with double frontage shall be avoided, except where the Approving Authority determines that such lots are essential to provide separation or residential development from major traffic arterials or adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A planting screen easement at least ten (10) feet wide, across which there shall be no rights of access, may be required along the line of lots abutting such a traffic arterial or other incompatible use. Such area shall be considered the rear portion of the lot.

Lot 2 will have triple road frontage. Have your clients decided which road will provide primary access to Lot 2? If not, I think we might be able to craft a condition of approval that the final plat contain the vegetation easement and vehicle access restriction on the selected roads. We've done it before; however, we're now dealing with the developer who changed their mind post subdivision recording. Considering the issue, I'm not too sure if the Director would like to see that type of condition.

Respectfully,

Daniel

On Mon, Jul 10, 2023 at 8:17 AM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

> Good morning, Daniel,
>
> Yes, that is the apparent drainage. I've never seen water in it, but it is there, so we are accommodating it. Our surveyors tied it so that we could add the easement.
>
> Best,

Elizabeth

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Monday, July 10, 2023 6:59 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Re: Inquiry [File No. 921-23-000023-PLNG]

Good morning,

Is the dry drainage channel for the "apparent" seasonal water drainage? The Wasco County GIS does not delineate a waterway on the property, but a neighbor has made mention of a seasonal waterway near the same dry drainage channel illustrated on the plat (he wants the drainage way preserved). The application provides for a culvert under the road for the drainage. Satellite imagery doesn't really provide much regarding the usual vegetation along watercourses (seasonal or otherwise).

Thanks for your help.

Respectfully,

Daniel

On Fri, Jun 30, 2023 at 8:58 AM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

> Hi Daniel,
>
> You are correct, that note should be updated for the current layout. The drainfields contained in Tract A are shown on the preliminary site plan, sheet C1.0: Lot 1 reserve, Lot 2 primary and reserve, Lot 6 primary and reserve. I will have our surveyor revise the Preliminary Plat sheet 5 with the correct note as well as turn on the drainfield easements for each of those drainfields and label the two easements you are pointing out below. The westernmost easement is for the existing water main. The other one is for the dry drainage channel that runs down the hill.

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Friday, June 30, 2023 7:22 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Re: Inquiry [File No. 921-23-000023-PLNG]

Good morning,

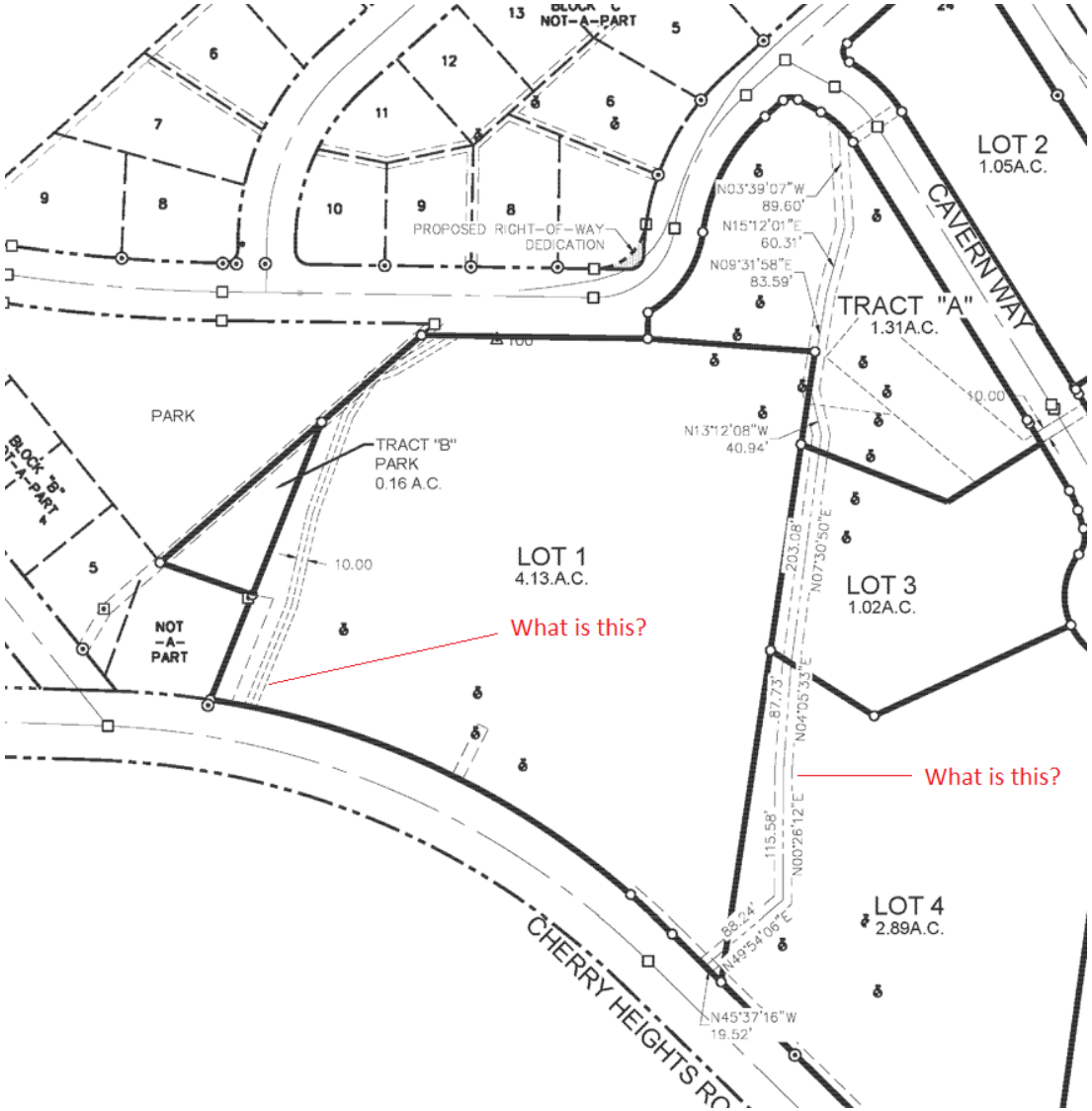
I want to confirm that Tract A is proposed to be used for the primary drain fields for Lots 1, 2, and 6.

Respectfully,

Daniel

On Thu, Jun 29, 2023 at 4:55 PM Daniel Dougherty <danield@co.wasco.or.us> wrote:

> Hi Elizabeth,
>
> Looking at the plat Sheet 5:
>
> (1) Under Easement Note: "A new septic and access easement, over, under, and across that portion of Tract "B" for the benefit of Lots 3, 4, 5, 6, 7, and 8. I'm guessing this was for the original plan of 8 lots. Can you point me in the right direction of where this easement is on Sheet 5?
>
> (2) I'm guessing the below are access/utility/stormwater easements.



Thanks for the help.

Respectfully,

Daniel

On Wed, Jun 28, 2023 at 4:56 PM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

> Thank you, Daniel,
>
> I'll take a look at the info in you email and Chief Woods' email tomorrow and get back to you. If I recall correctly, our proposed cul-de-sac road width was based on the pre-app meeting, during which nothing was indicated to be done to Sandstone or Hermit's Way, so that is why we are not proposing any improvements to those roads. Anyway, I'll go through each comment from Chief Woods to make sure those are addressed.
>
> Best,
>
> Elizabeth
>
> Get Outlook for Android
>
> ---
>
> **From:** Daniel Dougherty <danield@co.wasco.or.us>
> **Sent:** Wednesday, June 28, 2023 4:51:09 PM
> **To:** Elizabeth Betts <elizabeth@kleinassocinc.com>
> **Subject:** Re: Inquiry [File No. 921-23-000023-PLNG]
>
> Good afternoon,
>
> (1) The application materials provided Lots 1 & 2 will access "from existing public roads (existing Sandstone Way or Hermits Way)". Negating Hermits Way, my concern is making sure that Sandstone (at the very least) meets the current conditions of a "Rural Local Road" in accordance with Table 21-1 – Rural Wasco County Public Roadway Design Standards, located in Chapter 21 of the NSA-LUDO. Arthur's didn't express any concern with the proposed replat subdivision concerning Average Daily Trips. His primary concern was to make it clear that the county doesn't maintain Sandstone Way, Hermits Way, ect..., and that the new Cavern Way should contain a road maintenance agreement. I'm not sure when Sandstone & Hermits Way were constructed, what the standards were in 1953, or when they were constructed, but since this is a current land use application seeking preliminary approval of a new subdivision where primary access will come from Sandstone Way, we'll have to ensure that at the very least the existing access way meets or will meet current standards. I've also forwarded you Chief Woods' comments.
>
> Respectfully,

Daniel

Table 21-1 – Rural Wasco County Public Roadway Design Standards

	Rural Local Roads									Rural Minor Collector			Rural Major Collector			Rural Arterial		
	Unpaved			Unpaved			Paved			Paved			Paved			Paved		
Design ADT	<25			25-250			25-250			250-400			400 – 2,000			>2,000		
Terrain[1]	L	R	M	L	R	M	L	R	M	L	R	M	L	R	M	L	R	M
Design Speed (mph)	30	30	20	30	30	20	30	30	20	40	30	20	50	40	30	60	50	40
Max Grade (%)	7	10	12	7	10	12	7	10	12	7	9	12	6	8	10	3	4	8
Stopping Sight Distance (ft)	220	235	135	220	235	135	220	235	135	340	230	135	475	350	235	600	610	350
Passing Sight Distance (ft)	-	-	-	-	-	-	1,090	[2]	[2]	1,470	[2]	[2]	1,835	[2]	[2]	2,135	[2]	[2]
Traveled Way Width (ft)	18	18	18	22	22	22	22	22	22	22	22	22	24	24	24	24	24	24
Paved Shoulder Width (each side)																		
- Non Bike Route	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	2	2	2
- Bike Route (ft)	-	-	-	-	-	-	-	-	-	2	2	2	5	5	5	6	6	6
Gravel Shoulder Width (each side)	-	-	-	-	-	-	2	2	2	2	2	2	2	2	2	2	2	2
Roadway Width (Non Bike / Bike Route) (ft)	18	18	18	22	22	22	26	26	26	28 30	28 30	28 30	30 38	30 38	30 38	32 40	32 40	32 40
Number of Lanes	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Minimum ROW Width (ft)	50	50	50	50	50	50	50	50	50	60	60	60	60	60	60	60	60	60
Preferred Access Spacing[3]	75			100			100			150			300			500		

[1] L= Level, R=Rolling, M=Mountainous

[2] See AASHTO manual for guidance.

[3] Lower spacing may be allowed when supported by a traffic study and/or approved by the County Engineer.

On Wed, Jun 28, 2023 at 12:39 PM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

> Hi Daniel,
>
> For your questions below:
>
> 1. There is normally a road maintenance agreement for privately maintained roads. I do not know how the road maintenance agreement (if there is one) is set up for the existing Sandstone or Hermit's Way. If these parcels were part of that agreement, then they would need to participate in the maintenance. Does Arthur have that documentation? I don't believe that Hermit's Way would be impacted or accessed by this subdivision other than the sawcuts for water and dry utility trench, which will be restored/paved; therefore maintenance of Hermit's Way does not seem to be something that would be indicated for this project.
>
> The existing ROW on both roads is 50'. We are also revising and dedicating ROW on Sandstone in the curve so that the existing road will actually be in ROW (it was constructed outside of ROW).

2. The streets are paved and appear to be in decent condition. The pavement in our limited survey area on Sandstone exceeds 20' width (varies up to 24') and gravel shoulders are about 2' wide. I've attached a photo of Sandstone taken during surveying a few years ago as well as one of the intersection of Sandstone and Hermit's looking east on Hermit's. Again, I don't believe that Hermits Way would be impacted or used by this subdivision other than the sawcuts for water and dry utility trench, which will be restored/paved, so width of Hermit's would not be pertinent to this project since access will be from Sandstone.

Hope that helps – let me know if you have additional questions.

Best regards,

Elizabeth Betts, PE

Klein & Associates, Inc

Office: 541-386-3322

Web: kleinassocinc.com

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Tuesday, June 27, 2023 11:20 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Re: Inquiry [File No. 921-23-000023-PLNG]

Good morning,

Thanks for the additional information.

Pertaining to 21.030.L

L. Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right of way shall be provided at the time of subdivision or partitioning.

Arthur Smith provided that Sandstone and Hermits Way are local roads of public access that are not maintained by the County. Per application materials, the newly proposed Cavern Way cul-de-sac will be publicly dedicated (local road of public access) and maintained by the HOA (a condition of approval will be added to the decision ensuring this occurs). Two questions:

(1) Are there plans to provide for the maintenance of the existing Sandstone and Hermits Way roads?

(2) What is current condition of Sandstone and Hermits Way roads? Every indication I have is that they are paved, at least 30' wide (maybe wider), and meet existing Fire Safety Standards.

Respectfully,

Daniel

On Mon, Jun 26, 2023 at 1:42 PM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

> Hi Daniel,
>
> We will have CCR's that protect the open space. I don't have CCR's yet for this subdivision – they are usually put together by the developer's lawyer, but here's a sample of one I've used in the past.
>
> *Open Space Tract:*
>
> a. *The designated open space tract within the subdivision shall be preserved in perpetuity and shall not be developed or altered for any purpose.*
>
> For the cul-de-sac, you are correct in your thoughts. My primary reasons are topographical and preserving the limited drainfield areas. We are minimizing land disturbance with a cul-de-sac vs a through road. The steepness of the site means that constructing a through road would require significant grading and excavation to create additional road. The topography is also too steep to create a through road to either the east or south, so a looped road would be the only option other than a cul-de-sac. By opting for a cul-de-sac, the need for extensive land disturbance is reduced since it involves developing a smaller area. The use of a cul-de-sac also allows for better utilization of the buildable area and suitable septic drainfield locations.

Best,

Elizabeth

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Monday, June 26, 2023 11:24 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Re: Inquiry [File No. 921-23-000023-PLNG]

Good morning,

Is a covenant proposed for Tract A keeping it open-space?

Also,

Section 21.030.

P. Cul-de-sacs: In general, dead end (cul-de-sac) streets are not desirable, but if provided, shall terminate in a turnaround that is consistent with Chapter 11 and the local fire department.

Can you provide additional details as to why the Cul-de-sac is being proposed as opposed to a through street? I'm guessing slope and elimination of developable land to be used for septic fields, but if you can provide additional details that would be great.

Respectfully,

Daniel

On Mon, Jun 26, 2023 at 9:14 AM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

> Hi Daniel,
>
> Tract A will be owned by the HOA. It is open space and will also contain easements for some of the septic drainfields. I'm curious whether a Tract considered a leftover lot area since it will never be proposed to be built on?
>
> Best,
>
> **Elizabeth Betts, PE**
>
> Klein & Associates, Inc
>
> Office: 541-386-3322
>
> Web: kleinassocinc.com

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Monday, June 26, 2023 8:47 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Inquiry [File No. 921-23-000023-PLNG]

Good morning,

I hope your weekend went well. As I dive deeper into the staff report, I'll likely submit questions to you.

Question 1: The leftover TRACT "A" (1.31 Acres). Who will own it, maintain it (HOA?)

Section 21.030.F

3. Any lot in a platted subdivision may be enlarged to approximate more closely the minimum lot area for the zone in which the lot is located, provided that no leftover lot areas shall be less than the minimum lot area for the zone.

"Leftover lot areas" aren't necessarily defined, but Tract A as a leftover private open space tract might fall within that definition if pressed. The lots within the subdivision are being enlarged to approximate the minimum zone size, but more information about Tract A will help address this criterion.

Respectfully,

Daniel

--

Daniel Dougherty | ***Senior Planner***

PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

541-506-2560 | Fax 541-506-2561
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March, 22 2023

Daniel Dougherty, Senior Planner
Wasco County Planning Department
2705 East Second Street
The Dalles, Oregon 97058
via email

Re: Elizabeth Bett's application # 921-23-000023 to replat 5 tax lots to 8 total lots

Dear Mr. Dougherty:

Friends of the Columbia Gorge ("Friends") has reviewed and submits these comments on the above-referenced application. Friends is a non-profit organization with approximately 5,500 members dedicated to protecting and enhancing the resources of the Columbia River Gorge. Our membership includes hundreds of citizens who reside within the Columbia River Gorge National Scenic Area.

Friends reviews and comments on all land use applications subject to the Wasco County National Scenic Area Land Use and Development Ordinance. These comments are intended to identify application requirements and resource protection standards, provide recommendations to the permitting agency and the public regarding legal requirements, and establish standing.

Burden of Proof

The Wasco County National Scenic Area Land Use and Development Ordinance ("NSA-LUDO") places the burden of proof on the applicant. NSA-LUDO § 2.120.A.1. Unless otherwise provided for in the NSA-LUDO, the applicant must prove that:

- The proposed action fully complies with the applicable criteria of the NSA-LUDO; and
- The proposed action fully complies with all of the applicable elements of the relevant Comprehensive Plan, the Management Plan for the Columbia River Gorge National Scenic Area ("Management Plan"), and the Columbia River Gorge National Scenic Area Act ("National Scenic Area Act").

Application Requirements

Under section 2.080.A of the NSA-LUDO, a complete application is required prior to review. Approval of a land use proposal not accompanied by a complete and adequate application violates the county's scenic area ordinance, denies the public any meaningful opportunity to comment on the proposed development, and results in a decision not based on substantial evidence. Such a decision is subject to reversal, as held by the Gorge Commission unanimously in the *Eagle Ridge* case. CRGC No. COA-S-99-01 (June 22, 2001). It is similarly unlawful for the County to use conditions

of approval to defer the submission of complete and adequate application materials. *Eagle Ridge* at 9–10.

Site Plan Map

Each site plan must contain a map of the project area. NSA-LUDO § 14.020.B contains a list of specific elements that must be included in site plan maps. Site plan maps must include the following required elements:

- North arrow
- Map scale
- Boundaries, dimensions, and size of the subject parcel
- Location, size, and shape, of all existing and proposed buildings and structures on the subject parcel
- An illustration of the buildings and parking facilities on abutting parcels
- Location, size and dimension of all yards and setbacks and all spaces between buildings
- Bodies of water and watercourses
- Location and width and methods of improvement for all existing and proposed roads, driveways, trails, and parking areas with individual parking spaces and internal circulation patterns
- Location of existing and proposed services, including wells or other water supplies, sewage disposal systems, power and telephone poles, and lines, and outdoor lighting
- The location of the pond, stream, tank, or sump with storage of not less than 1,000 gallons if the well or water system is not capable of delivering twenty (20) gallons per minute
- The location of a standpipe (water spigot) a minimum of fifty (50) feet from each flammable structure if the development includes a plumbed water system
- Outdoor storage and activities, if permitted in the zone, showing type, location, and height of screening devices, including trash and recycling storage locations and their pick up locations
- Either a Grading Plan or the location and depth of all proposed grading, filling, ditching, and excavating
- An indication of all existing and proposed point of ingress and egress and whether they are public or private
- Significant terrain features and landforms

Landscaping Plan

Pursuant to NSA-LUDO § 14.020.D, all applications must contain a detailed landscaping plan that must clearly illustrate the following elements:

- The location, height, and species of all existing trees and vegetation, with an indication of any vegetation that would be removed including detailed information to the level of individual trees and groupings of vegetation for the proposed development area and all topographically visible corridors between the proposed development area and key viewing areas.
- The location, height, and species of individually proposed trees and vegetation groupings.
- The location of automatic sprinkler systems or other irrigation provisions to ensure the survival of any proposed screening vegetation.

- The fuel break surrounding each new building and how this area will meet hazardous fuels reduction standards.

Without the above-mentioned required information, neither the County nor any other reviewing agency can accurately evaluate the potential impacts of the development. In addition, this information is required in order to afford the public a meaningful opportunity to comment on the proposed development.

Review for Legality of Lots

Legality of Lot

The NSA-LUDO definition of "Parcel (Legal)/Lot of Record" is very different from the Management Plan definition of "Parcel." In some respects, the NSA-LUDO definition is more restrictive than the Management Plan definition, and in others, it is less restrictive. *Compare* NSA-LUDO § 1.200 (definition of "Parcel (Legal)/Lot of Record") *with* Management Plan at Glossary-14 (definition of "Parcel"). When Wasco County evaluates whether units of land in the National Scenic Area are legal parcels, the County must apply both definitions, and where one is more restrictive than the other, the more restrictive portion of that definition controls. *See, e.g.*, NSA-LUDO § 1.070 ("When conditions herein imposed are less restrictive than comparative provisions imposed by . . . Management Plan Guidelines, then the more restrictive shall govern.").

For example, pursuant to the NSA-LUDO, any unit of land created **solely** by a record of survey is **not** a legal parcel, regardless of the date of the record of survey. In addition, pursuant to the NSA-LUDO, any unit of land created **after** September 4, 1974 and **solely** by deed or land sales contract is **not** a legal parcel. For a unit of land created **before** September 4, 1974 and **solely** by deed or land sales contract, it is not a legal parcel under the Management Plan unless it was "legally created and separately described" by a deed or a land sales contract and unless the creation of the unit of land "complied with all planning, zoning, and land division ordinances or regulations applicable at the time of creation and up through November 16, 1986." Finally, pursuant to the Management Plan, any unit of land created **after** November 16, 1986 by deed or sales contract is not a legal parcel unless it was "legally created and separately described" by a deed or sales contract and unless the creation of the unit of land "was approved under the Final Interim Guidelines or a land use ordinance consistent with the Management Plan, or by the Forest Service prior to the Final Interim Guidelines."

The County must apply both the Management Plan and NSA-LUDO definitions, and where one of these definitions is more restrictive, that definition controls. NSA-LUDO § 1.070. The County must verify that the lots are legally existing before approving a replat. All available GIS data only identifies 5 parcels rather than 66 in the proposed area. The County must ensure that the lots are legal lots of record before allowing a replat.

Contiguous units of land created by deed or land sales contract prior to September 4, 1974, under common ownership, and not conforming to the minimum lot size requirement of this ordinance must be considered one lot of record unless specific conditions are satisfied. NSA-LUDO § 13.200.

The landowners apparently own multiple contiguous tax lots. If any of the tax lots were created only by deed or land sales contract and are below the minimum lot size, then they are not separate legal lots of record. The applicants bear the burden of establishing legality of the parcels.

Allowed Uses

Land Divisions

The County must review any proposed land division for all potential adverse effects to scenic, natural, cultural, and recreational resources that may occur as a result of the proposed land division **including cumulative adverse effects**. NSA-LUDO §§ 1.200 (definition of "development"), 21.030.D. Applications for divisions into two or three parcels must include the information specified at NSA-LUDO § 21.100.A.2. Applications for divisions into four or more parcels must include the information specified at NSA-LUDO § 21.300.B. In addition, the following rules apply to land divisions:

- All parcels resulting from the division must meet the minimum lot size requirements for the area.
- If the subject property contains environmental hazards such as a potential for flooding, land movement, high water tables, or erosion, then the County may require the dedication of protective easements. NSA-LUDO §§ 21.030.D & V.

Residential Zone

The proposed project is located in a Residential zone in the General Management Area. NSA-LUDO § 3.160 specifies which uses are allowed in GMA Residential zones.

Resource Impact Review

Scenic Resource Protection

NSA-LUDO §§ 14.100 and 14.200 contain the scenic resource protection standards for the General Management Area.

Key Viewing Areas

According to the Gorge Commission's Seen Areas Composite GIS data layer, the subject parcel may be visible from key viewing areas such as the Columbia River, I84, and SR14. If so, then the following rules apply:

- The County's determination of the potential visual impact of a new development must include written findings addressing the following factors:
  - The number of key viewing areas it is visible from;
  - The distance from the building site to the KVAs it is visible from;
  - The linear distance along the KVAs from which the building site is visible (for linear KVAs, such as roads and the Columbia River);
  - The difference in elevation between the building site and KVAs;
  - The nature and extent of topographic and vegetative back screening behind the building site as visible from KVAs;
  - The amount of area of the building site exposed to KVAs; and
  - The degree of existing vegetation providing screening. NSA-LUDO § 14.200.A.1.

- The County must evaluate the potential cumulative visual effects of the proposed development. NSA-LUDO § 14.200.J. This includes evaluation of past, present and likely future actions. Individually insignificant but cumulatively significant actions must be evaluated and cumulative adverse impacts must be avoided. 16 USC 544(a)(3). **Since the visually subordinate standard allows some visibility of the development, simply achieving the standard does not guarantee that there will not be cumulative adverse effects.**

Landscape Setting
NSA-LUDO § 14.400 specifies the standards for compatibility of development with the landscape setting in the GMA. Generally, new development in all landscape settings must be compatible with the general scale (height, dimensions, overall mass) of similar development in the vicinity. This development is proposed in a Rural Residential landscape setting. If the parcel is visible from KVAs, at least half of all new screening trees must be native and coniferous. NSA-LUDO § 14.400.E.

Natural Resource Protection

Cumulative Adverse Effects
The County must determine if there would be "[a] reasonable likelihood of more than moderate adverse consequence for the scenic, cultural, recreation or natural resources of the scenic area" considering the context of the proposal, the intensity of the proposal (including magnitude, duration, and likelihood of reoccurrence), other similar actions that may cumulatively lead to "more than moderate adverse consequences," and any proposed mitigation measures. NSA-LUDO § 1.200 (Definition of "Adversely affect or Adversely affecting"). No adverse effects to wetlands, streams, ponds, lakes, and riparian areas, and their buffer zones are allowed. NSA-LUDO §§ 14.600.A.5.f, A.6.g, A.8, B.4.g, B.6. In addition, there may be no adverse effects to sensitive plants and wildlife areas within 1000 feet of the project area. NSA-LUDO §§ 14.600.C.3.i, D.3.h.

Water Resources
NSA-LUDO § 14.600 contain the standards for projects that may affect streams, ponds, lakes, wetlands, or other riparian areas in the General Management Area. If one or more of these resources is present on or adjacent to the subject parcel, then the applicant must determine the *exact* location of the water resource boundary and the County must verify the accuracy of the applicant's determination. NSA-LUDO §§ 14.600.A.2.b, B.2.b.

Sensitive Wildlife Resources
NSA-LUDO § 14.600.C contains the standards for projects in the GMA that may affect sensitive wildlife resources. The first step is for the County to determine whether the project is proposed within 1,000 feet of a sensitive wildlife area or site including aspen stands, caves, old-growth forest, Oregon white oak woodlands, prairies and steppe, riparian areas, wetlands, snags and logs, talus, cliffs, dunes, winter range, and locations used by the following species for nesting roosting, denning or other life cycle needs:

- Listed as endangered or threatened pursuant to federal or state endangered species acts; or
- Listed as sensitive by the Oregon Fish and Wildlife Commission, or

- Considered to be of special interest to wildlife management authorities and the public, including great blue heron, osprey, mountain goat, golden eagle, peregrine falcon, and prairie falcon.

NSA-LUDO §§ 14.600.C.1.a, B.2.d. Other areas may be designated by the United States Forest Service or the Oregon Department of Fish and Wildlife. NSA-LUDO § 14.600.C.1.a. Oregon white oak may not be removed if practicable alternatives exist. Management Plan at p. 104 (Approval Criteria for Review Uses Near Priority Habitat and Sensitive Wildlife Sites, criterion 2); NSA-LUDO § 1.070.

Except uses allowed outright, proposed uses may be allowed within 1,000 feet of a Priority Habitat or sensitive wildlife site, subject to compliance with NSA-LUDO § 14.600.B. If the proposed project is within 1,000 feet of one of these areas, the County must transmit the site map to the Oregon Department of Fish and Wildlife, which will review the application to determine the precise locations of wildlife habitat and activities, as well as potential impacts to wildlife areas or sites.

If the County, in consultation with ODFW, concludes that the proposed project is likely to adversely affect a sensitive wildlife area or site and that the impacts cannot be eliminated through site plan modifications or project timing, then the applicant must prepare a wildlife management/mitigation plan. NSA-LUDO § 14.600.C.3.f. The plan will provide a basis for the applicant to redesign the project in a manner that protects sensitive wildlife areas and sites, maximizes his or her development options, and mitigates temporary impacts to the wildlife area or buffer zone. NSA-LUDO § 14.600.C.5. A wildlife management plan must be prepared by a professional biologist hired by the applicant and must include the following:

- relevant background, such as biology of the species, characteristics of the subject parcel and regulatory protection and management guidelines;
- delineation of core habitat;
- wildlife buffer zones;
- an indication of the size, scope, configuration or density, and timing of all new uses within core habitat;
- rehabilitation and enhancement actions; and
- a three-year monitoring plan for federal- or state-listed species.

NSA-LUDO § 14.600.C.5.

Rare Plants

NSA-LUDO § 14.600.D contains the standards for projects in the GMA that may affect sensitive plant resources. The first step is for the County to determine whether the project is proposed within 1,000 feet of a sensitive plant species. This includes the following plant species:

- species endemic to the Columbia River Gorge and vicinity;
- species listed as endangered or threatened by federal or state authorities, including the Oregon Biodiversity Information Center; and
- designated global or state status ranks 1, 2, or 3 by the Oregon Biodiversity Information Center, including designated native plant communities

NSA-LUDO § 14.600.D.1.a.

If the proposed project is within 1,000 feet of such a species, the next step is for the applicant to prepare a more detailed site plan map at a scale of at least one inch equals 100 feet (1:1,200). NSA-

LUDO § 14.600.D.4.a. The County must transmit the more detailed map to the Oregon Biodiversity Information Center, which will review the application to determine if the project could affect sensitive plants. NSA-LUDO § 14.600.D.3.f. Proposed uses within 1,000 feet of a rare plant shall be evaluated for adverse effects, including cumulative effects, and adverse effects shall be prohibited. NSA-LUDO § 14.600.D.3.h.

If the proposed project is within 1,000 feet of such a species, the County must transmit the site map to the State Natural Heritage Program, which will review the application to determine whether the project could affect sensitive plants and will identify the precise location of the affected plants and delineate a 200 foot buffer zone on the project applicant's site plan. NSA-LUDO § 14.600.D.3.b. A 200 foot buffer zone remaining in an undisturbed, natural condition must be maintained around rare plants. NSA-LUDO § 14.600.D.2.

Cultural Resource Protection
NSA-LUDO § 14.500 contains the standards for protection of cultural resources in the General Management Area.

County land use decisions must protect against cumulative adverse effects to cultural resources. NSA-LUDO § 14.500.B.6. The County must review whether the proposed development would contribute to cumulative adverse impacts to cultural resources. This includes evaluation of past, present, and likely future actions. Individually insignificant but cumulatively significant actions must be evaluated and cumulative adverse impacts must be avoided.

Significant Cultural Resource
If a cultural resource is identified, it must be evaluated for significance. NSA-LUDO § 14.500.D.1. If the resource is determined to be significant, the County must determine whether the project is likely to adversely affect the resource. NSA-LUDO § 14.500.E. If an adverse effect is likely, then a mitigation plan must be prepared pursuant to NSA-LUDO § 14.500.E.3.c.

Conditions of Approval

All conditions of approval must be entered into the deeds of the affected parcels and registered with the county. NSA-LUDO § 2.140.

Conclusion

Thank you for this opportunity to comment.

Sincerely,



Steven D. McCoy
Staff Attorney

July 20, 2023

Daniel Dougherty, Senior Planner
Wasco County Planning Department
2705 East Second Street
The Dalles, Oregon 97058
via email

Re: Elizabeth Bett's application # 921-23-000023 to replat 5 existing tax lots to 8 total lots

Dear Mr. Dougherty:

Friends of the Columbia Gorge ("Friends") has reviewed and submits these additional comments on the above-referenced application. Friends is a non-profit organization with approximately 5,000 members dedicated to protecting and enhancing the resources of the Columbia River Gorge. Our membership includes hundreds of citizens who reside within the Columbia River Gorge National Scenic Area.

Friends reviews and comments on all land use applications subject to the Wasco County National Scenic Area Land Use and Development Ordinance. These comments are intended to identify application requirements and resource protection standards, provide recommendations to the permitting agency and the public regarding legal requirements, and establish standing. **In addition, Friends requests party status for this matter.**

Burden of Proof

The Wasco County National Scenic Area Land Use and Development Ordinance ("NSA-LUDO") places the burden of proof on the applicant. NSA-LUDO § 2.120.A.1. Unless otherwise provided for in the NSA-LUDO, the applicant must prove that:

- The proposed action fully complies with the applicable criteria of the NSA-LUDO; and
- The proposed action fully complies with all of the applicable elements of the relevant Comprehensive Plan, the Management Plan for the Columbia River Gorge National Scenic Area ("Management Plan"), and the Columbia River Gorge National Scenic Area Act ("National Scenic Area Act").

Review for Legality of Lots

Legality of Lots

The Applicant bears the burden of establishing legality of the parcels. The NSA-LUDO definition of "Parcel (Legal)/Lot of Record" is very different from the Management Plan definition of "Parcel." In some respects, the NSA-LUDO definition is more restrictive than the Management Plan definition, and in others, it is less restrictive. *Compare* NSA-LUDO § 1.200 (definition of "Parcel

(Legal)/Lot of Record") *with* Management Plan at Glossary-14 (definition of "Parcel"). When Wasco County evaluates whether units of land in the National Scenic Area are legal parcels, the County must apply both definitions, and where one is more restrictive than the other, the more restrictive portion of that definition controls. *See, e.g.*, NSA-LUDO § 1.070 ("When conditions herein imposed are less restrictive than comparative provisions imposed by . . . Management Plan Guidelines, then the more restrictive shall govern.").

For example, pursuant to the NSA-LUDO, any unit of land created solely by a record of survey is not a legal parcel, regardless of the date of the record of survey. In addition, pursuant to the NSA-LUDO, any unit of land created after September 4, 1974 and solely by deed or land sales contract is not a legal parcel. For a unit of land created before September 4, 1974 and solely by deed or land sales contract, it is not a legal parcel under the Management Plan unless it was "legally created and separately described" by a deed or a land sales contract and unless the creation of the unit of land "complied with all planning, zoning, and land division ordinances or regulations applicable at the time of creation and up through November 16, 1986." Finally, pursuant to the Management Plan, any unit of land created after November 16, 1986 by deed or sales contract is not a legal parcel unless it was "legally created and separately described" by a deed or sales contract and unless the creation of the unit of land "was approved under the Final Interim Guidelines or a land use ordinance consistent with the Management Plan, or by the Forest Service prior to the Final Interim Guidelines."

The County must apply both the Management Plan and NSA-LUDO definitions, and where one of these definitions is more restrictive, that definition controls. NSA-LUDO § 1.070. <u>All available GIS data only identifies 5 parcels rather than 66 in the proposed area.</u> In addition, it is not clear from the application materials if subdivision or partition plats were ever recorded for the Columbia Crest Subdivision and the Fruitland Park Addition. <u>The County must verify that the lots are legally existing before approving any replat.</u> NSA-LUDO § 3.160.D. The Applicant bears the burden of establishing legality of the parcels.

Consolidation of Parcels

Contiguous units of land created by deed or land sales contract prior to September 4, 1974, under common ownership, and not conforming to the minimum lot size requirement of the NSA-LUDO ordinance must be considered one lot of record unless specific conditions are satisfied. NSA-LUDO § 13.200. **The landowners apparently own multiple contiguous tax lots. If any of the tax lots were created only by deed or land sales contract and are below the minimum lot size, then they are not separate legal lots of record.**

Furthermore, under Oregon case law, a partition map that does not indicate the continued existence of the lots that were previously partitioned can have the effect of vacating previous lot lines. *Weyerhaeuser Real Estate Development Co. v. Polk Cnty*, 246 Or. App. 548, 558, 267 P.3d 855 (2011); *Kine v. Deschutes Cnty.*, 313 Or App 370, 496 P.3d 1136 (2021). **Again, it is not clear from the application materials if subdivision or partition plats were ever recorded for the Columbia Crest Subdivision and the Fruitland Park Addition. In addition, even if such a plat had been recorded, it is not clear whether such a plat would have met the applicable standards at the time, and also whether the Columbia Crest Subdivision and Fruitland Park Addition might have been vacated by a later partition map. The Applicant bears the burden**

of establishing legality of the parcels. Based on the evidence available in the circulated application materials, that burden has not been met.

Replats

Even if there were 66 legally existing lots of record, they could not lawfully be replatted to lots that are below the 5-acre minimum lot size for the area. NSA-LUDO § 3.160.D.13 requires replats to comply with NSA-LUDO § 3.160.G. That provision requires that "[t]he creation or **alteration** of a parcel shall be subject to" the minimum lot size and parcel width for the zone and variances from minimum parcel sizes may not be granted. NSA-LUDO §§ 3.160.G (emphasis added), 21.030.C & D. **Here, the Applicant proposes 8 lots, each below the minimum lot size for the zone. This application cannot be lawfully approved as proposed.**

In addition, replats can only be done for recorded plats. ORS §§ 92.185(1), 92.010(13). As discussed above, it is not clear from the application materials whether the Columbia Crest Subdivision and the Fruitland Park Addition were lawfully approved and recorded. **The Applicant bears the burden of establishing that the criteria are met and that burden has not been met.**

Based on the evidence available in the application materials and in County parcel data, it is likely that the subject property is only eligible for 3 to 5 residential lots, depending on the criteria and factors discussed above. The applicant proposes 6 residential lots, which cannot be approved.

Also, if, as the application states, the subject property contains environmental hazards such as a potential for flooding, land movement, high water tables, or erosion, then the County may require the dedication of protective easements. NSA-LUDO § 21.030.V.

The applicant proposes to create two non-developable parcels for open space and park purposes. Any parcel approved to be created for such purposes should be restricted from development by conditions of approval and permanent deed restrictions or covenants.

Finally, the County must review any proposed replat for all potential adverse effects to scenic, natural, cultural, and recreation resources that may occur as a result of the proposed replat including cumulative adverse effects. NSA-LUDO §§ 1.200 (definition of "development"), 21.030.A & D.

<u>Conclusion</u>

Thank you for this opportunity to comment.

Sincerely,



Steven D. McCoy
Staff Attorney

Daniel Dougherty <danield@co.wasco.or.us>

Notice of Land Use Action - Smilekel Group

Lane Magill <lanem@co.wasco.or.us> Thu, Mar 16, 2023 at 2:53 PM
To: Daniel Dougherty <danield@co.wasco.or.us>
Cc: flathk@nwasco.k12.or.us, jwood@mcfr.org, Steven Horzynek <steven-horzynek@nwascopud.org>, nedr@wascoelectric.com, BrewsterW@wascoelectric.com, districtmanager@chenowithwater.com, Ben Beseda <BBeseda@tennesoneng.com>, Scott Williams <scottw@co.wasco.or.us>

No issues with law enforcement.

Lane
[Quoted text hidden]
--

Lane Magill | ***Wasco County Sheriff***
SHERIFF'S OFFICE

lanem@co.wasco.or.us | www.co.wasco.or.us
541-506-2592 | Fax 541-506-2581
511 Washington St. Suite 102 | The Dalles, OR 97058

ROAD MAINTENANCE AGREEMENT

The undersigned, being the owner of all the following described real property located in the County of Wasco, State of Oregon:

The Southeast quarter of the Northeast quarter of Section 5, Township 1 North, Range 13 East of the Willamette Meridian, Wasco County, Oregon. Being Lots 2-6 of Prince Heights Subdivision.

which property has access rights over, across, and through the roadway described as "Cavern Way" and shown in attached Exhibit "A", does hereby make the following Road Maintenance Agreement concerning the above described real property, specifying that this Agreement shall constitute a covenant to run with all the land and shall be binding on all persons claiming under them: and that these conditions and restrictions shall be for the benefit and limitations upon all future owners of said real property.

Recitals:

A. It is essential to the value of the lots and for the safety of persons living thereon that the above-described roadway be properly maintained, in good condition.
B. The undersigned has agreed to share in the cost of maintaining the roadway serving the lots according to the formula set forth herein.

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Agreement:

The undersigned agrees to the following:

1. When repairs and/or maintenance appear to be necessary, the parties to this agreement may undertake such repair or maintenance anywhere along the roadway upon the affirmative vote of a majority of all property owners participating in this agreement, as follows:

    a. One meeting shall be held each year to negotiate and vote on a need for maintenance and repair on said described road. The annual meeting shall be held on or before March 1st of each year and at such additional times as may be necessary in the case of an emergency. Each participating property owner shall be allowed one (1) vote per lot to approve any maintenance or repair to be performed on said road.

2. Following the vote approving maintenance and repair, a bid must be presented to each property owner before any maintenance or repair can be performed. A majority of all property owners participating in this agreement must agree with the bid prior to the work being performed on the road. Each property owner participating in this agreement must sign a copy of the bid acknowledging that they have received and voted on the bid.

3. Repairs and maintenance to be performed on the road under this agreement shall include, but not be limited to the following: grading, patching, and snow removal. Capitol improvements (such as asphalting) may be undertaken only on the affirmative vote of all (100%) of the property owners participating in this agreement.

4. The property owner who makes the arrangements for repair and maintenance according to the property owner's decision shall send copies of all the bills to the property owners participating in this agreement.

5. All property owners participating in this agreement shall share equally the cost of approved maintenance or repair within ten (10) days of receiving the bill. If a property owner fails to pay his or her respective share within thirty (30) days after receipt of a statement, the amount of the statement, together with interest at 9% per annum from the date of the statement, plus any attorney fees necessary to collection, shall automatically become a continuing lien against the lot of the defaulting lot owner. Each lot owner's obligation to pay his or her share of the cost will be an enforceable personal obligation of the lot owner.

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6. The lot owners shall work together to coordinate their repair and maintenance activities to make the repairs and maintenance as economical as possible and to minimize interference with the lot owner's use of the roadway. To the extent reasonably possible, any repairs, maintenance or capital improvements will be obtained through competitive bidding for the purpose of cost comparison.

7. The property owners will exercise reasonable care in their use of the roadway so as not to cause more than normal wear and tear.

8. The rights and responsibilities set forth in this agreement shall be perpetual and shall run with the land and shall be binding on the successors and assigns of the property owners.

9. The provisions of this agreement may only be amended in writing and with the consent of all (100%) of the property owners participating in this agreement.

10. If the lot is owned by more than one person, all the owners of the lot will collectively be referred to as the lot owner, and will be entitled to only one collective vote, i.e., each lot represents one vote in the matters covered by this agreement.

11. The undersigned hereby agrees that this document may be recorded as an appurtenance to the above-described property.

_____

(_____, _____ of _____, LLC)
Property Owner

STATE OF OREGON

ss.

County Of Wasco

On the _____ day of _____, 2022, the above-named _____, _____ of _____, LLC personally appeared and acknowledged the foregoing instrument to be his/her/their voluntary act and deed.

Before me _____
Notary Public of Oregon

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My Commission expires:_____

SECTION 21.310 Final Subdivision Plat Approval

Approval of a final subdivision plat is reviewed by the Planning Commission and subject to the provision of Chapter 2.

A. Application for Final Subdivision Approval:

1. Before expiration of the validity of the preliminary subdivision plan approval obtained pursuant to 21.300, the applicant shall cause an Oregon licensed land surveyor to survey the subdivision and to prepare a final plat, in conformance with the approved preliminary plan.

2. The applicant shall initiate a request for final plat approval by filing with the Director a final plat, an exact reproducible copy, other supporting documents as described in B, Final Subdivision Plat Requirements through D, Performance Bond, below, and the appropriate fees as established by the County Governing Body.

B. Final Subdivision Plat Requirements:

1. The final plat shall be prepared in conformance with all provisions of this Section.

2. Prior to submission for final approval, the final subdivision plat shall be signed by all persons who own land in the subdivision and the mortgagees, or by their authorized representatives or any title-holder. The plat shall bear the signature and seal of the licensed land surveyor responsible for its preparation and certification that the plat has been correctly surveyed and properly monumented. All signatures must be with black ink.

3. Conformance to preliminary plan. The plat map shall substantially conform to the preliminary plan as approved.

4. Preparation. All plat maps shall be prepared by a professional land surveyor registered with the State of Oregon.

5. Format. The plats shall be drawn with an archival quality black permanent ink, approved by the County Surveyor, on 4 mil (minimum) thick polyester based transparent drafting film, or an

equivalent, matted on both sides, eighteen inches by twenty-four inches (18"x24") in size. The quality of said drafting film and any other drafting particulars will be subject to the County Surveyor's approval. No diazo process may be used.

6. Scale. The plat shall be drawn to a standard engineering scale sufficient to depict the subdivision of land approved by the County Surveyor.

7. Survey Accuracy. The survey for the plat shall be done in such a manner to achieve sufficient accuracy that measurements may be taken between monuments within one-tenth of a foot or one ten-thousandth of the distance shown on the plat, whichever is greater.

8. Measurements. The subdivision plat shall contain the following measurements:

a. The boundary lines with distance and bearing of the exact location and width of existing or recorded streets intersecting the boundary.

b. The arc, length, chord length, chord bearing, radii, and central angles of curves.

c. Block indications, lot numbers and lot lines with dimensions in feet and hundredths and bearings and angles to street and alley lines.

d. The area of each lot in either acres, to the nearest 1/100th of an acre, or square feet.

e. All measured bearings or angles and distances separately indicated from those of record.

f. All monuments set and their relation to older monuments found. A detailed description of monuments found and set shall be included and all monuments set shall be separately indicated from those found.

Any additional information shall be typed or printed in narrative form.

9. Monuments. The subdivision plat shall contain the location, material, and size of all monuments which have been set. A monument shall be set at each of the following locations.

a. The Initial Point, which must be on the exterior boundary of the plat and must be marked with a monument meeting the specifications of ORS 92.060(1). The location of the monument shall be with reference by survey to a known corner per ORS 92.060.

b. The exterior boundary including every angle point or curve point along the boundary lines. Any exceptions shall be allowed only with approval of the County Surveyor. All monuments for the exterior boundaries of a subdivision shall be set and referenced on the plat before the plat is offered for approval.

c. All lot corners, except lot corners of a cemetery. All monuments for the interior boundaries of a subdivision shall be set and referenced on the plat before the plat is offered for approval, unless the surveyor certifies the remaining monuments will be set. If the interior monuments

are not set prior to the approval of the plat:

(1) The person performing the survey work shall, by affidavit, certify that the interior monuments will be set by a date specified by him, such a date not exceeding one year from the date of submission of the plat for approval. The County Surveyor may extend the one year period and such extension shall be in writing. The County Surveyor shall submit a written copy of the extension to the Director.

(2) The subdivider shall furnish to the Wasco County Surveyor's Office a bond or cash deposit, at the option of the Wasco County Surveyor's Office in the amount equal to not more than 120 percent of the County Surveyor's estimate of the cost to perform the work for the interior monumentation.

(3) Space will be provided on the face of the plat for endorsement of the recording reference to the plat copy to be filed upon completion of such interior monumentation.

(4) Upon completion of the interior monumentation, the person performing the survey shall indicate upon a copy of the plat that monumentation has been completed.

(5) The County Surveyor shall check the interior monumentation, and, if the conditions required on the tentative plan have been complied with, he shall so certify on the plat copy and file it with the County Clerk.

(6) The County Clerk shall file the plat copy and reference the filing number on the original plat. The County Clerk shall advise the County Surveyor of such number for notation on the plat previously filed with him.

d. Flood Plain Monumentation for Subdivisions and Partitions. For subdivisions and partitions involving land in a flood plain, the following specifications shall apply:

(1) A standard Bench Mark shall be a minimum of thirty-six inches (36") in depth and eight inches (8") in diameter, constructed of concrete with a brass cap set in the center. The brass cap shall bear the name of the Bench Mark, the year set and the agency or Registered Land Surveyor's license number. The Bench Mark shall be set at least thirty inches (30") in the ground in a stable, protected area of the partition or subdivision. The elevation established shall be 3rd order or higher.

(2) The Bench Mark location shall be indicated on the face of the Plat or Final Survey Map along with its name and elevation and the name, year, and elevation of the Bench Mark upon which the elevation is based.

(3) The level notes or a copy thereof shall be filed with the final map. Any exceptions shall be allowed only with the approval of the County Surveyor.

(4) Field notes and closure copies to County Surveyor:

(a) Copies of all lot closures, block closures and plat closures of the subdivision shall be furnished to the County Surveyor upon his request.

(b) If the interior monuments are not set prior to the approval of the plat, the field notes or legible copies for the original survey of the subdivision shall be furnished to the County Surveyor upon his request.

10. Surveyor's Certificate. The plat must include a Surveyor's Certificate, together with the seal and signature of the surveyor of record, to the effect that the surveyor has correctly surveyed and marked with proper monument the lands represented, including the initial point of the plat and its location, and accurately describing by metes or bounds, or other description as approved by the County Surveyor, the tract of land upon which the parcels are laid out.

11. Declaration

a. The plat shall include a declaration, taken before a notary public, stating that the declarant has caused the plat to be prepared in accordance with the provisions of ORS 92.

b. Any dedication of land to public purposes or any public or private easements created, or any other restrictions made, shall be included in the Declaration.

c. If the declarant is not the fee owner of the property, the fee owner and the vendor under any instrument of sale shall also execute the Declaration for the purpose of consenting to the property being partitioned.

d. If the plat contains any dedication or donation of land to public purposes, the holder of any mortgage or trust deed shall also execute the Declaration.

e. Notwithstanding the provisions of subsections a. to d., the fee owner, vendor or the mortgage or trust deed holder may record an affidavit consenting to the declaration, pursuant to ORS 92.075 (4).

12. General Information. The map shall comply with ORS 209.250 and contain the following information in addition to the preliminary plan information except that 21.3 00(B)(1) – (8) shall not be required to be on the face of the plat:

a. Table indicating the approximate acreages of all existing and newly created parcels and lots.

b. Assessor Account Number for each existing property.

c. Planning Department File Number.

d. Legal description of the subdivision boundaries, area of the subdivision in acres, and the location of the subdivision by one-fourth section and Donation Land Claim, Township and Range.

e. Subdivision block and lot boundary lines and street right-of-way and center lines with dimensions to the nearest 1/100th of a foot, bearings or deflection angles, radii, arcs, points of curvature, chord bearings and distances, and tangent bearings. Subdivision boundaries, lot boundaries, and street bearings shall be shown to the nearest thirty (30) seconds with basis of bearings.

f Names and width of the portion of streets being dedicated, the width of any existing right-of-way, and the width on each side of the center line. For streets on curvature, curve data shall be based on the street center line. In addition to the center line dimensions, the radius and central angle shall be indicated.

g. Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. If an easement is not of record, a certified copy of the easement shall be provided. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the subdivision must be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's declaration.

h. Locations and widths of drainage channels, railroad rights-of-way, reserve strips at the end of stubbed streets or along the edge of partial width streets on the boundary of the subdivision.

i. Numbering of blocks and lots, as follows:

(1) Block numbers beginning with the number "1" and continuing consecutively without omission or duplication throughout the subdivision. The numbers shall be solid, of sufficient size and thickness to stand out and so placed as not to obliterate any figure or lot numbers. In an addition to a subdivision of the same name, numbers shall be a continuation of the numbering in the original subdivision.

(2) Lot numbers beginning with the number "1" and numbered consecutively in each block.

j. Ties to any city, county, or adjacent subdivision boundary lines.

k. The course of all lines traced or established, giving the basis of bearing and the distance and course to a section corner, one-sixteenth corner or Donation Land Claim corner in Township and Range.

l. Space for date and signature of the County officials specified in I below.

m. Any conditions specified by the Approving Authority upon granting preliminary approval.

n. A copy of the covenants, if any, that will be placed on the subdivision, including the volume and page(s) of recording with Wasco County.

o. A copy of all documents relating to establishment and maintenance of private facilities, common areas and easements, including the volume and page(s) of recording with Wasco

County.

p. A copy of all documents relating to additional requirements or restrictions required by the County as a condition of approval.

q. A declaration signed and acknowledged by all parties having any record title interest in the land consenting to the preparation and recording of the plat.

r. A declaration signed and acknowledged by all parties having any record title interest in the land dedicating all land intended for public use and common improvements, including but not limited to streets, roads, parks, sewage disposal and water supply systems the donation of which was made a condition of the approval of the tentative plan.

s. A narrative per ORS 209.250(2).

t. All subdivisions outside the boundaries of an irrigation district, drainage district, water control district, or district improvement company must file a statement of water rights. If a water right is appurtenant to the lands of the subdivision, the statement of water right and a copy of the subdivision plan must be submitted to the Oregon Water Resources Department. A copy of the acknowledgment from the Water Resources Department must be submitted with the final subdivision plat.

u. Any additional information made a condition of approval of the tentative plan.

13. Supplemental Information with Final Plat. The following data shall accompany the final plat if requested by the Director or County Surveyor:

a. A preliminary title report issued by a title insurance company in the name of the owner of the land, showing all parties whose consent is necessary and their interest in the premises.

b. Sheets and drawings showing the following:

(1) Traverse data including the coordinates of the boundary of the subdivision and ties to section corners and donation land claim corners, and showing the error of closure, if any.

(2) The computation of all distances, angles, and courses shown on the final map.

(3) Ties to existing monuments, proposed monuments, adjacent subdivision, street corners, and state highway stationing.

c. A copy of any dedication requiring separate documents.

d. A Plan and Profile showing the following:

(1) Widths of the proposed dedication throughout the length of the proposal.

(2) Centerline alignment showing P.C. and P.T. stationing on all curves, necessary curve data and bearings of tangents.

(3) Ground line and grade line profile on the centerline of the proposed street or road.

(4) Vertical curve data showing P.I. elevations and stations, length of vertical curve and tangent grades.

(5) Proposed drainage structures, showing both size and type of structure.

(6) Earthwork distribution, i.e., volume of cuts and fills shown in appropriate haul distribution brackets.

(7) Provisions for waste or borrow areas if widened cuts or fills do not provide the desired balance of material.

(8) Toe of slope and top of cut lines showing the limits of the construction area within the dedication.

(9) Typical section of roadbed to be constructed.

(10) Sections lines, fractional section lines and/or Donation Land Claim lines tied to corner from which dedication description is prepared.

(11) Vicinity map in the upper left hand corner of the first plan sheet showing roughly the relationships of the proposed road to cities, state highways, county roads, or other well-defined topographical features.

(12) The stamp and signature of the registered Professional Engineer or qualified land surveyor preparing the plans.

e. Cross Sections

(1) Shall be platted on standard 10-square inch or CAD cross-section print-outs.

(2) Shall show proposed widened cuts or fill if these are needed for material balance.

f. If sewer and/or water facilities are required as the condition of approval of the Final Plat, the following may be required to be submitted with the Final Plat:

(1) Plans and profiles of proposed sanitary, and storm-water sewers, with grades, pipe sizes and the location of manholes indicated.

(2) Plans and profiles of the proposed water distribution system showing pipe sizes and the location of valves and fire hydrants.

(3) Specification for the construction of all proposed sewer and water lines and other utilities.

(4) Grading plans and specifications as required for areas other than streets and ways.

(5) Planting plans and specifications for street trees and other plantings in public areas.

14. County Surveyor Fees: The subdivider shall pay a subdivision review fee to the County Surveyor as provided in ORS 92.100(2) which is included in the cost at the time of application. In the event a second field and/or office check becomes necessary because of substantial discrepancies found in the first check, the County Surveyor may, at his discretion, charge a second fee or partial fee.

ATTACHMENT H: ORDINANCE NO. 3 (RECORDED & UNRECORDED) AND ORDINANCE NO. 7 (RECORDED)

IN THE COUNTY COURT OF THE STATE OF OREGON

FOR WASCO COUNTY

In the Matter of an Ordinance to Establish, Subdivision Regulations.	)	O R D E R PLANNING COMMISSION ORDINANCE NO. 3

Pursuant to the authority vested in the County Court by Chapter 537, Oregon Laws 1947, and laws amendatory thereto.

Section 1.

An ORDINANCE requiring subdivision regulations, this Ordinance to be known as "Subdivision Regulations of Wasco County" the following Ordinance is hereby enacted.

Section II. Purpose

The purpose of this Ordinance is to prevent, any unsightly and haphazard subdivision platting, which would be detrimental to Health and Safety, and to Establish uniform Subdivision Regulations. The County Planning Commission, hereinafter referred to as the Planning Commission of Wasco County, State of Oregon, hereinafter referred to as the County, is hereby designated as the ADVISORY Agency with respect to Subdivisions, and shall have all powers and duties with respect to tentative plans and final maps, and the procedure relating thereto which are specified by law and by this Ordinance.

Section III. Scope

The regulations herein stated shall apply to the subdivision of all land within the unincorporated territory of Wasco County. It shall be unlawful hereafter to subdivide land by "Metes and Bounds" and no subdivision plat may be filed or recorded until submitted to and approved by the County Planning Commission. The term "subdivide" as used in this ordinance shall mean to partition, plat, or subdivide land into four (4) or more lots, blocks, or tracts, or containing a dedication of any part thereof as a public street or highway, for other than agricultural purposes. Tracts of land of 5 acres or less should be, for the purpose of this Ordinance, presumed to be non-agriculture, non-grazing, non-horticulture and not used for the growing of timber unless proved to be otherwise.

Section IV. Preliminary Plat

A. GENERAL

1. INITIAL STEPS: When a land owner or subdivider decides to subdivide a parcel of land, it is recommended that he or his agent contact the County Planning Commission for information regarding procedures and for general information that will have a direct influence on the proposed development, such as existing and

proposed state highways and county or city roads, population trends, and public utilities. The owner or subdivider should then have his property surveyed to record accurately all facts that will influence the proposed subdivision.

2. PURPOSE: The purpose of the preliminary plan is to present an early study of the proposed subdivision to the County Planning Commission to receive their approval or recommendations for revision before incurring the expense of exhaustive surveys and calculations. Thorough analysis of the problems at this stage will expedite the final planning and full approval.

3. SCOPE: The preliminary plan should not be a finished drawing, but it should show all pertinent information to scale in order that the Planning Commission can properly review the proposed development.

4. SCALE: When practicable, the drawing shall be at a scale of one inch equals one-hundred (1"-100') Feet. The scale may be increased or decreased if necessary in order to fit the drawing on the legal sized plat of 18" x 24" but in all cases the scale to be used shall be standard.

5. INFORMATION REQUIRED: The preliminary plan should include the following information:

a. Proposed name of subdivision, (This name must not duplicate or resemble the name of another subdivision in Wasco County).
b. Date, north point, scale of drawing and sufficient description to define the location and boundaries of the proposed tract.
c. Names and addresses of owner, subdivider and engineer or surveyor.
d. Location of official plan lines or projected streets or highways.
e. Location, names and present width of roads, streets, highways, or ways.
f. The location, names, widths, typical improvements cross sections and approximate existing and finished grades of all roads, streets, highways and ways in the proposed subdivisions. In cases in which street grades exceed six (6%) per cent, such grades shall be shown by center line profiles.
g. The approximate width and location of all easements for drainage or public utilities.
h. Approximate dimensions of all lots.
i. Approximate location of areas subject to inundation or storm water overflow, or all areas covered by water, and the location, width, and direction of flow of all water courses.
j. Existing use or uses of the property, including the location of all existing structures to remain on property.
k. Proposed use of the property and outline of deed restrictions.
l. Statement of the subdivision improvements proposed to be made or completed.
m. Statement regarding water system to be installed, including source, quality and quantity of water.
n. Provisions for sewage disposal, drainage, and flood control which are proposed.
o. Public areas proposed,
p. Such of the foregoing information as may not practicably be shown on the map shall be shown on separate sheets of paper or contained in written statements accompanying the preliminary plan.
q. Submission of drainage plan if necessary, showing profiles of drainage ways.

B. PROCEDURE OF PRESENTING PRELIMINARY PLAT

1. PLACE: The subdivider shall file four (4) blueprints on the preliminary plan with the County Planning office at least seven (7) days prior to the Planning Commission meeting at which consideration of the plat is desired.

2. COUNTY PLANNING COMMISSION DUTY: The County Planning Commission shall furnish each of the following offices with a print of the proposed subdivision within two (2) days after being submitted by the subdivider.

   1. County Engineer or Roadmaster
   2. County Health Officer
   3. State Highway Department (When development is adjacent to a State Highway and access to the highway is desired by the subdivider).

Within five (5) days each of the three agencies listed above and the County Planning Commission will review the plan and approve or suggest revisions. All plans will be returned to the County Planning Commission.

3. APPROVAL OF PRELIMINARY PLAT: The County Planning Commission will review the plan and the reports of the agencies listed above and will give tentative approval to the preliminary plan as submitted or as it may be modified. After receiving the tentative approval, the subdivider may prepare the final plat for full approval and recording.

SECTION V. FINAL PLAT

A. GENERAL

1. TIME LIMIT: The official plat must be prepared and completed within one (1) year following the tentative approval given on the preliminary plan by the Planning Commission, and it shall incorporate the recommendations made by the Commission. If the official plat has not been filed within this period, the Planning Commission will assume that the subdivider or owner does not intend to carry out the subdivision of his property. If the owner or subdivider wishes to proceed with the subdivision of his land after the expiration of the one year period following the tentative approval of the preliminary plat by the Planning Commission, he must resubmit his preliminary plan to the Planning Commission, and make revisions considered necessary to meet changed conditions.

2. DRAFTING OF PLAT: The official plat shall be drawn in black india ink on good quality drawing paper 18" x 24". No part of the drawing shall be nearer to the edge of the sheet than (1) inch. All of the drawing shall be on ore side of the sheet, but dedication or other written matter may be on the other side.

3. TRACING DUPLICATE: An exact duplication of the official plat must be drawn in india ink on a good quality tracing paper.

4. INFORMATION REQUIRED: In addition to the map specifications for the preliminary plan, the official plat also shall include the following information:

   a. The length of all arcs, radii, points of curvature, and tangent bearings.
   b. All lot lines with dimensions in feet and hundredths and with bearings and angles to minutes if other than right angles to street and alley lines.

c. Blocks should be numbered consecutively throughout and tract and lots throughout each block.
d. The accurate location and description of all property which is to be offered for public use with the purpose indicated.
e. Minimum building set-back lines where not otherwise fixed by a building code or County Ordinance.
f. Description and location of all permanent reference monuments.

g. Certification by a civil engineer or Surveyor registered in the State of Oregon.
h. Legal description of the tract boundaries.
i. Dedication by the property owners.
j. Notary seal on the dedication of streets.
k. A copy of the protective deed restrictions should be prepared to accompany the plat.

B. PROCEDURE FOR PRESENTING FINAL PLAT:

1. Presentation: The official plat for final approval should be delivered to the County Planning Commission at least two (2) days before the Planning Commission meeting at which the plat is to be reviewed for approval.

2. Planning Commission Approval: The Planning Commission checks the final plat for conformity with recommended revisions. If approved, the plat is signed by the Chairman and the Secretary of the Planning Commission.

3. County Approval: Following approval by the County Planning Commission, the Commission shall obtain the signatures from the following offices in the order named:

1. County Surveyor
2. County Assessor
3. County Judge
4. County Commissioners

C. FILING FINAL PLAT

1. Procedure: After obtaining the approvals and signatures listed above, the subdivider files in the County Clerk's office with an exact copy of the original plat drawn on a plat board or tracing paper and three (3) blueprints of the same.

2. Distribution of prints by County Clerk: The County Clerk forwards one blueprint of the filed plat to each of the following offices:

1. County Engineer or Roadmaster
2. County Assessor
3. County Planning Commission

SECTION VI. DESIGN STANDARDS

A. HIGHWAYS, STREETS, AND ALLEYS

1. Highways: The street and highway layout of each subdivision shall be based on the Plan adopted or proposed for the portion of the County

within which the subdivision lies.

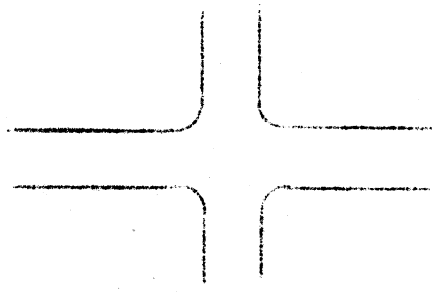
a. Alignment: The center lines of all highways shall be continuations of the center lines of existing highways in adjacent AND CONTIGUOUS Territory. In cases in which straight continuations are not reasonably possible, such center lines may be continued by tangent curves.

b. Width: Width of right-of-ways and paved roadways shall meet the minimum requirements shown in the following table. Paved surfaces are based on 11' to 12' for each driving lane and 8' for parking lanes.

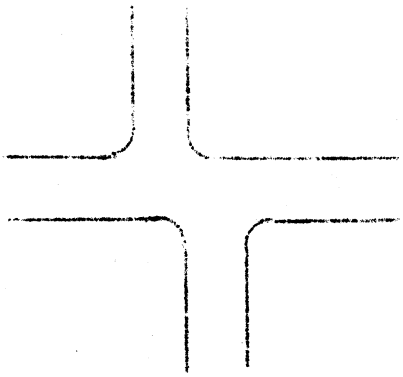
MINIMUM AND PREFERRED RIGHT-OF-WAYS AND WIDTHS FOR ROAD SURFACING

Type of Street	Right-of-Ways		Road Surfacing	
	Minimum	Preferred	Minimum	Preferred
Arterials	80	100	26	36
Secondary Arterials	60	80	26	36
Business & Industrial Streets	66	80	36	42
Local Streets	50	60	20	34
Dead-end Streets (not more than 400' long and serving a maximum of 18 single family dwellings)	50	50	20	20
Turn-arounds for dead-end streets	40' radius		30' radius	
Alley				
Residential	14	20		
Business or Industrial	20	20		

Intersections should cross at as nearly 90 degrees as topography and other factors will permit. Such intersections give good control of traffic and aid drivers in making turn or continuing straight ahead and seeing approaching cars.

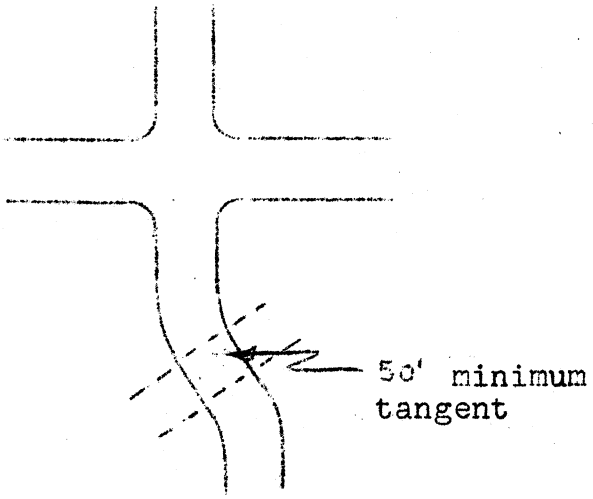


Short jogs or offsets at intersections are hazardous to traffic and pedestrian movement, and are therefore not acceptable. Those now existing are causing more than their share of accidents due to awkward maneuvering of cars, cutting of center lines, and "jay walking" by pedestrians.

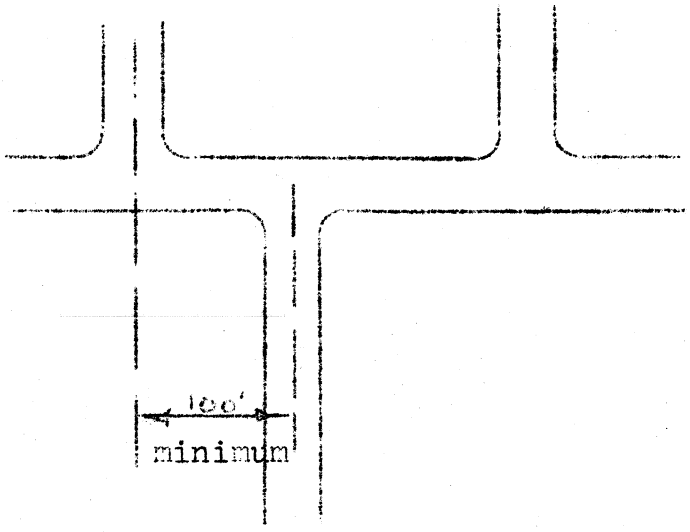


If it is not possible to align the roads of a new subdivision with the existing roads of an adjacent tract, short jogs may be avoided by establishing reverse curves in the road alignment within a block. Such reverse curves, however, should be separated by a tangent at least 50 feet long.

Although such reverse curves are not objectionable in residential areas, every effort should be made to avoid them in commercial districts.



If an offset is necessary, no offset should be less than 100'. Well planned offsets are frequently desirable especially for minor residential streets where it is desirable to discourage non-local traffic.



2. STREETS: Width of streets shown in the above table are based on driving lanes of from 9' to 12' depending on the types, amount and probable speed of the traffic on the various types of streets. Additional width of paved area is recommended on business streets to allow for maneuvering of cars when parking parallel to curbs. Parking lanes in all cases are 8' wide.

   a. WIDTH: Widths of street right-of-ways shall not be less than those set forth in the table on page 5 except where it can be shown by the subdivider, to the satisfaction of the Planning Commission that the topography or the small number of lots served and the probable future traffic are such as to unquestionably justify a narrower right-of-way.

   b. PRIVATE STREETS: Private streets, alleys or ways will not be approved unless they are improved as specified under Section VI, "Improvements".

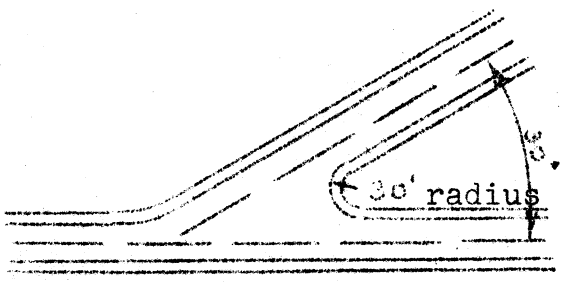
   c. RESERVED STRIPS: Reserved strips controlling the access to public ways or which will not prove taxable for special improvements will not be approved unless such strips are necessary for the protection of the public welfare or of substantial property rights or both, and in no case unless the control and disposal of the land comprising such strips is placed definitely within the jurisdiction of the county under conditions approved by the Planning Commission.

   d. ALIGNMENT: All streets shall, as far as practicable, be in alignment with existing streets by continuations of the center lines thereof. In no case shall the staggering of streets make a "T" intersection to be so designed that a dangerous jog is produced. Jogs of less than 100' on minor streets, measured along the center line of the main thoroughfare, must be adjusted by curves or diagonals so that the alignment across the thoroughfare is continuous.

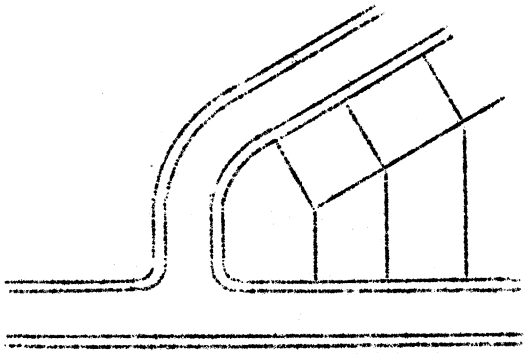
   e. INTERSECTION ANGLES: Streets will be required to intersect one another at an angle as near to a right angle as is practicable, and no intersections of streets at angles of less than thirty (30) degrees will be approved unless necessitated by topographic conditions. When intersections of less than 90 degrees are unavoidable, the right-of-way and road surfacing within the acute angle shall be based on a minimum of 30' center line radius.

   A study of the traffic accident map will show that streets that intersect at acute angles cause more accidents than streets intersection at right angles.

   Intersection angles shall be as nearly 90 degrees as possible. Acute angle intersections will be acceptable only when topography or other factors make right angles impractical.



When topography will allow, roads that will intersect at an angle of less than 90 degrees will be curved at the intersection to form a 90 degree angle. By so doing, a dangerous intersection is eliminated and a good corner lot is created.



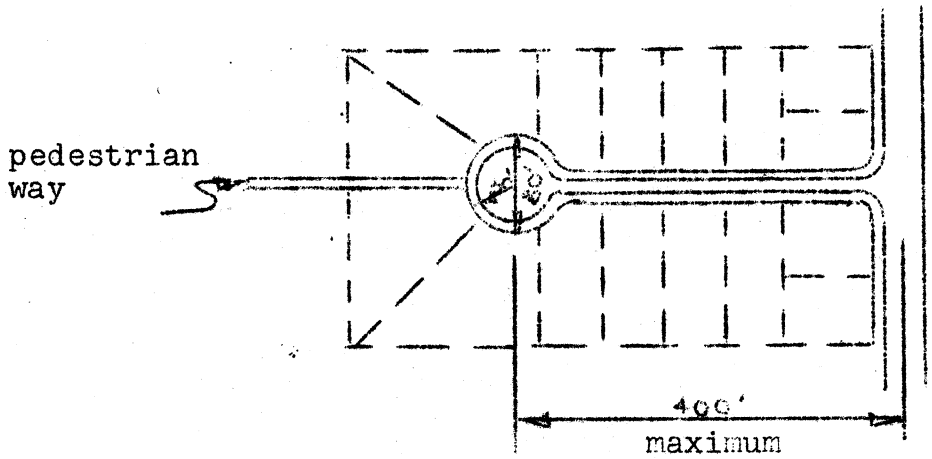
f. TOPOGRAPHY: The street plan shall give suitable recognition to existing topography.

g. REDUCING TRAFFIC IN RESIDENTIAL DISTRICTS: Secondary and local residential streets should be so planned as to discourage their use by non-local traffic.

h. FUTURE EXTENSION OF STREETS: Where a subdivision adjoins acreage, streets which, in the opinion of the Planning Commission, should be continued in the event of the subdivision of the acreage, will be required to be provided through to the boundary lines of the tract.

i. PLANTING EASEMENTS: Where streets are less than sixty (60') feet in width, additional easements for planting of street trees and/or shrubs may be required.

j. CULS DE SAC (Dead-end Streets): Cul de Sac more than four hundred (400') feet long or serving more than 18 single family dwellings will not be permitted. Restriction on length is essential to maintain minimum fire insurance rates and to adequately serve a dead-end street by sewer lines without necessitating additional man-holes. All dead-end streets shall be provided with a circular end with a minimum radius of thirty (30') feet paved area and forty (40') feet right-of-way.



k. STREET NAMES: All new thoroughfares and any thoroughfare, the name of which is hereafter changed, shall be designated according to direction and length by the proper term as set forth in the following schedule:

GENERAL DIRECTION	LONG OR CONTINUOUS THOROUGHFARES	SHORT OR DISCONTINUOUS STREETS
North and South	Streets	
East and West	Avenues	
Diagonal	Boulevards	Ways
Curving	Drives	Lanes

Streets that are obviously in alignment with others already existing and named shall bear the names of such existing streets. In order to avoid duplication, names to be used for new streets shall be subject to the approval of the Planning Commission.

l. GRADES AND CURVES: Grades shall not exceed six (6%) percent on major or secondary highways, ten (10%) percent on primary residential streets, or twelve (12%) percent on any other street. Center line radii shall not be less than three-hundred (300') feet on primary streets, two-hundred (200') feet on secondary streets, or one-hundred (100') feet on local streets. Lesser radii may be used in cases in which sufficient evidence is presented to show that the above requirements are not practicable.

3. ALLEYS: Alleys twenty (20') feet wide may be required at the rear of all prospective business property except where topography makes the use of alleys impracticable.

CORNER CUT-OFFS: Where two alleys intersect, ten (10') feet corner cut-offs will be required.

B. BLOCKS

1. SIZES: Blocks shall not exceed twelve-hundred (1200) feet in length, except blocks adjacent to arterial highways or unless the previous adjacent layout or topographical conditions justify a variation from this requirement. Long blocks must be provided adjacent to main thoroughfares in order to reduce the number of intersections. The recommended minimum distance between intersections on arterial highways is eighteen-hundred (1800') feet. Longer blocks should be used when possible.

The optimum length for normal residential blocks is from 800' to 1000'. When the layout is such that sewers will be installed or easements for future sewer lines are provided along rear lot lines, the block should not exceed 800' in length thus making it possible to install only one-mid block man-hole accessible by a mid-block pedestrian way. When sewer laterals flow to a sewer main installed along a street right-of-way, the economic factor governing the length of the block is fire protection. Houses located more than 500' from a fire plug pay an advanced rate of fire insurance. If block lengths are limited to 1000' with fire plugs installed at street intersections, all houses will benefit by the minimum fire insurance rate.

Although blocks up to 1200' in length will be allowed, it is recommended that the maximum length be kept to 1000' in order to give adequate circulation.

2. PEDESTRIAN WAYS: Pedestrian ways ten (10') feet in width shall be provided through the middle of blocks over seven hundred and fifty (750') feet in length. Two pedestrial ways shall be provided in blocks in excess of one-thousand (1000') feet in length. When essential for public convenience, pedestrian ways may be required to connect to dead-end streets.

3. EASEMENTS FOR UTILITY LINES: Easements for storm drainage sewers, or other public utilities may be required along the rear lot lines or elsewhere if necessary. Easements for utility lines shall be a minimum of ten (10') feet in width. Poles for electric and telephone lines shall be installed along alleys or rear lot lines wherever practicable.

C. LOTS

1. SIZE AND SHAPE: The size and shape of lots shall be such as are proper for the locality in which the subdivision is situated, but in no case shall the average width be less than sixty (60') feet and the average depth less than one hundred (100') feet nor more than two and one-half ($2\frac{1}{2}$) times the average width. Where property is zoned or deeded for business use, other widths and areas may be permitted at the descretion of the Planning Commission.

Although the minimum average lot width allowable is 60' for an interior residential lot, it is recommended that no lot be less than 65' wide. A well planned home demands a wide lot for proper orientation and room arrangement. Furthermore in Wasco County where a limited amount of sunshine is realized during the winter months, homes should have wide side yards as well as front and back yards to get the maximum amount of light and fresh air, as well as privacy, and greater fire protection.

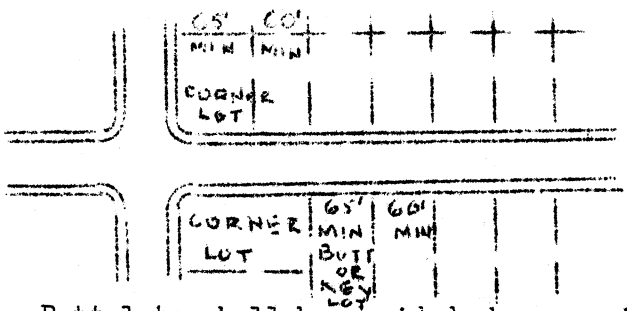
Minimum sizes and recommended minimum sizes for lots are given in the following table:

Type of Lot	Minimum Size		Recommended minimum	
	Width	Depth	Width	Depth
Corner Lot	65	100	70	120
Interior Lot	60	100	65	120
Butt (key) Lot	65	100	70	120
Double Frontage (Interior)	60	200	60	240
Acre Tract			150	290.4

2. CORNER LOTS: Corner lots shall be five (5') feet to ten (10') wider than interior lots to allow for building set-back restrictions on side streets. The minimum average width is sixty-five (65') feet.

3. INTERIOR LOTS: Interior lots shall have a minimum average width of sixty (60') feet.

3. INTERIOR LOTS: Interior lots shall have a minimum average width of sixty (60') feet.



4. BUTT OR KEY LOTS: Butt lots shall be avoided when possible. When unavoidable, minimum average width shall be sixty-five (65') feet. Normally such lots should be five (5') feet to ten (10') feet wider than interior lots due to their unfavorable relation to corner lots.

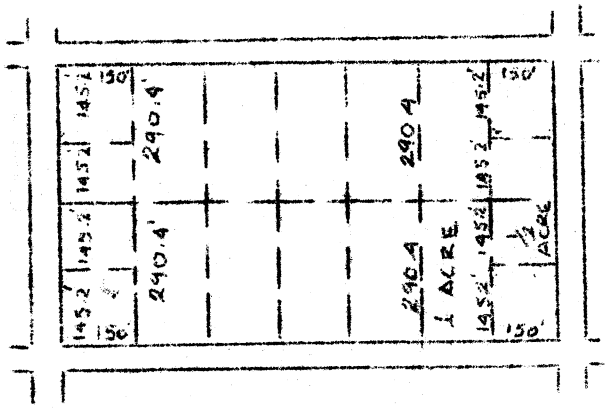
5. FRONTAGE: No lots shall be platted without frontage on a street.

6. DOUBLE FRONTAGE: Lots, other than corner lots, having double frontage with depths of less than two-hundred (200') feet, will not be approved except where necessitated by topographic or other physical conditions.

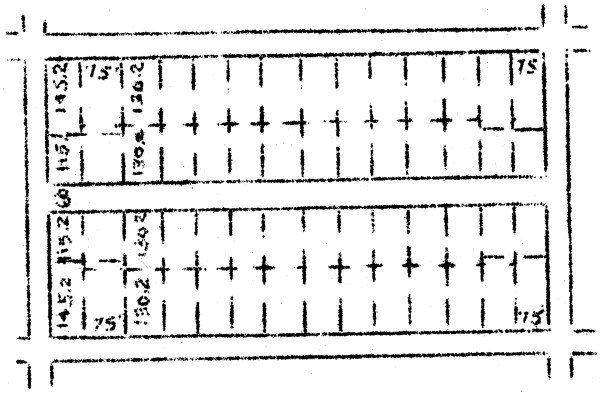
7. LOT SIDE LINES: The side lines of lots shall run at right angles to the street upon which the lots face, as far as practicable, or on curved streets they shall be radial to the curve.

8. SUITABLE FOR INTENDED USE: All lots shall be suitable for the purposes for which they are intended to be sold and no dangerous areas or areas subject to frequent inundation may be subdivided for residential purposes.

9. LOTS SUBJECT TO RESUBDIVISIONS: In subdividing acre and half acre tracts which at some future time are likely to be resubdivided into normal size city lots, the location of lot lines and other details of layout shall be such that resubdivision may readily take place without violating the requirements of this code and without interferring with orderly extension of adjacent streets and highways. Restriction of buildings within future street locations shall be made a matter of record if the Planning Commission deems it necessary.



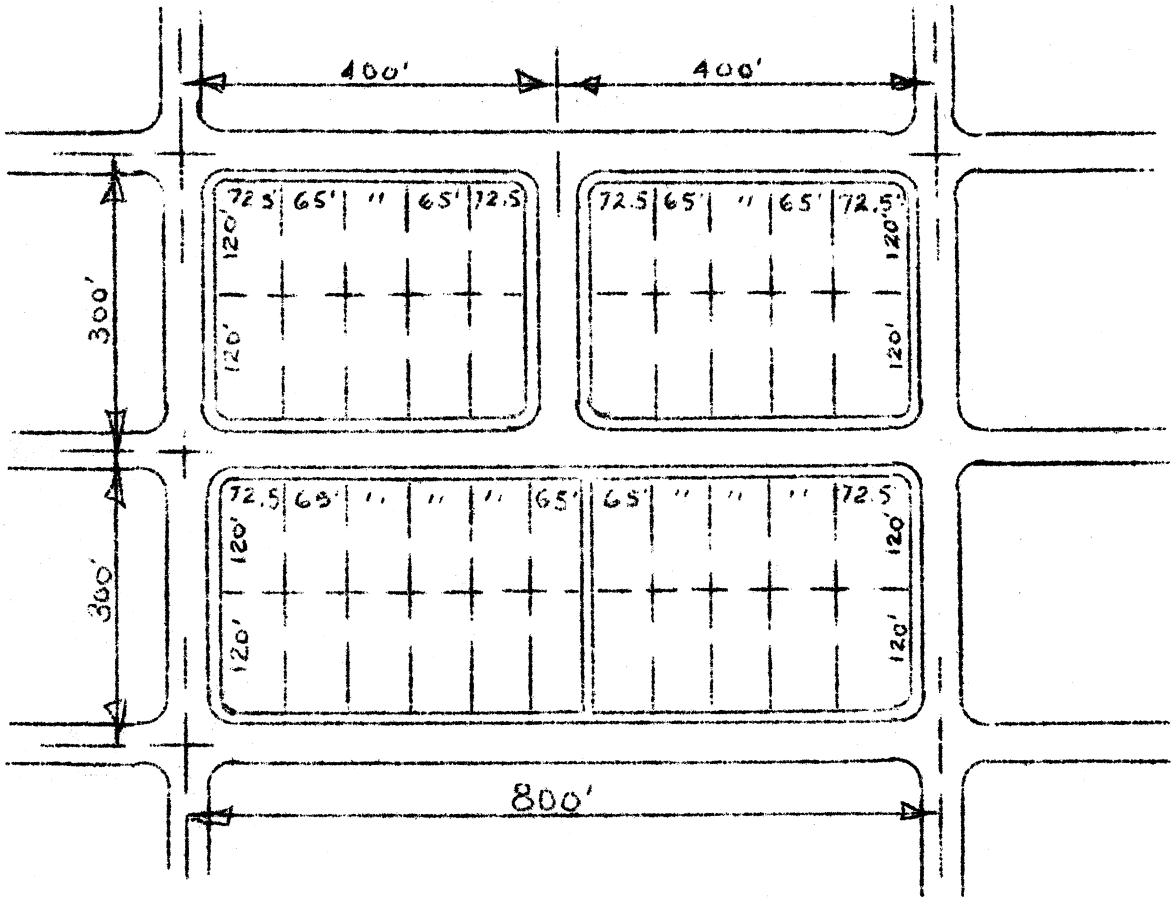
ACRE AND HALF ACRE TRACTS



RESUBDIVISION OF ACRE AND HALF ACRE TRACTS INTO CITY LOTS 75' WIDE

D. BUILDING LINES

Building set back lines should be shown on the subdivision plan or included in the deed restrictions. Set-back provisions are essential to preserve the privacy, appearance and character of the development. The minimum set-back in residential areas shall be twenty (20') feet from the preferred road right-of-way or as subsequently established by a zoning ordinance.



BLOCK SIZES

Long blocks eight-hundred (800') feet to twelve-hundred (1200') feet in length are more economical in construction and maintenance than short blocks and should be used especially for residential subdivisions. Long blocks must be provided adjacent to main thoroughfares in order to reduce the number of intersections; however, no block (except those adjacent to main thoroughfares) shall exceed twelve-hundred (1200') feet in length unless the previous adjacent layout or topographical conditions justify a variation from this requirement.

COMPARISON BETWEEN 2 BLOCKS 300' x 400' and 1 BLOCK 300' x 800'

	2 BLOCKS 300 x 400	BLOCK 300 x 800
Total area (sq. ft.)	240,000	240,000
Street Intersections (Restricting traffic flow and creating hazards).	6	4
Number of Corner Lots	8	4
Number of Interior Lots	12	18
Total Number of Lots	20	22
Size of Corner Lots	72.5'x 120'	72.5x 120'
Size of Interior Lots	65'x 120'	65'x120'
Dedicated Right-of-Way (60' Street and 10' Pedestrian Way).	52,800 sq. ft.	40,800 sq. ft.
Percentage of area Dedicated	22%	17%
Amount of Paving (36' wide)	5.120 sq. yds.	4.267 sq. yds.
Cost for Paving (@ $1.25 sq. yd.)	$6,400.00	$5,120.00
Cost of Paving per Lot	320.00	242.45

E. WATER COURSES

In the event that the subdivision is traversed by any water course, channel, stream or creek, the subdivider shall make adequate allowance for drainage by dedicating such water ways to the public or by insuring unrestricted drainage by deed restrictions.

F. RAILROAD AND GRADE CROSSINGS

1. GRADE SEPARATION: If the question of railroad crossings is involved, the plan of the subdivision will be considered in its relation to the probability of grade separation or other safety plans and may be required to conform to certain conditions in anticipation of such safety plans.

2. INDUSTRIAL SITES: Where the subdivision adjoins a railroad right-of-way, and zoning plans or other conditions indicate that such property will be used for industrial purposes, highways in the same general direction as the railroad shall be as nearly parallel to such railroad right-of-ways as is possible, at sufficient distance therefrom to allow for industrial sites adjacent to the railroad, and at sufficient distance to allow for future separation of grades.

G. TREES

The planting of street trees add immeasurably to the attractiveness of a subdivision. Your Planning Commission can furnish you with a list of trees best suited for the type of soil in your subdivision.

H. PARTIAL DEVELOPMENT

Where the plat to be submitted includes only part of the tract owned by the subdivider, the Planning Commission may require a sketch of a tentative future street system for the unsubdivided portion.

I. ADDITIONAL SUGGESTIONS

The Planning Commission shall suggest to the subdivider of a large subdivision the advisability of dedicating suitable areas for parks, playgrounds, schools, and other public building sites that will be required for the use of the population which is expected to occupy the subdivision. Normally from 5 to 10 percent of the land area, exclusive of streets, should be dedicated for recreational and public use, or at least reserved by the subdivider for a period of two years for acquisition by a public agency. An effort should be made to preserve outstanding natural or cultural features such as scenic spots, water course, fine groves of trees, and historical sites or structures. Provision for public ownership is usually the best means of assuring their preservation. In all cases, the Planning Commission shall suggest to the subdivider such measures as will preserve and enhance the scenic value of Wasco County, and conditions encouraging excellence of residential, commercial, and industrial development.

J. EXCEPTIONS

The Planning Commission may make exceptions to any of the requirements set forth in this code. Application for any such exception shall be made by a verified petition of the subdivider, stating fully the grounds of the application and the facts relied upon by the petitioner. Such petition shall be filed with the preliminary map of the subdivision. In order for the property referred to in the petition to come within the provisions of this section, it shall be necessary for the Planning Commission to find the following facts with respect thereto:

1. That there are special circumstances or conditions affecting said property.
2. That the granting of the exception will not be detrimental to the public welfare nor injurious to other property in the territory in which said property is situated.

In granting the authorization of any exception, the Planning Commission shall report its findings with respect thereto, and all facts in connection therewith and shall specifically and fully set forth the exception recommended and the conditions designated.

In all cases in which exceptions are authorized, the Planning Commission shall require such evidence as it deems necessary that the conditions required in connection with such exceptions are being complied with.

SECTION VI. IMPROVEMENTS

A. WATER SUPPLY

On all subdivisions, but especially those subdividing plots of land into units of less than one (1) acre, the subdivider should contact the public or private water supply agency and work out, if possible, a plan for the extension of the water service to the tract being subdivided. This may possibly be accomplished by the creation of a water district or by annexation to an existing water district. The advantages to be derived by connecting to an existing utility system are obviously

beneficial to the subdivider, the prospective property owner, and in many cases to the water district. Certainly property served by an abundance of potable water will be more saleable than home sites on which each property owner is forced to drill his own well. And, the possibility of contamination to the home water supply by the many cesspools and septic tanks in the rural areas is cause for alarm by those living within areas served by properly treated water and sewage disposal systems as well as to people living in rural areas, since disease knows no boundaries and can rapidly spread from disease-breeding areas to areas exercising the greatest of health precautions.

B. SEWAGE DISPOSAL

1. Method and extent of sewage disposal shall meet the minimum standards established by the bulletin "Sanitary Sewage Disposal for Rural and Suburban Areas" published by the Oregon State Board of Health. Copies are obtainable at the office of the County Health Department.

In subdivisions contiguous to cities allowing sewer connecting privileges and within a reasonable distance to an existing sanitary system, the subdivider may be requested to install a complete sewage system connected thereto.

C. LAND SURFACE DRAINAGE

Such grading shall be done and such drainage structures shall be provided by the subdivider as are deemed essential by the County Engineer or County Sanitary Officer.

D. STREETS

The subdivider shall grade, drain, and surface all streets shown on his plat, except reserved dedication for future street purposes, so as to provide access for vehicular traffic to each lot of the subdivision. All streets shall be constructed in accordance with the specifications hereinafter set forth and shall be installed under the supervision of the County Surveyor and to permanent grades approved by him. In no case shall the streets be less substantial than the following requirements:

1. BASES FOR PAVEMENTS: Materials and workmanship for cushion course bases shall conform to the requirements of Item 52 or 52A in Specifications for Construction of Roads and Bridges, published by the Federal Works Agency, Public Roads Administration.

   a. An adobe, clay or fine silt soil provide a six (6") inch compacted base course.

   b. On loose sand where less than eight (8%) percent of the material passes a two-hundred (200) mesh screen, provide a five (5") inch compacted base course.

   c. In cases where the soil conditions are such that a stable pavement may not be obtained by using the thickness of cushion course herein set forth, additional cushion course material shall be added until a stable base is obtained, or at the option of the subdivider, other approved methods may be used.

d. The County Surveyor shall make necessary field and laboratory tests to determine characteristics of the soil in order to determine the thickness of base and type of pavement best suited for each subdivision.

2. PAVEMENTS: Provide two (2") inches compacted crusher run base or compacted road mix over the base course.

Nothing in these specifications shall be construed to prohibit the subdivider from constructing a higher type of improvement than herein specified.

E. PEDESTRIAN WAYS

A four (4') foot walk strip shall be paved in the center of all pedestrian ways. Paving shall consist of not less than three (3") inches of compacted crusher run or 3/4" minus base rock.

F. SIDEWALKS

For the safety of pedestrians and of children at play, side walks on both sides of streets may be advisable. The County Engineer can furnish specifications and advise on grades.

G. STREET SIGNS

Street signs showing the names of intersecting streets shall be erected at each street intersection. These signs shall comply with the standard adopted by the Planning Commission. A uniform type of sign and location is helpful to the local traveler as well as the tourist.

H. CURBS AND GUTTERS

The Planning Commission may recommend the construction of curbs and gutters in all or part of a subdivision, as indicated by local needs and by the character of the subdivision.

SECTION VII. BOND

If the required construction of roads, pedestrian ways, and drainage has not been satisfactorily completed before the final approval of the subdivision plat, the owner or owners of the subdivision shall, concurrently with the approval of such plat enter into an agreement with the County Court, agreeing to have the work completed within the time specified in said agreement. Said agreement may provide for the improvements to be installed in units, for extension of time under specified conditions or for the termination of the agreement upon a reversion of the subdivision or a part thereof to acreage. Such agreement shall be secured by a good and sufficient bond, approved by the County Court, or by the deposit of money or negotiable securities.

SECTION VIII. VALIDITY

If any section, sub-section, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The County Court of

the County of Wasco, State of Oregon, hereby declares that it would have passed this ordinance and each section, sub-section, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, sub-sections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION IX. PENALTIES FOR VIOLATION

Any offer to sell, contract to sell, or sale of land contrary to the provisions of this ordinance shall be a misdemeanor, and any person, firm, corporation, partnership, or co-partnership, upon conviction thereof, shall be punishable by a fine of one-hundred ($100.00) Dollars.

SECTION X. REPEAL

All ordinances and parts of ordinances of said County in conflict with this ordinance, to the extent of such conflict and no further, are hereby repealed.

SECTION XI. ENACTMENT

This ordinance shall be and hereby is declared to be in full force and effect from and after thirty (30) days after the date of its passage.

Regularly passed and adopted by the County Court of the County of Wasco, State of Oregon, on this ____ day of _____, 1953.

_____
County Judge

_____

_____

_____
County Commissioners

ATTEST:

_____
County Clerk

Date: _____

IN THE COUNTY COURT OF THE STATE OF OREGON

FOR WASCO COUNTY

In the Matter of an Ordinance to Establish, Subdivision Regulations.	)	O R D E R
	)	PLANNING COMMISSION
	)	ORDINANCE NO. 3

Pursuant to the authority vested in the County Court by Chapter 537, Oregon Laws 1947, and laws amendatory thereto.

Section 1.

An ORDINANCE requiring subdivision regulations, this Ordinance to be known as "Subdivision Regulations of Wasco County" the following Ordinance is hereby enacted.

Section II. Purpose

The purpose of this Ordinance is to prevent, any unsightly and haphazard subdivision platting, which would be detrimental to Health and Safety, and to Establish uniform Subdivision Regulations. The County Planning Commission, hereinafter referred to as the Planning Commission of Wasco County, State of Oregon, hereinafter referred to as the County, is hereby designated as the ADVISORY Agency with respect to Subdivisions, and shall have all powers and duties with respect to tentative plans and final maps, and the procedure relating thereto which are specified by law and by this Ordinance.

Section III. Scope

The regulations herein stated shall apply to the subdivision of all land within the unincorporated territory of Wasco County. It shall be unlawful hereafter to subdivide land by "Metes and Bounds" and no subdivision plat may be filed or recorded until submitted to and approved by the County Planning Commission. The term "subdivide" as used in this ordinance shall mean to partition, plat, or subdivide land into four (4) or more lots, blocks, or tracts, or containing a dedication of any part thereof as a public street or highway, for other than agricultural purposes. Tracts of land of 5 acres or less should be, for the purpose of this Ordinance, presumed to be non-agriculture, non-grazing, non-horticulture and not used for the growing of timber unless proved to be otherwise.

Section IV. Preliminary Plat

A. GENERAL

I. INITIAL STEPS: When a land owner or subdivider decides to subdivide a parcel of land, it is recommended that he or his agent contact the County Planning Commission for information regarding procedures and for general information that will have a direct influence on the proposed development, such as existing and proposed state highways and county or city roads, population trends, and public utilities. The owner or subdivider should then have his property surveyed to record accurately all facts that will influence the proposed subdivision.

2. PURPOSE: The purpose of the preliminary plan is to present an early study of the proposed subdivision to the County Planning Commission to receive their approval or recommendations for revision before incurring the expense of exhaustive surveys and calculations. Thorough analysis of the problems at this stage will expedite the final planning and full approval.

3. SCOPE: The preliminary plan should not be a finished drawing, but it should show all pertinent information to scale in order that the Planning Commission can properly review the proposed development.

4. SCALE: When practicable, the drawing shall be at a scale of one inch equals one-hundred (1"-100') Feet. The scale may be increased or decreased if necessary in order to fit the drawing on the legal sized plat of 18" x 24" but in all cases the scale to be used shall be standard.

5. INFORMATION REQUIRED: The preliminary plan should include the following information:

a. Proposed name of subdivision, (This name must not duplicate or resemble the name of another subdivision in Wasco County).
b. Date, north point, scale of drawing and sufficient description to define the location and boundaries of the proposed tract.
c. Names and addresses of owner, subdivider and engineer or surveyor.
d. Location of official plan lines or projected streets or highways.
e. Location, names and present width of roads, streets, highways, or ways.
f. The location, names, widths, typical improvements cross sections and approximate existing and finished grades of all roads, streets, highways and ways in the proposed subdivisions, In cases in which street grades exceed six (6%) per cent, such grades shall be shown by center line profiles.
g. The approximate width and location of all easements for drainage or public utilities.
h. Approximate dimensions of all lots.
i. Approximate location of areas subject to inundation or storm water overflow, or all areas covered by water, and the location, width, and direction of flow of all water courses.
j. Existing use or uses of the property, including the location of all existing structures to remain on property.
k. Proposed use of the property and outline of deed restrictions.
l. Statement of the subdivision improvements proposed to be made or completed.
m. Statement regarding water system to be installed, including source, quality and quantity of water.
n. Provisions for sewage disposal, drainage, and flood control which are proposed.
o. Public areas proposed.
p. Such of the foregoing information as may not practicably be shown on the map shall be shown on separate sheets of paper or contained in written statements accompanying the preliminary plan.
q. Submission of drainage plan if necessary, showing profiles of drainage ways.

B. PROCEDURE OF PRESENTING PRELIMINARY PLAT

1. PLACE The subdivider shall file four (4) blueprints on the preliminary plan with the County planning office at least seven (7) days prior to the Planning Commission meeting at which consideration of the plat is desired.

2. COUNTY PLANNING COMMISSION DUTY: The County Planning Commission shall furnish each of the following offices with a print of the proposed subdivision within two (2) days after being submitted by the subdivider.

   1. County Engineer or Roadmaster
   2. County Health Officer
   3. State Highway Department (When development is adjacent to a State Highway and access to the highway is desired by the subdivider).

Within five (5) days each of the three agencies listed above and the County Planning Commission will review the plan and approve or suggest revisions. All plans will be returned to the County Planning Commission.

3. APPROVAL OF PRELIMINARY PLAT: The County Planning Commission will review the plan and the reports of the agencies listed above and will give tentative approval to the preliminary plan as submitted or as it may be modified. After receiving the tentative approval, the subdivider may prepare the final plat for full approval and recording.

SECTION V. FINAL PLAT

A. GENERAL

1. TIME LIMIT: The official plat must be prepared and completed within one (1) year following the tentative approval given on the preliminary plan by the Planning Commission, and it shall incorporate the recommendations made by the Commission. If the official plat has not been filed within this period, the Planning Commission will assume that the subdivider or owner does not intend to carry out the subdivision of his property. If the owner or subdivider wishes to proceed with the subdivision of his land after the expiration of the one year period following the tentative approval of the preliminary plat by the Planning Commission, he must resubmit his preliminary plan to the Planning Commission, and make revisions considered necessary to meet changed conditions.

2. DRAFTING OF PLAT: The official plat shall be drawn in black india ink on good quality drawing paper 18" x 24". No part of the drawing shall be nearer to the edge of the sheet than (1) inch. All of the drawing shall be on one side of the sheet, but dedication or other written matter may be on the other side.

3. TRACING DUPLICATE: An exact duplication of the official plat must be drawn in india ink on a good quality tracing paper.

4. INFORMATION REQUIRED: In addition to the map specifications for the preliminary plan, the official plat also shall include the following information:

   a. The length of all arcs, radii, points of curvature, and tangent bearings.

b. All lot lines with dimensions in feet and hundredths and with bearings and angles to minutes if other than right angles to street and alley lines.
c. Blocks should be numbered consecutively throughout and tract and lots throughout each block.
d. The accurate location and description of all property which is to be offered for public use with the purpose indicated.
e. Minimum building set-back lines where not otherwise fixed by a building code or County Ordinance.
f. Description and location of all permanent reference monuments.
g. Certification by a civil engineer or Surveyor registered in the State of Oregon.
h. Legal description of the tract boundaries.
i. Dedication by the property owners.
j. Notary seal on the dedication of streets.
k. A copy of the protective deed restrictions should be prepared to accompany the plat.

B. PROCEDURE FOR PRESENTING FINAL PLAT:

1. Presentation: The official plat for final approval should be delivered to the County Planning Commission at least two (2) days before the Planning Commission meeting at which the plat is to be reviewed for approval.

2. Planning Commission Approval: The Planning Commission checks the final plat for conformity with recommended revisions. If approved, the plat is signed by the Chairman and the Secretary of the Planning Commission.

3. County Approval: Following approval by the County Planning Commission, the Commission shall obtain the signatures from the following offices in the order named:

1. County Surveyor
2. County Assessor
3. County Judge
4. County Commissioners

C. FILING FINAL PLAT

1. Procedure: After obtaining the approvals and signatures listed above, the subdivider files in the County Clerk's office with an exact copy of the original plat drawn on a plat board or tracing paper and three (3) blueprints of the same.

2. Distribution of prints by County Clerk: The County Clerk forwards one blueprint of the filed plat to each of the following offices:

1. County Engineer or Roadmaster
2. County Assessor
3. County Planning Commission

SECTION VI. DESIGN STANDARDS

A. HIGHWAYS, STREETS, AND ALLEYS

1. Highways: The street and highway layout of each subdivision shall be based on the Plan adopted or proposed for the portion of the County within which the subdivision lies.

a. Alignment: The center lines of all highways shall be continuations of the center lines of existing highways

in adjacent AND CONTIGUOUS Territory. In cases in which straight continuations are not reasonably possible, such center lines may be continued by tangent curves.

b. Width: Width of right-of-ways and paved roadways shall meet the minimum requirements shown in the following table. Paved surfaces are based on 11' to 12' for each driving lane and 8' for parking lanes.

MINIMUM AND PREFERRED RIGHT-OF-WAYS AND WIDTHS FOR ROAD SURFACING

Type of Street	Right-of-Ways		Road Surfacing	
	Minimum	Preferred	Minimum	Preferred
Arterials	80	100	26	36
Secondary Arterials	60	80	26	36
Business & Industrial Streets	66	80	36	42
Local Streets	50	60	20	34
Dead-end Streets (not more than 400' long and serving a maximum of 18 single family dwellings)	50	50	20	20
Turn-arounds for dead-end streets	40' radius		30' radius	
Alley				
Residential	14	20		
Business or Industrial	20	20		

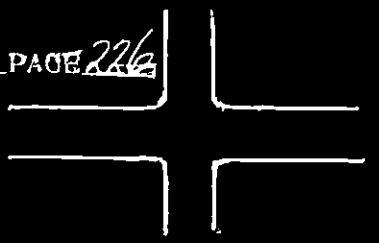
Intersections should cross at as nearly 90 degrees as topography and other factors will permit. Such intersections give good control of traffic and aid drivers in making turn or continuing straight ahead and seeing approaching cars.

Short jogs or offsets at intersections are hazardous to traffic and pedestrian movement, and are therefore not acceptable. Those now existing are causing more than their share of accidents due to awkward maneuvering of cars, cutting of center lines, and "jay walking" by Pedestrians.
If it is not possible to align the roads of a new subdivision with the existing roads of an adjacent tract, short jogs may be avoided by establishing reverse curves in the road alignment within a block. Such reverse curves, however, should be separated by a tangent at least 50 feet long.

Although such reverse curves are not objectionable in residential areas, every effort should be made to avoid them in commercial districts.

If an offset is necessary, no offset should be less than 100'. Well planned offsets are frequently desirable especially for minor residential streets where it is desirable to discourage non-local traffic.

2. STREETS: Widths of streets shown in the above table are based on driving lanes of from 9' to 12' depending on the types, amount and probable speed of the traffic on the various types of streets. Additional width of paved area is recommended on business streets to allow for maneuvering of cars when parking parallel to curbs. Parking lanes in all cases are 8' wide.



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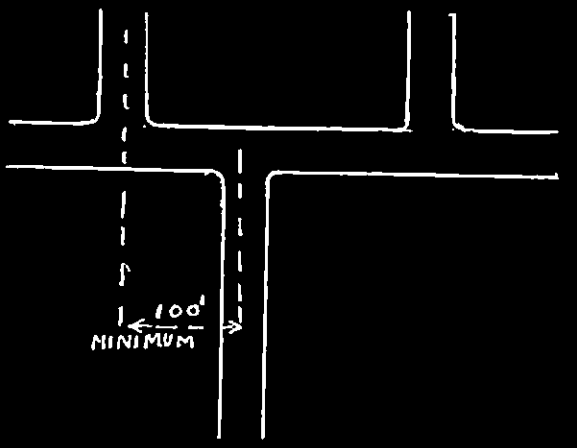
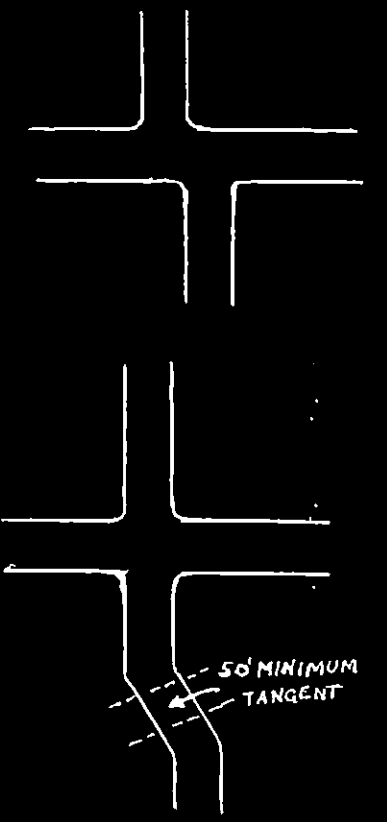


Intersections should cross at as nearly 90 degrees as Topography and other factors will permit. Such intersections give to a central traffic and all drivers in making turn or continuing straight ahead and seeing approaching cars.



If an offset is necessary, no offset should be less than 100'. Well planned offsets are frequently advisable especially for minor residential streets where it is desirable to discourage non-local traffic.

a. WIDTH: Widths of street right-of-ways shall not be less than those set forth in the table on page 5 except where it can be shown by the subdivider, to the satisfaction of the Planning Commission that the topography or the small number of lots served and the probable future traffic are such as to unquestionably justify a narrower right-of-way.

b. PRIVATE STREETS: Private streets, alleys or ways will not be approved unless they are improved as specified under section VI, "Improvements".

c. RESERVED STRIPS: Reserved strips controlling the access to public ways or which will not prove taxable for special improvements will not be approved unless such strips are necessary for the protection of the public welfare or of substantial property rights or both, and in no case unless the control and disposal of the land comprising such strips is placed definitely within the jurisdiction of the county under conditions approved by the Planning Commission.

d. ALIGNMENT: All streets shall, as far as practicable, be in alignment with existing streets by continuations of the center lines thereof. In no case shall the staggering of streets make a "T" intersection be so designed that a dangerous jog is produced. Jogs of less than 100' on minor streets, measured along the center line of the main thoroughfare, must be adjusted by curves or diagonals so that the alignment across the thoroughfare is continuous.

e. INTERSECTION ANGLES: Streets will be required to intersect one another at an angle as near to a right angle as is practicable, and no intersections of streets at angles of less than thirty (30) degrees will be approved unless necessitated by topographic conditions. When intersections of less than 90 degrees are unavoidable, the right-of-way and road surfacing within the acute angle shall be based on a minimum of 30' center line radius.

A study of the traffic accident map will show that streets that intersect at acute angles cause more accidents than streets intersecting at right angles.

Intersection angles shall be as nearly 90 degrees as possible. Acute angle intersections will be acceptable only when topography or other factors make right angles impractical.

When topography will allow, roads that will intersect at an angle of less than 90 degrees will be curved at the intersection to for a 90 degree angle. By so doing, a dangerous intersection is eliminated and a good corner lot is created.

f. TOPOGRAPHY: The street plan shall give suitable recognition to existing topography.

g. REDUCING TRAFFIC IN RESIDENTIAL DISTRICTS: Secondary and local residential streets should be so planned



Intersection angles shall be as nearly 90 degrees as possible. ... angle intersection will be acceptable only ... topography or other factors ... right angles impractical.

When topography will allow, ... that the ... at an angle of less than 90 degrees ... at the intersection to form a 90 degree angle. BY so doing, a dangerous intersection is eliminated and a good corner lot is created.

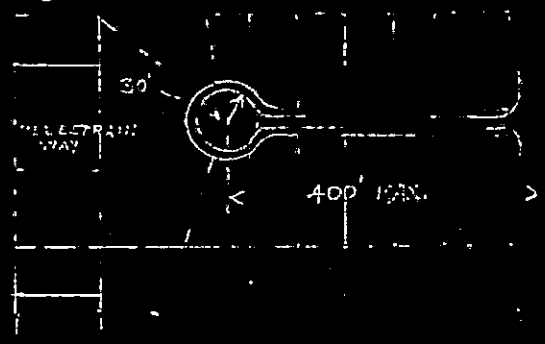
f. Topography : The street plan shall give suitable recognition to existing topography.

g. Through Traffic Discouraged : Secondary and local residential streets should be so planned as to discourage their use by non-local traffic.

h. FUTURE EXTENSION OF STREETS: Where a subdivision adjoins acreage, streets which, in the opinion of the Planning Commission, should be continued in the event of the subdivision of the acreage, will be required to be carried through to the boundary lines of the tract.

i. Planting Easements: Where streets are less than sixty (60) feet in width, additional easements for planting of street trees and/or shrubs may be required.

j. CUL DE SAC (Dead-end streets): Cul de sac more than four-hundred (400') feet long or serving more than ... single-family dwellings will not be permitted. Restriction of length is essential to maintain minimum fire insurance rates and to adequately serve a dead-end street by sewer lines without necessitating additional man-holes. All dead-end streets shall be provided with a circular end with a minimum radius of thirty (30') feet paved area and forty (40') feet right-of-way.



as to discourage their use by non-local traffic.

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i. PLANTING EASEMENTS: Where streets are less than sixty (60') feet in width, additional easements for planting of street trees and/or shrubs may be required.

j. CULS DE SAC (Dead-end Streets): Cul de Sac more than four hundred (400') feet long or serving more than 18 single family dwellings will not be permitted. Restriction on length is essential to maintain minimum fire insurance rates and to adequately serve a dead-end street by sewer lines without necessitating additional man-holes. All dead-end streets shall be provided with a circular end with a minimum radius of thirty (30') feet paved area and forty (40') feet right -of-way.

k. STREET NAMES: All new thoroughfares and any thoroughfare, the name of which is hereafter changed, shall be designated according to direction and length by the proper term as set forth in the following schedule:

GENERAL DIRECTION	LONG OR CONTINUOUS THOROUGHFARES	SHORT OR DISCONTINUOUS STREETS
North and South	Streets	
East and West	Avenues	
Diagonal	Boulevards	Ways
Curving	Drives	Lanes

Streets that are obviously in alignment with others already existing and named shall bear the names of such existing streets. In order to avoid duplication, names to be used for new streets shall be subject to the approval of the Planning Commission.

l. GRADES AND CURVES: Grades shall not exceed six (6%) percent on major or secondary highways, ten (10%) percent on primary residential streets, or twelve (12%) percent on any other street. Center line radii shall not be less than three-hundred (300') feet on primary streets, two-hundred (200') feet on secondary streets, or one-hundred (100') feet on local streets. Lesser radii may be used in cases in which sufficient evidence is presented to show that the above requirements are not practicable.

3. ALLEYS: Alleys twenty (20') feet wide may be required at the rear of all prospective business property except where topography makes the use of alleys impracticable.

CORNER CUT-OFFS: Where two alleys intersect, ten (10') feet corner cut-offs will be required.

B. BLOCKS

1. SIZES: Blocks shall not exceed twelve-hundred (1200) feet in length, except blocks adjacent to arterial highways or unless the previous adjacent layout or topographical conditions justify a variation from this requirement. Long blocks must be provided adjacent to main thoroughfares in order to reduce the number of intersections. The recommended minimum distance between intersections on arterial highways is eighteen-hundred (1800') feet. Longer blocks should be used when possible.

   The optimum length for normal residential blocks is from 800' to 1000'. When the layout is such that sewers will be installed or easements for future sewer lines are provided along rear lot lines, the block should not exceed 600' in length thus making it possible to install only one-mid block man-hole accessible by a mid-block pedestrian way. When sewer laterals flow to a sewer main installed along a street right-of-way, the economic factor governing the length of the block is fire protection. Houses located more than 500' from a fire plug pay an advanced rate of fire insurance. If block lengths are limited to 1000' with fire plugs installed at street intersections, all houses will benefit by the minimum fire insurance rate.

   Although blocks up to 1200' in length will be allowed, it is recommended that the maximum length be kept to 1000' in order to give adequate circulation.

2. PEDESTRIAN WAYS: Pedestrian ways ten (10') feet in width shall be provided through the middle of blocks over seven hundred and fifty (750') feet in length. Two pedestrial ways shall be provided in blocks in excess of one-thousand (1000') feet in length. When essential for public convenience, pedestrian ways may be required to connect to dead-end streets.

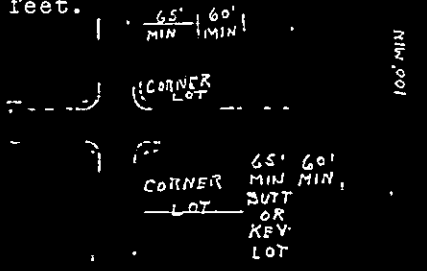
3. EASEMENTS FOR UTILITY LINES: Easements for storm drainage sewers, or other public utilities may be required along the rear lot lines or elsewhere if necessary. Easements for utility lines shall be a minimum of ten (10') feet in width. Poles for electric and telephone lines shall be installed along alleys or rear lot lines wherever practicable.

C. LOTS

1. SIZE AND SHAPE: The size and shape of lots shall be such as are proper for the locality in which the subdivision is situated, but in no case shall the average width be less than sixty (60') feet and the average depth less than one hundred (100') feet nor more than two and one-half ($2\frac{1}{2}$) times the average width. Where property is zoned or deeded for business use, other widths and areas may be permitted at the discretion of the Planning Commission.

   Although the minimum average lot width allowable is 60' for an interior residential lot, it is recommended that no lot be less than 65' wide. A well planned home demands a wide lot for proper orientation and room arrangement. Furthermore in Wasco County where a limited amount

3. INTERIOR LOTS: Interior lots shall have a minimum average width of sixty (60') feet.



4. BUTT OR KEY LOTS: Butt lots shall be avoided when possible. When unavoidable, minimum average width shall be sixty-five (65') feet. Normally such lots should be five (5') feet to ten (10') feet wider than interior lots due to their unfavorable relation to corner lots.

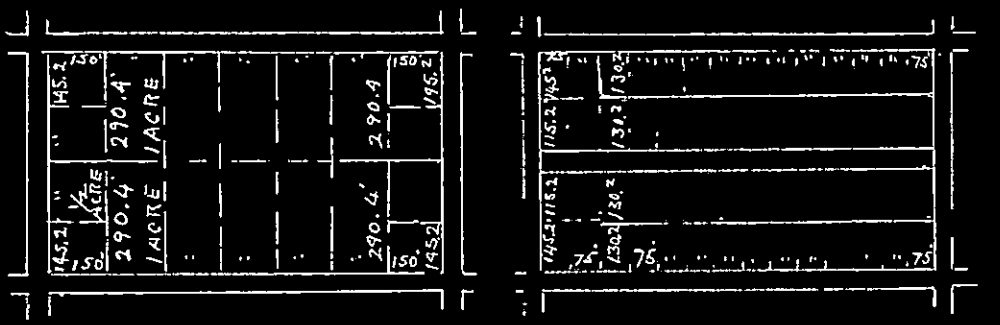
5. FRONTAGE: No lots shall be platted without frontage on a street.

6. DOUBLE FRONTAGE: Lots, other than corner lots, having double frontage with depths of less than two-hundred (200') feet, will not be approved except where necessitated by topographic or other physical conditions.

7. LOT SIDE LINES: The side lines of lots shall run at right angles to the street upon which the lots face, as far as practicable, or on curved streets they shall be radial to the curve.

8. SUITABLE FOR INTENDED USE: All lots shall be suitable for the purposes for which they are intended to be sold and no dangerous areas or areas subject to frequent inundation may be subdivided for residential purposes.

9. LOTS SUBJECT TO RESUBDIVISIONS: In subdividing acre and half acre tracts which at some future time are likely to be resubdivided into normal size city lots, the location of lot lines and other details of layout shall be such that resubdivision may readily take place without violating the requirements of this code and without interferring with orderly extension of adjacent streets and highways. Restriction of buildings within future street locations shall be made a matter of record if the Planning Commission deems it necessary.



ACRE AND HALF ACRE TRACTS

RESUBDIVISION OF ACRE AND HALF ACRE TRACTS INTO CITY LOTS 75'WIDE

of sunshine is realized during the winter months, homes should have wide side yards as well as front and back yards to get the maximum amount of light and fresh air, as well as privacy, and greater fire protection.

Minimum sizes and recommended minimum sizes for lots are given in the following table:

Type of Lot	Minimum Size		Recommended Minimum	
	Width	Depth	Width	Depth
Corner Lot	65	100	70	120
Interior Lot	60	100	65	120
Butt (key) Lot	65	100	70	120
Double Frontage (Interior)	60	200	60	240
Acre Tract			150	290.4

2. CORNER LOTS: Corner lots shall be five (5') feet to ten (10') feet wider than interior lots to allow for building set-back restrictions on side streets. The minimum average width is sixty-five (65') feet.

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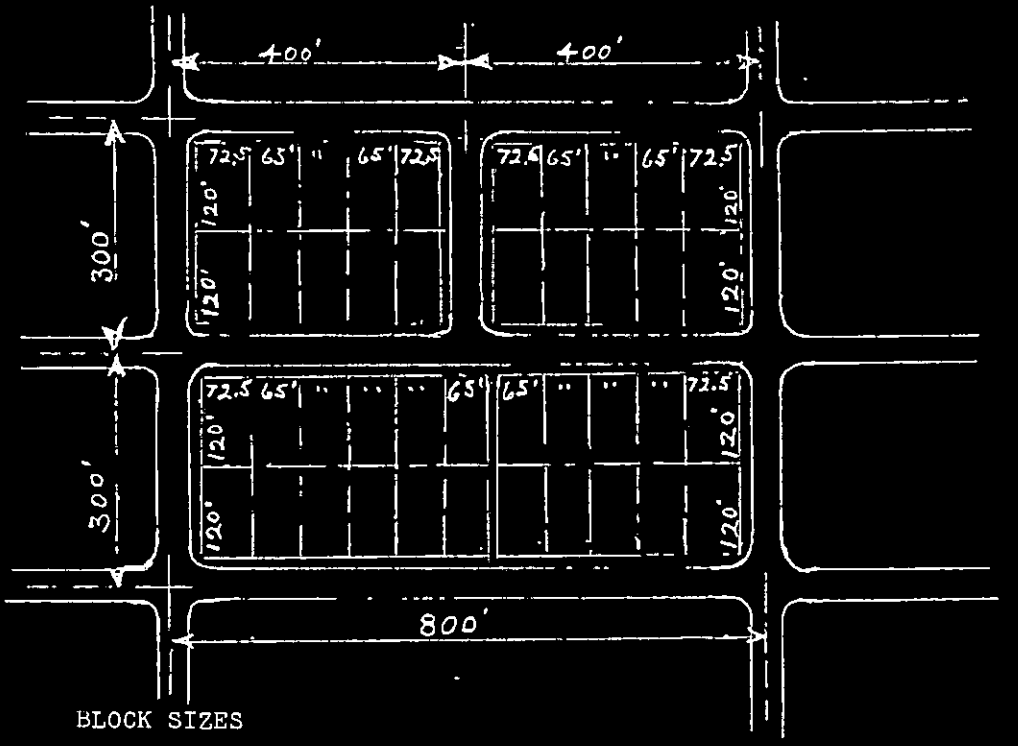
Building set back lines should be shown on the subdivision plan or included in the deed restrictions. Set-back provisions are essential to preserve the privacy, appearance and character of the development. The minimum set-back in residential areas shall be twenty (20') feet from the preferred road right-of-way or as subsequently established by a zoning ordinance.



BLOCK SIZES

Long blocks eight-hundred (800') feet to twelve-hundred (1200') feet in length are more economical in construction and maintenance than short blocks and should be used especially for residential subdivisions. Long blocks must be provided adjacent to main thoroughfares in order to reduce the number of intersections; however, no block (except those adjacent to main thoroughfares) shall exceed twelve-hundred (1200') feet in length unless the previous adjacent layout or topographical conditions justify a variation from this requirement.

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COMPARISON BETWEEN 2 BLOCKS 300' x 400' and 1 BLOCK 300'x800'

	2 BLOCKS 300x400	BLOCK 300x800
Total area (sq. ft.)	240,000	240,000
Street Intersections (Restricting traffic flow and creating hazards).	6	4
Number of Corner Lots	8	4
Number of Interior Lots	12	18
Total Number of Lots	20	22
Size of Corner Lots	72.5'x120'	72.5x120'
Size of Interior Lots	65'x120'	65'x120'
Dedicated Right-ofway (60' Street and 10' Pedestrian Way).	52,800 sq ft	40,800 sq. ft.
Percentage of area Dedicated	22%	17%
Amount of Paving (36' wide)	5,120 sq.yds.	4.267 sq. yds.
Cost for Paving (@$1.25 sq.yd.)	$6,400.00	$5,120.00
Cost of Paving per Lot	320.00	242.45

E. WATER COURSES

In the event that the subdivision is traversed by any water course, channel, stream or creek, the subdivider shall make adequate allowance for drainage by dedicating such water ways to the public/by insuring unrestricted drainage by deed restrictions.

F. RAILROAD AND GRADE CROSSINGS

1. GRADE SEPARATION: If the question of railroad crossings is involved, the plan of the subdivision will be considered in its relation to the probability of grade separation or other safety plans and may be required to conform to certain conditions in anticipation of such safety plans.

2. INDUSTRIAL SITES: Where the subdivision adjoins a railroad right-of-way, and zoning plans or other conditions indicate that such property will be used for industrial purposes, highways in the same general direction as the railroad shall be as nearly parallel to such railroad right-of-ways as is possible, at sufficient distance therefrom to allow for industrial sites adjacent to the railroad, and at sufficient

distance to allow for future separation of grades.

G. TREES

The planting of street trees add immeasurably to the attractiveness of a subdivision. Your Planning Commission can furnish you with a list of trees best suited for the type of soil in your subdivision.

H. PARTIAL DEVELOPMENT

Where the plat to be submitted includes only part of the tract owned by the subdivider, the Planning Commission may require a sketch of a tentative future street system for the unsubdivided portion.

I. ADDITIONAL SUGGESTIONS

The Planning Commission shall suggest to the subdivider of a large subdivision the advisability of dedicating suitable areas for parks, playgrounds, schools, and other public building sites that will be required for the use of the population which is expected to occupy the subdivision. Normally from 5 to 10 percent of the land area, exclusive of streets, should be dedicated for recreational and public use, or at least reserved by the subdivider for a period of two years for acquisition by a public agency. An effort should be made to preserve outstanding natural or cultural features such as scenic spots, water courses, fine groves of trees, and historical sites or structures. Provision for public ownership is usually the best means of assuring their preservation. In all cases, the Planning Commission shall suggest to the subdivider such measures as will preserve and enhance the scenic value of Wasco County, and conditions encouraging excellence of residential, commercial, and industrial development.

J. EXCEPTIONS

The Planning Commission may make exceptions to any of the requirements set forth in this code. Application for any such exception shall be made by a verified petition of the subdivider, stating fully the grounds of the application and the facts relied upon by the petitioner. Such petition shall be filed with the preliminary map of the subdivision. In order for the property referred to in the petition to come within the provisions of this section, it shall be necessary for the Planning Commission to find the following facts with respect thereto:

1. That there are special circumstances or conditions affecting said property.
2. That the granting of the exception will not be detrimental to the public welfare nor injurious to other property in the territory in which said property is situated.

In granting the authorization of any exception, the Planning Commission shall report its findings with respect thereto, and all facts in connection therewith and shall specifically and fully set forth the exception recommended and the conditions designated.

In all cases in which exceptions are authorized, the Planning Commission shall require such evidence as it deems necessary that the conditions required in connection with such exceptions are being complied with.

SECTION VII. IMPROVEMENTS

A. WATER SUPPLY

On all subdivisions, but especially those subdividing plots of land into units of less than one (1) acre, the subdivider should contact the public or private water supply agency and work out, if possible, a plan for the extension of the water service to the tract being subdivided. This may possibly be accomplished by the creation of a water district or by annexation to an existing water district. The advantages to be derived by connecting to an existing utility system are obviously beneficial to the subdivider, the prospective property owner, and in many cases to the water district. Certainly property served by an abundance of potable water will be more saleable than home sites on which each property owner is forced to drill his own well. And, the possibility of contamination to the home water supply by the many cesspools and septic tanks in the rural areas is cause for alarm by those living within areas served by properly treated water and sewage disposal systems as well as to people living in rural areas, since disease knows no boundaries and can rapidly spread from disease-breeding areas to areas exercising the greatest of health precautions.

B. SEWAGE DISPOSAL

1. Method and extent of sewage disposal shall meet the minimum standards established by the bulletin "Sanitary Sewage Disposal for Rural and Suburban Areas" published by the Oregon State Board of Health. Copies are obtainable at the office of the County Health Department.

In subdivisions contiguous to cities allowing sewer connecting privileges and within a reasonable distance to an existing sanitary system, the subdivider may be requested to install a complete sewage system connected thereto.

C. LAND SURFACE DRAINAGE

Such grading shall be done and such drainage structures shall be provided by the subdivider as are deemed essential by the County Engineer or County Sanitary Officer.

D. STREETS

The subdivider shall grade, drain, and surface all streets shown on his plat, except reserved dedication for future street purposes, so as to provide access for vehicular traffic to each lot of the subdivision. All streets shall be constructed in accordance with the specifications hereinafter set forth and shall be installed under the supervision of the County Surveyor and to permanent grades approved by him. In no case shall the streets be less substantial than the following requirements:

1. BASES FOR PAVEMENTS: Materials and workmanship for cushion course bases shall conform to the requirements of Item 52 or 52A in Specifications for Construction of Roads and Bridges, published by the Federal Works Agency, Public Roads Administration.

a. On adobe, clay or fine silt soil provide a six (6") inch compacted base course.

b. On loose sand where less than eight (8%) percent of the material passes a two-hundred (200) mesh screen, provide a five (5") inch compacted base course.

c. In cases where the soil conditions are such that a stable pavement may not be obtained by using the thickness of cushion course herein set forth, additional cushion course material shall be added until a stable base is obtained, or at the option of the subdivider, other approved methods may be used.

d. The County Surveyor shall make necessary field and laboratory tests to determine characteristics of the soil in order to determine the thickness of base and type of pavement best suited for each subdivision.

2. PAVEMENTS: Provide two (2") inches compacted crusher run base or compacted road mix over the base course.

Nothing in these specifications shall be construed to prohibit the subdivider from constructing a higher type of improvement than herein specified.

E. PEDESTRIAN WAYS

A four (4') foot walk strip shall be paved in the center of all pedestrian ways. Paving shall consist of not less than three (3") inches of compacted crusher run or 3/4" minus base rock.

F. SIDEWALKS

For the safety of pedestrians and of children at play, sidewalks on both sides of streets may be advisable. The County Engineer can furnish specifications and advise on grades.

G. STREET SIGNS

Street signs showing the names of intersecting streets shall be erected at each street intersection. These signs shall comply with the standard adopted by the Planning Commission. A uniform type of sign and location is helpful to the local traveler as well as the tourist.

H. CURBS AND GUTTERS

The Planning Commission may recommend the construction of curbs and gutters in all or part of a subdivision, as indicated by local needs and by the character of the subdivision.

SECTION VIII Bond

If the required construction of roads, pedestrian ways, and drainage has not been satisfactorily completed before the final approval of the subdivision plat, the owner or owners of the subdivision shall, concurrently with the approval of such plat enter into an agreement with the County Court, agreeing to have the work completed within the time specified in said agreement. Said agreement may provide for the improvements to be installed in units, for extension of time under specified conditions or for the termination of the agreement upon a revision of the subdivision or a part thereof to acreage. Such agreement shall be secured by a good and sufficient bond, approved by the County Court, or by the deposit of money or negotiable securities.

SECTION IX VALIDITY

If any section, sub-section, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The County Court of the County of Wasco, State of Oregon, hereby declares that it would have passed this ordinance and each section, sub-section, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, sub-sections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION X PENALTIES FOR VIOLATION

Any offer to sell, contract to sell, or sale of land contrary to the provisions of this ordinance shall be a misdemeanor, and any person, firm, corporation, partnership, or co-partnership, upon conviction thereof, shall be punishable by a fine of one-hundred ($100.00) Dollars.

SECTION XI REPEAL

All ordinances and parts of ordinances of said County in conflict with this ordinance, to the extent of such conflict and no further, are hereby repealed.

SECTION XII ENACTMENT

This ordinance shall be and hereby is declared to be in full force and effect from and after thirty (30) days after the date of its passage.

Approved by the affirmative vote of a majority of the Wasco County Planning Commission on this 4 day of MAY, 1953.

Walter J. Webb
Chairman

Wm. D. Ketchum
Secretary

Regularly passed and adopted by the County Court of the County of Wasco, State of Oregon, this 13th day of May, 1953.

W. R. [illegible]
County Judge

S. M. Hix

Vernon Ohrst
Commissioners

Date Filed:
May 13" 1953
S. V. Boelton
County Clerk

EFFECTIVE DATE:

June 6, 1956
thru
March 4, 1968

ZONING ORDINANCE

FOR AN UNINCORPORATED

PORTION OF WASCO COUNTY

ADJACENT TO THE CITY OF THE DALLES

IN THE COUNTY COURT OF THE STATE OF OREGON

FOR WASCO COUNTY

In the Matter of)
)
a Zoning Ordinance)
)
for Wasco County)

COUNTY PLANNING COMMISSION

ORDINANCE NO. 7.

Pursuant to the authority vested in the County Court by Chapter 215, Oregon Revised Statutes and Laws amendatory thereto and by vote of the people of Wasco County on November 4, 1952, upon the question "Shall the County Court be authorized to enact zoning and land use regulations," the following ordinance is hereby enacted:

An ORDINANCE to regulate and restrict the location and use of buildings, structures and land for residence, trade, industry and other purposes; to regulate and limit the height, number of stories and size of buildings and other structures hereafter erected or altered; to regulate and determine the size of yards and other open spaces; to regulate and limit the density of population and for said purposes to divide the unincorporated portions of Wasco County into districts or zones of such number, shape and area as may be deemed best to carry out these regulations and to provide for the enforcement of these regulations.

SECTION 1. PURPOSE

To promote the public health and general welfare; to secure safety from fire, panic or disaster; to lessen congestion on the streets and highways; to prevent the overcrowding of land; to prevent excessive population density; to facilitate the adequate provision for public utilities, transportation, parks and recreation areas and other public necessities; to conserve natural resources; to protect and improve property values; to encourage the most appropriate use of land. This in accordance with a comprehensive plan and the development pattern for Wasco County.

SECTION 2. TITLE

This ordinance shall be known as "The Zoning Ordinance of Wasco County."

SECTION 3. DEFINITIONS

For the purpose of this ordinance certain words and terms are defined as follows: words used in the present tense include the future; words in the singular number include the plural and words in the plural number include the singular; the word "building" includes the word "structure"; the word "shall" is mandatory and not directory.

ACCESSORY BUILDING: A sub-ordinate building the use of which is incidental to that of the main building. When an accessory building is attached to a main building it shall be considered as a part of the main building.

ACCESSORY USE: The use of land or of a building that is accessory or incident to the principal use of the premises.

ALLEY: A public way which affords only a secondary means of access to abutting property.

APARTMENT: See DWELLING , MULTIPLE-FAMILY.

APARTMENT HOTEL: A building or portion thereof designed for or containing individual guest rooms or suites of rooms and dwelling units.

AUTOMOBILE SERVICE STATION: A building or portion thereof or land used for the retail sale of automobile fuel, oil and accessories.

AUTOMOBILE AND TRAILER SALES AREA: An open area, other than a street, used for the display, sale or rental of new or used automobiles or trailers and where no repair work is done except minor incidental repair of automobiles or trailers to be displayed, sold or rented on the premises.

BASEMENT: A story partly underground. A basement shall be counted a story in building height measurement when the floor level directly above is more than six (6) feet above the average level of the adjoining ground.

BOARD: Shall mean "Board of Adjustment."

BOARDING HOUSE: A building or portion thereof, other than a hotel, where meals or lodging or both are provided for compensation for more than four (4) persons but not to exceed twenty (20) persons.

BUILDING: Any structure having a roof, supported by columns or walls for the housing or enclosure of persons, animals and chattels. Where a dwelling is separated by a division wall without openings, each portion of such dwelling shall be deemed a separate building.

BUILDING, HEIGHT OF: The vertical distance measured from the mean grade of the adjoining curb to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof and to one-half of the vertical distance between the eaves and ridge for a gable, hip or gambrel roof, provided, however, that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished grade along the front of the building.

CAMP, TOURIST OR TRAILER PARK: Any area or tract of land used or designed to accomodate two (2) or more trailer coaches, or two or more camping outfits, including cabins.

CELLAR: A story having more than one-half of its height below the average level of the adjoining ground and which has less than six (6) feet of its height above the average level of the adjoining ground.

COURT: An open unoccupied space, other than a yard, on the same lot with a building and bounded on two (2) sides by such building.

COURT APARTMENT: One, two or three multiple dwellings arranged around two (2) or three (3) sides of a court which opens into a street or place approved by the Commission.

DWELLING: A building or portion thereof designed exclusively for residential occupancy, including one-family, two-family and multiple dwellings but not including hotels, boarding and lodging houses.

DWELLING UNIT: Two or more rooms, bathroom and kitchen designed for the living quarters of one family.

DWELLING, ONE-FAMILY: A detached building designed for and used exclusively as the residence of one family.

DWELLING, TWO-FAMILY: A building designed for and used exclusively as the residence of two families living independently of each other.

DWELLING, MULTIPLE-FAMILY: A building or portion thereof designed for residential use and containing three or more dwelling units.

DWELLING, GROUP: One or more buildings not more than two and one-half ($2\frac{1}{2}$) stories in height containing dwelling units and arranged around two (2) or three (3) sides of a court opening on the public street or way, including one-family, two-family, row or multiple dwellings.

DWELLING, ROW: A row of three (3) to five (5) attached one-family dwellings, not more than two and one-half ($2\frac{1}{2}$) stories in height, nor more than two (2) rooms deep, with the exception of the end houses which may be not more than three (3) rooms deep. No row house shall exceed five (5) dwellings or one-hundred (100) feet in breadth.

FAMILY: One or more persons living as a household in a dwelling unit, as distinguished from a group occupying a boarding house, lodging house, hotel, club, fraternity or sorority house.

FRONTAGE: All property fronting on one side of a street and measured along the street line, between intersecting and

intercepting streets or between a street and a right-of-way, water way, end of a dead end street or city boundary.

GARAGE, PRIVATE: A detached accessory building or part of a main building, for the parking or temporary storage of automobiles belonging to the occupants of the premises.

GARAGE, PUBLIC: A building or portion thereof, other than a private garage, used for the care, repair or equipment of automobiles or where such vehicles are parked or stored for remuneration, hire or sale.

HOME, GROUP CARE: Any home or private institution maintained and operating, for the care, boarding, housing or training of one or more physically or mentally handicapped children under the age of 18 years, by any person who is not the parent or guardian of or who is not related by blood or marriage to such children.

HOME, NURSING: Any home or institution maintained or operating for the nursing and care of four or more ill or infirm adults not requiring hospital care or hospital facilities.

HOME OCCUPATION: An occupation carried on by the occupant of a dwelling as a secondary use, in connection with which there is no display, no stock in trade nor commodity sold on the premises and no other person employed; no mechanical equipment other than that normally used for household purposes and only twenty-five (25) per cent of the first floor area is used in such home occupation. The home occupation shall not be carried on in any accessory building.

HOTEL: A building in which people are lodged with or without meals and in which there are more than ten (10) guest rooms, there being no cooking facilities in guest rooms.

LOADING SPACE: An off-street space within a building or on the same lot with a building, for the temporary parking of a commercial vehicle or truck while loading or unloading merchandise or materials and which space has direct access to a street or alley.

LODGING HOUSE: Same as boarding house.

LOT: A parcel of land occupied or intended to be occupied by a main building or unit group of buildings and accessory buildings, together with yards and other open spaces required by this ordinance and having its principal frontage upon a street or officially approved way.

LOT, CORNER: A lot abutting upon two (2) or more streets at their intersection.

LOT, INTERIOR: A lot other than a corner lot.

LOT, OF RECORD: A lot which has been recorded as required by the laws of the State of Oregon, in the office of the County Recorder of Wasco County.

LOT, THROUGH: A lot having frontage on two (2) parallel or approximately parallel streets.

NON-CONFORMING USE: A use which lawfully occupied a building or land at the time this ordinance, or any amendment thereto, became effective and which does not conform with the use regulations of the district in which it is located.

NURSERY, DAY: Any institution, establishment or place in which are commonly received at one time three or more children not of common parentage under the age of fourteen (14) years for a period or periods not exceeding twelve (12) hours for the purpose of being given board, care and training apart from parents or guardians for compensation or reward.

PARKING AREA PUBLIC: An open area, other than a street, used for the temporary parking of more than four (4) automobiles and available for public use whether free, for compensation or as an accomodation for clients or customers.

PARKING SPACE: A clear, off-street area for the temporary parking or storage of one (1) automobile, having an all-weather surface of a width not less than eight and one-half ($8\frac{1}{2}$) feet and a length of not less than twenty-two (22) feet and be not less than eight and one-half ($8\frac{1}{2}$) feet in height when within a building or structure; such parking space shall not be less than one hundred and ninety (190) square feet in area and shall have easy access to a street or alley by a drive-way having an all-weather surface.

PUBLIC UTILITIES AND SERVICES: Facilities for providing electric power, communication, water, sewers and transportation.

STABLE, PRIVATE: A detached accessory building for the keeping of horses owned by the occupants of the premises and which are not kept for remuneration or profit.

STABLE, PUBLIC: A stable other than a private stable.

STORY: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above it, except the top story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

STORY; HALF: A story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than two (2) feet above the floor of such story.

STREET: A public thoroughfare which provides the principal means of access to abutting property.

STRUCTURE: Anything built or constructed which requires location on the ground or which is attached to something having a location on the ground.

STRUCTURAL ALTERATIONS: Any change in the supporting members of a building such as bearing walls, columns, beams or girders.

TOURIST COURT: A group of attached or detached buildings containing separate rooms or living units for the temporary use of automobile travelers, with garage attached or parking space adjacent to every unit, including auto courts, motels or motor cottages.

TOURIST HOME: Same as Boarding House.

TRAILER, AUTOMOBILE: A vehicle without motive power designed to be drawn by a motor vehicle and to be used for human habitation or for carrying persons and property, including a trailer coach or house trailer.

TRAILER, COURT OR PARK: A lot or tract designed and equipped for the temporary parking and care of automobile trailers and including service building or buildings necessary for toilet, bathing and laundry facilities.

USE: The purpose for which land or a building is arranged, designed or intended, or for which either land or a building is now or may be occupied or maintained.

USE, ACCESSORY: A use of land or a building which is incidental or subordinate to the principal use of the land or the main building.

YARD: An open space other than a court, on a lot, unoccupied or unobstructed from the ground upward, except as otherwise provided in this ordinance.

YARD FRONT: A yard extending across the full width of the lot, the depth of this yard being the minimum horizontal distance between the front lot line and a line parallel thereto on the lot.

YARD, REAR: A yard extending across the full width of the lot, the depth of this yard being the minimum horizontal distance from the rear lot line to the nearest point of the most rear main building.

YARD, SIDE: A yard, between a main building and the side lot line extending from the front yard, or the front lot line where no front yard is required, to the rear yard; the width of the required side yard shall be the minimum horizontal distance from the side lot line to the nearest part of the main building.

SECTION 4. DISTRICTS

A. Establishment of Districts

For the purpose of this ordinance and to carry out these regulations, the unincorporated portions of Wasco County, herein after designated are hereby divided into eleven (11) Districts, known as:

A-1 - AGRICULTURAL DISTRICT
R-1 - ONE-FAMILY DWELLING DISTRICT
R-2 - ONE-FAMILY DWELLING DISTRICT
R-3 - TWO-FAMILY DWELLING DISTRICT
R-4 - MULTIPLE-FAMILY DWELLING DISTRICT
C-1 - COMMERCIAL DISTRICT
C-2 - COMMERCIAL DISTRICT
C-3 - COMMERCIAL DISTRICT
M-1 - LIGHT INDUSTRIAL DISTRICT
M-2 - HEAVY INDUSTRIAL DISTRICT
M-3 - HEAVY INDUSTRIAL DISTRICT

The aforesaid districts and their boundaries are shown on maps attached hereto and made a part of this ordinance. These maps are entitled "ZONING DISTRICT MAPS" and these maps and all of the notations, references and other information shown thereon are as much a part of this ordinance as if the matters and information set forth by said maps were all fully described herein.

B. OFFICIAL RECORD

One copy of the text and one copy of each of the zoning district maps that comprise this ordinance and as a part of its enactment, shall be properly attested and filed with the County Clerk of Wasco County.

C. BOUNDARIES OF DISTRICTS

Where uncertainty exists with respect to any of the boundaries of the districts shown on the Zoning District Maps, the following rules shall apply:

1. Where the boundaries of the districts designated on a District Map are approximately highways, roads, streets or alleys, the center lines of such highways, roads, streets or alleys shall be construed to be the boundaries of such districts.

2. Where the boundaries of the districts designated on a Zoning District Map are approximately recorded property lines, such property lines shall be construed to be the boundaries of such districts.

3. In unsubdivided or unparcelled property the district boundary lines on a Zoning District Map

shall be determined by use of the scale contained on such map.

D. ZONED AREAS

The unincorporated area of Wasco County now included in this zoning ordinance is all of the area adjacent to and outside of the City of The Dalles but within the county area, bound on the North by the northern boundary of Wasco County; bound on the east by the east lines of Section 30 and 31 of T.2.N., R. 14, E.W.M. and the east lines of Sections 6, 7, 18 of T. 1 N., R. 14 E.W.M.; bound on the south by the south line of Section 18 of T. 1 N., R. 14 E.W.M. and the south lines of Sections 13, 14, 15, 16, 17 and 18 of T. 1 N., R. 13, E.W.M.; and bound on the west by the west lines of Section 18, 7 and 6 of T. 1 N., R. 13, E.W.M. and the west lines of Sections 31, 30, 19, 18 and 7 of T. 2 N., R. 13, E.W.M.

The unincorporated area of Wasco County made a part of this ordinance may be enlarged by the adoption of properly prepared zoning district maps which extend the zoned area in a continuous and comprehensive manner; such adoption shall be by amendment as set forth in Section 26 of this ordinance. One copy of each of such maps shall be attested and filed with the Recorder of Wasco County as a part of their enactment.

Other unincorporated portions of Wasco County may be included in this ordinance by amendment of zoning district maps covering such portions. Such zoning district maps shall be properly prepared as a part of the comprehensive plan for Wasco County and shall be attested and filed with the Recorder of Wasco County as a part of such amendment.

SECTION 5. GENERAL PROVISIONS

1. This ordinance shall not regulate lands used for grazing, agriculture, horticulture or the growing of timber.

2. No building or structure shall hereafter be erected, structurally altered, enlarged or moved nor shall any building, structure or land hereafter be used or designed to be used for any use other than is permitted in the district in which such building, structure or land is located and then only after applying for and securing all permits and licenses required by law and the ordinances of Wasco County. Non-conforming buildings and uses -- See Section 20.

3. Buildings or structures shall not hereafter be erected, enlarged or structurally altered to exceed the height limit established for the district in

which such buildings or structures are located, except as provided in Section 19-A.

4. Buildings or structures shall not hereafter be erected, enlarged or moved on a lot unless such buildings or structures conform to the area regulations of the district in which such buildings or structures are located.

5. No parcel of land of record at the time of passage of this ordinance shall hereafter be reduced in any manner to less than the minimum lot area, size or dimensions required by the regulations of the district in which such parcel of land is located.

6. Any yard or other open space now provided for any building or structure or hereafter provided, that is in compliance with regulations of this ordinance, shall not be considered as any part of a yard or open space for any other building or structure, nor shall any yard or open space of abutting property be considered as providing a yard or open space for a building or structure on the property it abuts.

7. Any required yard shall not include any land dedicated, reserved or set aside for road, highway, street or other public purposes except as provided in this ordinance.

8. Every required front, side and rear yard shall be open and unobstructed from the ground to the sky except as provided in Section 19, B.

9. Nothing in this ordinance shall be interpreted as interfering with the construction, maintenance and operation of the facilities of any public utility or organization including cooperatives rendering service to its members or public service or any property where such use lawfully existed at the time of the passage of this ordinance.

10. Any lot or parcel of land not served by a public sewer system or by an approved public water system shall comply with the health laws of the State of Oregon and the requirements of the Oregon State Board of Health as to size and dimensions of such lot or land parcel where such laws and requirements are applicable.

11. A building and an accessory building shall be construed to mean the main building and its subordinate building on the same lot or premises.

SECTION 6. "A-1." AGRICULTURAL DISTRICT

Buildings or structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "A-1." Agriculture District shall comply with the following regulations:

A. USE

PERMITTED USES:

1. Agriculture, horticulture, grazing and the growing of timber.

2. Surface mining in locations approved by the County Planning Commission.

3. One-family dwellings.

4. Airports in locations approved by the County Planning Commission.

5. Churches.

6. Cemeteries in locations approved by the County Planning Commission.

7. Dog kennels and hatcheries.

8. Dude ranches and hunting and fishing lodges.

9. Greenhouses.

10. Golf courses (except driving ranges, miniature courses or similar courses operated as a business).

11. Hospitals and sanitariums.

12. Office of a physician, minister, architect, lawyer, artist, musician, engineer, notary public or veterinarian as a home occupation.

13. Necessary public utilities and services with safeguards against harm to adjacent residential property as required by the County Planning Commission.

14. Public libraries, museums and art galleries.

15. Public parks, recreation areas, preserves and community or neighborhood centers.

16. Public schools and educational institutions.

17 Automobile house trailers for seasonal workers in agriculture, grazing, horticulture logging or forestry on property where the occupants of such trailers are employed and as required in Section 18.

18. One temporary stand, on property of one ownership for the seasonal sale of agricultural or horticultural products grown on the premises, not to exceed two hundred (200) square feet in area and located upon the property upon which such sale products were grown.

19. Accessory uses and buildings incident to the above uses. Detached accessory buildings shall be located not less than eighty (80) feet from the front lot line and not less than ten (10) feet from the main building. Detached accessory buildings shall be located not less than twenty-five (25) feet from the side and rear lot lines.

20. Name Plates and Signs: One name plate not to exceed one and one-half (1½) square feet in area, placed flat against the building, for each dwelling containing a permitted home occupation. One temporary sign not to exceed eight (8) square feet in area, appertaining to the lease, rental or sale of a building or premises upon which it is located. One sign or bulletin board not to exceed twelve (12) square feet in area for each hospital, sanitarium, church, neighborhood or community center, library and museum.

The following regulations of Height and Area shall not apply on lands used for agriculture, horticulture, grazing or the growing of timber.

B. HEIGHT

Buildings, structures or portions thereof, shall not be erected to exceed a height of three (3) stories or forty-five (45) feet in height.

C. AREA

1. Front Yard: There shall be a front yard having a depth of not less than forty (40) feet from the front lot or property line.

2. Side Yard: There shall be a side yard on each side of the main building and each side yard shall have a width of not less than twenty-five (25) feet.

3. Rear Yard: There shall be a rear yard of not less than forty (40) feet in depth.

4. Lot Area: Every lot or land parcel shall have a minimum average width of not less than one hundred and twenty-five (125) feet and in area of not less than one (1) acre. A lot or land parcel having a width of less than one hundred and twenty-five (125) feet or an area of less than one (1) acre of record at the time of the passage of this ordinance may be occupied by any use permitted in this Section 6, provided, all yard requirements are complied with.

D. PARKING REGULATIONS

Parking space for dwellings and buildings other than dwellings as required in Section 17.

SECTION 7. "R-1" ONE-FAMILY DWELLING DISTRICT

Buildings or structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "R-1" ONE-FAMILY DWELLING DISTRICT shall comply with the following regulations:

A. USE

PERMITTED USES:

1. Agriculture, horticulture, grazing and growing of timber.

2. One-family dwellings.

3. Churches with side yards as required in Section 19B.

4. Public parks, recreation areas and community or neighborhood centers with side yards as required in Section 19 B.

5. Public schools and libraries with side yards as required in Section 19 B.

6. Golf courses (except driving ranges, miniature courses or similar courses operated as a business).

7. Office of a physician or minister as a home occupation.

8. Necessary public utilities and public services with safeguards against harm to adjacent or abutting residential property as required by the County Planning Commission.

9. Accessory uses and buildings customarily incidental to the above uses. Detached accessory buildings shall be located not less than seventy-five (75) feet from the front lot line and not less than ten (10) feet from the main building. Detached accessory buildings shall be located not less than fifteen (15) feet from the side or rear lot lines. Detached accessory buildings on a corner lot shall not project into the side yard on the street side of such corner lot.

10. Name Plates and Signs: One non-illuminated name plate not to exceed one and one-half square feet in area, placed flat against the building, for each dwelling containing the office of a physician or minister as a home occupation. One temporary non-illuminated sign not to exceed eight (8) square feet in area appertaining to the lease, rental or sale of a building or premises upon which it is located. One bulletin board not to exceed twelve (12) square feet in area for each church, public library, neighborhood or community center.

B. HEIGHT

Buildings, structures or portions thereof shall not be erected to exceed a height of two and one-half ($2\frac{1}{2}$) stories or thirty-five (35) feet.

C. AREA

1. Front Yard: There shall be a front yard having a depth of not less than thirty-five (35) feet from the front lot line.

2. Side Yard: There shall be a side yard on each side of the main building and each side yard shall have a width of not less than fifteen (15) feet.

3. Rear Yard: There shall be a rear yard of not less than thirty-five (35) feet in depth.

4. Lot Area: Every lot shall have a minimum average width of not less than one hundred (100) feet and an area of not less than sixteen thousand (16,000) square feet. A lot having a width of less than one hundred (100) feet and an area of less than sixteen thousand (16,000) square feet of record at the time of the passage of this ordinance may be occupied by a one-family dwelling, provided all yard requirements are complied with.

D. PARKING REGULATIONS

Parking space for dwellings and buildings other than dwellings as required in Section 17.

SECTION 8. "R-2" ONE-FAMILY DWELLING DISTRICT

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "R-2" ONE-FAMILY DWELLING DISTRICT shall comply with the following regulations:

A. USE

PERMITTED USES:

1. Any use permitted in the"R-1" ONE-FAMILY DWELLING DISTRICT.

2. Accessory uses and buildings customarily incident to the above uses. However, detached buildings shall not be less than sixty (60) feet from the front lot line and not less than ten (10) feet from the main building. Detached accessory buildings shall be located not less than eight (8) feet from the side or rear lot lines. Detached accessory buildings on a corner lot, however, shall be located not less than ten (10) feet from the side lot line on the street side of such corner lot.

3. Name Plates and Signs: As permitted in the "R-1" ONE-FAMILY DISTRICT.

B. HEIGHT

Buildings, structures or portions thereof shall not be erected to exceed a height of two and one-half (2½) stories or thirty-five (35) feet.

C. AREA

1. Front Yard: There shall be a front yard of not less than twenty-five (25) per cent of the depth of the lot but in any case shall be not less than twenty-five (25) feet in depth; provided, however, that where forty (40) per cent of the frontage is developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such depths shall establish the front yard depth of the entire frontage.

2. Side Yard: On interior lots there shall be a side yard on each side of the main building, and each side yard shall have a width of not less than ten (10) per cent of the width of the lot but in any case shall be not less than seven (7) feet in width.

   On corner lots the interior side yard shall have a width of not less than ten (10) per cent of the width of the lot and not less than seven (7) feet in width but the side yard on the street side of such corner lot shall not be less than ten (10) feet in width.

3. Rear Yard: There shall be a rear yard of not less than twenty-five (25) per cent of the depth of the lot but in any case shall not be less than twenty-five (25) feet in depth.

4. Lot Area: Every lot shall have a minimum average width of not less than seventy (70) feet and an area of not less than eight thousand (8,000) square feet. A lot having a width of less than seventy (70) feet or an area of less than eight thousand (8,000) square feet, of record at the time of the passage of this ordinance, may be occupied by a one-family dwelling, provided all yard requirements are complied with.

D. PARKING REGULATIONS

Parking space for dwellings and buildings other than dwellings as required in Section 17.

SECTION 9. "R-3" TWO-FAMILY DWELLING DISTRICT

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "R-3" TWO-FAMILY DWELLINGS DISTRICT shall comply with the following regulations:

A. USE

PERMITTED USES:

1. Any use permitted in the "R-1" ONE-FAMILY DWELLING.

2. Two-family dwellings.

3. Home occupations.

4. Accessory uses and buildings as permitted in the "R-2" ONE-FAMILY DISTRICT.

5. Name Plates and Signs. As permitted in the "R-1" ONE-FAMILY DWELLING DISTRICT.

B. HEIGHT

Buildings, structures or portions thereof shall not be erected to exceed a height of two and one-half (2½) stories or thirty-five (35) feet.

C. AREA

1. Front Yard: Same as required in the "R-2" ONE-FAMILY DWELLING DISTRICT.

2. Side Yard: Same as required in the "R-2" ONE-FAMILY DWELLING DISTRICT.

3. Rear Yard: Same as required in the "R-2" ONE-FAMILY DWELLING DISTRICT.

4. Lot Area: Every lot for a one-family dwelling shall have a minimum average width of not less than seventy (70) feet and an area of not less than eight thousand (8,000) square feet. Every lot for a two-family dwelling shall have a minimum average width of not less than ninety (90) feet and an area of not less than five thousand (5,000) square feet for each dwelling unit. A lot having a width of less than seventy (70) feet and an area of less than eight thousand (8,000) square feet, of record at the time of the passage of this ordinance may be occupied by a one-family dwelling, provided all yard requirements are complied with.

D. PARKING REGULATIONS

Parking space for dwellings and buildings other than dwellings as required in Section 17.

SECTION 10. "R-4." MULTIPLE-FAMILY DWELLING DISTRICT

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "R-4" MULTIPLE-FAMILY DWELLING DISTRICT shall comply with the following regulations:

A. USE

PERMITTED USES:

1. Any use permitted in the "R-3" TWO-FAMILY DWELLING DISTRICT.
2. Multiple-family dwellings.
3. Row dwellings, not exceeding five (5) attached dwellings or one hundred (100) feet in breadth in one structure.
4. Group dwellings, and court apartments, with yards as required in Section 19-B.
5. Boarding and lodging houses.
6. Fraternities and sororities.
7. Hospitals, sanitariums, nursing homes, home group care, home nursing (except those for contagious, mental, liquor or drug addict cases and animal clinics and hospitals) with side yards as required in Section 19-B.
8. Day nurseries.
9. Educational and philanthropic institutions (except those for correctional purposes or for mental cases) with side yards as required in Section 19-B.
10. Private schools.
11. Accessory uses and buildings as permitted in the "R-2" ONE-FAMILY DWELLING DISTRICT.
12. Name plates and Signs: As permitted in the "R-1" ONE-FAMILY DWELLING DISTRICT.

B. HEIGHT

Buildings, structures or portions thereof shall not be erected to exceed a height of three (3) stories or forty-five (45) feet.

C. AREA

1. Front Yard: Same as required in the "R-2" ONE-FAMILY DWELLING DISTRICT.

2. Side Yard: On interior lots there shall be a side yard on each side of the main building and each side yard shall have a width of not less than ten (10) per cent of the width of the lot but in no case shall be less than seven (7) feet in width. On corner lots the interior side yards shall have a width of not less than ten (10) per cent of the width of the lot and not less than seven (7) feet in width but the side yard on the street side of such corner lot shall not be less than ten (10) feet in width. For buildings three (3) stories in height required side yards shall be increased two (2) feet in width.

3. Rear Yard: Same as required in the "R-2" ONE-FAMILY DWELLING DISTRICT.

4. Lot Area: Every lot for a one-family dwelling shall have a minimum average width of not less than seventy (70) feet and an area of not less than eight thousand (8,000) square feet. Every lot for a two-family dwelling shall have a minimum average width of not less than ninety (90) feet and an area of not less than five thousand (5,000) square feet for each dwelling unit. Every lot for a multiple-family dwelling shall have a minimum average width of not less than ninety (90) feet and an area of not less than ten thousand (10,000) square feet; also the lot area per dwelling unit for a multiple-family dwelling shall not be less than fifteen hundred (1,500) square feet. A lot having a width of less than seventy (70) feet and an area of less than eight thousand (8,000) square feet, of record at the time of the passage of this ordinance, may be occupied by a one-family dwelling, provided all yard requirements are complied with.

D. PARKING REGULATIONS

Parking space for dwellings and buildings other than dwellings as required in Section 17.

SECTION 11. "C-1" COMMERCIAL DISTRICT

Buildings and structures hereafter erected, structurally altered, enlarged or moved or land hereafter used in the "C-1" COMMERCIAL DISTRICT shall comply with the following regulations:

A. USE

PERMITTED USES:

1. Any use permitted in the "R-4" MULTIPLE-FAMILY DWELLING DISTRICT.
2. Automobile service station.
3. Baker, (retail only and only the products which are sold on the premises).
4. Bank.
5. Barber shop or beauty parlor.
6. Bicycle shop.
7. Book and stationery shop.
8. Clinic, medical and dental.
9. Clothes cleaning agency or pressing shop (excluding cleaning and dyeing on the premises).
10. Clothing store or tailor shop.
11. Confectionery shop (retail only).
12. Delicatessen.
13. Drug Store.
14. Dry goods store, millinery or dress shop.
15. Florist shop.
16. Frozen food locker establishment, renting lockers for only individual and family use.
17. Gift shop.
18. Grocery, fruit or vegetable store.
19. Hardware or electrical appliance store.
20. Hotels and apartment hotels.
21. Jewelry store.
22. Laundry Agency (excluding laundry).
23. Meat and fish market.
24. Notions or variety store.
25. Offices (business or professional).
26. Photographer's shop.

27. Public automobile parking area, subject to the regulations in Section 17-B.

28. Restaurant, tea room or cafeteria (excluding dancing, entertainment and drive-in restaurants).

29. Shoe store or shoe repair shop.

30. Theater, enclosed within a building.

31. Accessory uses and buildings customarily incident to the above retail business and professional uses located on the same lot and permitting only such incidental preparation and packaging of products as is necessary to prepare retail goods sold only on the premises.

32. Accessory uses and buildings for dwellings, same as permitted in the "R-4" MULTIPLE-FAMILY DWELLING DSITRICT.

33. Signs. Signs shall pertain only to goods and services sold on the premises. No sign shall project above or beyond the building. Signs are permitted in a ratio of one (1) square foot of sign area to each linear foot of store frontage and shall be placed flat against the walls of the building. Signs shall not be placed upon walls or surfaces abutting an "A-1" or an "R" DISTRICT. Separate directional signs not to exceed an area of sixteen (16) square feet are permitted on the property of an automobile service station or public parking area but must not project beyond the property line of such establishments.

B. HEIGHT

Buildings, structures or portions thereof shall not be erected to exceed a height of two and one-half (2½) stories or thirty-five (35) feet.

C. AREA

1. Front Yard: There shall be a front yard of not less than twenty-five (25) per cent of the depth of the lot but in any case shall be not less than twenty-five (25) feet in depth; provided, however, that where forty (40) per cent of the frontage is developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such depths shall establish the front yard depth of the entire frontage.

2. Side Yard: Where the side of a lot in a "C-1" COMMERCIAL DISTRICT abuts the side of a lot in an

"A-1" or an "R" DISTRICT, there shall be a side yard of not less than seven (7) feet in width.

On corner lots there shall be a side yard on the street side of such lots of not less than ten (10) feet in width. Accessory buildings on a corner lot shall be located not less than ten (10) feet from the side lot line on the street side of such corner lot. In other cases a side yard for commercial buildings shall not be required. The side yard regulations for dwellings shall be the same as required in the "R-4" MULTIPLE-FAMILY DWELLING DISTRICT.

3. Rear Yard: For buildings other than dwellings there shall be a rear yard of not less than twenty (20) feet in depth. For dwellings there shall be a rear yard of not less than twenty-five (25) per cent of the depth of the lot but in any case shall not be less than twenty-five (25) feet in depth.

4. Lot Area: The lot area regulations for dwellings shall be the same as required in the "R-4" MULTIPLE-FAMILY DWELLING DISTRICT.

D. PARKING REGULATIONS

Parking space for dwellings and buildings other than dwellings as required in Section 17. Loading space as required in Section 17.

SECTION 12. "C-2" COMMERCIAL DISTRICT

Buildings and structures hereafter erected, structurally altered, enlarged or moved or land hereafter used in the "C-2" COMMERCIAL DISTRICT shall comply with the following regulations:

A. USE

PERMITTED USES:

1. Any use permitted in the "C-1" COMMERCIAL DISTRICT.

2. Hotels, tourist courts, trailers, automobile trailer courts or parks subject to the regulations in Section 18.

3. Accessory uses and buildings, for commercial uses, same as permitted in the "C-1" COMMERCIAL DISTRICT.

4. Accessory uses and buildings for dwellings same as permitted in the R-4" MULTIPLE-FAMILY DWELLING DISTRICT.

5. Signs as permitted in the "C-1" COMMERCIAL DISTRICT,

B. HEIGHT

Buildings, structures or portions thereof shall not be erected to exceed a height of two and one-half (2½) stories on thirty-five (35) feet.

C. AREA

1. Front Yard: Same as required in the "C-1" COMMERCIAL DISTRICT.

2. Side Yard: Where the side of a lot in a "C-2" COMMERCIAL DISTRICT abuts the side of a lot in an "A-1" or an "R" DISTRICT there shall be a side yard of not less than seven (7) feet in width. On corner lots there shall be a side yard on the street side of such lots of not less than ten (10) feet in width.

   Accessory buildings on a corner lot shall be located not less than ten (10) feet from the side lot line on the street side of such corner lot. In other cases a side yard for commercial buildings shall not be required. The side yard regulations for dwellings shall be the same as required in the "R-4" MULTIPLE-FAMILY DWELLING DISTRICT.

3. Rear Yard: Same as required in the "C-1" COMMERCIAL DISTRICT.

4. Lot Area: The lot area regulations for dwellings shall be the same as required in the "R-4" MULTIPLE-FAMILY DWELLING DISTRICT.

D. PARKING REGULATIONS

Parking space for dwellings and buildings other than dwellings as required in Section 17. Loading space as required in Section 17.

SECTION 13. "C-3" COMMERCIAL DISTRICT

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "C-3" COMMERCIAL DISTRICT shall comply with the following regulations:

A. USE

PERMITTED USES:

1. Any use permitted in the "C-2" COMMERCIAL DISTRICT.

2. Amusement establishment including billiardball, dance hall and bowling alley when enclosed within

a building but excluding skating rink, shooting gallery, penny arcade, roller coaster or similar noisy amusements.

3. Auditoriums.

4. Automobile, truck and trailer sales establishments.

5. Baths, public.

6. Battery sales and service.

7. Blue printing and photostating.

8. Business college.

9. Cabinet shop, enclosed within the building as a retail business only and in which not more than three thousand (3,000) board feet of lumber may be stored.

10. Cleaning and pressing establishment.

11. Dairy products store, retail only.

12. Department store.

13. Express or telegraph office.

14. Feed and seed store, retail only, and inclosed within the building.

15. Fur shop, retail, dealing in furs and hides prepared elsewhere.

16. Furniture store.

17. Garden supplies store or florist shop, including greenhouse as a retail business only.

18. Harness shop or leather goods or luggage store.

19. Ice storage building, not more than five (5) tons in capacity.

20. Music store.

21. Painting shop, inclosed within the building.

22. Pawn shop.

23. Pet shop.

24. Plumbing or sheet metal shop, inclosed within the building.

25. Private club, lodge or fraternal organization.

26. Printing, lithographing and publishing.

27. Public garage, including usual automobile repairs and servicing and enclosed within the building. When a public garage is within fifty (50) feet of an "A-1" or "R" DISTRICT there shall be no openings in the building walls facing the boundaries of an "A-1" or "R" DISTRICT other than stationary windows, except where such building walls abut streets or alleys.

28. Public utility and public service uses.

29. Restaurant, tea room, cafeteria, including drive-in restaurant.

30. Retail stores and shops.

31. Second hand store or antique shop, enclosed within the building.

32. Self-service laundry.

33. Stadium, recreation building or natatorium.

34. Signs as permitted by ordinances and codes of Wasco County.

35. Studio, music, art or voice but excluding moving picture studio.

36. Travel agency.

37. Tire shop, enclosed within the building.

38. Undertaking establishment.

39. Upholstering shop or interior decorating store.

40. Welfare organizations including mission.

41. Accessory uses and buildings for commercial uses same as permitted in the "C-1" COMMERCIAL DISTRICT.

42. Accessory uses and buildings, for dwellings, same as permitted in the "R-4" MULTIPLE-FAMILY DWELLING DISTRICT.

B. HEIGHT

Buildings, structures or portions thereof shall not be erected to exceed a height of two and one-half (2½) stories or thirty-five (35) feet.

C. AREA

1. Front Yard: There shall be a front yard of not less than twenty-five (25) feet in depth.

2. Side Yard: Where the side of a lot in a "C-3" COMMERCIAL DISTRICT abuts the side of a lot in an "A-1" or an "R" DISTRICT there shall be a side yard of not less than seven (7) feet in width. On corner lots there shall be a side yard on the street side of such corner lots of not less than ten (10) feet in width. Accessory buildings on a corner lot shall be located not less than ten (10) feet from the side lot line on the street side of such corner lot. In other cases a side yard for commercial buildings shall not be required. The side yard regulations for dwellings shall be the same as required in the "R-4" MULTIPLE-FAMILY DWELLING DISTRICT.

3. Rear Yard: Same as required in the "C-1" COMMERCIAL DISTRICT.

4. Lot Area: The lot area regulations for dwellings shall be the same as required in the "R-4" MULTIPLE-FAMILY DISTRICT.

D. PARKING REGULATIONS

Parking space for dwellings and buildings other than dwellings as required in Section 17. Loading space as required in Section 17.

SECTION 14. "M-1" LIGHT INDUSTRIAL DISTRICT

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "M-1" LIGHT INDUSTRIAL DISTRICT shall comply with the following regulations:

A. USE

PERMITTED USES:

1. Any use permitted in the "C-3" COMMERCIAL DISTRICT. The following uses shall be enclosed within buildings, with the exception of parking and loading space:

2. Art glass works and ceramics manufacture using only electric kilns and excluding the grinding of clay.

3. Assembly, rebuilding, repair and maintenance of automobiles, motorcycles, trucks and farm vehicles, including painting and upholstery.

4. Assembly of machinery, toys, musical instruments and mechanical equipment, including painting.

5. Battery assembling and repair.

6. Blacksmith shop, machine shop and sheet metal works but excluding heavy and automatic machines such as large drop and power hammers, punch press and screw machines that are offensive by reason of noise and vibration.

7. Bottling and manufacture of non-alcholic beverages.

8. Canning, packaging, processing, manufacture and distribution of food products, bakery goods, candy and confections but excluding meat, fish, vinegar, sauerkraut, yeast and the rendering or preparation of oils and fats.

9. Carpenter shop and wood products manufacture but excluding planing mill and lumber mill.

10. Cigar, cigarette and tobacco manufacture but excluding the manufacture of chewing tobacco and snuff.

11. Circus, transient or other amusement.

12. Crematory.

13. Cleaning, dyeing and pressing of clothing, carpets, rugs, including laundries.

14. Cosmetics, medicines, drugs, pharmaceutical products, perfumes and toiletries manufacture.

15. Electric appliances and equipment including radio and television, assembling, repair and maintenance, including the manufacture of small parts and electric signs.

16. Ice manufacturing plant.

17. Jewelry.

18. Optical goods and precision instruments using only electrical power and electric furnace.

19. Photo engraving.

20. Poultry and rabbit slaughter incidental to a retail business, conducted on the premises.

21. Labratories, excluding storage or use of publicly dangerous substances.

22. Livery stable or automobile laundry.

23. Manufacture of objects made by the assembling or processing of the following materials that have

been prepared or manufactured elsewhere: bone, cane, cloth, bark, cellophane, feathers, felt, fibre, fur, glass, hair, horn, leather, metal, paper, plastic rubber, rubber and leather compositions and similar compositions, stone, straw and the like.

24. Mirror works.

25. Public utilities and public service facilities.

26. Transportation or freight terminal.

27. Veterinary or pet clinic or hospital, kennel or hatchery.

28. Warehouses, cold storage, frozen food storage, wholesale business, transfer company, grain elevator, or commissary business but excluding the storage of volatile material and explosives.

29. Uses customarily incident to any of the above uses and accessory buildings when located on the same lot or land parcel.

The following uses may occupy a building or yard space other than required front and side yards and such occupiable space shall be enclosed by a wall or solid fence of sturdy construction and uniform color or by an evergreen hedge not less than six (6) feet in height:

(a) Retail lumber yard and building materials yard, excluding concrete mixing.

(b) Feed and fuel yard.

(c) Draying, trucking and automobile freighting yard.

(d) Contractors' equipment yard.

(e) Small boat yard for the building or repair of boats not exceeding sixty-five (65) feet in length.

B. HEIGHT

Buildings, structures or portions thereof shall not be erected to exceed a height of three (3) stories or forty-five (45) feet.

C. AREA

1. Front Yard: There shall be a front yard of not less than twenty-five (25) feet in depth.

2. Side Yard: Where the side of a lot in the "M-1" LIGHT INDUSTRIAL DISTRICT abuts the side of a lot in an "A-1" or an "R" DISTRICT there shall be a side yard of not less than seven (7) feet in width for buildings not exceeding two and one-half ($2\frac{1}{2}$) stories in height; for buildings three (3) stories in height, however, such side yard shall be not less than ten (10) feet in width. On corner lots there shall be a side yard on the street side of such lots of not less than ten (10) feet in width. Accessory buildings on a corner lot shall be located not less than ten (10) feet from the side lot line on the street side of such corner lot. In other cases a side yard for industrial and commercial buildings shall not be required. The side yard regulations for dwellings shall be the same as required in the "R-4" MULTIPLE-FAMILY DWELLING DISTRICT.

3. Rear Yard: For buildings other than dwellings there shall be a rear yard of not less than twenty (20) feet in depth. For dwellings there shall be a rear yard of not less than twenty-five (25) per cent of the depth of the lot but in any case not less than twenty-five (25) feet in depth.

4. Lot Area: The lot area regulations for dwellings shall be the same as required in the "R-4" MULTIPLE-FAMILY DWELLING DISTRICT.

D. PARKING REGULATIONS

Parking space for dwellings and buildings other than dwellings as required in Section 17. Loading space as required in Section 17.

SECTION 15. "M-2" HEAVY INDUSTRIAL DISTRICT

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "M-2" HEAVY INDUSTRIAL DISTRICT shall comply with the following regulations:

A. USE

PERMITTED USES:

1. Any use permitted in the "M-1" LIGHT INDUSTRIAL DISTRICT either within or outside a building; provided that all residential uses are prohibited in the "M-2" HEAVY INDUSTRIAL DISTRICT except necessary quarters for caretakers and watchmen.

2. Alcohol manufacture, brewery or liquor distillery.

3. Asbestos products manufacture.

4. Automobile or other vehicle manufacture.

5. Automobile wrecking or salvage, if conducted entirely within a building.

6. Bag manufacture and cleaning.

7. Brick, tile, terra cotta, pottery and ceramics articles manufacture.

8. Carborundum and abrasives manufacture.

9. Chemicals manufacture but excluding acid manufacture.

10. Cloth, carpets, cord, rope, rugs and thread manufacture including processing of the raw products.

11. Concrete and concrete products manufacture.

12. Coke and charcoal manufacture.

13. Fibres, natural and synthetic, products manufacture (such as felt, batting, brushes, hardboard, etc.)

14. Fish curing, smoking and canning.

15. Flour, feed and cereals manufacture.

16. Glass products manufacture.

17. Iron, steel, aluminum, brass, copper, bronze and other metal products, foundry and fabrication but smelters, blast furnaces and blooming mills shall be located not less than five hundred (500) feet from the boundaries of a less restrictive district.

18. Lampblack, paint, varnish, oil and terpentine manufacture.

19. Leather goods manufacture but not including curing, tanning or storage of green hides.

20. Linoleum, oil cloth and oil goods manufacture.

21. Meat and food products processing and manufacture but excluding slaughter of animals and fat rendering.

22. Mining, rock quarry, stone works; rock, sand and gravel cleaning, crushing and processing including assaying.

23. Paper manufacture.

24. Pattern shop.

25. Petroleum and petroleum products manufacture and storage, excluding petroleum refining.

26. Plastics manufacture.

27. Railroad yards and repair shops.

28. Rolling mill.

29. Rubber goods and gutta percha manufacture.

30. Salt works and salt manufacture.

31. Saw and planing mill and wood products manufacture.

32. Ship yard.

33. Starch manufacture.

34. Tobacco products manufacture.

35. Wool pulling and scouring.

36. Uses customarily incident to any of the above uses and accessory buildings when located on the same lot or land parcel.

B. HEIGHT REGULATIONS

Buildings, structures or portions thereof shall not be erected to exceed a height of six (6) stories or seventy-five (75) feet.

C. AREA

1. Front Yard: There shall be a front yard of not less than twenty (20) feet in depth.

2. Side Yard: Where the side of a lot in the "M-2" HEAVY INDUSTRIAL DISTRICT abuts the side of a lot in an "A-1" or an "R" DISTRICT there shall be a side yard of not less than seven (7) feet in width for buildings not exceeding two and one-half ($2\frac{1}{2}$) stories in height; for buildings exceeding two and one-half ($2\frac{1}{2}$) stories in height such side yard shall be increased three (3) feet in width for every story or portion thereof that such buildings height exceeds two and one-half ($2\frac{1}{2}$) stories. On corner lots there shall be side yard on the street side of such lots of not less than ten (10) feet in width for buildings not exceeding two and one-half ($2\frac{1}{2}$) stories in height; for buildings exceeding two and one-half ($2\frac{1}{2}$) stories in height such side yard shall be increased three (3) feet for each story or portion thereof

that such buildings exceeds two and one-half (2½) stories in height but such side yard need not exceed twenty (20) feet in width. Accessory buildings on a corner lot shall not project into the required side yard on the street side of such lot beyond the side of the main building on such lot. In other cases a side yard for industrial or commercial buildings shall not be required.

3. Rear Yard: There shall be a rear yard of not less than twenty (20) feet in depth.

D. PARKING REGULATIONS

Parking space for buildings other than dwellings as required in Section 17. Loading space as required in Section 17.

SECTION 16. "M-3" HEAVY INDUSTRIAL DISTRICT

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "M-3" HEAVY INDUSTRIAL DISTRICT shall comply with the following regulations:

A. USE

PERMITTED USES:

Any use other than those uses which are excluded from any unincorporated area of Wasco County by ordinance or such uses as hereafter shall require special sites selected and approved by the Wasco County Planning Commission and the County Court of Wasco County; provided, however, that all residential uses are prohibited in the "M-3" HEAVY INDUSTRIALDISTRICT except necessary quarters for caretakers and watchmen; and further provided that yards for the storage or baling of rags, paper, metal and junk, and automobile salvage and wrecking yards shall be enclosed within a solid wood or masonry fence or wall not less than seven (7) feet in height. Such fence or wall shall be uniform and neutral in color. Such enclosures shall not include any required front or side yard.

B. HEIGHT REGULATIONS

Buildings, structures or portions thereof shall not be erected to exceed a height of six (6) stories or seventy-five (75) feet.

C. AREA

1. Front Yard: Same as required in the "M-2" HEAVY INDUSTRIAL DISTRICT.

2. Side Yard: Same as required in the "M-2" HEAVY INDUSTRIAL DISTRICT.

3. Rear Yard: Same as required in the "M-2" HEAVY INDUSTRIAL DISTRICT.

D. PARKING REGULATIONS

Parking space for buildings other than dwellings as required in Section 17. Loading space as required in Section 17.

SECTION 17. AUTOMOBILE SPACE REGULATIONS

A. AUTOMOBILE PARKING SPACE

Buildings or structures hereafter erected, enlarged or increased in capacity shall provide off street parking area as follows:

1. Dwellings: For dwellings one (1) parking space shall be provided on the lot with the main building for each dwelling unit in a new building or for each dwelling unit hereafter added to an existing building.

2. Hotels and Apartment Hotels: For hotels and apartment hotels one (1) parking space shall be provided for each three (3) guest rooms or suites in a new building or for each three (3) guest rooms or suites hereafter added to an existing such building.

3. Tourist Court, Motel and Tourist Homes: For tourist court, motel or tourist homes one (1) parking space shall be provided on the lot for each sleeping or living unit of a new building or for each sleeping or living unit hereafter added to an existing such building, home or court.

4. Lodging and Boarding Houses: For lodging and boarding house one (1) parking space shall be provided on the lot for each three (3) sleeping (rental) or living units of a new building or for each three (3) sleeping (rental) or living units hereafter added to an existing such building.

5. Private Clubs, Lodges, Fraternities, Sororities and Dormitories: For private clubs, and lodges, fraternities, sororities and dormitories one (1) parking space shall be provided for each three (3) bedrooms or for each six (6) beds in a new building or for each three (3) bedrooms or each six (6) beds hereafter added to an existing such building.

6. Hospitals, Sanitariums, Nursing Homes and Welfare Institutions: For hospitals, sanitariums, nursing homes and welfare institutions one (1) parking space shall be provided for each two (2) beds in a new building or for each two (2) beds hereafter added to an existing such building.

7. Medical and Dental Clinics: For medical and dental clinics one (1) parking space shall be provided for each four hundred (400) square feet of floor space in a new building or for each four hundred (400) square feet of floor space added to an existing such building.

8. Mortuaries or Funeral Homes: For mortuaries or funeral homes one (1) parking space shall be provided for each four (4) seats or each fifty (50) square feet of floor space in the chapel, parlors or place of assembly in a new building, or for each four (4) seats or each fifty (50) square feet of floor space in the chapel, parlors, or place of assembly hereafter added to an existing such building.

9. Dance and Assembly Halls: For dance and assembly halls one (1) parking space shall be provided for each one-hundred (100) square feet of floor space in such hall for a new building or for each one-hundred (100) square feet of floor space hereafter added to such hall in an existing such building.

10. Bowling Alleys: For bowling alleys four (4) parking spaces shall be provided for each alley, plus one (1) parking space for each four (4) employees in a new building, or four (4) parking spaces for each alley, plus one (1) parking space for each four (4) employees hereafter added to an existing such establishment.

11. Auditoriums and Stadiums: For each auditorium of a church, high school or other public auditorium or for a baseball park, stadium or for a theater or any similar place of assembly one (1) parking space shall be provided for each four (4) seats in a new building or structure or for each four (4) seats hereafter added to an existing such building or structure.

12. Office and Public Buildings: For each office or public building one (1) parking space shall be provided for each four hundred (400) square feet of actual office floor area in a new building or for each four hundred (400) square feet of actual office floor area hereafter added to an existing such building.

13. Commercial Buildings: For commercial business and personal service establishments one (1) parking space shall be provided for each five hundred (500) square feet of actual sales or service floor area in a new building or each five hundred (500) square feet of actual sales or service floor area hereafter added to an existing such building.

14. Industrial Buildings: For industrial and wholesale buildings one (1) parking space shall be provided for each five (5) regular employees in new buildings or for each five (5) regular employees in any addition hereafter made to an existing such building. Where employees work in shifts, the number of regular employees shall be the number employed in the largest shift.

15. Adjacent Parking Areas: Parking space required for uses other than dwellings, boarding and lodging houses, tourist court, motel and tourist homes, may be located on the same lot with the main buildings or structures or within such buildings or structures or on other property within four hundred (400) feet from such lot and which other property is in the same ownership as that on which the main buildings or structures are located.

16. Parking Space Location: Required parking space in any "A-1" or "R" DISTRICT shall not be located in any front yard or in the side yard on the street side of a corner lot.

B. PUBLIC PARKING AREAS

Every parcel of land hereafter used as a public parking area or an automobile or trailer sales area shall be developed as follows:

1. Such areas shall be surfaced with permanent paving; they shall have bumper rails or curbs and be enclosed by a sturdy wall, fence or evergreen hedge not less than thirty (30) inches in height nor more than six (6) feet in height. Such wall, fence or hedge shall not enclose any required front yard or required side yard on the street side of a corner lot. Any such required front or side yard shall be developed as grass lawn, or landscaped and shall be properly maintained. Where such public parking area abuts or lies within an "A-1" or an "R" DISTRICT the required wall, fence or hedge shall be not less than six (6) feet in height on the sides or rear yards abutting or within such "A-1" and "R" DISTRICT.

2. Where a public parking area or automobile or trailer sales area is illuminated, the lights shall be

fixed so as to reflect away from adjoining premises in DWELLING DISTRICTS.

C. LOADING SPACE

A commercial, wholesale or industrial building hereafter erected or enlarged and which is located on a lot or land parcel which abuts on an alley or street and which building or addition has a floor area of two thousand, five-hundred (2,500) or more square feet shall provide one (1) permanent off street loading space not less than twenty-five (25) feet long, ten (10) feet wide and fourteen (14) feet in height, on or accessible to such street or alley; when such building has a floor area of more than twenty-thousand (20,000) square feet, two (2) such loading spaces shall be provided; not more than two (2) such loading spaces shall be required until such a building exceeds forty thousand (40,000) square feet in floor area. For each forty thousand (40,000) square feet of floor area that a building exceeds forty thousand (40,000) square feet of floor area, one (1) additional loading space shall be provided. A rear yard may be used for such loading space when such rear yard is adequate in area.

SECTION 18. AUTOMOBILE TRAILERS AND TRAILER PARKS

1. Compliance with Oregon State Health Laws: All automobile trailers and trailer courts and parks shall comply with the Oregon State Health Laws and the regulations of the Oregon State Board of Health for such trailers and trailer courts and parks.

2. Trailer Locations: All automobile trailers entering, and all such trailers not located but which are within the unincorporated areas of Wasco County covered by this ordinance, shall locate within a "C-2", "C-3", or an "M" District or an established automobile trailer court or camp. The regulations of this paragraph shall not apply, during the working season, to the automobile trailers of seasonal workers in agriculture, grazing, horticulture, logging or forestry when located on the property upon which the occupants of such trailers are employed.

3. Caretakers: One automobile trailer for a caretaker and his family may be permitted by the Wasco County Building Inspector for a period of one (1) year on an industrial site or on the

grounds of a public school or other public building where the caretaker is employed. Such temporary trailer permit may be renewed for a period of one (1) year provided ample proof is given that such trailer is absolutely necessary.

SECTION 19. EXCEPTIONS

A. HEIGHT EXCEPTIONS

1. Dwellings, Three Stories: In districts limiting the heights of buildings to two and one-half ($2\frac{1}{2}$) stories or thirty-five (35) feet, dwellings may be erected to a height of three (3) stories or forty-five (45) feet, provided each required side yard is increased one (1) foot in width for each one (1) foot such dwelling exceeds two and one-half ($2\frac{1}{2}$) stories or thirty-five (35) feet in height.

2. Schools, Hospitals and Institutions to Six Stories: Schools, educational institutions, hospitals, sanitariums, and philanthropic and other institutions permitted in "A-1" and "R" DISTRICTS may be constructed to a height of not to exceed six (6) stories or seventy-five (75) feet provided the side yards required in the "A-1" AGRICULTURAL DISTRICT and in paragraph "B-1" of this Section 19. are each increased one (1) foot in width for each one (1) foot such building exceeds the required height limits of the district in which such building is located. Required front and side yards for such buildings shall not be used as parking space.

3. Structures, Above Height Limits: Necessary roof structures housing elevators, stairways, tanks, fans and ventilators and towers, steeples, flagpoles, smokestacks, silos, grain elevators, water tanks and skylights and fire or parapet walls may be erected above the height limits of the district in which they are located providable no useable floor space is provided in such structures above the required height limits.

4. Accessory Buildings: Accessory buildings in all "R" DISTRICTS shall not exceed one (1) story or fifteen (15) feet in height and shall not be used for dwelling purposes.

5. Through Lots:

(a) On through lots one hundred and fifty (150) feet or less in depth, the height of a building may be that permitted on either street on which the lot faces.

(b) On through lots more than one hundred and fifty (150) feet in depth the height regulations for

the street permitting the greater height shall not extend more than one hundred and fifty (150) feet from that street.

B. AREA. EXCEPTIONS

1. Side Yards For Schools, Churches and Institutions: Side yards for public schools, public libraries, museums, churches, hospitals, sanitariums, community centers, educational, philanthropic and other institutions hereafter erected in any "R" DISTRICT shall provide a side yard on each side of the main building of not less than twenty (20) feet in width.

2. Side Yards For Row Houses: For the purpose of side yard regulations a row house shall be considered as one (1) building occupying one (1) lot.

3. Yards For Group Buildings:

(a) In the case of group buildings on one site, including institutions and dwellings, the yards on the boundary of the site or the lot shall not be less than required for one (1) building on one (1) lot in the district in which the property is located.

(b) The distance between group buildings on one site, including institutions and dwellings, shall be twice the width of the required side, front or rear yards or the sum of a combination of any two such yards, depending on the arrangement or location of one building in relation to another.

(c) In the case of group dwellings or court apartments rearing on side yards, in those districts where multiple-family dwellings are permitted, the required side yards shall be increased two (2) feet in width for each dwelling unit rearing thereon; but such side yard need not exceed twenty-five (25) feet.

(d) No group-dwelling court shall be less than twenty-five (25) feet in width.

(e) In the case of row houses or dwellings rearing on one side yard and fronting upon another, in districts where multiple-dwellings are permitted, the side yard on which the dwellings rear shall be increased two (2) feet for each dwelling unit rearing on such side yard and the side yard on which dwellings front shall not be less than twenty (20) feet in width.

4. Rear Yard Includes One-Half of Alley: In computing the depth of a rear yard, where such yard abuts an alley, one-half of the width of such alley, may be assumed to be a portion of such rear yard.

5. Through Lots: Through lots having a frontage on two (2) streets shall provide the required front yard on each street.

6. Dwellings Units Above Stores: Front and side yards for dwellings above stores or business shall be waived when front and side yards are not required for such commercial structures.

7. Lot Area Requirements For Tourist Court: Each sleeping or living unit of a tourist court shall be considered a dwelling unit under the lot-area-per-family requirements of the district in which such tourist court is located.

8. Accessory Buildings: Accessory buildings shall not occupy more than thirty-five (35) per cent of a required rear yard. Accessory buildings shall be located not less than eight (8) feet from any rear lot line where no alley abuts such rear lot line.

9. Projections Into Yards: Every part of a required yard shall be open from the ground to the sky unobstructed except for the following:

   (a) Accessory buildings where permitted.

   (b) Ordinary building projections such as cornices, eaves, belt courses, sills or similar architectural features may project into required side yards not more than twelve (12) inches or into front and rear yards not more than twenty-four (24) inches.

   (c) Chimneys may project into any required yard not more than twelve (12) inches.

   (d) Uncovered balconies or fire escapes may project into any required yard not more than three (3) feet.

   (e) Uncovered terraces or platforms may project or extend into a required front or rear yard not more than five (5) feet or into a required side yard not more than three (3) feet or into a required court not more than six (6) feet. Such terraces or platforms shall not extend upward above the first floor level.

10. Front Yard Fences And Sight Clearance: No fence, hedge or obstruction of any kind shall exceed three (3) feet in height in any required front yard within seventy-five (75) feet of any street intersection.

SECTION 20. NON-CONFORMING USES

1. Non-conforming Use Continued: The use of a building existing at the time of the passage of this ordinance may be continued although such use does not conform to its provisions. If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or a more restricted classification. A non-conforming use shall not hereafter be changed to a less restrictive use.

2. Non-conforming Use By Reason of Change In This Ordinance: Whenever the use of a building becomes non-conforming by reason of a subsequent change in this zoning ordinance, such use may be continued and if no structural alterations are made it may be changed to another non-conforming use of the same or of a more restricted classification.

3. Non-conforming Use Discontinued: Should a non-conforming use of a building be discontinued for a period of one (1) year, the use of such building shall thereafter conform to a use permitted in the district in which it is located.

4. Alterations or Change of Non-conforming Building: An existing building occupied by a non-conforming use, shall not be enlarged, extended or structurally altered unless its use and such enlargement, extension or altered portion is made to conform to the regulations of the district in which such building is located.

5. Reconstruction of Damaged Building: When a building, the use of which does not conform to the provisions of this ordinance, is damaged by fire, flood, explosion or other calamity or act of God or the public enemy to the extent of not more than sixty (60) per cent of its fair value, at the time of such damage, it may be restored and its use at the time of such damage resumed. Such reconstruction, however, must be started within one (1) year following such damage; after such time has elapsed and no reconstruction started, the building can be repaired or

reconstructed only if its use and the damaged portion conform to the regulations of the district in which the building is located. Should such damage to a building exceed sixty (60) per cent of its fair value, at the time of such damage, then the building may be repaired or reconstructed only if it conforms to all the regulations of the district in which it is located.

6. Signs: Any non-conforming sign, billboard or advertising structure which for any reason is removed or condemned for removal shall not be replaced.

7. Additional Uses by Permit of the Wasco County Court: The County Court of Wasco County, after public hearing, may permit the following uses in districts from which they are prohibited by the regulations of this ordinance or in certain districts as herein provided, where such uses are deemed necessary to the public health, safety and welfare and are in accord with the comprehensive plan:

   (a) Airports and airfields.

   (b) Cemeteries, crematories or mausoleums.

   (c) Educational institutions.

   (d) Fraternity, sorority or private club.

   (e) Government buildings (Federal, State, County or City).

   (f) Hospitals, sanitariums, nursing homes, home group care, home nursing or public welfare institutions.

   (g) Nursery schools or day nurseries.

   (h) Philanthropic or correctional institutions.

   (i) Radio or television station.

   (j) Slaughter house, garbage disposal site or sewage disposal plant.

   (k) Extraction of sand, gravel, ores or other natural resources.

(l) Game and fur farm.

(m) Explosives plant and storage or dangerous industry.

(n) Circus or transient amusement.

(o) Labor or contractors camp or temporary frame buildings incidental to construction or building operations such as a contractor's office or supply shed by permit from the county building inspector for only the period of labor emergency or duration of the construction.

(p) A public parking area in the "A-1" or any "R" district abutting a commercial or a light industrial district; such public parking to be contiguous to and within two hundred (200) feet of a commercial or light industrial district. Such parking area shall be subject to the following conditions and limitations:

(1) Regulations of Section 17., Part B.

(2) Such parking area shall not be separated from the commercial or light industrial district by any street, road or highway.

(3) No entrance or exit of such parking area shall be more than one hundred (100) feet from a commercial or light industrial district.

(4) Such parking area shall be solely and entirely for the temporary parking of passenger automobiles and shall not be used for the sale, repair or servicing of automobiles.

(5) Only one (1) non-illuminated sign not exceeding ten (10) square feet in area shall be permitted in such parking area.

(6) Such other and further conditions as the County Court of Wasco County may deem desirable to reduce the adverse effect of such public parking area upon the preservation of the residential character and the development of the residential district in which said parking area is located.

Written application for any of the above uses shall be made to the Wasco County Court who shall refer it to the Wasco County Planning Commission for review. The County Planning Commission shall make a written report of its findings and determination within thirty (30) days of its receipt of the referred application.

Should the County Planning Commission fail to make its report within thirty (30) days, the absence of such report shall be deemed the approval of that body. No action shall be taken by the Wasco County Court on the application until after the report of or the time allowed for the report of the County Planning Commission. In approving any of the uses listed in this paragraph 8, the Wasco County Court may impose such conditions as it deems proper to protect the surrounding property and the purposes of the comprehensive county plan.

SECTION 21. RESIDENTIAL NEIGHBORHOOD UNIT PLAN

A plan for a residential neighborhood unit of more than ten (10) acres shall be submitted to the Wasco County Court by the owner or owners of the tract for which such development is planned. Such plan shall be referred to the Wasco County Planning Commission for study, for public hearing and report. Such plan shall not be approved by the County Planning Commission unless it meets the following requirements:

1. The property abutting on and adjacent to the tract will not be adversely effected by the development of the plan.

2. That the height regulations of the district in which the property is located shall be observed.

3. That the lot area, per family unit, exclusive of streets of the district in which the property is located shall be observed.

4. That the distance between buildings shall be twice the width of the side, front and rear yards or the sum of any two such yards as required in the district in which the property is located.

5. That adequate utilities, neighborhood and community facilities, recreation areas and open spaces are provided in such plan.

6. That the plan conforms to the intent and purpose of this ordinance to promote public health, safety, morals and the general welfare. Should such plan include any use of property not permitted in the district in which the tract, for which the plan is submitted, is located, then the County Planning Commission shall request the proper amendment to this ordinance covering such required change in use, if in its report to the Wasco County Court such change is approved.

SECTION 22. BOARD OF ADJUSTMENT

A Board of Adjustment is hereby established. The word "Board" when used in this Section shall be construed to mean the Board

of Adjustment. The Board shall consist of five (5) members who shall be registered voters of the unincorporated portions of Wasco County appointed by the Wasco County Court. The term of office of the members of the Board shall be for four (4) years, except that members of the first board shall be appointed one for one (1) year, one for two (2) years, one for three (3) years and two for four (4) years. Thereafter each member shall be appointed for a term of four (4) years. Vacancies shall be filled for the unexpired term only. Members shall be removed for cause by the County Court upon written charges and if necessary, after public hearing.

Proceedure: The Board shall elect its own Chairman and Vice-Chairman, each for a term of one (1) year. In absence of the Chairman, the Vice-Chairman shall have all the powers of the Chairman.

The Board shall adopt such rules it deems necessary to carry out the provisions of this ordinance.

The meeting of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence the acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote, indicating such fact and shall keep records of its examination and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

Appeal: Appeals to the Board may be taken by any person aggrieved or by any officer, department or board of Wasco County effected by any decision or ruling of the County Building Inspector made under this ordinance. Such appeal shall be taken within fifteen (15) days after the decision or ruling of the County Building Inspector by filing with the County Building Inspector and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The County Building Inspector shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from is taken.

An appeal stays all proceedings in furtherance of the action appealed from, unless the County Building Inspector certifies to the Board of Adjustment, after the notice of appeal has been filed with him, that by reason of the facts stated in the certificate, a stay would in his opinion, cause imminent peril to life and property. In such case proceedings shall not be stayed otherwise than by a restraining order issued by a Court of competent jurisdiction. Timely Notice of Application for a restraining order shall be given to the County Building Inspector and to the District Attorney of the State of Oregon.

The Board shall fix a reasonable time for the hearing of the appeal and shall give not less than fifteen (15) days public notice thereof in a newspaper of general circulation and also serve copies of such notice upon the County Building Inspector, the appellant, other parties in interest and upon such parties having requested such notice. Upon the hearing, any party may appear in person or by agent or by attorney.

Powers of the Board of Adjustment: The Board of Adjustment shall have the following powers:

1. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the County Building Inspector in the enforcement of this ordinance.

2. To permit the extension of a district where the boundary line of a district divides a lot held under a single ownership at the time of the passage of this ordinance.

3. To interpret the provisions of this ordinance in such a way as to carry out the intent and purpose of the plan, as shown upon maps fixing the several districts accompanying and made a part of this ordinance where the street layout actually on the ground varies from the street layout as shown on the district map.

4. To authorize upon appeal a variation in the regulations of this ordinance when a property owner can show that his property was acquired in good faith and where by reason of the irregular shape of a lot of record at the time of passage of this ordinance or by reason of existing topographic conditions or peculiar and exceptional conditions, that the strict application of such regulations would result in real and unnecessary hardship and the Board through investigation and from the evidence before it is satisfied that the granting of a variance will alleviate a hardship that approaches confiscation of the property and will not be detrimental to adjacent property; providing, that in granting a variance the spirit and purpose of this ordinance will be preserved and substantial justice done.

In exercising the above mentioned powers the Board may reverse or affirm, wholly or partly or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision and determination as ought to be made and to that end shall have all the powers of the officer from whom the appeal is taken.

The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the County Building Inspector or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance or to effect any variation in this ordinance.

SECTION 23. CERTIFICATE OF OCCUPANCY

A certificate of occupancy for a new building or for the alteration of an existing building shall be applied for when application is made for a building permit. The certificate of occupancy shall be issued within five (5) days after written request for the same shall have been made to the building inspector, after construction or alteration of the building or portion thereof is completed and such building or alteration is approved as the result of the final inspection by the County Building Inspector. Pending the issuance of a regular certificate of occupancy a temporary certificate of occupancy may be issued for a period not exceeding six (6) months for a building or portion thereof, the construction or alteration of which is nearing completion and which building has been inspected by the County Building Inspector and declared safe for occupancy. Such temporary certificate shall not be construed as in any way altering the requirements of the regulations of this ordinance or other county regulations of building occupancy.

The certificate of occupancy shall state that the new building or portion thereof or the altered existing building or the proposed use of a building or land complies with the regulations of this ordinance. A record of all certificates shall be kept on file in the office of the County Building Inspector and copies furnished, on request, to any person having a proprietory or tenancy interest in the building or land effected.

SECTION 24. PLAT OR PLAN

Each application for a building permit shall be accompanied by a drawing, plat or plan, in duplicate, drawn to scale and showing accurately the location of the lot or land parcel, all lot dimensions, building size and locations, yard dimensions and such other information as will give site data necessary to satisfy the requirements of this ordinance. This plat or plan shall have been prepared from a survey made by a registered engineer or land surveyor. A good record of the original copy of each such application and plan shall be kept in the office of the County Building Inspector and a duplicate copy shall be kept at the building at all times during the construction.

SECTION 25. INTERPRETATION - PURPOSE AND CONFLICT

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirement for the promotion of the public safety, health, morals and general welfare. It is not intended by this ordinance to interfere with, abrogate or annul any easements, covenants or other agreements between parties. Where this ordinance imposes a greater restriction upon the use of buildings or premises or upon heights of buildings or requires larger yards or open spaces than are required by other

orders or ordinances, codes, regulations, easements, covenants or agreements, the provisions of this ordinance shall govern.

SECTION 26. CHANGES AND AMENDMENTS

General: Whenever public necessity and general welfare require, the Wasco County Court may on its own motion or on petition or on recommendation of the Wasco County Planning Commission, after public notice and public hearing, amend, supplement or change the regulations or the districts of this ordinance herein established.

Initiation of Amendment: An amendment, supplement or change in this ordinance may be initiated by:

1. A resolution of request by the County Court of Wasco County.

2. An official proposal by the Wasco County Planning Commission.

3. A petition to the County Planning Commission presented on forms and accompanied by information prescribed by the County Planning Commission, signed by the owners of not less than sixty (60) per cent of the property within the area of the desired change and within three hundred (300) feet of such area.

All requests for amendment, supplement or change in this ordinance shall first be referred to the Wasco County Planning Commission.

Public Hearing By The Wasco County Planning Commission: Upon receipt of a request or petition for an amendment, supplement or change in this ordinance, the County Planning Commission shall set a day for a public hearing on such change and give notice of the time and place of such hearing in a newspaper of general circulation in Wasco County at least fifteen (15) days before the time of such hearing: at the same time of such newspaper notice, at least three such notices shall be posted in public places within the area effected. The findings and determination of the County Planning Commission resulting from this public hearing shall be made in writing and a copy transmitted to the applicant or petitioner and to the Wasco County Court within fifteen (15) days after such hearing.

Amendment By The Wasco County Court: If the Wasco County Planning Commission approves such request or petition for an amendment, supplement or change it shall forward its findings and recommendations to the Wasco County Court for action thereon by that body.

Protest On Proposed Amendment: Should a written protest against a proposed amendment, supplement or change in this ordinance be filed with the County Clerk by the owners of twenty (20) per cent

of the property in the area of the proposed change and within three hundred (300) feet of such area, when such County Clerk shall present such written protests at the next meeting of the County Court for their consideration.

Filing of Petitions: Petitions for amendment, supplement or change in this ordinance shall be filed with the Wasco County Clerk.

SECTION 27. ENFORCEMENT

It shall be the duty of the Wasco County Building Inspector to enforce this ordinance.

Any person, firm or corporation who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars ($100.00) for each day of violation where the offense is a continuing offense but such fine may not exceed one thousand dollars ($1,000.00) or a fine of not more than five hundred dollars ($500.00) where the offense is not a continuing offense.

Justices' Courts, District Courts and Circuit Courts have concurrent jurisdiction over prosecutions for violations of this ordinance.

SECTION 28. VALIDITY

Should any section or clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not effect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Regularly passed and adopted by the County Court of the County of Wasco, State of Oregon, this 8th day of February, 1956.

WASCO COUNTY COURT

Fred G. Hauser
County Judge

Vernon Obrist

James A. Hunt
County Commissioners

Date Filed: February 8, 1956

Approved February 6, 1956 by:

WASCO COUNTY PLANNING COMMISSION

Everett H. Olmstead
Chairman

Walter J. Webb
Secretary

M No. 706—CONTRACT—REAL ESTATE—Monthly Payments.

Joel Fleck - 6-5121 (Amended contra

AF-9

THIS CONTRACT, Made this 1st *day of* May, *19*67, *between*
JOSEPH J. FLECK
hereinafter called the seller, and WILLIAM A. HAYS and DORA J. HAYS,
husband and wife, *hereinafter called the buyer,*

WITNESSETH, That in consideration of the stipulations herein contained and the payments to be made as hereinafter specified, the seller hereby agrees to sell to the buyer and the buyer agrees to purchase from the seller the following described real estate, situate in the County of Wasco, *State of* Oregon, *to-wit:*

Beginning at a point South 39°46' East 30.5 feet from the Southeast corner of Lot 5, Block E, COLUMBIA CREST ADDITION, in said County and State; thence South 39°46' East 16.5 feet to the intersection of Brickyard Road northerly right-of-way line and easterly right-of-way line of Sandstone Way; thence tracing the northerly right-of-way line of Brickyard Road in a Southeasterly direction 81.5 feet to a point, said point being 95.0 feet Southeasterly from the point of beginning; thence Northeasterly 100 feet to a point that is Southeasterly 85.0 feet from the Northeast corner of Lot 5, Block E; thence northwesterly 85.0 feet to the Northeast corner of Lot 5, Block E; thence South 48°09' East along the southerly boundary of Lot 5, Block E 23.4 feet; thence Southwesterly 89.5 feet, more or less, to the point of beginning.

J. 7 2501

Leg of IN 13 5 AD 2500

for the sum of SIX THOUSAND and 00/100---------- *Dollars ($* 6,000.00 *) (hereinafter called the purchase price), on account of which* ..... *Dollars ($* 0.00 *) is paid on the execution hereof (the receipt of which is hereby acknowledged by the seller); the buyer agrees to pay the remainder of said purchase price (to-wit: $*..... *) to the order of the seller in monthly payments of not less than* ---SIXTY and 00/100 *Dollars ($* 60.00 *) each,*

payable on the 1st *day of each month hereafter beginning with the month of* May, *19*67, *and continuing until said purchase price is fully paid. All of said purchase price may be paid at any time; all deferred balances of said purchase price shall bear interest at the rate of* 6 *per cent per annum from* May 1st, 1967 *until paid, interest to be paid* monthly *and* * {~~in addition to~~ being included in *the minimum monthly payments above required. Taxes on said premises for the current tax year shall be prorated between the parties hereto as of the date of this contract.*

The buyer shall be entitled to possession of said lands on May 1st, *19*67, *and may retain such possession so long as he is not in default under the terms of this contract. The buyer agrees that at all times he will keep the buildings on said premises, now or hereafter erected, in good condition and repair and will not suffer or permit any waste or strip thereof; that he will keep said premises free from mechanic's and all other liens and save the seller harmless therefrom and reimburse seller for all costs and attorney's fees incurred by him in defending against any such liens; that he will pay all taxes hereafter levied against said property, as well as all water rents, public charges and municipal liens which hereafter lawfully may be imposed upon said premises, all promptly before the same or any part thereof become past due; that at buyer's expense, he will insure and keep insured all buildings now or hereafter erected on said premises against loss or damage by fire (with extended coverage) in an amount not less than $* 6,000.00 *in a company or companies satisfactory to the seller, with loss payable first to the seller and then to the buyer as their respective interests may appear and all policies of insurance to be delivered to the seller as soon as insured. Now if the buyer shall fail to pay any such liens, costs, water rents, taxes, or charges or to procure and pay for such insurance, the seller may do so and any payment so made shall be added to and become a part of the debt secured by this contract and shall bear interest at the rate aforesaid, without waiver, however, of any right arising to the seller for buyer's breach of contract.*

The seller agrees that at his expense and ~~within~~ when purchase price is paid *~~days from the date hereof~~, he will furnish unto buyer a title insurance policy insuring (in an amount equal to said purchase price) marketable title in and to said premises in the seller on or subsequent to the date of this agreement, save and except the usual printed exceptions and the building and other restrictions and easements now of record, if any. Seller also agrees that when said purchase price is fully paid and upon request and upon surrender of this agreement, he will deliver a good and sufficient deed conveying said premises in fee simple unto the buyer, his heirs and assigns, free and clear of encumbrances as of the date hereof and free and clear of all encumbrances since said date placed, permitted or arising by, through or under seller, excepting, however, the said easements and restrictions and the taxes, municipal liens, water rents and public charges so assumed by the buyer and further excepting all liens and encumbrances created by the buyer or his assigns.*

And it is understood and agreed between said parties that time is of the essence of this contract, and in case the buyer shall fail to make the payments above required, or any of them, punctually within ten days of the time limited therefor, or fail to keep any agreement herein contained, then the seller at his option shall have the following rights: (1) to declare this contract null and void. (2) to declare the whole unpaid principal balance of said purchase price with the interest thereon at once due and payable and/or (3) to foreclose this contract by suit in equity, and in any of such cases, all rights and interest created or then existing in favor of the buyer as against the seller hereunder shall utterly cease and determine and the right to the possession of the premises above described and all other rights acquired by the buyer hereunder shall revert to and revest in said seller without any act of re-entry, or any other act of said seller to be performed and without any right of the buyer of return, reclamation or compensation for moneys paid on account of the purchase of said property as absolutely, fully and perfectly as if this contract and such payments had never been made; and in case of such default all payments theretofore made on this contract are to be retained by and belong to said seller as the agreed and reasonable rent of said premises up to the time of such default. And the said seller, in case of such default, shall have the right immediately, or at any time thereafter, to enter upon the land aforesaid, without any process of law, and take immediate possession thereof, together with all the improvements and appurtenances thereon or thereto belonging.

The buyer further agrees that failure by the seller at any time to require performance by the buyer of any provision hereof shall in no way affect his right hereunder to enforce the same, nor shall any waiver by said seller of any breach of any provision hereof be held to be a waiver of any succeeding breach of any such provision, or as a waiver of the provision itself.

In case suit or action is instituted to foreclose this contract or to enforce any of the provisions hereof, the buyer agrees to pay such sum as the trial court may adjudge reasonable as attorney's fees to be allowed plaintiff in said suit or action and if an appeal is taken from any judgment or decree of such trial court, the buyer further promises to pay such sum as the appellate court shall ajudge reasonable as plaintiff's attorney's fees on such appeal.

In construing this contract, it is understood that the seller or the buyer may be more than one person; that if the context so requires, the singular pronoun shall be taken to mean and include the plural, the masculine, the feminine and the neuter, and that generally all gramatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, said parties have hereunto set their hands and seals in duplicate on this, the day and year first above written.

Joseph J. Fleck (SEAL)
William A. Hays (SEAL)
Dora J. Hays (SEAL)
(SEAL)

*Strike whichever phrase not applicable.
[For notarial acknowledgment, see reverse]

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RECEIVED PAYMENTS ON WITHIN CONTRACT. AS FOLLOWS:

DATE	INSURANCE OR TAXES	INTEREST	INTEREST PAID TO	PRINCIPAL	PRINCIPAL BALANCE	DATE	INSURANCE OR TAXES	INTEREST	INTEREST PAID TO	PRINCIPAL	PRINCIPAL BALANCE
May 1-67				60 00	5970 00						
Jun 28-67		29 70	6-1-67	30 30	5939 70						
Jul 8-67		24 55	7-1-67	30 45	5879 25						
Aug 4-67		25 39	8-1-67	30 61	5848 64						
Sep 6-67		27 34	9-1-67	30 76	5817 88						
Oct 11-67		29 10	10-1-67	30 90	5786 98						

CONTRACT

(FORM No. 706)

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

DETWEEN

Address

AND

Address

Dated May 1, 1967

Lot Block

Addition

STATE OF OREGON, } ss.

County of

I certify that the within instrument was received for record on the day of , 19 , at o'clock M., and recorded in book on page Record of Deeds of said County.

Witness my hand and seal of County affixed.

County Clerk—Recorder.

By Deputy.

AFTER RECORDING RETURN TO

STATE OF OREGON, } ss.

County of Wasco

On this 3rd day of May, 1967, before me, the undersigned, a notary public in and for said county and state, personally appeared the within named JOSEPH J. FLECK

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public for Oregon.

My commission expires

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BARGAIN AND SALE DEED

JOSEPH J. FLECK, a single man, conveys to FLECK, INC., all that real property situated in Wasco County, State of Oregon, described as:

All that property described in "Schedule A" attached hereto and by this reference made a part hereof.

The true and actual consideration for this transfer is $140,000.00.

DATED this 1st day of March, 1968.

Joseph J. Fleck

STATE OF OREGON)
) ss.
County of Wasco)

April 15, 1968.

Personally appeared the above named JOSEPH J. FLECK, a single man, and acknowledged the foregoing instrument to be his voluntary act.

Before me:

Notary Public for Oregon
My Commission expires: 5/28/70

680588 (4)

SCHEDULE "A"

Tract 35 of FRUITLAND PARK ADDITION to The Dalles, EXCEPTING THEREFROM all that portion lying within the boundaries of Columbia Crest Addition to The Dalles. ALSO EXCEPTING a tract described as beginning at the northeast corner of Wentz Reserve in Fruitland Park Addition, which point is also the iron pipe of Columbia Crest Addition; thence South 33° 25' East along the northeasterly line of Lots 6 and 7, Block A, Columbia Crest Addition 166.3 feet to the northeast corner of said Lot 7; thence North 56° 33' East 30.0 feet; thence North 33° 25' West 166.3 feet; thence South 56° 35' West 30.0 feet to the point of beginning. EXCEPTING county road.

Tracts 75, 76 and 77 of FRUITLAND PARK ADDITION to The Dalles; ALSO:

Tract 1: Beginning 1626.24 feet North and 1049.40 feet East of the Southeast corner of the Northwest quarter of Section 5, Township 1 North, Range 13 East of the Willamette Meridian; thence North 21° 59' East 403.26 feet; thence North 58° 47' West 462.00 feet; thence North 76° 50' West 347.16 feet; thence North 79° 20' West 435.60 feet; thence North 76° 20' West 213.84 feet; thence North 81° 40' West 213.84 feet; thence South 31° 18' East 1029.60 feet; thence South 17° 23' East 17.82 feet; thence North 87° 20' East 891.00 feet to the point of beginning.

Tract 2: Beginning at 1201.20 feet North and 1259.94 feet East of the Southeast corner of the Northwest quarter of Section 5, Township 1 North, Range 13 East of the Willamette Meridian, said point being a marked stone from which an oak 10 inches in diameter bears South 6° East 93.06 feet; thence North 25° 44' West 137.28 feet to point of beginning; thence North 25° 44' West 334.62 feet; thence North 21° 59' East 442.20 feet; thence South 41° 46' East 330.00 feet; thence South 71° 15' East 163.02 feet; thence South 42° 47' West 567.60 feet to beginning.

Tract 3: Beginning 1201.2 feet North and 1259.94 feet East of the Southeast corner of the Northwest quarter of Section 5, Township 1 North, Range 13 East of the Willamette Meridian, said point being marked by a stone from which an oak 10 inches in diameter bears South 6° East 93.06 feet; thence North 25° 44' West 137.28 feet; thence North 42° 47' East 567.60 feet; thence South 71° 15' East 100.98 feet; thence South 72° 40' East 336.60 feet; thence South 73° 58' East 172.92 feet; thence South 42° 47' West 967.56 feet; thence North 40' West 281.82 feet; thence North 31° 21' West 155.10 feet to beginning.

EXCEPTING THEREFROM dedicated public road, existing county road, and EXCEPTING the following:

Beginning at a point on the center line of an existing county road, said point being 613 feet North and 592 feet East of the center of Section 5, in Township 1 North, Range 13 East, Willamette Meridian, and located in Wasco County, Oregon, running thence North 48° 43' East along said center of said county road, a distance of 90 feet to the center line of an adjoining county road; thence North 47° 42' West, along the last

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mentioned center line of said adjoining county road, 90 feet; thence South 49° 09' West 90 feet; thence South 47° 36' East, 90 feet to the point of beginning. ALSO,

That part of Lot 75, of Fruitland Park Addition to The Dalles, Wasco County, Oregon, lying South and East of the center line of Cherry Heights Road as presently laid out over and across said property. Subject to the rights of the public in the use of Cherry Heights Road. ALSO,

Commening at an iron pipe driven in the ground, said pipe being North 73.73 feet, and West 448.54 feet from the Northeast corner of Wentz Reserve, according to the plat of Fruitland Park Addition; thence North 72° 59' West 100.00 feet to an iron pipe driven in the ground; thence North 20° 42' East 95.00 feet to a boat spike driven in a fence line; thence on a straight line Northeasterly 100.00 feet to an iron spike driven in the ground, said point is North 20° 42' East 89.5 feet from the point of beginning; thence South 20° 42' West 89.5 feet to the point of beginning. TOGETHER WITH an easement for road purposes over a 50 foot strip extending westerly from Hermits Way as shown upnn the plat of Columbia Crest Addition, and said easement being adjacent to a line extending North 72° 59' West 146.9 feet from the southwest corner of Lot 1, Block A, Columbia Crest Addition, the same to be used in common with others.

Tracts 72, 73, 74, of FRUITLAND PARK ADDITION to The Dalles; ALSO beginning at a point North 40° West 1071.38 feet from the most Southerly corner of Brickyard Reserve of Fruitland Park Addition; thence Westerly 276.4 feet; thence North 1° 40' East to intersection with the Southwesterly line of said Fruitland Park Addition; thence South 40° East along said Southwesterly line to point of beginning, in Section 5, Township 1 North, Range 13 East of the Willamette Meridian.

EXCEPTING county road; and ALSO EXCEPTING the following:

Commencing at an iron pipe driven in the ground, that is North 108.72 feet and West 155.10 feet from the most southerly corner of Lot 3, Tract 40, Fruitland Park Addition; thence North 27° 30' East 117.7 feet on a line parallel and 10.0 feet westerly of the certain tract conveyed by

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Joseph J. Fleck, et ux. to Steve E. Bailey and Eleanor F. Bailey, husband and wife, by deed recorded November 13, 1957 in Book 136, Page 10, Deed Records; thence in a northwesterly direction along the county road southerly right of way line 86.0 feet to a point; thence South 28° 08' West 131.0 feet to an iron pipe; thence South 61° 52' East 85.0 feet to the point of beginning.

Beginning at a point 108.72 feet North and 155.10 feet West from the Southwest corner of Lot 2, Block 40, FRUITLAND PARK ADDITION to The Dalles; thence North 61° 52' West 85.0 feet, the true point of beginning; thence North 61° 52' West 85.0 feet; thence North 28° 08' East 144.0 feet, more or less, to the Southerly right of way line of Cherry Heights County Road; thence Southeasterly along said right of way line 86.0 feet, more or less; thence South 28° 08' West 131.0 feet to point of beginning, and being a portion of Tract 74. EXCEPTING county road.

Lot 1, and the West 65.0 feet of Lot 2, Block A, COLUMBIA CREST ADDITION; ALSO in FRUITLAND PARK ADDITION to The Dalles, a tract in the northeast portion of Wentz Reserve described as beginning at the Southwest corner of Lot 1, Block A, said Columbia Crest Addition; thence North 69° 18' West 46.9 feet; thence North 20° 42' East 89.5 feet; thence South 69° 18' West 89.2 feet to the Northwest corner of said Lot 1, Block A; thence South 47° 31' West 97.0 feet to the point of beginning.

Lots 18 through 65 inclusive, and Lots 67 through 73 inclusive, in Block A, COLUMBIA CREST ADDITION.

Lots 1 through 9 inclusive, Block B, COLUMBIA CREST ADDITION.

Lots 1 through 15 inclusive, Block C, COLUMBIA CREST ADDITION.

Lots 1 through 12 inclusive, Block D, COLUMBIA CREST ADDITION.

Lots 1 through 5 inclusive, Block E, COLUMBIA CREST ADDITION.

All of Tract "A", COLUMBIA CREST ADDITION.

ALSO beginning at a point North 45° 11' West 83.3 feet from the most southerly southwest corner of Lot 2, Tract 40, Fruitland Park Addition to The Dalles; thence South 1° 59' West 153.2 feet; thence North 61° 31' West 288.0 feet, more or less, to the Northerly boundary of Brickyard Reserve of said Fruitland Park Addition; thence North 49° 36' East along said Northerly boundary of Brickyard Reserve 150.0 feet more or less to a point; thence South 61° 52' East 10.0 feet; thence South 63° 16' East 70.0 feet; thence South 64° 27' East 26.7 feet to the point of beginning, in Section 5, Township 1 North, Range 13 East of the Willamette Meridian.

The westerly 10 feet of the easterly 30 feet of Lot 4, Block A, COLUMBIA CREST ADDITION, was sold to Paul W. Walsh and Verna C. Walsh, husband and wife, by contract of sale dated November 15, 1960 and recorded November 9, 1965, Micro-Film Image No. 65-2364.

EXCEPTING the following described property sold to William J. Henson and Iva J. Henson, by contract of sale dated February 21, 1963:

Beginning at the northwest corner of Lot 1, Block "A" Columbia Crest Addition in Wasco County, Oregon. Plat in sections 4 and 5, Township 1 North, Range 13 East of the Willamette Meridian; thence South 69° 18' East 94.20 feet to a point that is North 69° 18' West 10.0 feet from the northeast corner of Lot 2 of Columbia Crest Addition; thence South 20° 42' West 86.50 feet to the southerly boundary of Lot 2; thence tracing the southerly boundary North 69° 18' West 95.00 feet; thence North 20° 42' East 86.50 feet; thence South 69° 18' East 0.80 feet to the point of beginning; AND

Beginning at the southwest corner of Lot 1, Block "A" Columbia Crest Addition in Wasco County, Oregon. Plat in sections 4 and 5, Township 1 North, Range 13 East of the Willamette Meridian; thence South 69° 18' East 43.10 feet; thence North 20° 42' East 86.50 feet; thence North 69° 18' West 89.20 feet to the northeast corner of Henson property; thence South 20° 42' West 89.50 feet to an iron pipe, said point being North 73.73 feet and West 448.54 feet from the northeast corner of Wentz Reserve; thence South 72° 59' East 46.90 feet to point of beginning.

ALSO EXCEPTING the following described property sold to Danny Owen Jones and Arlene Rae Jones, by contract of sale dated January 31, 1964:

Commencing at the quarter section corner on the South boundary of Section 32, Township 2 North, Range 13 East of the Willamette Meridian, thence South 53° 08' East 384.5 feet; thence South 77° 55' East 75.0 feet to the true point of beginning; thence South 10° 24' West 91.0 feet; thence South 79° 36' East 85.0 feet; thence North 10° 24' East 105.04 feet; thence North 75° 51' West 30.0 feet; thence North 79° 36' West 55.0 feet; thence South 10° 24' West 16.0 feet to the point of beginning. Edmunds Reserve northerly line being the North line of the above described property, all in Fruitland Park Addition in Section 5, Township 1 North, Range 13 East of the Willamette Meridian.

680588 (6)

ALSO EXCEPTING the following described property conveyed to Steve E. Bailey and Eleanor F. Bailey by Contract of Sale dated May 20, 1964:

Beginning at a point 108.72 feet North and 155.10 feet West from the Southwest corner of Lot 2, Block 40, FRUITLAND PARK ADDITION to The Dalles; thence North 61° 52' West 85.0 feet, the true point of beginning; thence North 61° 52' West 85.0 feet; thence North 28° 08' East 144.0 feet, more or less, to the Southerly right of way line of Cherry Heights County Road; thence Southeasterly along said right of way line 86.0 feet, more or less; thence South 28° 08' West 131.0 feet to point of beginning, and being a portion of Tract 74. EXCEPTING county road.

ALSO EXCEPTING Tract 74 of FRUITLAND PARK ADDITION to The Dalles..

STATE OF OREGON, }
County of Wasco, } ss

I, H. A. HOWARD, County Clerk and ex officio Recorder of Conveyances, in and for said county, do hereby certify that the within instrument of writing was received for record —

APR 18 10 36 AM '68

and recorded in the — [illegible]

records of said County under Micro Film

NUMBER: 680588 (6)

Witness my hand & seal affixed at The Dalles
H. A. HOWARD, County Clerk
By _____ Deputy
Return to _____
Address _____

680588(6)

WARRANTY DEED

FLECK, INC., hereinafter called "Grantor", conveys to Wasco County, a municipal corporation and political subdivision of the State of Oregon, all that real property situate in Wasco County, State of Oregon, described as:

PARCEL "A"

Being a portion of Lot 1 and Lot 2 Block "E" of Columbia Crest Addition to the City of The Dalles, Wasco County, Oregon and being more particularly described as follows:

Beginning at a point which lies N.39° 46' W. 63.6 feet from the most Southerly corner of Lot one (1) Block "E" of said Columbia Crest Addition, Thence Northerly and Easterly along the arc of the platted right-of-way line of Sandstone Way on a curve right a distance of 64.9 feet to the point of tangent; Thence continuing along the Southerly right-of-way line of Sandstone Way S. 82°28' E.78.5 feet; Thence leaving the right-of-way and going along the Northerly lot lines of Lots 1 and 2 Block "E" a distance of 49.4 feet; thence leaving said Northerly lot line and going N. 71° 36' W. a distance of 104.3 feet; Thence S. 48° 09' W. 45.0 feet to the point of beginning. (Containing .05 acres.)

PARCEL "B"

Being a portion of Lots 52 and 53 Block "A" and a portion of Tract "A" all in Columbia Crest Addition to the City of The Dalles and being more particularly described as follows:

Beginning at the Northeast corner of Lot 53 Block "A" Columbia Crest Addition to the City of The Dalles; Thence S. 89° 58' E. 55.0 feet along the Southerly right-of-way line of Sandstone Way; Thence leaving Sandstone Way and going S. 61° 13' W. a distance of 62.8 feet to a point which lies 10' Southerly from the Northeast corner of said Lot 53 (said point being on the line between Lots 52 and 53); Thence going N. 89° 58' W. on a line that is 10' from and parallel to the Southerly right-of-way line of Sandstone Way a distance of 193.0 feet to the intersection of the westerly line of Tract "A"; Thence N. 48° 09' E. 13.4 feet to the Southerly right-of-way line of Sandstone Way; Thence S. 89° 58' E. along the Southerly right-of-way line of Sandstone Way a distance of 184.0 feet to the point of beginning. Containing .05 acres more or less.

Attached hereto and by this reference made a part thereof is a map showing in detail the descriptions of Parcel "A" and Parcel "B".

And covenant that Grantor is the owner of the above described real property, free of all encumbrances, and will warrant and defend the same against all persons who may lawfully claim the same.

DATED this 23 day of Aug, 1968.

FLECK, INC.

By Joe Fleck

681198 COMPARED INDEXED

STATE OF OREGON)
) ss.
County of Wasco)

The above named Grantor, Joe Bleck, personally appeared before me on this 23 day of Aug., 1968 and acknowledged the foregoing instrument to be his voluntary act.

Rex Kruesteadt
Notary Public for Oregon
My Commission Expires: April 30, 1971

REX KRUESTEADT NOTARY PUBLIC STATE OF OREGON

Page 2 - WARRANTY DEED

STATE OF OREGON, }
County of Wasco, } ss

I, H. A. HOWARD, County Clerk and ex officio Recorder of Conveyances, in and for said county, do hereby certify that the within instrument of writing was received for record —

AUG 26 10 24 AM '68

and recorded in the —

Deed

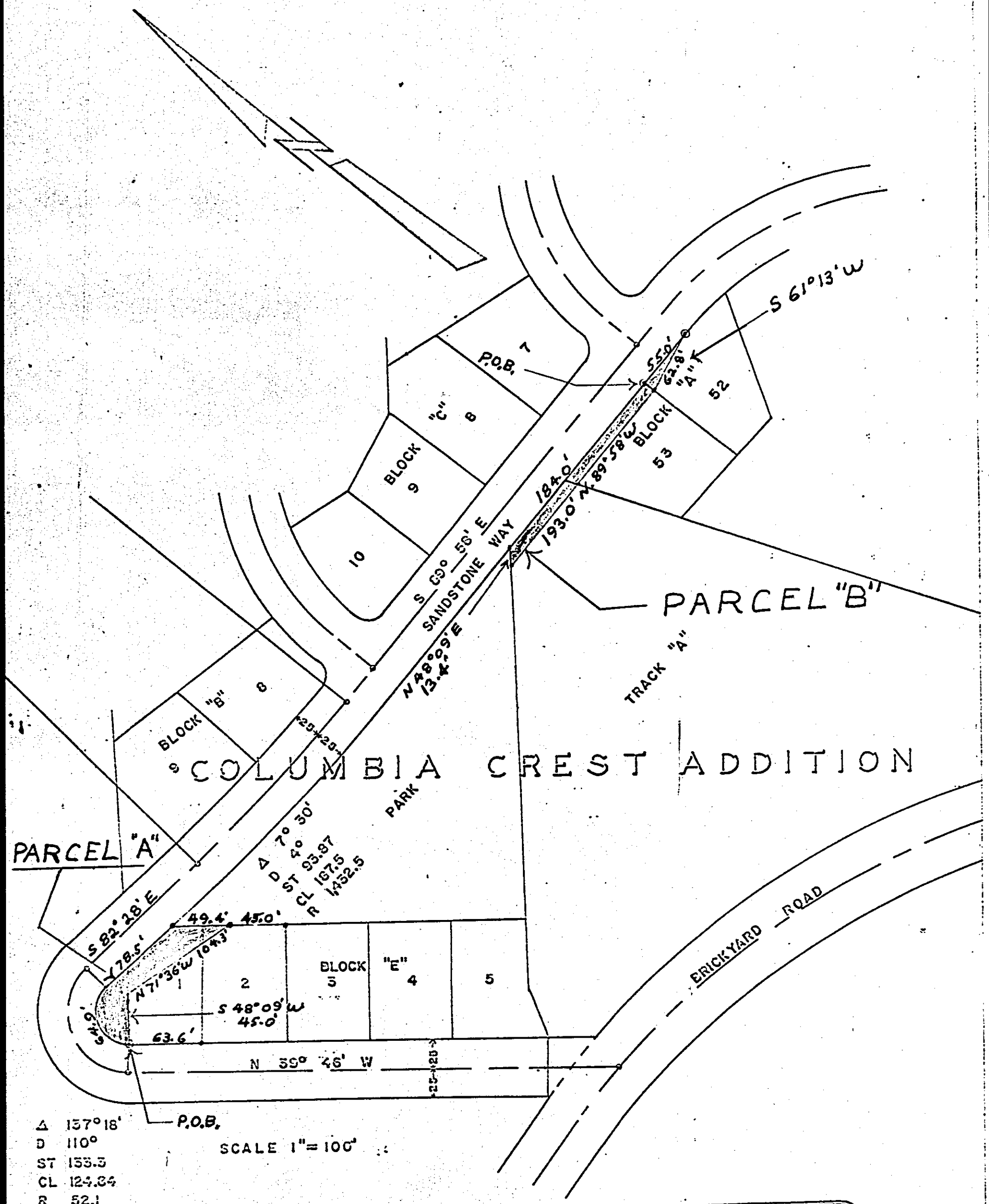
records of said County under Micro Film

NUMBER: 681498

Witness my hand & seal affixed at The Dalles
H. A. HOWARD, County Clerk
By [illegible] Deputy

Return to

Address



Δ 137°18'
D 110°
ST 153.3
CL 124.84
R 52.1

SCALE 1"= 100'

REGISTERED
OREGON
LAND SURVEYOR

C. Dennis Kramer

JULY 12, 1968
C. DENNIS KRAMER
856

681498

FORM No. 761—WARRANTY DEED—CORPORATION — STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

1967

KNOW ALL MEN BY THESE PRESENTS, That FLECK, INC., an Oregon corporation *a corporation duly organized and existing under the laws of the State of* Oregon *, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto* WILBUR E. GRIFFITHS and BARBARA A. GRIFFITHS, Husband and wife. *, hereinafter called grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of* Wasco *, and State of Oregon, described as follows, to-wit:*

Lots 18 and 19, Block A, COLUMBIA CREST ADDITION,
in the County of Wasco and State of Oregon.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances EXCEPTING Restictive and protective covenants and easements of record in Book 126 Page 338, Deed Records of Wasco County, Oregon and public utility easements as delineated upon the recorded plat.

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is $ 3,600.00

①However, the actual consideration consists of or includes other property or value given or promised which is part of the whole *consideration (indicate which).①*

In construing this deed and where the context so requires, the singular includes the plural.

Done by order of the grantor's board of directors, with its corporate seal affixed, this 29 *day of* December *, 19* 71

(SEAL)

Fleck Inc.

By /s/ J. J. Fleck (J. J. Fleck) *President*

By Ellen Hann *Secretary*

STATE OF OREGON, County of Wasco *) ss:* December 29 *, 19* 71

Personally appeared *and* *who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of* Fleck, Inc. *, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.*

Before me: Patricia McLaughlin

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 12-14-74

NOTE—The sentence between the symbols ①, if not applicable, should be deleted. See Chapter 463, Oregon Laws 1967, as amended by the 1967 special Session.

WARRANTY DEED
CORPORATION

Fleck Inc.,
TO
Wilbur E. Griffiths
Barbara A. Griffiths

AFTER RECORDING RETURN TO

No.

STATE OF OREGON, County of Wasco, } ss

I, H. A. HOWARD, County Clerk and ex officio Recorder of Conveyances, in and for said county, do hereby certify that the within instrument of writing was received for record —

JAN 17 1 53 PM '72

and recorded in the —

records of said County under Micro Film

NUMBER: 720125

Witness my hand and seal affixed at The Dalles
H. A. HOWARD, County Clerk
By Deputy

Return to
Address

720125 INDEXED

761

Recorded County Commissioners Book Page
Recorded in Book Page

WARRANTY DEED

FLECK INC., an Oregon corporation, Grantor, conveys and warrants to WILLIAM A. HAYS and DORA J. HAYS, husband and wife, Grantee, the following described real property in the County of Wasco and State of Oregon, free of encumbrances except as specifically set forth herein:

> Beginning at a point South 39° 46' East 30.5 feet from The Southeast corner of Lot 5, Block E, COLUMBIA CREST ADDITION, in said County and State; thence South 39° 46' East 16.5 feet to the intersection of Brickyard Road northerly right-of-way line and easterly right-of-way line of Sandstone Way; thence tracing the northerly right-of-way line of Brickyard Road in a Southeasterly direction 81.5 feet to a point, said point being 95.0 feet Southeasterly from the point of beginning; thence Northeasterly 100 feet to a point that is Southeasterly 85.0 feet from the Northeast corner of Lot 5, Block E; thence northwesterly 85.0 feet to the Northeast corner of Lot 5, Block E; thence South 48° 09' East along the southerly boundary of Lot 5, Block E 23.4 feet; thence Southwesterly 89.5 feet, more or less, to the point of beginning.

SUBJECT TO: -- See Following Page below Acknowledgment--

The true consideration for this transfer is $6,000.

Until a change is requested, all tax statements shall be sent to the following address: Mr. and Mrs. William A. Hays, 1987 Cherry Heights Road, The Dalles, Oregon 97058.

January 27, 1977.

FLECK INC., an Oregon corporation

By Ellen Horn
ELLEN HORN, PRESIDENT

ATTEST:

Assistant Secretary

770226 (3)

--Acknowledgement Next Page--

620 RV-2

Board of County Commissioners Agenda Packet

STATE OF OREGON)
)ss
County of Wasco)

January 27, 1977.

Personally appeared ELLEN HORN and KENNETH FLECK, who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the assistant secretary of FLECK INC., a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

KATHLEEN ANN MILLER NOTARY PUBLIC STATE OF OREGON

Kathleen Ann Miller
Notary Public for Oregon
My Commission expires: 2/25/80

SUBJECT TO:

1. Public utility easements as delineated upon the recorded plat.

2. Protective and restrictive covenants as contained in instrument recorded in Book 126, Page 338, Deed Records of Wasco County, Oregon.

3. Any liens or encumbrances created subsequent to May 1, 1967, the date of the contract between the above named Grantor and Grantees.

770226 (2)

620 RV-2

Board of County Commissioners Agenda Packets

Return to:

William A. Hays
1987 Cherry Heights Road
The Dalles, Or. 97058

STATE OF OREGON, }
County of Wasco, } ss

I, SUE A. PROFFITT, County Clerk and ex officio Recorder of Conveyances, in and for said county, do hereby certify that the within instrument of writing was received for record —

JAN 28 3 56 PM '77

and recorded in the —

COMPARED [illegible]

records of said County under Micro Film

NUMBER: 770226

INDEXED

Witness my hand & seal affixed at The Dalles
SUE A. PROFFITT, County Clerk
By [illegible] Deputy
Return to
Address

770226

620 RV-2

BARGAIN AND SALE DEED

KENNETH J. FLECK, ELLEN M. HORN, JEAN E. DICKSON, JOAN PATRICK and DORIS FLECK, Grantor, conveys to FLECK PROPERTIES, a partnership consisting of Kenneth J. Fleck, Ellen M. Horn, Jean E. Dickson, Joan Patrick and Doris Fleck, Grantee, the real property described in Exhibit "A," which is attached hereto and by this reference made a part hereof.

The true consideration for this conveyance stated in terms of dollars is zero (0) dollars.

Until a change is requested, all tax statements shall be sent to the following address: Ellen M. Horn, 4701 Portland Drive, Hood River, OR 97031.

DATED this 2 day of September, 1983.

Kenneth J. Fleck
KENNETH J. FLECK

Ellen M. Horn
ELLEN M. HORN

Jean E. Dickson
JEAN E. DICKSON

Joan Patrick
JOAN PATRICK

Doris Fleck
DORIS FLECK

STATE OF OREGON)
) ss:
County of Wasco)

The foregoing instrument was acknowledged before me this 7 September, 1983, by KENNETH J. FLECK.

Claude Phipps
Notary Public for Oregon
My commission expires: 3/3/86

832419

1 - DEED

832419 (6)

STATE OF OREGON)
) ss:
County of Wasco)

The foregoing instrument was acknowledged before me September 16, 1983, by ELLEN M. HORN.

Notary Public for Oregon
My commission expires: 3/29/86

STATE OF OREGON)
) ss:
County of Wasco)

The foregoing instrument was acknowledged before me Sept. 7, 1983, by JEAN E. DICKSON.

Notary Public for Oregon
My commission expires: 9/18/83

STATE OF ~~OREGON~~ Washington)
) ss:
County of ~~Wasco~~ Klickitat)

The foregoing instrument was acknowledged before me Sept. 19, 1983, by JOAN PATRICK.

Notary Public for ~~Oregon~~ Washington
My commission expires: 4-20-84

STATE OF WASHINGTON)
) ss:
County of YAKIMA)

The foregoing instrument was acknowledged before me September 2, 1983, by DORIS FLECK.

Notary Public for Washington
My commission expires: 9-1-86

After recording return to:

PHIPPS & DUNN
112 West Fourth
The Dalles, Oregon 97058

832419 (6)

2 - DEED

Microfilm No. 832419 (6) COMPARED
INDEXED
FILED WASCO COUNTY
AT THE DALLES, OR
Oct 25 4 23 PM '83
SUE A. PFAFFLIN
COUNTY CLERK
STATE OF OREGON, } ss
County of Wasco,
I certify that this document was received and recorded in the RECORDS.

Sue A. Pfaffli, County Clerk records.
by KB Deputy
Return to

Description Sheet

PARCEL I:

A tract of land in Fruitland Park Addition, Wasco County, Oregon, lying in Section 5, Township 1 North, Range 13 East of the Willamette Meridian, Wasco County, Oregon, more particularly described as follows:

Commencing at the Northeast corner of Wentz Reserve of the plat of Fruitland Park Addition, said point being the initial point of Columbia Crest Addition;
thence N. 68°28'06" W. along the North line of said Columbia Crest Addition 354.69 feet to the Northwesterly corner of Lot 1, Block "A", Columbia Crest Addition.
thence S. 48°20'54" W. along the Northwesterly line of Columbia Crest Addition 152.37 feet to the Northwesterly corner of Lot 1, Block "B" of said Columbia Crest Addition;
thence N. 72°09'06" W. along the Southerly line and Westerly projection of an easement for a fifty foot road extending Westerly from Hermit's Way as described in Instrument No. 70-1467, Microfilm Records of Wasco County 290.30 feet to the true point of beginning of this description;
thence N. 73°17'20" W. 445.84 feet;
thence N. 42°25'25" W. 410.71 feet;
thence N. 56°10'33" W. 229.24 feet;
thence N. 68°24'21" W. 17.4 feet;
thence N. 21°35'39" E. 143.83 feet;
thence S. 57°51'49" E. 359.63 feet;
thence S. 39°34'49" E. 328.00 feet;
thence S. 69°02'49" E. 264.00 feet;
thence S. 70°25'49" E. 169.07 feet;
thence S. 21°31'54" W. 69.49 feet;
thence S. 42°31'59" W. 53.39 feet to the true point of beginning.

PARCEL II:

A tract of land in Fruitland Park Addition, Wasco County, Oregon, lying in Section 5, Township 1 North, Range 13 East of the Willamette Meridian, Wasco County, Oregon, more particularly described as follows:

Commencing at the Northeast corner of Wentz Reserve of the plat of Fruitland Park Addition, said point being the initial point of Columbia Crest Addition;
thence N. 68°28'06" W. along the North line of said Columbia Crest Addition 354.69 feet to the Northwesterly corner of Lot 1, Block "A", Columbia Crest Addition.
thence S. 48°20'54" W. along the Northwesterly line of Columbia Crest Addition 152.37 feet to the Northwesterly corner of Lot 1, Block "B" of said Columbia Crest Addition;
thence N. 72°09'06" W. along the Southerly line and Westerly projection of an easement for a fifty foot road extending Westerly from Hermit's Way as described in Instrument No.70-1467 Microfilm Records of Wasco County 290.30 feet;
thence N. 73°17'20" W. 445.84 feet;
thence N. 42°25'25" W. 410.71 feet;
thence N. 56°10'33" W. 229.24 feet;

832419 (6)

EXHIBIT A.

thence N. 68°24'21" W. 245.00 feet;
thence N . 71°55'41" W. 61.17 feet to the true point of beginning of this description.
thence continuing N. 71°55'41" W. 350 feet;
thence N. 10°08'09" E. 107.14 feet;
thence S. 76°30'49" E. 221.90 feet;
thence S. 76°47'49" E. 144.13 feet;
thence S. 18°04'19" W. 136.09 feet to the true point of beginning.

PARCEL III:

A tract of land in Fruitland Park Addition, Wasco County, Oregon, lying in Section 5, Township 1 North, Range 13 East of the Willamette Meridian, Wasco County, Oregon, more particularly described as follows:

Commencing at the Northeast corner of Wentz Reserve of the plat of Fruitland Park Addition, said point being the initial point of Columbia Crest Addition;
thence N. 68°28'06" W. along the North line of said Columbia Crest Addition 354.69 feet to the Northwesterly corner of Lot 1, Block "A", Columbia Crest Addition.
thence S. 48°20'54" W. along the North westerly line of Columbia Crest Addition 152.37 feet to the Northwesterly corner of Lot 1, Block "B" of said Columbia Crest Addition and the true point of beginning of this description;
thence N. 72°09'06" W. along the Southerly line and Westerly projection of an easement for a fifty foot road extending Westerly from Hermit's Way as described in Instrument No. 70-1467 Microfilm Records of Wasco County 290.30 feet;
thence S. 24°04'54" W. 385.00 feet;
thence S. 21°54'47" W. 206.45 feet to the Southwesterly corner of Lot 9, Block "B" of Columbia Crest Addition;
thence N. 48°20'54" E. along the Westerly boundary of said Columbia Crest Addition 683.18 feet to the true point of beginning.
EXCEPTING THEREFROM the following described tract:
Beginning at the Northwesterly corner of said Lot 1, Block "B" of Columbia Crest Addition;
thence N. 72°09'06" W. 14 feet (deed N. 72°59' W. 13.93 feet) to the true point of beginning;
thence continuing N. 72°09'06" W. 226.00 feet;
thence S. 24°04'54" W. (deed S. 23°15'W.) 385.00 feet;
thence N. 52°00'09" E. 467.17 feet to the true point of beginning.

EXHIBIT A

832419 (6)

PARCEL IV:

Tract 35 of FRUITLAND PARK ADDITION to The Dalles, Wasco County, Oregon, EXCEPTING THEREFROM all that portion lying within the boundaries of Columbia Crest Addition to The Dalles. ALSO EXCEPTING THEREFROM a tract described as:

Beginning at the Northeast corner of Wentz Reserve in Fruitland Park Addition, which point is also the iron pipe of Columbia Crest Addition;
thence South 33°25' East along the Northeasterly line of Lots 6 and 7, Block A, Columbia Crest Addition 166.3 feet to the Northeast corner of said Lot 7;
thence North 56°33' East 30.0 feet;
thence North 33°25' West 166.3 feet;
thence South 56°35' West 30.0 feet to the point of beginning.

ALSO EXCEPTING THEREFROM that part described in deed recorded December 29, 1971, as MF No. 71-2489, Microfilm Records for Wasco County, Oregon.
ALSO EXCEPTING THEREFROM that part described in deed recorded January 19, 1972, as MF No. 72-0138, Microfilm Records for Wasco County, Oregon.
ALSO EXCEPTING THEREFROM that part described in deed recorded March 20, 1972, as MF No. 72-0539, Microfilm Records for Wasco County, Oregon.

PARCEL V:

Lots 20 through 65 and Lots 67 through 73, Block "A" of COLUMBIA CREST ADDITION, Wasco County, Oregon.

PARCEL VI:

Lots 1 through 12, Block "D" of COLUMBIA CREST ADDITION, Wasco County, Oregon.

PARCEL VII:

Lots 1 through 5, Block "E" of COLUMBIA CREST ADDITION, Wasco County, Oregon.

PARCEL VIII:

Tract "A" of COLUMBIA CREST ADDITION, Wasco County, Oregon, EXCEPTING THEREFROM that tract conveyed by deed recorded January 28, 1977, as MF No. 77-0226, Microfilm Records for Wasco County, Oregon.

EXHIBIT: A 832419 (6)

EXHIBIT A

It is the intention of the grantor to convey all of the above-described real property and the real property described in that certain Bargain and Sale Deed dated the 22nd day of July, 1983, with FLECK, INC., an Oregon corporation as Grantor, and the ESTATE OF JOSEPH J. FLECK, Deceased, KENNETH J. FLECK, ELLEN M. HORN, JEAN E. DICKSON, JOAN PATRICK, and DORIS FLECK as Grantees, and recorded on July 28, 1983, Microfilm No. 831774, official records of Wasco County, Oregon, EXCEPT FOR that part of the above-described real property described in that certain Bargain and Sale Deed dated the 22nd day of September, 1983, with KENNETH J. FLECK, ELLEN M. HORN, JEAN E.DICKSON, JOAN PATRICK AND DORIS FLECK, as Grantors, and KENNETH J. FLECK and W. ANNA FLECK, as Grantees, and recorded on September 30, 1983, Microfilm No. 832242, official records of Wasco County, Oregon.

Exhibit A 832419

AmeriTitle

THIS SPACE

Wasco County Official Records **2020-001795**
DEED-D
Stn=3 PAULB **05/22/2020 12:08:00 PM**
$10.00 $11.00 $10.00 $60.00 $19.00 **$110.00**

I, Lisa Gambee, County Clerk for Wasco County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

After recording return to:
Smillekel Group, LLC, a Washington Limited Liability Company
1309 SE 195th Avenue
Camas, WA 98607

Until a change is requested all tax statements shall be sent to the following address:
Smillekel Group, LLC, a Washington Limited Liability Company
1309 SE 195th Avenue
Camas, WA 98607
File No. 373504AM

STATUTORY WARRANTY DEED

Marie's Meadow, LLC, an Oregon limited liability company,

Grantor(s), hereby convey and warrant to

Smillekel Group, LLC, a Washington Limited Liability Company,

Grantee(s), the following described real property in the County of Wasco and State of Oregon free of encumbrances except as specifically set forth herein:

Parcel 1
Lots 20 through 65 and Lots 67 through 73, Block A;
Lots 1 through 12, Block D;
Lots 1 through 5, Block E, COLUMBIA CREST ADDITION, in the County of Wasco and State of Oregon, EXCEPTING THEREFROM that portion of Lots 52 and 53, Block A, a of Lots 1 and 2, Block E, conveyed to Wasco County by deed recorded August 26, 1968, as Microfilm No. 681498, Wasco County Microfilm Records.

Parcel 2
Tract A, COLUMBIA CREST ADDITION, in the County of Wasco and State of Oregon,
EXCEPTING THEREFROM, that portion conveyed to William A. Hays et ux., by deed recorded January 28, 1977, as Microfilm No. 770226, Wasco County Microfilm Records,
ALSO EXCEPTING THEREFROM, that portion conveyed to Wasco County by deed recorded August 26, 1968, as Microfilm No. 681498, Wasco County Microfilm Records,
ALSO EXCEPTING THEREFROM, that portion described in Quitclaim Deed recorded October 31, 2016, as Instrument No. 2016-004055, Wasco County Deed Records.

Parcel 3
Lots 9 through 16, Tract 35, FRUITLAND PARK ADDITION, in the County of Wasco and State of Oregon,
EXCEPTING THEREFROM, that portion conveyed to Vernon L. Burda et ux., by deed recorded January 25, 1963, in Book 149, page 119, Wasco County Deed Records,
ALSO EXCEPTING THEREFROM, that portion of Lots 12 and 13 conveyed to Charles E. Dunlap by deed recorded December 29, 1971, as Microfilm No. 712489, Wasco County Microfilm Records,
ALSO EXCEPTING THEREFROM, that portion of Lot 15, conveyed to Leonard R. Smith et ux., by deed recorded January 19, 1972, as Microfilm No. 720138, Wasco County Microfilm Records,
ALSO EXCEPTING THEREFROM, that portion conveyed to Donald Carpenter et ux., by deed recorded March 20, 1972, as Microfilm No. 720539, Wasco County Microfilm Records.

Parcel 4
Lots 3 through 9, Block B, and Lots 1 through 15, Block C, COLUMBIA CREST ADDITION, in the County of Wasco and State of Oregon.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

01N13E04BC-2600
01N13E04BC-1500
01N13E05AD-300
01N13E05AD 400
01N13E05AD 500
01N13E05AD 700
01N13E05AD-1000
01N13E05AD-1100
01N13E05AD-1200

The true and actual consideration for this conveyance is $265,000.00.
The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

AmeriTitle 373504AM BOOK 1393

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 19th day of May 2020.

Marie's Meadow, LLC, an Oregon limited liability company

BY: _____
Lewis K. Moller, Manager/Member

State of OREGON} ss
County of HOOD RIVER}

On this 19th day of MAY, 2020, before me, THE UNDERSIGNED a Notary Public in and for said state, personally appeared LEWIS K. MOLLER known or identified to me to be the Managing Member in the Limited Liability Company known as MARIE'S MEADOW, LLC who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

_____
Notary Public for the State of OREGON
Residing at: OREGON
Commission Expires: 10/1/2022

OFFICIAL STAMP
BEVERLY GAYLE NANEZ
NOTARY PUBLIC-OREGON
COMMISSION NO. 979505
MY COMMISSION EXPIRES OCTOBER 01, 2022

Wasco County Official Records 2016-004055
DEED-D
Cnt=1 Stn=1 WASCO COUNTY 10/31/2016 03:58 PM
$30.00 $11.00 $20.00 $10.00 $15.00 $86.00

00078543201600040550060066

I, Lisa Gambee, County Clerk for Wasco County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

RECORDING COVER SHEET *(Please Print or Type)*
This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

AFTER RECORDING RETURN TO:
Cheryl Lynn Johnson
1987 Cherry Heights Rd
The Dalles OR 97058

1) TITLE(S) OF THE TRANSACTION(S) ORS 205.234(a)
Quitclaim Deed

2) DIRECT PARTY / GRANTOR(S) ORS 205.125(1)(b) and 205.160
Ruth L Johnson, by Karen A Hedges POA
Karl Johnson

3) INDIRECT PARTY / GRANTEE(S) ORS 205.125(1)(a) and 205.160
Cheryl Lynn Johnson

4) TRUE AND ACTUAL CONSIDERATION
ORS 93.030(5) – Amount in dollars or other
$ 1000.00 ☐ Other

5) SEND TAX STATEMENTS TO:
Cheryl Lynn Johnson
1987 Cherry Heights Rd
The Dalles OR 97058

6) SATISFACTION of ORDER or WARRANT
ORS 205.125(1)(e)
CHECK ONE: (If applicable) ☒ FULL ☐ PARTIAL

7) The amount of the monetary obligation imposed by the order or warrant. ORS 205.125(1)(c)
$ 1000.00

8) If this instrument is being Re-Recorded, complete the following statement, in accordance with ORS 205.244: "RERECORDED AT THE REQUEST OF ~~Cheryl Johnson~~ TO CORRECT _____
PREVIOUSLY RECORDED IN BOOK _____ AND PAGE _____, OR AS FEE NUMBER _____."

Quitclaim Deed

RECORDING REQUESTED BY Gerald Duane Johnson
AND WHEN RECORDED MAIL TO:
Cheryl Johnson , Grantee(s)
1987 Cherry Heights Rd
The Dalles OR 97058
Consideration: $ 1,000^00
Property Transfer Tax: $ -0-
Assessor's Parcel No.: 800
PREPARED BY: Gerald Duane Johnson certifies herein that he or she has prepared this Deed.

Gerald Duane Johnson
Signature of Preparer

9-16-16
Date of Preparation

Gerald Duane Johnson
Printed Name of Preparer

THIS QUITCLAIM DEED, executed on 9-30-2016 in the County of PIERCE , State of WASHINGTON by Grantor(s), RUTH L. JOHNSON, by KAREN A. HEDGES POA , whose post office address is PO BOX 65788, UNIVERSITY PLACE, WA 98464, to Grantee(s), Cheryl LYNN Johnson , whose post office address is 1987 Cherry Heights Rd The Dalles OR 97058 ,

WITNESSETH, that the said Grantor(s), _____ , for good consideration and for the sum of one thousand dollars and NO/100 ($ 1,000^00) paid by the said Grantee(s), the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said Grantee(s) forever, all the right, title

interest and claim which the said Grantor(s) have in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Wasco, State of Oregon and more specifically described as set forth in EXHIBIT "A" to this Quitclaim Deed, which is attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the said Grantor(s) has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

GRANTOR(S):

Karen A. Hedges POA for RUTH L. JOHNSON
Signature of Grantor

Signature of Second Grantor (if applicable)

KAREN A HEDGES
Print Name of Grantor

Print Name of Second Grantor (if applicable)

Signature of First Witness to Grantor(s)

Signature of Second Witness to Grantor(s)

Print Name of First Witness to Grantor(s)

Print Name of Second Witness to Grantor(s)

GRANTEE(S):

Cheryl Johnson
Signature of Grantee

Signature of Second Grantee (if applicable)

Cheryl Johnson
Print Name of Grantee

Print Name of Second Grantee (if applicable)

Gerald Duane John
Signature of First Witness to Grantee(s)

Signature of Second Witness to Grantee(s)

Gerald Dwane Johnson
Print Name of First Witness to Grantee(s)

Print Name of Second Witness to Grantee(s)

NOTARY ACKNOWLEDGMENT

State of WASHINGTON

County of PIERCE

On 9/30/2016, before me, LAURA L. MINHINNETT, a notary public in and for said state, personally appeared, KAREN A. HEDGES

who are known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

Affiant Known _____ Produced ID X

Type of ID WA DL

Notary Public
State of Washington
LAURA L MINHINNETT
MY COMMISSION EXPIRES
February 27, 2020

Seal

We no longer wish to serve as trustees for the KARL A. JOHNSON and RUTH L. JOHNSON TRUST, UA DTD October 31, 1994. We hereby appoint KAREN A. HEDGES, our daughter, of University Place, Washington, as successor Trustee.

Executed this 9-29, 2015

Karl A. Johnson, Trustor

On 9-29, 2015, personally appeared before me the above named Trustor, proven to me onthe basis of satisfactory evidence to be the person whose name is subscribed to the above insturment in said capacity, and acknowledged that such person executed the same.

Notary Public for Washington

My Commission Expires: 1-31-16

Executed this 9-29, 2015

Ruth L. Johnson, Trustor

On 9-29, 2015, personally appeared before me the above named Trustor, proven to me on the basis of satisfactory evidence to be ther person whose name is subscribed to the avove instrument in said capacity, and acknowledged that such person executed the same.

Notary Public for Washington

My Commission Expires: 1-31-16

Exhibit "A"

Columbia Crest Addn
BG at most SLy Cor of Lot 5, BLK E
Columbia Crest Addn. SD PT Being
ON NEly R/W BNDRY of Sandstone Way:
TH S 39* 46'E 30.5 FT ALG SD R/W:
TH NELY 89.5 FT TAP ON BNDRY LI of
Lot 5 of SD Columbia Crest ADDN WH
PT IS S48* 09' W 23.4 FT Fm most ELY
Cor of SD Lot 5;
TH S 48* 09' W 38.9 FT ALG BNDRY LI of
SD LOT 5;
TH SWLY 40.1 FT ALG SD BNDRY LI TO
POB.

Tax Lot 800
Acct - 8357 · legal

©SmartLegalForms

PLANNING DEPARTMENT

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FILE NUMBER: 921-23-000023-PLNG___APPEAL

FEE: 1412.64

APPEAL OF LAND USE DECISION

ORIGINAL PLANNING DEPARTMENT FILE NUMBER: 921-23-000023 (dated 8/3/2023)

Date Received: 8.18.23 **Planner Initials:** **Date Complete:** **Planner Initials:**

APPELLANT INFORMATION

Name: Friends of the Columbia Gorge

Mailing Address: 123 NE 3rd Ave, Ste 108

City/State/Zip: *Portland, OR 97232*

Phone: 971-634-2032 **Email:** steve@gorgefriends.org

APPEAL INFORMATION

1. Appeal Type

☐ Administrative Decision to the Planning Commission: Fee = $250

☑ Planning Commission Decision to the Board of County Commissioners: Fee = $ 1412.64

If appellant prevails at Planning Commission or a subsequent appeal, the $250 fee for the initial appeal shall be refunded per ORS 215.416(11)(b). This is not applicable for any subsequent appeal costs.

2. Appeal Deadline: August 18, 2023

Date Submitted: August 18, 2023

All appeal documents filed with Wasco County must be delivered to the Wasco County Planning Department Office by email, postal service or in person. Documents faxed are not considered filed. An appeal will not be considered timely unless received no later than 4:00 p.m. on the deadline stated on the Notice of Decision or Resolution. AN APPEAL IS NOT CONSIDERED COMPLETE UNTIL BOTH THE SIGNED NOTICE OF APPEAL AND FILING FEE ARE RECEIVED.

3. Party Status: State how the petitioner(s) qualifies as a party to this matter:

Friends of the Columbia Gorge (Friends) is a party of record to the Planning Commission decision, and participated in the proceedings below through written comments, which are discussed extensively in the decision. Since Friends timely submitted written comments to the Planning Commission prior to the close of the quasi-judicial hearing that was held under NSA-LUDO § 2.050.B, under NSA-LUDO § 2.190.D, Friends automatically has party status. In addition, Friends is adversely affected by the decision.

Party includes the following:

- The applicant and all owners or contract purchasers of record, as shown in the files of the Wasco County Assessor's Office, of the property which is the subject of the application.
- All property owners of record, as provided in (a) above, within the notification area, as described in section 2.080 A.2., of the property which is the subject of the application.
- A Citizen Advisory Group pursuant to the Citizen Involvement Program approved pursuant to O.R.S. 197.160.
- Any affected unit of local government or public district or state or federal agency.
- Any other person, or his representative, who is specifically, personally or adversely affected in the subject matter, as determined by the Approving Authority. (Revised 1/92)

4. Grounds for appeal: List the **specific** grounds relied upon in the petition request for review (e.g. ordinance criteria not met, procedural error, etc.) Additional pages may be attached.

(1) The decision violates the NSA-LUDO, including sections 3.160.D.13, 3.160.G, 21.030.C & D, because it unlawfully approves new parcels that violate the applicable minimum lot size for the land use designation.

(2) The decision contains erroneous findings and conclusions regarding the current number of legally existing parcels.

5. De Novo vs. On The Record: All appeals to Planning Commission are De Novo meaning new information can be entered into the record. All appeals to the Board of Commissioners are on the record unless a request is made as part of this request by party filing the petition. Any other party must make such a request no more than seven (7) calendar days after the deadline for filing a petition for review has expired.

The appeal is to the Board of Commissioners? ☐ NO ☑ YES

I request the hearing to be De Novo or partial De Novo? ☐ NO ☑ YES

State the reasons you are requesting a De Novo or partial De Novo without addressing the merits of the land use action:

A de novo hearing is required by NSA-LUDO 2.170.A: "The review of the decision of the Planning Commission by the County Governing Body shall be conducted as a 'de novo' hearing, including but not limited to the record established at the Planning Commission level." Failure to hold a de novo hearing would be a procedural error that would prejudice Friends' substantial rights.

Indicate any persons known to be opposed to a request for a De Novo hearing.

N/A

When practicable, the requesting party shall advise the other parties and attempt to gain their consent.

I have attempted to gain the consent of the other parties associated with this file? ☑ NO ☐ YES

APPEAL OF LAND USE DECISION

If you answered no, indicate why this is not practicable. If you answered yes, list the parties who have consented for this to be a De Novo or partial De Novo hearing.

The consent of parties for a de novo hearing is not required for this type of appeal. Rather, as discussed above, a de novo hearing is required by NSA-LUDO 2.170.A.

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5. Outstanding Appeal Fees: Any person wishing to appeal any decision shall be required to pay all outstanding appeal fees prior to their appeal application being considered complete.

List prior appeals filed:

I have paid all outstanding fees associated with prior appeals: ☐ NO ☑ YES

SIGNATURES

Name, Title — Date: 8-18-2023

Steven D. McCoy
Name, Title — Date: 8-18-2023

Additional petitioner(s):

Name — Address

Name — Address

Name — Address

Name — Address

Wasco County Planning Department

Office: Not Applicable
2705 East 2nd Street
The Dalles, OR 97058
541-506-2560
Fax: 541-506-2651
wcplanning@co.wasco.or.us

Transaction Receipt

Record ID: 921-23-000125-PLNG

IVR Number: 921045326164

Receipt Number: 71374

Receipt Date: 8/18/23

www.co.wasco.or.us/departments/planning/index.php

Worksite address: 0 TEMP ADDRESS

Parcel: 1N 13E 4 BC 2600

Fees Paid

Transaction date	Units	Description	Account code	Fee amount	Paid amount
8/18/23	1.00 Ea	Type IV - BOC - Appeal to BOC	1010.21.5124.10.411.411175.	$1,296.64	$1,296.64
8/18/23	1.00 Ea	Clerk Recording fees - general	1010.21.5124.10.411.411310.	$116.00	$116.00

Payment Method: Check number: 9252 Payer: Friends Of The Columbia Gorge

Payment Amount: $1,412.64

Cashier: Dustin Williams

Receipt Total: $1,412.64

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APPEAL OF LAND USE DECISION

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Steven D. McCoy
Name, Title — Date: 8-18-2023

Additional petitioner(s):

Name — Address

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Name — Address

Wasco County Planning Department

Office: Not Applicable
2705 East 2nd Street
The Dalles, OR 97058
541-506-2560
Fax: 541-506-2651
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www.co.wasco.or.us/departments/planning/index.php

Worksite address: 0 TEMP ADDRESS

Parcel: 1N 13E 4 BC 2600

Fees Paid

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Payment Method: Check number: 9252 Payer: Friends Of The Columbia Gorge

Payment Amount: $1,412.64

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PLANNING COMMISSION NOTICE OF DECISION

FILE #: 921-23-000023-PLNG	**NEWSPAPER PUBLISHING DATE:**	July 12, 2023
	HEARING DATE:	August 1, 2023
	PLANNING COMMISSION DECISION DATE:	August 3, 2023
	APPEAL DATE:	August 18, 2023

REQUEST: Scenic Area Review for a Replat (Prince Heights Subdivision) of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). Vacation of unused ROW and easements plus dedication and construction of Cavern Way cul-de-sac ROW and necessary lot preparation and utilities, and to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

APPLICANT/OWNER INFORMATION:

APPLICANT: Elizabeth Betts, 1411 13th Street, Hood River, OR 97031

OWNER: Smilekel Group, 1309 SE 195th Ave., Camas, WA 98607

PROPERTY INFORMATION:

LOCATION: The subject property is located 0.35 miles southwest of West 10th Street, on the immediate west and north side of Cherry Heights Road, situated on the south side of Hermits Way, approximately 0.14 miles northwest of the City of The Dalles; more specifically described as:

Map/Tax Lot	*Acct. #*	*Acres*
1N 13E 5 AD 300	8347	2.28
1N 13E 5 AD 1000	8355	2.74
1N 13E 5 AD 1100	15570	3.76
1N 13E 5 AD 1200	8350	1.90
1N 13E 4 BC 2600	15569	4.27

ZONING: "R-R" Rural Residential Zone (GMA & SMA), GMA R-5 of the Columbia River Gorge National Scenic Area

Staff Reviewer: Daniel Dougherty, Senior Planner

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p: [541] 506-2560 • **f:** [541] 506-2561 • www.co.wasco.or.us

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ATTACHMENTS:

Attachment A	**Conditions of Approval and Recommendation**
Attachment B	**Time Limits & Appeal Information**
Attachment C	**Maps**
Attachment D	**Staff Report**
Attachment E	**Comments Submitted**
Attachment F	**Preliminary Copy of Road Maintenance Agreement**
Attachment G	**Subsection 21.310.B Final Subdivision Plat Approval Standards**

ATTACHMENT A - CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL

A. Fire Safety

1. As part of a complete application, the property owners completed a Fire Safety Standard Self-Certification Form. By signing the self-certification form, the owners have acknowledged that they understand these standards and commit to achieving compliance with them within one year of the date of approval and maintain them through the life of the development. This certification further commits all future property owners to this same requirement. A copy of this self-certification form is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG. Staff Finds the Request complies with Section 11.210.

B. National Scenic Area Conditions

1. Significant ground disturbance shall be revegetated no later than the next planting season (Oct-April) with native species, and property owners and their successors in interest shall be responsible for survival of planted vegetation and the replacement of such vegetation that does not survive.

2. If cultural resources are discovered during development of any new structure or building, all construction shall cease within 100' of the discovered cultural resource. The cultural resource(s) shall remain as found and further disturbance is prohibited. The owner shall notify the Wasco County Planning Department, the Wasco County Sheriff the Gorge Commission, the four Indian tribal governments (Confederated Tribes of Warm Springs, Confederated Tribes of Umatilla, Perce Nez, and Yakama Indian Nation), and Washington State Physical Anthropologist, Dr. Guy Tasa, must also be notified within 24 hours of discovery.

3. If human remains are discovered, all work on the parcel shall cease and the owners shall immediately notify the The owner shall notify the Wasco County Planning Department, the Wasco County Sheriff the Gorge Commission, the four Indian tribal governments (Confederated Tribes of Warm Springs, Confederated Tribes of Umatilla, Perce Nez, and Yakama Indian Nation), and Washington State Physical Anthropologist, Dr. Guy Tasa.

4. The applicant shall obtain any necessary federal, state, and local permits pertinent to the requested subdivision and development.

ATTACHMENT A - CONDITIONS OF APPROVAL

B. Land Division Related Conditions:

1. In lieu of a park dedication, the subdivider shall pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. Such sum shall be paid to the County Clerk prior to recording of the final subdivision plat and such sum shall be held by the County Clerk in a special fund for acquisition and development of parks, playgrounds, and recreational areas within the immediate area of the subdivision.

2. The final subdivision plat shall detail applicable property corners at street intersections that are rounded and with a radius of not less than ten (10) feet.

3. Existing easements to be extinguished shall be illustrated on the final subdivision plat, and all proposed and non-extinguished existing easements shall be illustrated on the final subdivision plat, and that the proposed easements be at least (12) feet wide and centered on lot lines where possible, except for utility pole tieback easements which may be reduced to six feet in width.

4. Following approval from the planning commission, the preliminary subdivision plan will be valid for a 24-month period, with no phasing proposed in accordance with Subsection 21.200C.2. To ensure compliance, the preliminary subdivision plan is valid for 24 months from the date of final approval, which is the end of the 15-day appeal period following the final decision of the Planning Commission. A final subdivision plat must be submitted for review by the authorized decision making body prior to the expiration of the 24 month period of validity. If the time limitation expires, approval of the preliminary subdivision plan shall be void. Any subsequent proposal by the applicant for a division of the property shall require a new development request. An extension of time may be granted, if it is applied for in accordance with Section 2.250 Extension of Validity of Land Use Approvals, and Subsection 21.200.F of the Wasco County National Scenic Area Land Use and Development Ordinance.

5. The final plat shall provide all existing and proposed public and private easements, restrictions, and covenants providing for, or affecting all services, and utilities, and that if the easement has been filed with the County Clerk prior to the final approval of the land partition, then the Recorder's number shall appear on the face of the map.

6. During the final subdivision review, the applicant shall provide the proposed source of water supply, estimated volume to be available, together with data regarding the location, type, and size of all storage facilities, distribution lines, fire hydrants, and gate valves.

7. The final plat shall provide a statement from an authorized representative of the Department of Environmental Quality, State of Oregon, or the County Sanitarian regarding the approval of each lot or parcel to be sold for installation of septic tank facilities.

8. The final plat shall be prepared in conformance with all applicable provisions of Subsection 21.310.B.

C. Road Related Conditions

1. Upon approval of the preliminary subdivision request by the Planning Commission, the applicant shall apply with the Wasco County Public Works Department for a road vacation petition to vacate those roads identified within the preliminary subdivision plat (Sandstone Way (portion), Cavern Way, and Granite Way) in order that they be replaced with the proposed publicly dedicated Cavern Way cul-de-sac road. It is noted within Attachment D that the Wasco County Board of Commissioners cannot completely vacate Sandstone (portion), Cavern Way, and Granite Way before the proposed road dedication and subdivision replat are granted final approved because the road vacation will leave numerous lots within the Columbia Crest Addition without public access. The final road vacation order for Sandstone Way (portion), Cavern Way, and Granite Way roads can only take effect upon the final approval and recording of the final plat of the Prince Heights Subdivision, including the public dedication of the proposed Cavern Way cul-de-sac road. The vacation order for Sandstone Way (portion), Cavern Way, and Granite Way roads must be **conditioned** to take effect upon the final approval and recording of the Prince Heights Subdivision final plat, including the public dedication of the proposed Cavern Way cul-de-sac road.

2. The owner shall obtain Road Approach Permits for all of the proposed lots, if required by the Wasco County Public Works Department.

3. The owner shall repair damages, if any, that are made to Sandstone Way or Hermits Way during the development of the proposed Cavern Way cul-de-sac road and during preparatory work, if any, on the replatted lots. All necessary repairs shall meet applicable standards contained in Sections 21.410 through 21.440. It is recommended that the owner obtain an existing conditions report on Sandstone Way and Hermits Way prior to construction.

4. In general, dead end (cul-de-sac) roads are not desirable, but considering the fire safety commentary, the geography of the area and the limited suitable land to locate septic drain fields, the following conditions of approval are required to ensure the cul-de-sac road and final subdivision plan is consistent with Chapter 11 Fire Safety Standards and Chapter 21 Land Division of this Ordinance, and state fire codes concerning fire apparatus access:

(a) To ensure access roads extend to within 150 feet of each structure on each lot, designated development areas for proposed Lots 1-6 shall be within 150 feet of the primary access road for the individual lot, or that Lots 1-6 must contain access roads or driveways that shall be engineered to support an imposed load of 85,000 lbs., are 12’ wide, and that the grade of the access driveway shall be 10 percent of slope or less.

(b) To ensure that no obstacles exist for fire apparatus access, the Cavern Way cul-de-sac road shall be maintained free of vegetation, signage, or any other man-made or natural objects, and that the height of trees, signage, or other man-made or natural objects shall be at least 13’6” along the entire Cavern Way cul-de-sac road.

(c) To ensure the public is notified of restricted parking areas for fire apparatus, the subdivder shall provide signage for both sides of the Cavern Way cul-de-sac road, and that the signage shall be a minimum of 12” wide x 18” high with red letters with white reflective background with wording of “No Parking” and “Fire Lane”. The signage shall be reviewed and approved by Mid-Columbia Fire and Rescue and the Wasco County Public Works Department.

(d) To ensure that all fire apparatus have access to the proposed Lots 3-6 along the Cavern Way cul-de-sac road, the road shall be paved and engineered to support an imposed load of 85,000 lbs., that the paved portion shall be at least 26' wide, that the grade shall be 10 percent of slope or less, and that the road shall have a 48' radius (96' diameter) cul-de-sac for fire turnaround at the end . A **variance** to the 10 percent slope condition may be granted upon demonstration of need by the applicant and approval by the local fire district.

(e) A road maintenance agreement for Cavern Way cul-de-sac road shall be provided by the homeowners and will be managed with a road maintenance agreement.

4. In consideration of water supply for fire apparatus, the following conditions of approval are proposed to ensure the cul-de-sac road and final subdivision plan is consistent with Chapter 11 and state fire codes concerning water supply:

(a) To ensure on-site water is available for structural fire protection, fire hydrants shall be provided at least 200 feet from all designated development areas for the proposed Lots 1-6; or

(b) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units shall be constructed to contain an approved automatic fire sprinkler system, fire hydrants shall be provided at least 250 feet from all designated development areas for the proposed Lots 1-6.

(c) A fire hydrant shall be provided within 500 feet of the fire hydrant servicing the cul-de-sac; or

(d) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units be constructed to contain an approved automatic fire sprinkler system, the fire hydrant shall be provided within 625 feet of the fire hydrant servicing the cul-de-sac.

(e) If Lot 1 is accessed by Sandstone Way, a fire hydrant shall be situated so it is within 500 feet of the fire hydrant servicing the cul-de-sac, or that a separate fire hydrant shall be installed for Lot 1; or

(f) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units be constructed to contain an approved automatic fire sprinkler system, that the fire hydrant shall be provided within 625 feet of the fire hydrant servicing the cul-de-sac, or that a separate fire hydrant shall be installed for Lot 1.

(g) The fire hydrants shall have a flow rate of 1,000 gallons per minute with 20 pounds per square inch of residual pressure, and that the flow capacity shall be maintained for at least 60-minutes; or

(h) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units shall be constructed to contain an approved automatic fire sprinkler system, the required fire hydrant shall have a flow rate of 500 gallons per minute at 20 pounds per square inch of residual pressure that can be maintained for at least 30-minutes.

(i) To ensure the proposed fire hydrants can meet required flow rate conditions, prior to public dedication of the proposed Cavern Way cul-de-sac, the subdivider shall provide objective

substantial evidence from the local fire district that the proposed fire hydrants will have the required flow rates; or

(j) If the subdivider cannot demonstrate the required fire hydrant flow rate requirements, the subdivider, prior to public dedication of the proposed Cavern Way, shall provide objective substantial evidence from the local fire district that the required flow rates can be obtained from providing their own water system of reservoirs and hydrants, or by supplementing the current water system through upgrading the public water system. Upgrading the current water system to meet fire hydrant flow rate requirements is the sole responsibility of the subdivider.

5. To ensure adequate and safe access is provided to the area, prior to submittal of the final subdivision plat and public road dedication, all conditions required under Road Related Conditions 3 and 4 shall be illustrated with dimensions on the plat, and, or, practically demonstrated to have been achieved.

6. An 18" culvert shall be installed under the proposed Cavern Way cul-de-sac road in the area where the seasonal drainage way is purported to be located, and that the proposed "dry drainage channel easement" illustrated on Sheet 5 of 5 of the "PRINCE HEIGHTS SUBDIVISION APPROVALS AND NOTES" shall be provided for in the final subdivision plat.

7. Lot 2 has triple frontage from Sandstone Way, Hermits Way loop road, and the proposed Cavern Way cul-de-sac road. Currently, the preliminary plat has not designated which road access will be provided from. At least a (10) feet wide planting screen easement, across which there shall be no right of vehicle access shall be shown on the final plat for no less than two of the three frontage roads (Sandstone Way, Hermits Way, and/or Cavern Way cul-de-sac road).

8. Lot 1 has double frontage with Sandstone Way and Cherry Heights Road. Lot 1 will have access from Sandstone Way. Sandstone Way will be the primary access road for Lot 1. At least a (10) feet wide planting screen easement, across which there shall be no right of vehicle access shall be shown on the final plat for Cherry Heights Road.

9. All necessary easements, restrictions, and covenants shall be provided for "Tract A" to ensure the lot is used for the purpose provided within the application, detailed within the Attachment D Staff Report, and approved by the Planning Commission.

10. Prior to final subdivision plat approval and pubic road dedication, the applicant shall either install the improvements required by the preliminary plan approval and repair existing streets and other public facilities damaged in the development of the subdivision, or shall execute and file with the County Governing Body an agreement between himself and the County specifying the period within which required improvements and repairs will be completed. The agreement may provide that if work is not completed within the period specified, the County may complete the work and recover the full cost and expense thereof from the applicant.

The applicant may request an extension of time for completion of required improvements. Such request will be considered an application for administrative action. Such extension shall be approved only if changed conditions for which the applicant is not responsible have made it impossible for him to fulfill the agreement within the original time limit(s).

11. The applicant shall provide one of the following options prior to final subdivision plat and public road dedication approval:

(a). A surety bond executed by a surety company authorized to transact business in the State of Oregon on a form approved by the District Attorney; or

(b). cash deposit with the County Tax Collector; or

(c). certification or letter of assurance by a bank or other reputable lending institution that money is being held to cover the cost of improvements and incidental expenses, and that said money will be released only upon the direction of the County Road Master. The bank certification or letter of assurance shall be approved by the District Attorney; or

(d). cash deposit with an escrow agent authorized to transact business in the State of Oregon subject to escrow instructions that require the escrow agent to release the money only upon the direction of the County Road Master. Escrow instructions shall be approved by the District Attorney.

Additionally, the assured amount shall be for a sum determined by a qualified licensed engineer or in the case of survey monuments, a licensed land surveyor as sufficient to cover the costs of included improvements and repairs or monuments and including related County expenses; and

Such assurance provides that: If the applicant fails to carry out provisions of the agreement or the County has unreimbursed costs or expenses resulting from such failure, the County shall call on the bond or cash deposit for reimbursement; if the amount of the bond or cash deposit exceeds the cost and expense incurred by the County, the County shall release the remainder; and if the amount of the bond or cash deposit is less than the cost and expense incurred by the County, the applicant shall be liable to the County for the difference.

12. The following shall be achieved prior to final subdivision plat approval:

(a). A waiver of remonstrance for future publicly funded road improvements for the proposed Cavern Way road be recorded with the Wasco County Clerk; and

(b). A restrictive covenant agreement requiring acknowledgment of improvement and maintenance costs for the proposed Cavern Way cul-de-sac be recorded with the Wasco County Clerk.

13. The proposed Cavern Way cul-de-sac road and Sandstone Way Right of Way construction shall conform with applicable criteria contained within Sections 21.410 through 21.440. All roadway construction shall conform with applicable criteria contained within Sections 21.410 through 21.440.

14. The construction of all proposed road shall be built according to applicable criteria provided for within Subsection 21.410.E.2.a.-d. The final construction of all proposed roads shall be certified and obtain the warranty requirements as required by subsections 21.410.E.2.e.

15. If at the completeion of the project, the Wasco County Public Works Director (The County Roadmaster) determines that “As Constructed Plans” shall be furnished, the consultant engineer

shall furnish permanent reproducible plans of the work or an "as constructed" modification of the original permanent reproducible plans previously submitted in accordance with Subsections 21.410.E.2.f.(1)-(6).

16. The County Governing Body may not accept the public road dedication until the applicant has either completed any improvements required as a condition of the approval of the dedication, or has complied with Section 21.310.D (Performance Bond). If the applicant chooses to complete road improvements in lieu of compliance with Section 21.310.D (Performance Bond), the Wasco County Public Works Director shall review and approve the completed road improvements prior to the final subdivision and road dedication application being submitted.

17. The owner shall prepare a Dedication Deed dedicating Cavern Way illustrated and described in the "Tentative Plan" to the public, upon the acceptance of the dedication of the road issued by the Wasco County Board of Commissioners. After the deed is prepared, the Wasco County Board of Commissioners shall indicate their approval of the dedication by an order accepting the deed and by recording such order with the recording of the deed.

18. Staff recommends the subject road not be included into the Wasco County road system for public maintenance.

19. The proposed right of way construction on Sandstone Way and the proposed construction of the Cavern Way cul-de-sac road shall ensure drainage facilities necessary for the purpose of proper drainage of the subdivision and properties adjacent to the dedicated road are installed prior to final subdivision approval.

20. Staff recommends a condition of approval that the proposed Cavern Way road, in general, be constructed according to policies set forth in the current editions of the following publications by the American Association of State Highway and Transportation Officials (AASHTO): "A Policy on Geometric Design on Highways and Streets", and "Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT < 400)".

21. Aside from additional construction standards recommended as conditions of approval for fire safety within subsection 21.030.P, the proposed Cavern Way road shall conform to the design standards designated for the "Paved Rural Local Road" indicated in Table 21-1 (Rural Public Roadway Design Standards) of this Chapter. Additionally, the applicant shall submit documentation that the constructed public access road has been approved by The Wasco County Public Works Director and has been determined to conform to the "Paved Rural Local Road" and "Local Street" classifications indicated in Table 21-1 (Rural Public Roadway Design Standards) & 21-2 (Urban Public Roadway Design Standards) of this Chapter. This must be completed prior to public dedication by the Wasco County Board of Commissioners.

22. The final road construction plans shall be prepared under the direction of a consultant engineer registered in the State of Oregon, and shall be submitted for approval to the Wasco County Public Works Director (County Roadmaster) and shall include the information provided for within Subsections 21.420.1.a.(1)-(14). The consultant engineer shall submit, with his proposed construction plans, a construction cost estimate. This estimate shall include all related roadwork and affected utility installation and/or relocation.

23. A survey be filed with the Wasco County Surveyor and meet the monumentation requirements provided for in this subsection. With the recommended condition, staff finds the request

complies with Subsection 21.420.E.1.c.

24. The property owner shall submit a preliminary title report issued by a title insurance company in the name of the owner of interest in the land prior to the signing of the final order by the Wasco County Board of Commissioners dedicating the proposed public road of local access as a public road.

25. The developer shall consult with the Wasco County Road Department and Mid-Columbia Fire and Rescue to determine the amount and type of signage required and the developer shall furnish required permanent road signs to the Wasco County Public Works Department for installation; or pay the cost of the signage, which estimated cost will be provided for by the Wasco County Public Works Director.

26. The placement of all street signage within the subdivision, to include the Cavern Way cul-de-sac road sign, shall be the responsibility of the developer, and prior to placement, the signage shall be approved by the Wasco County Public Works Department to ensure it meets county standards.

27. Regarding subsection 21.030.P., Mid-Columbia Fire and Rescue Division Chief Jay Wood provided substantial comments concerning necessary parking signage along the proposed Cavern Way cul-de-sac road. Based on this commentary, the subdivder shall provide signage for both sides of the Cavern Way cul-de-sac road, and that the signage shall be a minimum of 12" wide x 18" high with red letters with white reflective background with wording of "No Parking" and "Fire Lane". The signage shall be reviewed and approved by Mid-Columbia Fire and Rescue.

28. The subdivider shall purchase at least one street sign and one stop sign, and obtain approval from the Wasco County Public Works Department for the signage. The subdivider shall also purchase any additional signage the Wasco County Public Works Director finds necessary for the health, safety, and welfare of residents. The Wasco County Public Works Department shall install the signage.

SIGNED THIS 3rd day of August, 2023, at The Dalles, Oregon.

Digitally signed by Daniel Dougherty
DN: cn=Daniel Dougherty, o=Planning Department,
ou=Wasco County, email=danield@co.wasco.or.us, c=US

Daniel Dougherty, Senior Planner
Wasco County Planning

ATTACHMENT B - TIME LIMITS & APPEAL INFORMATION

NOTE: Any new land uses or structural development such as residences; garages, workshops or other accessory structures; or additions or alterations not included in the approved application or site plan will require a new application and review.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: Oregon Revised Statutes, Chapter 215, requires that if you receive this notice, it must promptly be forwarded to the purchaser.

To ensure compliance, the preliminary subdivision plan is valid for 24 months from the date of final approval, which is the end of the 15-day appeal period following the final decision of the Planning Commission. A final subdivision plat and road dedication must be submitted for review by the authorized decision making body prior to the expiration of the 24 month period of validity. If the time limitation expires, approval of the preliminary subdivision plan shall be void. Any subsequent proposal by the applicant for a division of the property shall require a new development request. An extension of time may be granted, if it is applied for in accordance with Section 2.250 Extension of Validity of Land Use Approvals, and Subsection 21.200.F of the Wasco County National Scenic Area Land Use and Development Ordinance.

PLEASE NOTE:

No guarantee of extension or subsequent approval either expressed or implied can be made by the Wasco County Planning Department. Please take care in implementing your proposal in a timely manner.

APPEAL PROCESS:

The decision date for this land use review is **Thursday, August 3, 2023.** The decision of the Planning Commission shall be final unless an appeal from an aggrieved party is received by the Director within fifteen (15) days of the mailing date of this decision, **Friday, August 18, 2023, at 4:00 p.m.,** or unless the Board of County Commissioners on its own motion orders review within fifteen (15) days of the date of decision. A complete record of the matter is available for review upon request during regular business hours or copies can be ordered at a reasonable price at the Wasco County Planning Department. Notice of Appeal forms may also be obtained at the Wasco County Planning Department. **The filing fee for an appeal is $1,412.64. Fees are refunded if appellant prevails.**

FINDINGS OF FACT:

Findings of Fact approving this request may be reviewed at the Wasco County Planning Department, 2705 East Second Street, The Dalles, Oregon, 97058, or are available for purchase at the cost of $0.25 per page. These documents are also available online at: https://www.co.wasco.or.us/departments/planning/active_landuse_applications.php. Click on Active Applications. The table is sorted alphabetically by the name of the applicant. The information will be available until the end of the appeal period.

PRINCE HEIGHTS SUBDIVISION

APPROVALS AND NOTES

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20-65, 67-73, BLOCK "A", LOTS 3-9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1-5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9-16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON

WASCO COUNTY SURVEYOR'S OFFICE

SURVEY NO. _____

FILED _____

BY _____

DOCUMENT NO. _____

PLAT NUMBER _____

SLIDE NO. _____

SURVEYOR'S NOTES

PLAT REPRESENTS A BOUNDARY SURVEY OF PARCELS DESCRIBED IN QUIT CLAIM DEED, RECORDED SEPTEMBER 8, 2000, IN INSTRUMENT NO. 20003828 WASCO COUNTY RECORDS.

WASCO COUNTY GEOLOGIC HAZARD ZONE " "

ZONING IS

MONUMENTS STARTED XXXX, 2017 AND COMPLETED XXXX, 2017

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE OF BLOCK "B" COLUMBIA CREST ADDITION.

REFERENCED SURVEYS

R1. LOT LINE ADJUSTMENT PLAT PERFORMED BY TENNESON ENGINEERING CORP. FOR JOHN W.& L. MARILYN BYERS, FILED 04/23/1993 COUNTY SURVEY NO. 08-187.

R2. SURVEY PERFORMED BY TENNESON ENGINEERING CORP. FOR JEAN HOCKMAN, DATED 11/29/2000, COUNTY SURVEY NO. 11-176.

R3. PARTITION PLAT P.P105, PERFORMED BY TENNESON ENG., COUNTY SURVEY NO. XXXX.

R4. REPLAT OF LOT 18 & 19 COLUMBIA CREST., PERFORMED BY KLEIN AND ASSOCIATES, INC. FOR ERIC BLUMENTHAL, FILED 05/25/2007 COUNTY SURVEY NO. 15-022

R5. PARTITION PLAT 2012-0012 PERFORMED BY TENNESON ENGINEERING CORP. FOR JOHN H.& SANDRA BYERS, AND JOHN W.& L. MARILYN BYERS, FILED 10/26/2012 COUNTY SURVEY NO. 17-119A.

R6. SURVEY PERFORMED BY TENNESON ENGINEERING CORP. FOR PONICHTERA, MORIKAWA, JOHNSON, HARRISON, AND BYERS, FILED 08/20/2013 COUNTY SURVEY NO. 18-010.

R7. MAP OF COLUMBIA CREST ADDITION, PEFORMED BY HOMER S. WALL FOR T.F.& MARY E. JONES, JOE J.& RUBY L. FLECK, AND R.E.& BETTY MITCHHELL, FILED 06/05/1953, BOOK 5, PAGE 8 OF COUNTY SURVEYS.

R8. PLAT OF FRUITLAND PARK ADDITION, PERFORMED BY WALTER M. OBER. FILED 12/14/1910, VOLUME 2, PAGE 14 OF PLATS

R9. SURVEY PERFORMED BY TENNESON ENGINEERING CORP. FOR RICHARD HARRISON, DATED 02/12/198, COUNTY SURVEY NO. 10-167.

R10. SURVEY PERFORMED BY TENNESON ENGINEERING CORP. FOR CHARLES PHIPPS, DATED 04/16/79, COUNTY SURVEY NO. 4-72.

REFERENCED DEEDS

WARRANTY DEED, INSTRUMENT NO. 68-1498
WARRANTY DEED, INSTRUMENT NO. 71-2489
WARRANTY DEED, INSTRUMENT NO. 72-0138
WARRANTY DEED, INSTRUMENT NO. 72-0539
WARRANTY DEED, INSTRUMENT NO. 77-0226
QUITCLAIM DEED, INSTRUMENT NO. 2016-004055
WARRANTY DEED, BOOK 149, PAGE 115

SHEET INDEX

SHEET 1: APPROVALS AND NOTES
SHEET 2: EXISTING LOT LAYOUT
SHEET 3: EXISTING EASEMENTS
SHEET 4: NEW LOT LAYOUT
SHEET 5: NEW EASEMENTS

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO COMPLETE A 8 LOT SUBDIVISION OF TAX LOTS 1N-13E-04BC 1500, 2600 AND 1N 13E 05AD 300, 400, 500, 700, 1000, 1100, 1200. THE SUBJECT PROPERTY LIES WITHIN IN A PORTION OF COLUMBIA CREST ADDITION AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35, LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4 AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, WASCO COUNTY, STATE OF OREGON. PRIOR TO COMPLETING THE FIELD WORK, MAPPING AND CALCULATION NECESSARY FOR THIS PLAT. RESEARCH WAS OBTAINED AND A PRELIMINARY TITLE REPORT FURNISHED BY OUR CLIENT WAS USED TO ESTABLISH THE EXTERIOR BOUNDARY. PRIOR SURVEY SURVEYS UTILIZED ARE LISTED IN REFERENCE SURVEY.

RESEARCH INTO FRUITLAND PARK ADDITION YIELDED VERY LITTLE IN THE WAY OF PRIOR SURVEY INFORMATION TO WORK WITH FOR THIS SURVEY. SURVEYS THAT WERE AVAILABLE WERE VAGUE AT BEST ON HOW TO THEY RESOLVE FRUITLAND PARK ADDITION. THE ORIGINAL PLAT OF FRUITLAND PARK ADDITION WAS FOUND TO BE ESSENTIALLY INDECIPHERABLE AND PROVIDED LITTLE MORE THAN A GRAPHICAL REPRESENTATION. THE PLAT WAS LACKING DISTANCES, ANGLES OR BEARINGS AND IT WAS ALSO FOUND THAT NO ROAD OR LOT CLOSURES COULD BE COMPUTED FROM THE PLAT. GIVEN THE SITUATION OF POOR AND INACCURATE INFORMATION OF THE ORIGINAL PLAT TO WORK FROM, SEVERAL ASSUMPTION WERE MADE ALONG WITH HONORING PAST SURVEY OF RECORD. IN PARTICULARLY TWO SURVEYS PERFORMED BY TENNESON ENGINEERING CORPORATION, FILED AS COUNTSURVEY NO. 10-167 AND 11-176 WHICH WERE USED TO ESTABLISH LOTS 9 THROUGH 16, TRACT 35 AND ROADS "D" AND "H". LOTS 9 THROUGH 16, TRACT 35 AND ROAD "D" WERE COMPUTED AS A BEST FIT BETWEEN EXISTING MONUMENT RECOVERED FROM BOTH TENNESON ENGINEERING AFORESAID SURVEYS. BY UTILIZING MONUMENTS RECOVERED ALONG THE NORTH RIGHT-OF-WAY OF ROAD "H" PER COUNTY SURVEY NO. 10-167 AND HOLDING THE COMPUTED POSITION OF THE NORTHWEST CORNER OF TAX LOT 100, BEING A 5/8" REBAR SET BY TENNESON ENGINEERING, FOR A SURVEY JEAN HOCKMAN, FILED IN COUNTY SURVEY NO. 11-176 WERE USED TO ESTABLISHED ROAD "H". LOT 4 THROUGH 9, TRACT 34 WERE COMPUTED AT PLAT DISTANCE FROM THE SOUTHEAST CORNER OF LOT 17 AS ESTABLISHED BY AFORESAID TENNESON ENGINEERING ALONG WITH APPLYING THE PLAT ANGLE OF 91°54'.

SURVEYOR'S CERTIFICATE

I, JAMES M. KLEIN, REGISTERED LAND SURVEYOR NO. 59002 IN THE STATE OF OREGON, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH LEGAL MONUMENTS, ACCORDING TO ORS CHAPTER 92 AND WASCO COUNTY LAND USE DEVELOPMENT ORDINANCE, THE LANDS REPRESENTED ON THIS PLAT OF "PRINCE HEIGHTS SUBDIVISION" LYING IN A PORTION OF COLUMBIA CREST ADDITION AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35, LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4 AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, WASCO COUNTY, STATE OF OREGON, THE INITIAL PONT FOR SAID PLAT IS A 3" IRON PIPE LOCATED AT THE NORTHEAST CORNER OF LOT 5 OF COLUMBIA CREST ADDITION, LAST SAID POINT ALSO BEING THE NORTHEAST CORNER OF WENTZ RESERVE IN THE PLAT OF FRUITLAND PARK ADDITION. THE PLATTED PROPERTY IS DESCRIBED AS FOLLOWS:

_____
JAMES M. KLEIN PLS. 59002

APPROVALS:

I HEREBY CERTIFY THAT I HAVE EXAMINED THE SURVEY DATA, LAYOUT OF ROADS, MONUMENTS AND EASEMENTS AND THAT THE PLAT CONFORMS TO THE APPROVED PRELIMINARY PLAN OF "PRINCE HEIGHTS SUBDIVISION" IN WASCO COUNTY, STATE OF OREGON AND HEREBY APPROVE SAID PLAT.

_____ _____
WASCO COUNTY SURVEYOR DATED

I HEREBY CERTIFY THAT THIS PLAT OF "PRINCE HEIGHTS SUBDIVISION" IN WASCO COUNTY, STATE OF OREGON, CONFORMS TO THE APPROVED PRELIMINARY PLAN AND, BY DIRECTION OF THE PLANNING COMMISSION, I HEREBY APPROVE THIS FINAL PLAT.

_____ _____
WASCO COUNTY PLANNING DIRECTOR DATED

APPROVALS:

THIS PLAT OF PRINCE HEIGHTS SUBDIVISION IN THE COUNTY OF WASCO, STATE OF OREGON WAS EXAMINED AND APPROVED BY:

_____ _____
WASCO COUNTY COMMISSIONER DATED

_____ _____
WASCO COUNTY COMMISSIONER DATED

_____ _____
WASCO COUNTY COMMISSIONER DATED

_____ _____
WASCO COUNTY ENGINEER DATED

_____ _____
WASCO COUNTY PLANNING DIRECTOR DATED

APPROVALS:

I HEREBY CERTIFY THAT I HAVE EXAMINED THE PLAT OF "PRINCE HEIGHTS SUBDIVISION" IN THE COUNTY OF WASCO, STATE OF OREGON, AND THAT THE NAME ADOPTED FOR SAID PLAT IS A PROPER NAME AND NOT INCLUDED IN ANY OTHER SUBDIVISION IN WASCO COUNTY AND FURTHER CERTIFY THAT ALL TAXES AND ASSESSMENTS DUE OR WILL BECOME DUE THEREON DURING THE CALENDER YEAR HAVE BEEN FULLY PAID AS REQUIRED BY LAW AND I HEREBY APPROVE SAID PLAT.

_____ _____
WASCO COUNTY ASSESSOR DATED

_____ _____
WASCO COUNTY TAX COLLECTOR DATED

COVENANTS, CONDITIONS AND RESTRICTIONS:

ALL LOTS WITHIN THE PLAT OF PRINCE HEIGHTS SUBDIVISION ARE SUBJECT TO A DOCUMENT TITLED "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS" SAID DOCUMENT IS RECORDED ON A SEPARATE DOCUMENT BEING RECORDED IN INSTRUMENT NUMBER _____, WASCO COUNTY RECORDS. SAID DOCUMENTS SHALL BE CONSIDERED AS A PART OF THIS PLAT. IT IS THE RESPONSIBILITY OF ALL PARTIES TO BE AWARE OF AND TO CONFORM TO SAID DOCUMENT.

DECLARATION:

I _____ THE OWNER OF THE LAND SHOWN ON THE PLAT HEREUNTO ATTACHED AND MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE ALSO HEREUNTO ATTACHED, DEDICATE TO THE PUBLIC FOREVER ALL STREETS AND EASEMENTS SHOWN ON SUCH PLAT AND DECLARE THE PLAT OF "PRINCE HEIGHTS SUBDIVISION" TO BE A CORRECT PLAT AS LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER SECTION 4 AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, COUNTY OF WASCO, STATE OF OREGON, AND IN ACCORDANCE WITH MY DESIRES AND THE PROVISIONS OF ORS CHAPTER 92.

_____
NAME

ACKNOWLEDGMENTS:

ON THE ___ DAY OF _____ 2023 BEFORE ME A NOTARY PUBLIC FOR THE STATE OF OREGON, APPEARED _____, KNOWN TO ME PERSONALLY, WHO BEING DULY SWORN, SAID THAT HE DID ACKNOWLEDGE THIS INSTRUMENT OF HIS FREE AND VOLUNTARY ACT.

_____
NOTARY SIGNATURE

_____
NOTARY PUBLIC-(NAME)

STATE OF _____

COUNTY OF _____

COMMISSION NO. _____

MY COMMISSION EXPIRES _____

OWNER

SMILEKEL GROUP, LLC

SURVEY PERFORMED FOR:
LKM REAL ESTATE
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, GD
FILE: 170105-PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 12, 2005
JAMES M. KLEIN
59002

Expires 6-30-2023

Klein & Associates, Inc.
ENGINEERING•SURVEYING•PLANNING
1411 13th Street•Hood River, OR 97031
TEL: 541-386-3322•FAX: 541-386-2515

SHEET 1 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4 SEC	T.	R.
4	1N.	13E.
5	1N.	13E.

PRINCE HEIGHTS SUBDIVISION

EXISTING LOT LAYOUTS

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20–65, 67–73, BLOCK "A", LOTS 3–9, BLOCK "B",
ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1–5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9–16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	523.76'	716.20'	41°54'01"	N66°33'41"W	512.16'
C2	457.94'	716.30'	36°37'49"	N63°09'12"W	450.18'
C3	81.57'	477.50'	9°47'17"	S50°30'54"E	81.47'
C4	55.42'	447.50'	7°05'46"	S49°10'09"E	55.39'
C5	156.88'	573.00'	15°41'13"	S42°51'13"W	156.39'
C6	120.70'	513.17'	13°28'34"	N41°06'05"E	120.42'
C7	28.02'	513.08'	3°07'46"	N49°24'18"E	28.02'
C8	80.03'	513.17'	8°56'09"	N43°22'18"E	79.95'
C9	40.64'	513.89'	4°31'53"	N36°37'58"E	40.63'
C10	20.69'	12.00'	98°45'53"	S82°18'11"E	18.22'
C11	137.95'	165.99'	47°37'00"	S24°30'23"W	134.01'
C12	18.66'	12.00'	89°06'25"	S43°51'20"E	16.84'
C13	158.28'	190.99'	47°29'00"	S24°34'23"W	153.79'
C14	179.00'	215.99'	47°29'00"	S24°34'23"W	173.92'
C15	18.86'	12.00'	90°02'51"	N45°51'18"E	16.98'
C16	71.46'	215.99'	18°57'20"	S10°18'33"W	71.13'
C17	75.20'	215.99'	19°56'58"	S29°45'42"W	74.82'
C18	32.34'	215.99'	8°34'42"	S44°01'32"W	32.31'
C19	46.51'	75.00'	35°32'02"	N50°41'15"W	45.77'
C20	62.02'	100.00'	35°32'02"	N50°41'15"W	61.03'

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	S30°30'05"W	39.65'
L2	S48°59'44"W	62.49'
L3	N50°51'36"E	44.58'
L4	S70°45'16"E	104.26'
L5	N38°55'16"W	49.40'
L6	S81°37'16"E	52.67'
L7	N4°11'02"W	51.23'
L8	S81°37'16"E	72.56'
L9	S81°37'16"E	58.24'
L10	N81°37'16"W	63.81'
L11	S89°07'16"E	12.00'
L12	S89°07'16"E	24.99'
L13	S89°07'16"E	37.01'
L14	S0°49'53"W	37.10'
L15	N32°55'14"W	29.71'
L16	N0°52'44"E	22.73'
L17	N48°18'53"E	21.04'
L18	N61°38'16"W	48.90'
L19	N30°51'02"W	67.81'
L20	N16°36'46"W	85.42'
L21	N16°36'46"W	16.68'
L22	S68°27'16"E	28.01'



WASCO COUNTY SURVEYOR'S OFFICE

SURVEY NO. _____

FILED _____

BY _____

DOCUMENT NO. _____

PLAT NUMBER _____

SLIDE NO. _____

100' 0 100' 200'
SCALE – FEET
1" = 100'

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE
OF BLOCK "B" COLUMBIA CREST ADDITION

LEGEND

- ○ SET 5/8" X 24" REBAR WITH 1 1/4" YELLOW PLASTIC CAP (KA OR59002)
- ⊙ FOUND 1/2 " IRON PIPE, PER THE PLAT OF COLUMBIA CREST ADDITION. VISITED 2017.
- ◎ FOUND KLEIN 5/8" IRON ROD WITH Y.P.C. INSCRIBED "KLEIN & ASSOCIATES OR59002" PER CS NO 15–022. VISITED 2017.
- ◢ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 11–176. VISITED 2017.
- ⊗ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 10–167. VISITED 2017.
- ⊡ FOUND 3/4" IRON PIPE; UNKNOWN ORIGIN. VISITED 2017.
- □ COMPUTED ANGLE POINT, NOT MONUMENTED
- RM REFERENCE MONUMENT
- CS NO COUNTY SURVEY NUMBER
- INST INSTRUMENT
- R1 RECORD DATA PER RECORD OF SURVEY NO.
- FD FOUND DATA
- P.U.E. PUBLIC UTILITY EASEMENT
- (XXX.XX') DISTANCE PER COLUMBIA CREST PLAT
- {XXX.XX'} DISTANCE PER FRUITLAND PLAT

EXISTING TAX LOT AREA

PARCEL	AREA
TAX LOT 300 (TRUST)	2.41 ACRES
TAX LOT 1000 (TRUST)	2.76 ACRES
TAX LOT 1100 (TRUST)	4.00 ACRES
TAX LOT 1200 (TRUST)	1.99 ACRES
TAX LOT 2600 (TRUST)	4.35 ACRES

SURVEY PERFORMED FOR:
~~LKM REAL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17–01–05 DRAFT: BTB, GD
FILE: 170105–PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

OWNER
SMILEKEL GROUP, LLC

KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 12, 2005
JAMES M. KLEIN
59002

Expires 6-30-2023

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SHEET 2 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R.
☒	4	1N.	13E.
☒	5	1N.	13E.

PRINCE HEIGHTS SUBDIVISION

EXISTING EASEMENTS/ ROAD VACATION EXHIBITS

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20–65, 67–73, BLOCK "A", LOTS 3–9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1–5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9–16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON



WASCO COUNTY SURVEYOR'S OFFICE
SURVEY NO. _____
FILED _____
BY _____

DOCUMENT NO. _____
PLAT NUMBER _____
SLIDE NO. _____

100' 0 100' 200'
SCALE – FEET
1" = 100'

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE
OF BLOCK "B" COLUMBIA CREST ADDITION

LEGEND

- ○ SET 5/8" X 24" REBAR WITH 1 1/4" YELLOW PLASTIC CAP (KA OR59002)
- ⊙ FOUND 1/2 " IRON PIPE, PER THE PLAT OF COLUMBIA CREST ADDITION. VISITED 2017.
- ◎ FOUND KLEIN 5/8" IRON ROD WITH Y.P.C. INSCRIBED "KLEIN & ASSOCIATES OR59002" PER CS NO 15–022. VISITED 2017.
- ◢ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 11–176. VISITED 2017.
- ⊗ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 10–167. VISITED 2017.
- ⊡ FOUND 3/4" IRON PIPE; UNKNOWN ORIGIN. VISITED 2017.
- □ COMPUTED ANGLE POINT, NOT MONUMENTED
- RM REFERENCE MONUMENT
- CS NO COUNTY SURVEY NUMBER
- INST INSTRUMENT
- R1 RECORD DATA PER RECORD OF SURVEY NO.
- FD FOUND DATA
- P.U.E. PUBLIC UTILITY EASEMENT
- (XXX.XX') DISTANCE PER COLUMBIA CREST PLAT
- [XXX.XX'] DISTANCE PER FRUITLAND PLAT
- ▨ PROPOSED AREA TO BE VACATED

SURVEY PERFORMED FOR:
~~LKM REAL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, GD
FILE: 170105-PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

OWNER
SMILEKEL GROUP, LLC

KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 12, 2005
JAMES M. KLEIN
59002

Expires 6-30-2023

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SHEET 3 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R.
☒	4	1N.	13E.
☒	5	1N.	13E.

PRINCE HEIGHTS SUBDIVISION

PROPOSED LOT LAYOUTS

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20–65, 67–73, BLOCK "A", LOTS 3–9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1–5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9–16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON



150 0 150 300
SCALE – FEET
1" = 150'

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE
OF BLOCK "B" COLUMBIA CREST ADDITION

WASCO COUNTY SURVEYOR'S OFFICE

SURVEY NO. _____

FILED _____

BY _____

DOCUMENT NO. _____

PLAT NUMBER _____

SLIDE NO. _____

LEGEND

- ○ SET 5/8" X 24" REBAR WITH 1 1/4" YELLOW PLASTIC CAP (KA OR59002)
- ⊙ FOUND 1/2 " IRON PIPE, PER THE PLAT OF COLUMBIA CREST ADDITION. VISITED 2017.
- ◎ FOUND KLEIN 5/8" IRON ROD WITH Y.P.C. INSCRIBED "KLEIN & ASSOCIATES OR59002" PER CS NO 15–022. VISITED 2017.
- ◕ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 11–176. VISITED 2017.
- ⊗ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 10–167. VISITED 2017.
- ⊡ FOUND 3/4" IRON PIPE; UNKNOWN ORIGIN. VISITED 2017.
- □ COMPUTED ANGLE POINT, NOT MONUMENTED
- RM REFERENCE MONUMENT
- CS NO COUNTY SURVEY NUMBER
- INST INSTRUMENT
- R1 RECORD DATA PER RECORD OF SURVEY NO.
- FD FOUND DATA
- P.U.E. PUBLIC UTILITY EASEMENT
- (XXX.XX') DISTANCE PER COLUMBIA CREST PLAT
- {XXX.XX'} DISTANCE PER FRUITLAND PLAT

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	523.76'	716.20'	41°54'01"	N66°33'41"W	512.16'
C2	457.94'	716.30'	36°37'49"	N63°09'12"W	450.18'
C3	81.57'	477.50'	9°47'17"	S50°30'54"E	81.47'
C4	55.42'	447.50'	7°05'46"	S49°10'09"E	55.39'
C5	156.88'	573.00'	15°41'13"	S42°51'13"W	156.39'
C6	120.70'	513.17'	13°28'34"	N41°06'05"E	120.42'
C7	28.02'	513.08'	3°07'46"	N49°24'18"E	28.02'
C8	80.03'	513.17'	8°56'09"	N43°22'18"E	79.95'
C9	40.64'	513.89'	4°31'53"	N36°37'58"E	40.63'
C10	20.69'	12.00'	98°45'53"	S82°18'11"E	18.22'
C11	137.95'	165.99'	47°37'00"	S24°30'23"W	134.01'
C12	18.66'	12.00'	89°06'25"	S43°51'20"E	16.84'
C13	158.28'	190.99'	47°29'00"	S24°34'23"W	153.79'
C14	179.00'	215.99'	47°29'00"	S24°34'23"W	173.92'
C15	18.86'	12.00'	90°02'51"	N45°51'18"E	16.98'
C16	71.46'	215.99'	18°57'20"	S10°18'33"W	71.13'
C17	75.20'	215.99'	19°56'58"	S29°45'42"W	74.82'
C18	32.34'	215.99'	8°34'42"	S44°01'32"W	32.31'
C19	46.51'	75.00'	35°32'02"	N50°41'15"W	45.77'
C20	62.02'	100.00'	35°32'02"	N50°41'15"W	61.03'
C21	123.63'	52.10'	135°57'26"	S29°42'16"W	96.60'
C22	187.50'	1432.50'	7°29'58"	S85°22'15"E	187.37'
C23	190.77'	1457.50'	7°29'58"	S85°22'15"E	190.64'
C24	95.92'	1407.50'	3°54'17"	S83°34'24"E	95.90'
C25	89.35'	1407.50'	3°38'13"	S87°20'39"E	89.33'
C26	87.60'	95.00'	52°49'58"	N34°27'25"E	84.53'
C27	101.21'	70.00'	82°50'18"	N49°27'35"E	92.62'
C28	65.06'	45.00'	82°50'18"	N49°27'35"E	59.54'
C29	44.29'	215.99'	11°44'54"	S13°54'46"W	44.21'
C30	75.20'	215.99'	19°56'58"	S29°45'42"W	74.82'
C31	151.83'	215.99'	40°16'34"	S28°10'36"W	148.72'
C32	134.25'	190.99'	40°16'27"	S28°10'39"W	131.50'
C33	120.67'	165.99'	41°39'03"	S27°29'21"W	118.03'
C34	32.34'	215.99'	8°34'42"	S44°01'32"W	32.31'
C35	12.23'	10.00'	70°02'51"	N83°20'18"E	11.48'
C36	38.69'	75.00'	29°33'15"	N46°51'38"W	38.26'
C37	51.58'	100.00'	29°33'15"	N46°51'38"W	51.01'
C38	19.19'	10.00'	109°57'09"	N6°39'42"W	16.38'
C39	63.44'	125.00'	29°04'40"	N46°37'20"W	62.76'
C40	3.77'	175.00'	1°13'59"	S31°28'01"E	3.77'
C41	4.30'	200.00'	1°13'59"	N31°28'01"W	4.30'
C42	4.84'	225.00'	1°13'59"	S31°28'01"E	4.84'
C43	31.06'	125.00'	14°14'16"	S23°43'54"E	30.98'
C44	24.85'	100.00'	14°14'16"	N23°43'54"W	24.79'
C45	18.64'	75.00'	14°14'16"	N23°43'54"W	18.59'
C46	23.55'	25.00'	53°58'05"	N10°22'17"E	22.69'
C47	65.02'	60.00'	62°05'21"	S6°18'39"W	61.88'
C48	60.09'	60.00'	57°22'54"	S53°25'29"E	57.61'
C49	66.75'	60.00'	63°44'30"	N66°00'49"E	63.36'
C50	109.67'	60.00'	104°43'25"	N18°13'09"W	95.03'
C51	23.55'	25.00'	53°58'05"	S43°35'48"E	22.69'

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	S30°30'05"W	39.65'
L2	S48°59'44"W	62.49'
L3	N50°51'36"E	44.58'
L4	S70°45'16"E	104.26'
L5	N38°55'16"W	49.40'
L6	S81°37'16"E	52.67'
L7	N4°11'02"W	51.23'
L8	S81°37'16"E	72.56'
L9	S81°37'16"E	58.24'
L10	N81°37'16"W	63.81'
L11	S89°07'16"E	12.00'
L12	S89°07'16"E	24.99'
L13	S89°07'16"E	37.01'
L14	S0°49'53"W	37.10'
L15	N32°55'14"W	29.71'
L16	N0°52'44"E	22.73'
L17	N48°18'53"E	21.04'
L18	N61°38'16"W	48.90'
L19	N30°51'02"W	67.81'
L20	N16°36'46"W	85.42'
L21	N16°36'46"W	16.68'
L22	S68°27'16"E	28.01'

SURVEY PERFORMED FOR:
~~LKM REAL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, GD
FILE: 170105-PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

OWNER
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REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 12, 2005
JAMES M. KLEIN
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Expires 6-30-2023

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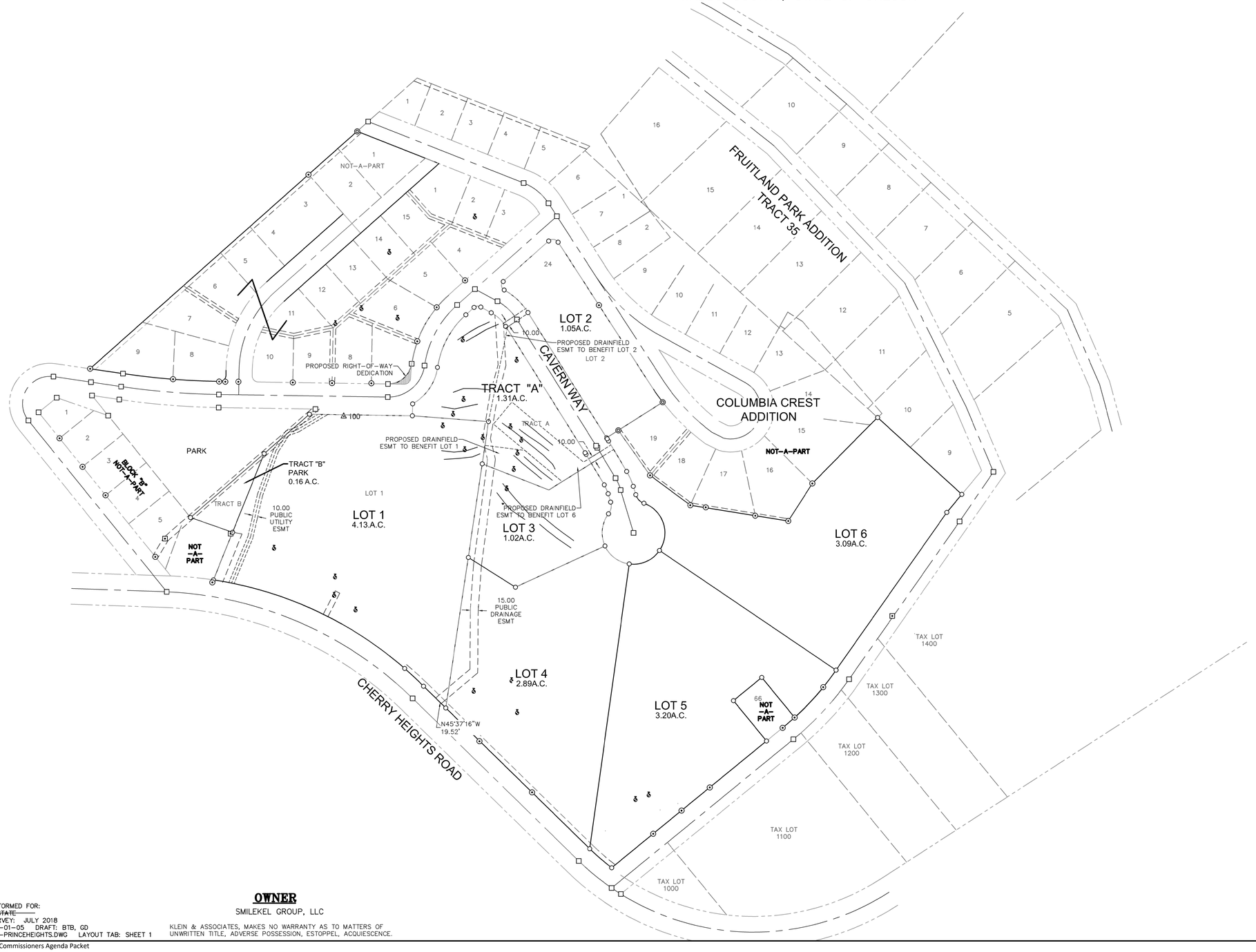
SHEET 4 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R.
☒	4	1N.	13E.
☒	5	1N.	13E.

PRINCE HEIGHTS SUBDIVISION

PROPOSED EASEMENTS & DRAIN FIELD LAYOUT

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20–65, 67–73, BLOCK "A", LOTS 3–9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1–5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9–16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON



WASCO COUNTY SURVEYOR'S OFFICE
SURVEY NO. _____
FILED _____
BY _____

DOCUMENT NO. _____
PLAT NUMBER _____
SLIDE NO. _____

100' 0 100' 200'
SCALE – FEET
1" = 100'

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE
OF BLOCK "B" COLUMBIA CREST ADDITION

LEGEND

O	SET 5/8" X 24" REBAR WITH 1 1/4" YELLOW PLASTIC CAP (KA OR59002)
⊙	FOUND 1/2 " IRON PIPE, PER THE PLAT OF COLUMBIA CREST ADDITION. VISITED 2017.
◎	FOUND KLEIN 5/8" IRON ROD WITH Y.P.C. INSCRIBED "KLEIN & ASSOCIATES OR59002" PER CS NO 15–022. VISITED 2017.
◕	FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 11–176. VISITED 2017.
⊗	FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 10–167. VISITED 2017.
⊡	FOUND 3/4" IRON PIPE; UNKNOWN ORIGIN. VISITED 2017.
□	COMPUTED ANGLE POINT, NOT MONUMENTED
RM	REFERENCE MONUMENT
CS NO	COUNTY SURVEY NUMBER
INST	INSTRUMENT
R1	RECORD DATA PER RECORD OF SURVEY NO.
FD	FOUND DATA
P.U.E.	PUBLIC UTILITY EASEMENT
(XXX.XX')	DISTANCE PER COLUMBIA CREST PLAT
{XXX.XX'}	DISTANCE PER FRUITLAND PLAT
s s	PROPOSED DRAINFIELD AREA

EASEMENT NOTES:

A NEW SEPTIC AND ACCESS EASEMENT, OVER, UNDER, AND ACROSS THAT PORTION OF TRACT "A" FOR THE BENEFIT OF LOTS 1, 2, AND 6.

A NEW 10.00' WIDE PUBLIC UTILITY EASEMENT OVER THE EXISTING WATER MAIN TO BENEFIT CHENOWITH PUD.

A NEW 15.00' PUBLIC DRAINAGE EASEMENT OVER THE EXISTING DRY CHANNEL.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 12, 2005
JAMES M. KLEIN
59002

Expires 6-30-2023

SURVEY PERFORMED FOR:
~~LKM REAL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17–01–05 DRAFT: BTB, GD
FILE: 170105–PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

OWNER
SMILEKEL GROUP, LLC

KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE.

Klein & Associates, Inc.
ENGINEERING•SURVEYING•PLANNING
1411 13th Street • Hood River, OR 97031
TEL: 541-386-3322 • FAX: 541-386-2515

SHEET 5 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R.
☒	4	1N.	13E.
☒	5	1N.	13E.

PRINCE HEIGHTS SUBDIVISION

PROPOSED EASEMENTS & DRAIN FIELD LAYOUT

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20–65, 67–73, BLOCK "A", LOTS 3–9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1–5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9–16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON



WASCO COUNTY SURVEYOR'S OFFICE
SURVEY NO. _____
FILED _____
BY _____

DOCUMENT NO. _____
PLAT NUMBER _____
SLIDE NO. _____

100' 0 100' 200'
SCALE – FEET
1" = 100'

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE
OF BLOCK "B" COLUMBIA CREST ADDITION

LEGEND

- ○ SET 5/8" X 24" REBAR WITH 1 1/4" YELLOW PLASTIC CAP (KA OR59002)
- ⊙ FOUND 1/2 " IRON PIPE, PER THE PLAT OF COLUMBIA CREST ADDITION. VISITED 2017.
- ◎ FOUND KLEIN 5/8" IRON ROD WITH Y.P.C. INSCRIBED "KLEIN & ASSOCIATES OR59002" PER CS NO 15–022. VISITED 2017.
- ◪ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 11–176. VISITED 2017.
- ⊗ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 10–167. VISITED 2017.
- ⊡ FOUND 3/4" IRON PIPE; UNKNOWN ORIGIN. VISITED 2017.
- □ COMPUTED ANGLE POINT, NOT MONUMENTED

RM REFERENCE MONUMENT
CS NO COUNTY SURVEY NUMBER
INST INSTRUMENT
R1 RECORD DATA PER RECORD OF SURVEY NO.
FD FOUND DATA
P.U.E. PUBLIC UTILITY EASEMENT
(XXX.XX') DISTANCE PER COLUMBIA CREST PLAT
{XXX.XX'} DISTANCE PER FRUITLAND PLAT
S PROPOSED DRAINFIELD AREA

EASEMENT NOTE

A NEW SEPTIC AND ACCESS EASEMENT, OVER, UNDER, AND ACROSS THAT PORTION OF TRACT "B" FOR THE BENEFIT OF LOTS 3, 4, 5, 6, 7, 8.

SURVEY PERFORMED FOR:
~~LNM REAL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, GD
FILE: 170105-PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

OWNER

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REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
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SHEET 5 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R.
☒	4	1N.	13E.
☒	5	1N.	13E.



Columbia Crest Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Columbia Crest Subdivision Road Map



Developed Roads

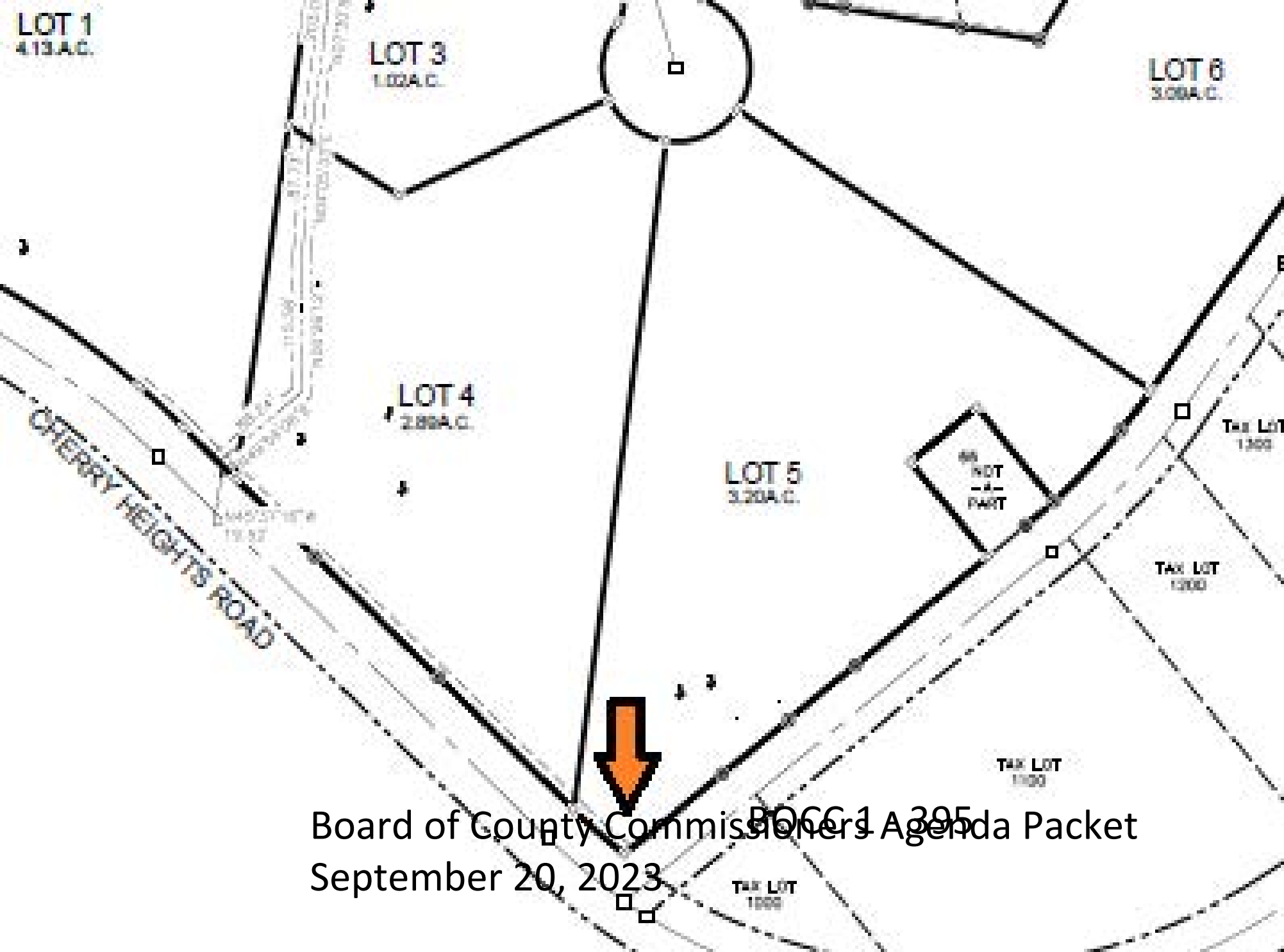
Undeveloped Roads "Paper Roads"

Proposed Vacated Roads



Prince Heights Subdivision Road Map

- Developed Roads
- Undeveloped Roads "Paper Roads"
- Proposed Road


LOT 1
4.13A.C.
LOT 3
1.02A.C.
LOT 6
3.03A.C.
LOT 4
2.89A.C.
LOT 5
3.20A.C.
NOT A PART
TAX LOT
1300
TAX LOT
1200
TAX LOT
1100
TAX LOT
1000
CHERRY HEIGHTS ROAD



BOCC 1-396

Board of County Commission

September 20, 2023

PRINCE HEIGHTS SUBDIVISION

EXISTING LOT LAYOUTS

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION LOTS 20–65, 67–73, BLOCK "A", LOTS 3–9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D", LOTS 1–5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9–16, TRACT 35 AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35, LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF THE NE 1/4 SEC 5, T.1N., R.13E., W.M. WASCO COUNTY, STATE OF OREGON

WASCO COUNTY SURVEYOR'S OFFICE

SURVEY NO. _____

FILED _____

BY _____

DOCUMENT NO. _____

PLAT NUMBER _____

SLIDE NO. _____

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	523.76'	716.20'	41°54'01"	N66°33'41"W	512.16'
C2	457.94'	716.30'	36°37'49"	N63°09'12"W	450.18'
C3	81.57'	477.50'	9°47'17"	S50°30'54"E	81.47'
C4	55.42'	447.50'	7°05'46"	S49°10'09"E	55.39'
C5	156.88'	573.00'	15°41'13"	S42°51'13"W	156.39'
C6	120.70'	513.17'	13°28'34"	N41°06'05"E	120.42'
C7	28.02'	513.08'	3°07'46"	N49°24'18"E	28.02'
C8	80.03'	513.17'	8°56'09"	N43°22'18"E	79.95'
C9	40.64'	513.89'	4°31'53"	N36°37'58"E	40.63'
C10	20.69'	12.00'	98°45'53"	S82°18'11"E	18.22'
C11	137.95'	165.99'	47°37'00"	S24°30'23"W	134.01'
C12	18.66'	12.00'	89°06'25"	S43°51'20"E	16.84'
C13	158.28'	190.99'	47°29'00"	S24°34'23"W	153.79'
C14	179.00'	215.99'	47°29'00"	S24°34'23"W	173.92'
C15	18.86'	12.00'	90°02'51"	N45°51'18"E	16.98'
C16	71.46'	215.99'	18°57'20"	S10°18'33"W	71.13'
C17	75.20'	215.99'	19°56'58"	S29°45'42"W	74.82'
C18	32.34'	215.99'	8°34'42"	S44°01'32"W	32.31'
C19	46.51'	75.00'	35°32'02"	N50°41'15"W	45.77'
C20	62.02'	100.00'	35°32'02"	N50°41'15"W	61.03'

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	S30°30'05"W	39.65'
L2	S48°59'44"W	62.49'
L3	N50°51'36"E	44.58'
L4	S70°45'16"E	104.26'
L5	N38°55'16"W	49.40'
L6	S81°37'16"E	52.67'
L7	N4°11'02"W	51.23'
L8	S81°37'16"E	72.56'
L9	S81°37'16"E	58.24'
L10	N81°37'16"W	63.81'
L11	S89°07'16"E	12.00'
L12	S89°07'16"E	24.99'
L13	S89°07'16"E	37.01'
L14	S0°49'53"W	37.10'
L15	N32°55'14"W	29.71'
L16	N0°52'44"E	22.73'
L17	N48°18'53"E	21.04'
L18	N61°38'16"W	48.90'
L19	N30°51'02"W	67.81'
L20	N16°36'46"W	85.42'
L21	N16°36'46"W	16.68'
L22	S68°27'16"E	28.01'



100' 0 100' 200'

SCALE – FEET
1" = 100'

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM NORTH ZONE, GRID NORTH, GROUND DISTANCE ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE OF BLOCK "B" COLUMBIA CREST ADDITION

LEGEND

- ○ SET 5/8" X 24" REBAR WITH 1 1/4" YELLOW PLASTIC CAP (KA OR59002)
- ⊙ FOUND 1/2 " IRON PIPE, PER THE PLAT OF COLUMBIA CREST ADDITION. VISITED 2017.
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- ⊡ FOUND 3/4" IRON PIPE; UNKNOWN ORIGIN. VISITED 2017.
- □ COMPUTED ANGLE POINT, NOT MONUMENTED

RM REFERENCE MONUMENT

CS NO COUNTY SURVEY NUMBER

INST INSTRUMENT

R1 RECORD DATA PER RECORD OF SURVEY NO.

FD FOUND DATA

P.U.E. PUBLIC UTILITY EASEMENT

(XXX.XX') DISTANCE PER COLUMBIA CREST PLAT

{XXX.XX'} DISTANCE PER FRUITLAND PLAT

EXISTING TAX LOT AREA

PARCEL	AREA
TAX LOT 300 (TRUST)	2.41 ACRES
TAX LOT 1000 (TRUST)	2.76 ACRES
TAX LOT 1100 (TRUST)	4.00 ACRES
TAX LOT 1200 (TRUST)	1.99 ACRES
TAX LOT 2600 (TRUST)	4.35 ACRES

SURVEY PERFORMED FOR:
~~LKM REAL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, GD
FILE: 170105-PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

OWNER
SMILEKEL GROUP, LLC

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REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 12, 2005
JAMES M. KLEIN
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Expires 6-30-2023

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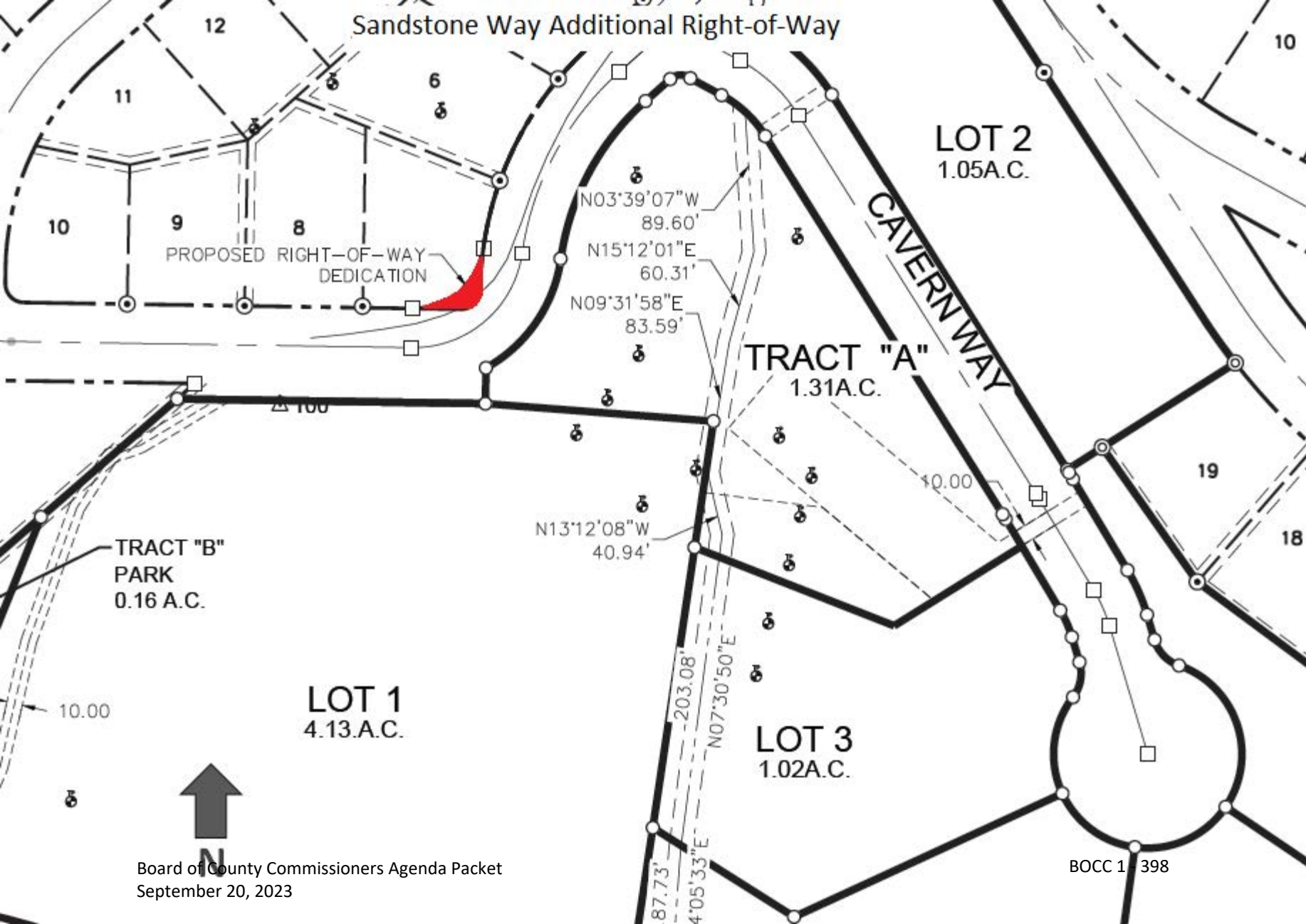
SHEET 2 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R.
☒	4	1N.	13E.
☒	5	1N.	13E.


Sandstone Way Additional Right-of-Way
12
11
6
10
9
8
PROPOSED RIGHT-OF-WAY DEDICATION
LOT 2
1.05A.C.
N03°39'07"W
89.60'
N15°12'01"E
60.31'
N09°31'58"E
83.59'
CAVERN WAY
TRACT "A"
1.31A.C.
10.00
19
18
N13°12'08"W
40.94'
TRACT "B"
PARK
0.16 A.C.
10.00
LOT 1
4.13.A.C.
203.08'
N07°30'50"E
LOT 3
1.02A.C.
87.73'
4°05'33"E
N

ATTACHMENT D – STAFF REPORT

File Number: 921-23-000023-PLNG

Applicant: Elizabeth Betts

Owner: Smilekel Group

Request: Scenic Area Review for a Replat (Prince Heights Subdivision) of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). Vacation of unused ROW and easements plus dedication and construction of Cavern Way cul-de-sac ROW and necessary lot preparation and utilities, and to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

Recommendation: **Approval** with Conditions

Planning Commission Decision: **Approval,** with Amended Findings and Conditions.

Hearing Date: August 1, 2023

Location: The subject property is located 0.35 miles southwest of West 10th Street, on the immediate west and north side of Cherry Heights Road, situated on the south side of Hermits Way, approximately 0.14 miles northwest of the City of The Dalles; more specifically described as:

Map/Tax Lot	Acct. #	Acres
1N 13E 5 AD 300	8347	2.28
1N 13E 5 AD 1000	8355	2.74
1N 13E 5 AD 1100	15570	3.76
1N 13E 5 AD 1200	8350	1.90
1N 13E 4 BC 2600	15569	4.27

Zoning: "R-R" Rural Residential Zone (GMA & SMA), GMA R-5

Past Actions: 921-PLAPRE-17-01-0001 (Pre-Application Conference for Replat)
921-20-000155-PLNG (Pre-Application Conference for Replat)

Procedure Type: Quasi-Judicial Hearing

Prepared By: Daniel Dougherty, Senior Planner

Sean Bailey, Associate Planner

I. APPLICABLE STANDARDS

Wasco County National Scenic Area Land Use & Development Ordinance (NSALUDO)

A. Chapter 2 – Development Approval Procedures

Section 2.050	Wasco County Application Authority

B. Chapter 3 – Basic Provisions

Section 3.160	"R-R" Rural Residential Zone (GMA & SMA)
Section 3.160.D.13	Land Divisions and Replats
Section 3.160.G.	Property Development Standards

C. Chapter 4 – Supplemental Provisions

Section 4.040	Off-Street Parking

D. Chapter 11 – Fire Safety Standards

Section 11.110	Siting Standards
Section 11.120	Defensible Space
Section 11.130	Construction Standards for Dwellings and Structures
Section 11.140	Access Standards
Section 11.150	Fire Protection or On-Site Water Required

E. Chapter 14 – Scenic Area Review

Section 14.100	Provisions for all new development
Section 14.200	Key Viewing Areas
Section 14.300	Scenic Travel Corridors
Section 14.400	Landscape Settings
Section 14.500	Cultural Resources – GMA
Section 14.600	Natural Resources – GMA
Section 14.700	Recreation Resources - GMA
Section 14.800	Indian Tribal Treaty Rights and Consultation – GMA

F. Chapter 21 – Scenic Area Review

Section 21.030	Basic Provisions and Design Standards
Section 21.200	Property Line Adjustments & Replats
Section 21.300	Preliminary Subdivision Plan Approval
Section 21.310	Final Subdivision Plat Approval
Section 21.400	Private Road Approval and Public Road or Street Dedications
Section 21.410	Improvements
Section 21.420	Public Streets and Roads
Section 21.440	Roadway Improvement Standards
Section 21.450	Access Control
Section 21.460	Pedestrian Access and Circulation
Section 21.470	Penalty and Enforcement on Violation

G. Chapter 23 – Sign Provisions

II. BACKGROUND

A. Legal Parcel: In accordance with the Wasco County Land Use and Development Ordinance, a legal parcel is defined as:

(Legal) ***Parcel*** *- A unit of land created as follows:*

a. A lot in an existing, duly recorded subdivision; or

b. A parcel in an existing, duly recorded major or minor land partition; or

c. By deed or land sales contract prior to September 4, 1974.

B. Site Description: The slope and general parcel data were identified through Wasco County GIS (Slope and Imagery Data Layers) analysis and a June 29, 2023, staff site visit. The total area is approximately 16+/- acres. The Wasco County GIS Slope Layer provides that the proposed area contains between 5-30% slopes. The terrain is rocky, and vegetation is sparse with few trees and mostly natural grasses. The land is within the Mid-Columbia Fire and Rescue for structural fire protection and within Chenowith Water Public Utility District.

C. Surrounding Land Use: The slope and general parcel data were identified through Wasco County GIS (Slope and Imagery Data Layers) analysis and a June 29, 2023, staff site visit. All surrounding properties are within the "R-R" Rural Residential Zone (GMA & SMA), (GMA) R-5. Slopes are similar to the subject properties, between 5-30%; however, slopes north of Hermits Way road can range from 31-74%. Vegetation is also similar to the subject properties. The density of the developed portions of the Columbia Crest Addition and the Fruitland Park Addition Subdivision is low with approximately 30 residential addresses within 200'.

D. Public Comment: The Public Notice of Hearing was mailed on March 16, 2023 for general public notification and comment and June 29, 2023, to all owners of property within 200' of the subject lot, the U.S. Forest Service - Columbia River Gorge National Scenic Area Office, Columbia River Gorge Commission, the four tribal governments, State Historic Preservation Office, and other interested parties registered with Wasco County. The initial March 16, 2023 notification provided a 15-day pre-notice for public comment (ending March 31, 2023). Comments received are included as Attachment E at the end of this report.

III. FINDINGS:

Wasco County National Scenic Area Land Use & Development Ordinance (NSALUDO)

A. Chapter 2 – Development Approval Procedures

(***)

Section 2.050 – Wasco County Application Authority

The Following includes only the Wasco County Application Authority. All quasi – judicial appeals and legislative actions decided upon by the Columbia River Gorge Commission shall be governed by the Management Plan for the Columbia River Gorge National Scenic Area.

A. The Director shall have the authority to review the following applications for Type II Administrative Actions, and shall follow the procedure provided by this Ordinance to accomplish such review.

(***)

3. Uses permitted Subject to Additional or Referenced Standards (Chapter 3)

(***)

8. Scenic Area Reviews (Chapter 14)

FINDING: The requested subdivision replat also involves a request for the development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), lot preparation and placement of necessary utilities.

B. The following applications for Type III and Type IV Quasi-Judicial and Legislative Actions shall be heard by the Planning Commission, pursuant to Sections 2.100, 2.180, 2.190, 2.200, 2.210, and 2.220 of this Ordinance:

Type III Actions

7. Subdivisions (Chapter 21)

FINDING: The requested subdivision replat meets the following definitions as provided within Chapter 1 Section 1.200 Definitions:

***Replat** - The act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat, to increase or decrease the number of lots in a subdivision, or to correct an error or irregularity in the original plat.*

***Subdivide** - To effect a subdivision, as applied to this Ordinance*

***Subdivision** - Either an act of subdividing land or an area or tract of land subdivided as defined in this section.*

Staff finds that the request is a subdivision replat, and complies with Subsection 2.050.B.7, which requires the application be heard and decided by the Wasco County Planning Commission.

B. Chapter 3 – Basic Provisions

Section 3.160 "R-R" Rural Residential Zone (GMA & SMA)

D. Uses Permitted Subject to Review
The following uses and activities may be allowed on a legal parcel designated Residential subject to Subsection G - Property Development Standards, Chapter 11 – Fire Safety Standards & Chapter 14 -

Scenic Area Review, as well as any other listed or referenced standards.

(***)

2. *Accessory structures for an existing or approved dwelling that are not otherwise allowed outright, eligible for the expedited development review process, or allowed in criterion 3 below. Noncommercial wind energy conversion systems which fit this category are subject to the applicable provisions of Chapter 19. (GMA & SMA)*

FINDING: The request is a Scenic Area Review for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). Vacation of unused ROW and easements plus dedication and construction of Cavern Way cul-de-sac ROW and lot preparation and utilities (fire hydrants and other structures necessary for development), and to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development). Required street signage and fire hydrants will not be visible from KVAs and are discussed in Chapter 14 of this report. Based on the request, and recommended conditions found throughout this report, staff finds the request complies with Subsection 3.130.D.2.

(***)

10. *Construction, reconstruction or modification of roads if designated in the Adopted Wasco County Transportation System Plan or designed and constructed as part of an approved, active development order (GMA & SMA) and railroads (SMA Only).*

FINDING: The request is a Scenic Area Review for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). Vacation of unused ROW and easements plus dedication and construction of Cavern Way cul-de-sac ROW and lot preparation and utilities, and to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development). Required street signage and fire hydrants will not be visible from KVAs and are discussed in Chapter 14 of this report. Based on the request, and recommended conditions found throughout this report, staff finds the request complies with Subsection 3.130.D.10.

13. *Land Divisions and Replats subject to the property development standards listed in G below, Section 21.100 and all other applicable provisions of Chapter 21. (GMA & SMA)*

FINDING: Scenic Area Review for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). Vacation of unused ROW and easements plus dedication of ROW to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

As discussed above in Chapter 2 findings, staff finds that the request is a subdivision replat subject to Chapter 21 and must be heard and decided upon by the Wasco County Planning Commission. Staff finds the request complies with Subsection 3.130.D.13.

G. Property Development Standards

1. Property Size

a. The creation or alteration of a parcel shall be subject to the following standards:

Zone	*Minimum Parcel Size*	*Minimum Parcel Width*
R-R(5)	*Five (5) Acres*	*300'*

(***)

FINDING: The 66 lots were created in 1953 by the Columbia Crest Addition Subdivision. The existing lots are pre-existing legally non-conforming to current five acre lot size requirements. The 66 lots are approximately 0.23 acres in size.

The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). The request involves reconfiguring 66 lots into 6 lots, which will in effect increase the overall size of the existing legal non-conforming parcels to the following sizes:

Table 2 - Proposed Lots

Lots	Use	Min Width (feet)	Max Width (feet)	Average Width (feet)	Area (acres)
1	Single Family Res.	342	458	400	4.12
2	Single Family Res.	358	378	368	1.05
3	Single Family Res.	142	240	191	1.02
4	Single Family Res.	57	303	180	2.89
5	Single Family Res.	63	546	304	3.20
6	Single Family Res.	104	424	264	3.09
TOTAL	**SFR Lots**			**284**	**15.37**
Tract "A"	Open Space "Tract A"				1.31
	Park Space Dedication				0.16
TOTAL	**6 SFR Lots + Park + Open Space**				**16.84**
ROW	Cavern Way (50' ROW)				0.82
TOTAL	**TOTAL project area**				**17.66**

[**AMENDED FINDING:** Friends of the Columbia Gorge provided the following comment on July 20, 2023. The comment pertains to the R-R (5) zone's minimum size and width standards. To summarize, the comment asserts that the proposed lot size alteration is not meeting the minimum zone size and width and should be denied as proposed.

As previously discussed, the existing subdivision is lawfully created non-conforming and the existing lots do not meet the current minimum parcel size and width requirements. The proposal is for a replat, which is generally an administrative decision under Section 2.050.A.10; however, because the replat seeks to significantly alter an existing subdivision, vacate publicly dedicated roads, and to dedicate a road, Chapter 21's subdivision and road criteria is addressed and conditions of approval are provided where applicable.

Lawfully created currently conforming units of land must meet the existing standards for creation and alteration; however, Wasco County has historically approved lawfully created non-conforming units of land to be modified in order to become more conforming with existing standards.

Wasco County contains several lawfully created non-conforming subdivisions within existing NSA R-R Zones (Along with the Columbia Crest Addition Subdivision, this list, in part, includes Murrays Addition, Murray's Second Addition, West Hi-Land, Hoge's Addition and Terrace Trailer Homes Subdivisions. These duly recorded subdivisions are non-conforming and are within the National Scenic Area).
In many cases, the non-conforming subdivisions created small lots that do NOT conform to existing parcel size or width standards. Furthermore, many of these lots cannot conform to existing septic system or property line setback standards. Replats within these subdivisions have historically been approved to allow for acreage growth without necessarily meeting the express acreage or width requirements of the zone.

Per Friends of the Columbia Gorge comments, any lawfully created non-conforming unit of land in Wasco County cannot be altered to become more conforming unless it meets the existing stated standards. If this is the case, then many lawfully created non-conforming lots will likely not have a land alteration remedy that can effectuate residential use because the creation and/or alteration of the lot cannot meet existing size and width standards. In addition, other units of land in agriculture or forest zones will be precluded from growing in size unless they can explicitly meet the minimum size requirement.

Based on the findings within the staff report and this presentation, staff finds that the proposal to alter 66 lots to six lots within a lawfully created non-conforming subdivision meets the intended residential purpose of the land use designation and zone, and further finds that subsection 3.160.G.1.a is not strictly applicable to this request, and that the current proposed enlarged lot sizes should be allowed with **conditions**.]

2. *General Setbacks - All structures other than approved signs and fences shall comply with the following general setback standards:*

Front Yard	25'
Interior Side Yard	15'
Exterior Side Yard	20'
Rear Yard	20'

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. All future applicable development on the proposed lots must abide by the above setbacks at the time of application. Staff finds that Subsection 3.160.G.2. is not applicable to this request.

3. *Agricultural Setbacks - In addition to the general setback standards listed in criterion 2 above, all new buildings to be located on a parcel adjacent to lands that are designated Large-Scale or Small-Scale Agriculture and are currently used for or are suitable for agricultural use, shall comply with the following setback standards:*

Adjacent Use	Open or Fenced	Natural or Created Vegetation Barrier	8 foot berm or terrain barrier
Orchards	250’	100’	75’
Row crops/ vegetables	300’	100’	75’
Livestock grazing, pasture, haying	100’	15’	20’
Grains	200’	75’	50’
Berries, vineyards	150’	50’	30’
Other	100’	50’	30’

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. Although lands designated Large-Scale Agriculture are located on the northwest side of Sandstone Way road, all of the proposed lots are not directly adjacent to those agricultural designated lands. Application materials provide the following:

> “Residential Evaluation
> Setbacks from Agricultural Use
> For the proposed Lots 1 and 2, the 50' of Sandstone Road ROW and the 25' front setback add up to 75', which is adequate for all adjacent farm uses as long as there is an 8-foot berm with vegetation that achieves a total berm/vegetation height of at least 15 feet. Material that is excavated for the road and utilities that is unsuitable for structural fill will be utilized to form the required berms along Lots 1 and 2, as shown in the Ag Setback Exhibit EX2. However, if the TL400 and 500 have become residential usage as described above before the replatting of these six lots, then berms would not be necessary since the potential agricultural use would then be over 300 feet away from the proposed lots.”
>
> (Residential Evaluation, Page 2).

Based on these facts, staff finds that Subsection 3.160.G.3. is not applicable to this request.

4. *Height - Maximum height for all structures shall be thirty-five feet (35’) unless further restricted in accordance with Chapter 14 - Scenic Area Review.*

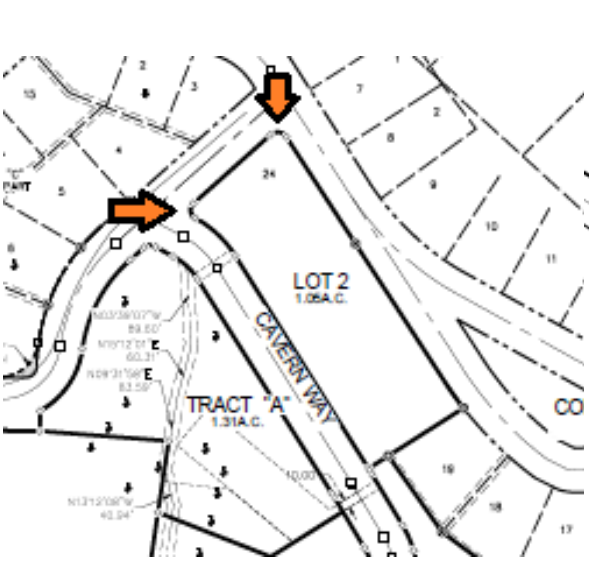
FINDING: FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. All future structures on the proposed lots will need to abide by the height restrictions. Staff finds that Subsection 3.160.G.4 is not applicable to this request.

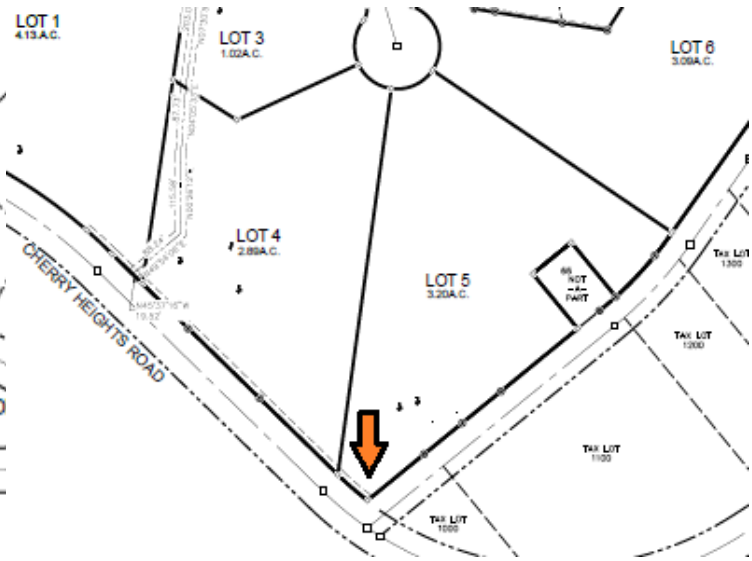
5. *Floodplain: Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.240, Flood Hazard Overlay.*

FINDING: The FEMA Flood Map Service Center is the official public source for flood hazard information produced in support of the National Flood Insurance Program. FEMA flood map data are shared with the Wasco County GIS Division. FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. According to the Wasco County GIS Flood Hazard Overlay (OZ-1) data layer, the area being replatted is not within a delineated floodplain. Staff finds that Subsection 3.160.G.5 is not applicable to this request.

6. *Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.*

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. Of the six proposed lots, Lots 2 & 5 will qualify as corner properties and all future development will have to abide by vision clearance setback standards. (See Lot 2 and Lot 5 diagrams below).





Lots 1, 3, 4, and 6 are not considered corner properties. Staff finds the request complies with Subsection 3.160.G.6.

7. Parking - Off street parking shall be provided in accordance with Chapter 4.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. All future development on the proposed lots shall abide by the criteria for off street parking is found in Chapter 4, Section 4.040. Staff finds that the request complies with Subsection 3.160.G.7.

C. Chapter 4 – Supplemental Provisions

Section 4.040 Off-Street Parking
At the time of erection of a new structure or at the time of enlargement or change in use of an existing structure, off-street parking spaces shall be provided in accordance with this Section. In an existing use, the parking space shall not be eliminated if elimination would result in less space than is required by this Section. Where square feet are specified the area measured shall be the gross floor area necessary to the functioning of the particular use of the property but shall exclude space devoted to off-street parking or loading. Where employees are specified, persons counted shall be those working on the premises during the largest shift at peak season, including proprietors.

The following are the uses and minimum standards provided for off-street parking unless specified otherwise:

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. Concerning off-street parking, application materials provide the following:

"Grading Plan Narrative
Proposed Soil Conditions
Future grading for each home shall provide a building pad along with parking and access."
(Grading Plan Narrative, Page 6).

Building pockets are identified in the application, which take into consideration future potential off-street parking areas. Staff finds that the request complies with Section 4.040.

D. Chapter 11 – Fire Safety Standards

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. As part of a complete application, the property owners completed a Fire Safety Standard Self-Certification Form. By signing the self-certification form, the owners have

acknowledged that they understand these standards and commit to achieving compliance with them within one year of the date of approval and maintain them through the life of the development. This certification further commits all future property owners to this same requirement. A copy of this self-certification form is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Section 11.110 Siting Standards – Locating Structures for Good Defensibility

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. The submitted preliminary subdivision replat plan, and Wasco County GIS (Slope & Imagery Data), identify building envelopes on the lots for future development that allow for development sites that avoid slopes steeper than 40%, and are set back from the top of slopes greater than 30% by at least 30 feet. All future development on the proposed lots shall abide by all Chapter 11 – Fire Safety Standards, Siting Standards criteria. Staff finds that the request complies with Subsection 11.110.

Section 11.120 Defensible Space – Clearing and Maintaining a Fire Fuel Break

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. The submitted preliminary subdivision replat plan, and Wasco County GIS (Slope & Imagery Data), identify building envelopes on the lots for future development that allow for development sites with a fire fuel break of at least 50 feet. All future development on the proposed lots shall abide by the Chapter 11 – Fire Safety Standards, Defensible Space criteria. Staff finds the request complies with Subsection 11.120.

Section 11.130 Construction Standards for Dwellings and Structures – Decreasing the Ignition Risks by Planning for a more Fire-Safe Structure

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. All future development on the proposed lots shall abide by the criteria outlined in Chapter 11 – Fire Safety Standards, Construction Standards for Dwellings and Structures, and that the final structural designs shall meet all applicable building code standards. Staff finds the request complies with Subsection 11.130.

Section 11.140 Access Standards – Providing Safe Access to and Escape From Your Home

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. All of the proposed lots will be accessed by a local road of public access (publicly dedicated road). The existing Sandstone Way (portion), Cavern Way, and Granite Way (A

looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6. Lot 1 and Lot 2 will have access from the existing Sandstone Way and/or Hermits Way and will require road approach permits. Access provided for all future proposed residential development shall be subject to the criteria discussed in this section.

Additional findings and conditions of approval pertaining to access and fire safety are provided in Chapter 21 within this report. Staff finds the request complies with Subsection 11.140.

Section 11.150 Fire Protection or On-Site Water Required – Ensuring Dwellings Have Some Fire Protection Available Through Manned or Unmanned Response

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. The proposed lots are located within the Mid-Columbia Fire & Rescue structural protection district. All future development on the proposed lots shall abide by the criteria outlined in Chapter 11 – Fire Protection or On-Site Water Requirements. Staff finds that Subsection 11.150 is not applicable to the request.

Section 11.210 Fire Safety Standard Review Process

A. Compliance with applicable fire safety standards is required by the ordinance for new, replacement, and modified structures in all rural zones.

1. *Fire standards shall be made a part of the conditions of approval when a conditional use permit, site plan or subject to standards review, partition, subdivision, or other land use action is required prior to construction.*

2. *Structures or alterations to structures that are subject to ministerial review must also comply with all applicable fire standards prior to receiving zoning approval on a building permit application.*

3. *In all cases compliance with applicable fire standards shall be self-certified prior to receiving zoning approval on a building permit.*

4. *Certifications shall be verified within one year of approval and may be verified by staff site visits at any time.*

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. As part of a complete application, the property owners completed a Fire Safety Standard Self-Certification Form. By signing the self-certification form, the owners have acknowledged that they understand these standards and commit to achieving compliance with them within one year of the date of approval and maintain them through the life of the development. This certification further commits all future property owners to this same requirement. A copy of this self-certification form is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG. Staff Finds the Request complies with Section 11.210.

Section 11.230 - Fire Safety Mitigation Plan

A fire safety mitigation plan is required when an applicant needs to request a modification to one or more fire safety standards listed on the self-certification check list. A fire safety mitigation plan is also required for any land division creating lots that can accommodate dwellings. A fire mitigation plan shall include the following:

A. One or more maps and accompanying narrative statement addressing the following:

1. *Site description.*
2. *Documentation of fire protection service or proposed plan for on-site fire protection.*
3. *Documentation of on-site water supply where required.*
4. *Driveway construction plan including gate features, size and locations of bridges or culverts and proposed signage.*
5. *Documentation of fuel break areas if land on adjoining properties is relied on to meet fuel break requirements.*
6. *Public or private road plans for new roads to serve proposed land divisions (including location, size, and type of bridges and culverts).*
7. *Other information deemed necessary to allow adequate review of the request for modification.*

B. Statement of need
A clear statement of why the fire safety standards cannot feasibly be met.

C. Risk Assessment
An assessment of increased risk of wildfire damage if standard is modified. Risk assessments shall consider the purpose of the standard that cannot be met, the specific proposal, and site conditions to determine what, if any, additional exposure to wild land fire risks could be created by approval of the modification to fire safety standards. The consideration shall include increased risk of the proposed structure becoming a source of ignition and risks to the proposed structure from a wild land fire ignited elsewhere and traveling through the site.

D. Statement of Additional Action Proposed to Eliminate or Minimize Increased Risks
A clear list of additional measures proposed by the applicant to address any increased risks identified in the risk assessment.

FINDING: All land divisions are required to submit a Fire Mitigation Plan identifying all home sites, building envelopes, and access as necessary to demonstrate compliance with all applicable fire standards on proposed lots. The mitigation plan included a site description describing the area around the proposed lots. Fire protection services in the area that will respond to the proposed subdivision is Mid-Columbia Fire & Rescue for structural protection. Water sources for the proposed lots will come from Chenowith Water District. The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6. Lot 1 and Lot 2 will have access from the existing Sandstone Way and/or Hermits Way and will require road approach permits. Required signage will be placed in accordance with state fire and county standards, at the direction of the Wasco County Public Works Director. All fire fuel breaks on the proposed subdivision lots will not rely on neighboring properties to meet the fuel break requirements. A statement of need is not required since the proposal can feasibly meet the fire safety standards. Additional findings and conditions of approval pertaining to access and fire safety are provided in Chapter 21 within this report. Lastly, additional findings and conditions of approval are provided in Chapter 21

where the proposal has been found to be able to comply with state fire code. With the aforementioned, the proposal can meet the fire safety standards, and a risk assessment is not required, eliminating the need for a statement of additional action.

Staff finds the request complies with Section 11.230.

E. Chapter 14 – Scenic Area Review

Section 14.020 Complete Application Submittal Requirements for a Scenic Area Review

FINDING: On February 7, 2023, applicants submitted an application for a National Scenic Area review for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested.

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

The applicant provided the required information and the application was declared complete by staff on March 8, 2023. The applicant submitted the required forms.

Staff finds the application complies with Section 14.020.

(***)

Section 14.100, Provisions For All New Development (GMA & SMA)

A. All new development, except uses allowed through the expedited review process, shall be reviewed under the applicable sections of Key Viewing Areas, Scenic Travel Corridors, Landscape Settings, Natural Resources, Cultural Resources, and Recreation Resources.

FINDING: The following applicable sections of Chapter 14 are addressed below: Section 14.200, Key Viewing Areas, Section 14.300, Scenic Travel Corridors, Section 14.400, Landscape Settings, Section 14.500, Cultural Resources – GMA, Section 14.600, Natural Resources – GMA, Section 14.700, Recreation Resources – GMA, and Section 14.800, Indian Tribal Treaty Rights and Consultation – GMA.

B. New buildings and roads shall be sited and designed to retain the existing topography and to minimize grading activities to the maximum extent practicable.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for

development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested.

The applicants submitted a grading plan that included the following:

> "Grading Plan Narrative
> The project site is located off Sandstone Way and Cherry Heights Road, near the crest of the hill outside of the Urban Growth Boundary. It is zoned Scenic Area General Management Rural Residential. The site currently has no structures and consists of approximately 15 acres of vacant grassy land. There are sparse mature Oregon white oak and Ponderosa pine trees, mostly clustered on the site in a few areas that will be primarily protected within open space and outside of building envelopes. The site is hilly with steeper slopes across the southern end. Parcels to the north contain single family homes on small lots, to the west is GMA Agriculture, with an orchard west of vacant lots.
>
> The proposed scope of work involves construction of a local access road with a culdesac for emergency turnaround. The project is a replat of 66 existing non-conforming lots into 6 larger more conforming lots. Average lot size before replat is about 7,000 sf. Average lot size after replat is 112,748 sf (2.59 acres). The access road and culdesac will require cutting and filling to create a level enough area for the access. Cuts will be along the north side of the access road, so will not be visible from KVA's (hidden by the bluff and homes on the bluff). Fill slopes will primarily be along the south side of the access road, so will also be screened from view since the KVA's are only visible along the east end of the site. At the east end ofthe culdesac, the cut and fill are minimized to reduce visibility from the KVA's.
>
> The future homesites on Lots 1-4 are not visible from KVA's, and building envelopes have been provided for Lots 5 and 6 to minimize visibility. Homes on lots 5 and 6 should be reviewed at the time of building permit to ensure that they are properly screened, which may require careful siting and additional vegetation for screening. Lots 1 and 2 may require vegetation or berms to reduce agricultural setbacks, depending on when neighboring lots under the developer's ownership are built on. See the Residential Evaluation memorandum for further information on berming for setbacks. Berms for Lots 1 and 2 will not be visible from KVA's."
>
> (Grading Plan Narrative, Pages 1-2).

> "Grading Plan Narrative
> Proposed Soil Conditions
> The proposed project will require approximately 1650 CY of cut and 1200 CY of fill for the access road improvements. Grading for the access with cause minimal disturbance, and will be stabilized by structural fill, the gravel surfacing material and paving. Any cut/fill slopes shall have permanent seeding applied in the spring or fall. Future grading for each home shall provide a building pad along with parking and access. Unless otherwise directed by a Geotechnical Engineer, grading shall be done per Chapter 18 of the Oregon Structural Specialty Code, and as follows:
> • Cut/fill slopes to not exceed 2:1
> • Fill on existing slopes shall be constructed with benching
> • The ground adjacent to the foundation shall be sloped away from the building at a minimum of 5% slope for a minimum distance of 10 feet from the foundation wall. Impervious surfaces may be sloped a minimum of 2% away from the building and may be less than 2% at a door or landing for ADA access.
> • Onsite soil is unlikely to be suitable for structural fill under buildings due to the gradation variability and expected cobbles, though it may be used if approved by a Geotechnical Engineer or other qualified

inspector. Structural fill shall be placed in horizontal lifts on subgrade that has been cleared of all organic material. The structural fill shall consist of well-graded angular
material placed in compacted lifts at 95% of the maximum dry density as follows:
o For fill 2" or less diameter, lifts shall have a compacted maximum depth of 6"
o For fill 2"to 6" diameter, lifts shall have a compacted maximum depth of 8"
• The new road shall be constructed to serve as a fire access road, with a minimum paved width of 22 feet. Cut slopes shall have a ditch, a minimum of 1 foot deep. Side slopes of the road shall have a maximum slope of 3:1"

(Grading Plan Narrative, Page 6).

No substantive commentary has been submitted that indicates non-conformance of the proposed dedication and construction of Cavern Way cul-de-sac right-of-way (ROW) and necessary utilities, and to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development). Staff finds that the proposed development is designed to retain the existing topography and to minimize grading activities to the maximum extent practicable.

All future development on the proposed lots will be subject to criteria described in this section. Staff finds that Subsection 14.100.B is not applicable to the request.

C. New buildings and expansions of existing development shall be compatible with the general scale of existing nearby development. New buildings that are 1,500 square feet or less are exempt from this guideline. Findings addressing this guideline shall include but are not limited to:

1. Application of the landscape setting design guidelines, if applicable.

2. A defined study area surrounding the development that includes at least ten existing buildings, not including existing buildings within urban areas or outside the National Scenic Area.

3. Individual evaluations of scale for each separate proposed building in the application and each separate building in the study area, including:

a. All finished above ground square footage;

b. Total area of covered decks and porches;

c. Attached garages

d. Daylight basements

e. Breezeways, if the breezeway shares a wall with an adjacent building

f. Dimensions, based on information from the application or on Assessor's records

4. An overall evaluation demonstrating the proposed development's compatibility with surrounding development. Buildings in the vicinity of the proposed development that are significantly larger in size than the rest of the buildings in the study area should be removed from this evaluation.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for

development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. All future buildings on the proposed lots may be subject to criteria described in this criterion. Staff finds that Subsection 14.100.C is not applicable to the request.

D. Unless expressly exempted by other provisions, colors of all exterior surfaces of structures on sites not visible from Key Viewing Areas shall be earth-tones found at the specific site or in the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval. The Scenic Resources Implementation Handbook will include a recommended palette of colors.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. As discussed below in Section 14.200, portions of proposed Lots 2, 5, & 6 are visible from Key Viewing Areas (KVA). Exterior colors of future development not visible from KVAs shall be dark earth tones found at the specific site or in the surrounding landscape, and the specific colors approved by the reviewing agency shall be included as a condition of approval. Staff finds the request complies with Subsection 14.100.D.

E. Additions to existing buildings smaller in total square area than the existing building may be the same color as the existing building. Additions larger than the existing building shall be of dark earth-tone colors found at the specific site or in the surrounding landscape. The specific colors or list of acceptable colors shall be included as a condition of approval. The Scenic Resources Implementation Handbook will include a recommended palette of colors.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. Staff finds that Subsection 14.100.E is not applicable to this request.

F. Outdoor lighting shall be directed downward, sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and the Columbia River as well as preventing the lighting from being highly visible from Key Viewing Areas and from noticeably contrasting with the surrounding landscape setting. Shielding and hooding materials shall be composed of nonreflective opaque materials. There shall be no visual pollution due to the siting or brilliance, nor shall it constitute a hazard for traffic.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. No street lighting is proposed. All future development on the proposed lots will be subject to criteria described in this section. Staff finds that the request complies with Subsection 14.100.F.

G. All ground disturbance as a result of site development shall be revegetated no later than the next planting season (Oct-April) with native species. The property owners and their successors in interest

shall be responsible for survival of planted vegetation, and replacement of such vegetation that does not survive.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested. Regarding the proposed road dedication, Sandstone Way realignment, utility placement, and lot preparation, the application provides the following:

"Grading Plan Narrative
Proposed Soil Conditions
The proposed project will require approximately 1650 CY of cut and 1200 CY of fill for the access road improvements. Grading for the access with cause minimal disturbance, and will be stabilized by structural fill, the gravel surfacing material and paving. Any cut/fill slopes shall have permanent seeding applied in the spring or fall. Future grading for each home shall provide a building pad along with parking and access. Unless otherwise directed by a Geotechnical Engineer, grading shall be done per Chapter 18 of the Oregon Structural Specialty Code, and as follows:
• Cut/fill slopes to not exceed 2:1
• Fill on existing slopes shall be constructed with benching
• The ground adjacent to the foundation shall be sloped away from the building at a minimum of 5% slope for a minimum distance of 10 feet from the foundation wall. Impervious surfaces may be sloped a minimum of 2% away from the building and may be less than 2% at a door or landing for ADA access.
• Onsite soil is unlikely to be suitable for structural fill under buildings due to the gradation variability and expected cobbles, though it may be used if approved by a Geotechnical Engineer or other qualified inspector. Structural fill shall be placed in horizontal lifts on subgrade that has been cleared of all organic material. The structural fill shall consist of well-graded angular
material placed in compacted lifts at 95% of the maximum dry density as follows:
o For fill 2" or less diameter, lifts shall have a compacted maximum depth of 6"
o For fill 2"to 6" diameter, lifts shall have a compacted maximum depth of 8"
• The new road shall be constructed to serve as a fire access road, with a minimum paved width of 22 feet. Cut slopes shall have a ditch, a minimum of 1 foot deep. Side slopes of the road shall have a maximum slope of 3:1"

(Grading Plan Narrative, Page 6).

There is no anticipated permanent ground or vegetation disturbance outside of the areas designated for construction. A **condition** is recommended requiring that significant ground disturbance shall be revegetated no later than the next planting season (Oct-April) with native species, and property owners and their successors in interest shall be responsible for survival of planted vegetation and the replacement of such vegetation that does not survive. With the recommended condition, staff finds that the request complies with Subsection 14.100.G.

H. Except as is necessary for site development or fire safety purposes, the existing tree cover screening the development area on the subject parcel from Key Viewing Areas and trees that provide a back drop on the subject parcel which help the development area achieve visual subordinance, shall be retained. Additionally, unless allowed to be removed as part of the review use, all trees and vegetation within buffer zones for wetlands, streams, lakes, ponds and riparian areas shall be retained in their natural condition. Any of these trees or other trees required to be planted as a condition of approval that die for any reason shall be replaced by the current property owner or

successors in interest no later than the next planting season (Oct-April) after their death with trees of the same species or from the list in the landscape setting for the property.

To ensure survival, new trees and replacement trees shall meet the following requirements

1. *All trees shall be at least 4 feet tall at planting, well branched, and formed.*

2. *Each tree shall be braced with 3 guy wires and protected from livestock and wildlife. The guy wires need to be removed after two winters.*

3. *The trees must be irrigated until they are well established.*

4. *Trees that die or are damaged shall be replaced with trees that meet the planting requirements above.*

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. Regarding the proposed road dedication, Sandstone Way realignment, utility placement, and lot preparation, the application provides that "grading for the access with [sic] cause minimal disturbance." (Grading Plan Narrative, Page 6). No applicable residential development is requested. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. Based on these facts, only vegetation necessary for site development will be impacted. Staff finds that the request complies with Subsection 14.100.H.

Section 14.200, Key Viewing Areas

The following is required for all development that occurs on parcels/lots topographically visible from Key Viewing Areas.

A. *Each development and land use shall be visually subordinate to its setting in the GMA as seen from Key Viewing Areas. The extent and type of conditions applied to a proposed development to achieve visual subordinance shall be proportionate to its potential visual impacts as seen from Key Viewing Areas.*

    1. *Decisions shall include written findings addressing the factors influencing potential visual impact including but not limited to:*

        a. *The number of Key Viewing Areas it is visible from;*
        b. *The distance from the building site to the Key Viewing Areas it is visible from;*
        c. *The linear distance along the Key Viewing Areas from which the building site is visible (for linear Key Viewing Areas, such as roads and the Columbia River);*
        d. *The difference in elevation between the building site and Key Viewing Areas;*
        e. *The nature and extent of topographic and vegetative back screening behind the building site as seen from Key Viewing Areas;*
        f. *The amount of area of the building site exposed to Key Viewing Areas; and*
        g. *The degree of existing vegetation providing screening.*

    2. *Conditions may be applied to various elements of proposed developments to ensure they are visually subordinate to their setting in the GMA and meet the required scenic standard (visually*

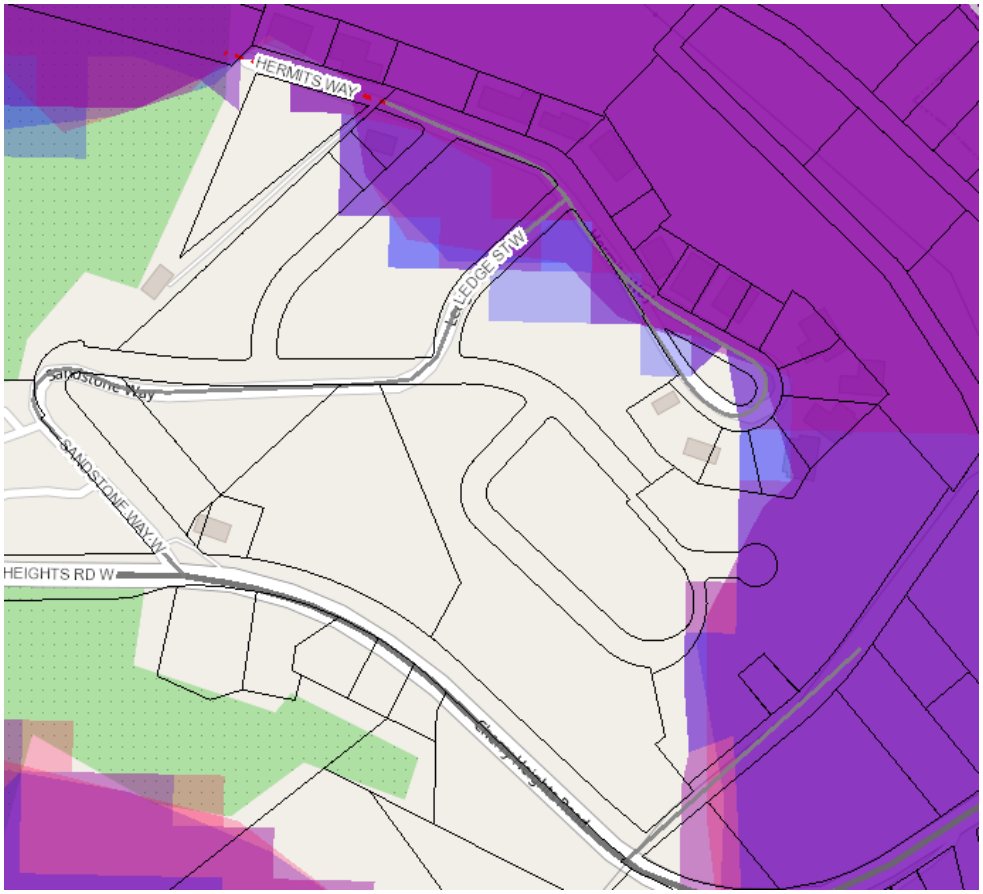
subordinate or visually not evident) in the SMA as seen from key viewing areas, including but not limited to:

a. screening by topography
b. siting (location of development on the subject property, building orientation, and other elements);
c. retention of existing vegetation on the applicant's property
d. design (color, reflectivity, size, shape, height, architectural and design details and other elements); and
e. new landscaping on the applicant's property.
f. new berms or other recontouring on the applicant's property, where consistent with other applicable provisions.

FINDING: Visual subordinance is defined in Chapter 1 as "…*the relative visibility of a structure does not noticeably contrast with the surrounding landscape, as viewed from a specified vantage point. As opposed to structures which are fully screened, structures which are visually subordinate may be partially visible. They are not visually dominant in relation to their surroundings…"*

The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested.

The National Scenic Area Seen Areas Composite Overlay available through the Wasco County GIS provides:



According to this map layer, the portions of the following lots will be visible from KVAs, and future development will be subject to the criterion discussed in the section:

Lot 2
Columbia River (Background, middleground)
Interstate 84 (Background, middleground)
Historical Columbia River Highway (Middleground)
Washington State Route 14 (Background)

Lot 5
Columbia River (Background, middleground)
Interstate 84 (Background, middleground)
Washington State Route 14 (Background)

Lot 6
Columbia River (Background, middleground)
Interstate 84 (Background, middleground)
Washington State Route 14 (Background)

Pertaining to applicable KVAs, the application provides the following:

> "Residential Evaluation
> Key Viewing Areas
> KA surveyors evaluated the sightlines to the proposed homesites from Highway 14, 1-84, and The Dalles
> Bridge/Columbia River. The future homesites on Lots 1-4 are not visible from KVA's and building envelopes have been provided for Lots 5 and 6 to minimize visibility. Homes on Lots 5 and 6 should be
> reviewed at the time of building permit to ensure that they are properly screened, which may require
> careful siting and additional vegetation for screening."
>
> (Residential Evaluation, Page 1).

The application materials and the National Scenic Area Seen Areas Composite Overlay provide that the proposed Cavern Way cul-de-sac road is not visible from an applicable KVA. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. All future development may be subject to this criterion. Based on these facts, staff finds that the request complies with Subsection 14.200.A.

> *B. New development shall be sited to achieve visual subordinance from Key Viewing Areas, unless the siting would place such development in a buffer specified for protection of wetlands, riparian corridors, endemic and listed plants, sensitive wildlife sites or conflict with standards to protect cultural resources. In such situations, development shall comply with this standard to the maximum extent practicable. (GMA Only)*

FINDING: Visual subordinance is defined in Chapter 1 as "…*the relative visibility of a structure does not noticeably contrast with the surrounding landscape, as viewed from a specified vantage point. As opposed to structures which are fully screened, structures which are visually subordinate may be partially visible. They are not visually dominant in relation to their surroundings…"*

No identified wetlands are identified on the subject properties. The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested.

Pertaining to applicable KVAs, the application provides the following:

> "Residential Evaluation
> Key Viewing Areas
> KA surveyors evaluated the sightlines to the proposed homesites from Highway 14, 1-84, and The Dalles
> Bridge/Columbia River. The future homesites on Lots 1-4 are not visible from KVA's and building envelopes have been provided for Lots 5 and 6 to minimize visibility. Homes on Lots 5 and 6 should be

reviewed at the time of building permit to ensure that they are properly screened, which may require
careful siting and additional vegetation for screening."

(Residential Evaluation, Page 1).

The application materials and the National Scenic Area Seen Areas Composite Overlay provide that the proposed Cavern Way cul-de-sac road is not visible from an applicable KVA. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. All future development may be subject to this criterion. Based on these facts, staff finds that the request complies with Subsection 14.200.B.

C. New development shall be sited to achieve visual subordinance utilizing existing topography, and/or existing vegetation as needed in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA from Key Viewing Areas.

FINDING: Visual subordinance is defined in Chapter 1 as "*…the relative visibility of a structure does not noticeably contrast with the surrounding landscape, as viewed from a specified vantage point. As opposed to structures which are fully screened, structures which are visually subordinate may be partially visible. They are not visually dominant in relation to their surroundings…"*

The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable residential development is requested.

Pertaining to applicable KVAs, the application provides the following:

"Residential Evaluation
Key Viewing Areas
KA surveyors evaluated the sightlines to the proposed homesites from Highway 14, 1-84, and The Dalles
Bridge/Columbia River. The future homesites on Lots 1-4 are not visible from KVA's and building envelopes have been provided for Lots 5 and 6 to minimize visibility. Homes on Lots 5 and 6 should be
reviewed at the time of building permit to ensure that they are properly screened, which may require
careful siting and additional vegetation for screening."

(Residential Evaluation, Page 1).

The application materials and the National Scenic Area Seen Areas Composite Overlay provide that the proposed Cavern Way cul-de-sac road is not visible from an applicable KVA. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. All future development may be subject to this criterion. Required street signage and fire hydrants will not be visible from KVAs. Based on these facts, staff finds that the request complies with Subsection 14.200.C.

D. Driveways and buildings shall be designed and sited to minimize visibility of cut banks and fill slopes from Key Viewing Areas.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested.

Pertaining to driveways for anticipated lot preparation and development, the application provides the following:

> "Grading Plan Narrative
> Proposed Stormwater Management
> Grading on the site shall be minimized to only that necessary for the building pads and vehicle-related areas such as driveways, parking areas, and turnarounds. By minimizing ground disturbance and vegetation removal, stormwater runoff will be confined to the disturbed areas. On large parcels, roof and foundation drains may be released at least 10' from the foundation onto rock dispersion pads or into rain gardens. Hard surfacing and driveways will utilize sheet flow dispersion through at least 20' of
> vegetation. No concentrated flows shall be released on or within 30' of the top of slopes exceeding 20% unless approved by a Geotechnical Engineer. Additionally, care shall be taken to not introduce runoff uphill of the septic drainfields. Drainage should be diverted around drainfields using ditches, berms, or french drains if needed to divert runoff around the drainfield."
>
> (Grading Plan Narrative, Page 6).

The application materials and the National Scenic Area Seen Areas Composite Overlay provide that the proposed Cavern Way cul-de-sac road is not visible from an applicable KVA. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. All future development may be subject to this criterion. Based on these facts, staff finds that the request complies with Subsection 14.200.D.

E. The silhouette of new buildings shall remain below the skyline of a bluff, cliff or ridge as visible from Key Viewing Areas.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested.

The elevation of the subject area is approximately 400' Above Sea Level (ASL). Elevations approximately 0.5 miles to the northwest rise to 572' (ASL). Elevations approximately 0.6 miles south-southwest of the subject area are approximately 600' (ASL). Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent

that affords subdivision lot approval. All future development may be subject to this criterion. Based on these facts, staff finds that the request complies with Subsection 14.200.E.

F. New buildings shall not be permitted on lands visible from Key Viewing Areas with slopes in excess of 30 percent. Variances to this guideline may be authorized according to Chapter 6 of this Ordinance if its application would render a property unbuildable. In determining the slope, the average percent slope of the proposed building footprint shall be utilized.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. The proposed building pockets appear to avoid slopes in excess of 30 percent. All future development may be subject to this criterion. Based on these facts, staff finds that the request complies with Subsection 14.200.F.

Design/Color

G. Unless expressly exempted by other provisions in this chapter, colors of all exterior surfaces of structures visible from Key Viewing Areas shall be dark earth-tones found at the specific site or in the surrounding landscape. The specific colors approved by the reviewing agency shall be included as a condition of approval.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. Applicable KVAs and visibility was discussed above in Section 14.200.A. Required street signage and fire hydrants will not be visible from KVAs. Staff finds that the request complies with Subsection 14.200.G.

H. The exterior of buildings in the GMA and structures in the SMA on lands visible from Key Viewing Areas shall be composed of non-reflective materials or materials with low reflectivity. Continuous surfaces of glass shall be limited to ensure visual subordinance. The Scenic Resources Implementation Handbook includes a list of recommended exterior materials and screening methods.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. Applicable KVAs and visibility

was discussed above in Section 14.200.A. Required street signage and fire hydrants will not be visible from KVAs. Staff finds that the request complies with Subsection 14.200.H.

Landscaping

I. The following criteria shall apply to new landscaping used to screen development from Key Viewing Areas:

1. New landscaping (including new earth berms) shall be required only when application of all other available guidelines in this chapter is not sufficient to make the development visually Page 14-11 Chapter 14 – Scenic Area Review Key Viewing Area subordinate in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA from Key Viewing Areas. Alternate sites shall be considered prior to using new landscaping to achieve visual subordinance. Development shall be sited to avoid the need for new landscaping wherever possible.

2. If new landscaping is required to make a proposed development visually subordinate in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA from Key Viewing Areas, existing on-site vegetative screening and other visibility factors shall be analyzed to determine the extent of new landscaping, and the size of new trees needed to achieve the standard. Any vegetation planted pursuant to this criterion shall be sized to provide sufficient screening to make the development visually subordinate within five years or less from the commencement of construction. If after five years the vegetation has not achieved a size sufficient to screen the development, additional screening may be required by the local government to make the development visually subordinate.

3. Unless as specified otherwise by provisions in this chapter, landscaping shall be installed as soon as practicable, and prior to project completion. 4. Conditions regarding new landscaping or retention of existing vegetation for new developments shall meet both scenic guidelines and the fuel break guidelines listed in the fire protection standards for each zone.

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. Applicable KVAs and visibility was discussed above in Section 14.200.A. Required street signage and fire hydrants will not be visible from KVAs. Staff finds that the request complies with Subsection 14.200.I.

J. Determination of potential visual effects and compliance with visual subordinance policies shall include consideration of the cumulative effects of proposed developments.

FINDING: The subject and adjacent properties are within the the "R-R" Rural Residential Zone (GMA & SMA). The purpose of the zone is the following:

"Residential development may locate outside Urban Areas so long as it does not adversely affect the scenic, cultural, natural and recreation resources. In addition to consideration of these factors, lands may be designated as residential if deemed suitable for residential development, taking into account the physical characteristics of the areas in question and their geographic proximity to transportation and commercial facilities and other amenities." (NSA-LUDO, Chapter 3, Section 3.16, Page 3-58).

The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. Applicable KVAs and visibility was discussed above in Section 14.200.A. Required street signage and fire hydrants will not be visible from KVAs. Staff finds that the request complies with Subsection 14.200.J.

(***)

Section 14.300, Scenic Travel Corridors
The Historic Columbia River Highway (Highway 30) and Interstate 84 (I-84) are designated as Scenic Travel Corridors, and development along a Scenic Travel Corridor must be set back at least 100' from the edge of pavement of the Scenic Travel Corridor roadway.

FINDING: According to Wasco County GIS data, the land in questions if over 0.55 miles southwest of the applicable travel corridors. Staff finds that the request complies with Subsection 14.300.

Section 14.400, Landscape Settings (GMA & SMA)
Landscape settings are the combination of land uses, landforms and vegetation patterns which distinguish an area in appearance and character from other portions of the National Scenic Area. (***)

E. Rural Residential Landscape Setting

GMA Only

1. *In portions of this setting visible from Key Viewing Areas(except those areas described in the "Developed Settings and Visual Subordinance Policies" of the Management Plan or in J below) the following standards shall be employed to achieve visual subordinance for new development:*

   a. *At least half of any trees planted for screening purposes shall be species native to the setting or commonly found in the area. Examples of native species are identified in the Scenic Implementation Handbook.*

   b. *At least half of any trees planted for screening purposes shall be coniferous to provide winter screening.*

FINDING: The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning standards (66 lots replatted to 6 lots). The request is also for development of a cul-de-sac access road to be publicly dedicated, the placement of existing Sandstone Way centered in ROW (was constructed outside of ROW in original development), and lot preparation and utilities. No applicable buildings are requested. Building pockets are identified in the application, which take into consideration visibility from KVAs and natural topography and preservation to the greatest extent that affords subdivision lot approval. Applicable KVAs and visibility was discussed above in Section 14.200.A. Required street signage and fire hydrants will not be visible from KVAs.

Pertaining to applicable KVAs, the application provides the following:

> "Residential Evaluation
> Key Viewing Areas
> KA surveyors evaluated the sightlines to the proposed homesites from Highway 14, 1-84, and The Dalles
> Bridge/Columbia River. The future homesites on Lots 1-4 are not visible from KVA's and building envelopes have been provided for Lots 5 and 6 to minimize visibility. Homes on Lots 5 and 6 should be
> reviewed at the time of building permit to ensure that they are properly screened, which may require
> careful siting and additional vegetation for screening."
>
> (Residential Evaluation, Page 1).

Future applicable development may be subject this criteria. Staff finds that the request complies with Subsection 14.200.J.

> ***Section 14.500, Cultural Resources – GMA***
> *The purpose of this section is to protect and enhance cultural resources, and ensure that proposed development does not have an adverse effect on significant cultural resources.*
>
> *(***)*
>
> *B. Applicability of the Cultural Resource Reconnaissance and Historic Survey Requirements*
>
> *1. The reconnaissance survey standards of C, Cultural Resource Reconnaissance and Historic Survey, apply until a cultural resource survey of the General Management Areas is complete.*
>
> *a. Each proposed use or element of a proposed use within an application shall be evaluated independently to determine whether a reconnaissance survey is required; for example, an application that proposes a land division and a new dwelling would require a reconnaissance survey if a survey would be required for the dwelling*
>
> *b. A reconnaissance survey shall be required for all proposed uses, except:*
>
> *(1) The modification, expansion, replacement, or reconstruction of existing buildings and structures.*

FINDING: A cultural resources survey determination dated June 1, 2023, was submitted to the Planning Department by Chris Donnermeyer, Heritage Resources Program Manager for the Columbia River Gorge National Scenic Area. According to the determination, the proposed use does not require a cultural resource reconnaissance survey and the use will occur on a site that has been determined to be located within a low probability zone, is not within 100 feet of a high probability zone, and does not occur within 500 feet of a known archaeological site. Mr. Donnermeyer's comments are in Attachment E. Staff finds that the request complies with Subsection 14.500.B.1.b.(1).

1. *A historic survey shall be required for all proposed uses that would alter the exterior architectural appearance of buildings and structures that are 50 years old or older, or compromise features of the surrounding area that are important in defining the historic or architectural character of the buildings or structures that are 50 years old or older.*

FINDING: A cultural resources survey determination dated June 1, 2023, was submitted to the Planning Department by Chris Donnermeyer, Heritage Resources Program Manager, Columbia River Gorge National Scenic Area. According to the determination, the proposed use does not require a historic survey because the request will not alter the exterior architectural appearance of significant buildings and structures on the property that are 50 years old or older. Development will not compromise features of the surrounding area that are important in defining the historic or architectural character of significant buildings or structures that are 50 years old or older. Staff finds that the request complies with Subsection 14.500.B.1.b.(2).

(***)

C. Cultural Resource Reconnaissance and Historic Surveys

1. Gorge Commission/Tribal Government Notice

a. In addition to other public notice requirements that may exist, the County shall notify the Indian tribal governments when:

(1) a reconnaissance survey is required;

FINDING: A cultural resources survey determination dated June 1, 2023, was submitted to the Planning Department by Chris Donnermeyer, Heritage Resources Program Manager, Columbia River Gorge National Scenic Area. According to the determination, the proposed use does not require a cultural resource reconnaissance survey. Staff finds that the request complies with Section 14.500.C.1.a.(1).

(***)

4. Conclusion of the Cultural Resource Protection Process

(***)

c. The cultural resource protection process may conclude when one of the following conditions exist:

(1) The proposed use does not require a reconnaissance or historic survey, no cultural resources are known to exist in the project area, and no substantiated

concerns were voiced by interested persons within 20 calendar days of the date that a notice was mailed.

FINDING: A June 1, 2023, Cultural Resources Survey Determination from Chris Donnermeyer, Heritage Program Resources Program Manager, Columbia River Gorge National Scenic Area found that a reconnaissance survey and historic survey are not required to be completed for the subject parcel. No concerns regarding cultural resources were received by the Planning Department within 20 calendar days of the mailing date (March 16, 2023) of the pre-notice to Indian tribal governments or the State Historic Preservation Office (SHPO). Staff finds that the request complies with Subsection 14.500.C.4.c.(1).

(***)

G. Discovery During Construction:

1. Halt Construction: All construction activities within 100 feet of the discovered cultural resource shall cease. The cultural resources shall remain as found; further disturbance is prohibited.

2. Notification: The project applicant shall notify the County Planning Office and the Gorge Commission within 24 hours of the discovery. If the cultural resources are prehistoric or otherwise associated with Native Americans, the project applicant shall also notify the Indian tribal governments within 24 hours.

3. Survey and Evaluation: The Gorge Commission will survey the cultural resources after obtaining written permission from the landowner and appropriate permits from the State Historic Preservation Office (see, ORS 358.905 to 358.955).

FINDING: If cultural resources are found during construction, all construction within 100' of the discovered cultural resource shall cease and the resource shall remain as found; further disturbance is prohibited. In addition, the owner shall notify the Wasco County Planning Department, Gorge Commission and four Indian tribal governments within 24 hours of discovery. **Conditions** of approval are recommended requiring compliance with these requirements. With these conditions, staff finds that the request complies with Subsection 14.500.G.1-3.

H. Discovery of Human Remains
The following procedures shall be effected when human remains are discovered during a cultural resource survey or during construction. Human remains means articulated or disarticulated human skeletal remains, bones, or teeth, with or without attendant burial artifacts.

FINDING: If human remains (human skeletal remains, bones, or teeth, with or without attendant burial artifacts) are discovered during construction, all survey, excavation and construction activities shall cease, and the human remains shall not be further disturbed. The owner shall notify the Wasco County Planning Department, the Wasco County Sheriff the Gorge Commission, the four Indian tribal governments, and Washington State Physical Anthropologist, Dr. Guy Tasa, must also be notified within 24 hours of discovery. **Conditions** of approval are recommended requiring the owner to comply with the requirements in H. With the proposed conditions staff finds that the request complies with Subsection 14.500.H.

Section 14.600, Natural Resources – GMA

A. Wetlands

(***)

3. Wetlands Buffer Zones

a. The width of wetlands buffer zones shall be based on the dominant vegetation community that exists in a buffer zone.

b. The dominant vegetation community in a buffer zone is the vegetation community that covers the most surface area of that portion of the buffer zone that lies between the proposed activity and the affected wetland. Vegetation communities are classified as forest, shrub, or herbaceous.

(1) A forest vegetation community is characterized by trees with an average height equal to or greater than 20 feet, accompanied by a shrub layer; trees must form a canopy cover of at least 40 percent and shrubs must form a canopy cover of at least 40 percent.

A forest community without a shrub component that forms a canopy cover of at least 40 percent shall be considered a shrub vegetation community.

(2) A shrub vegetation community is characterized by shrubs and trees that are greater than 3 feet tall and form a canopy cover of at least 40 percent.

(3) A herbaceous vegetation community is characterized by the presence of herbs, including grass and grass like plants, forbs, ferns, and non-woody vines.

c. Buffer zones shall be measured outward from a wetlands boundary on a horizontal scale that is perpendicular to the wetlands boundary. The following buffer zone widths shall be required.

(1) Forest communities: 75 feet

(2) Shrub communities: 100 feet

(3) Herbaceous communities: 150 feet

(***)

FINDING: The purpose of this section is to protect water quality, natural drainage, and fish and wildlife. According to State Wetlands Inventory, National Hydrography Dataset maps and digital data from the Gorge Commission available on the Wasco County GIS Map, there are no waterbodies located on subject properties or adjacent properties. The nearest is a freshwater forested/shrub wetland which includes a freshwater intermittent stream, which is located over 300' southwest from the proposed lots. No comments or requests for additional field survey data were received from the Department of State Lands or United States Forest Service. A **condition** of approval is included in the Notice of Decision requiring that the applicant obtain necessary federal, state, and local permits pertinent to the

development. Staff finds that the request complies with Subsection 14.600.A.

B. Streams, Ponds, Lakes, and Riparian Areas

(***)

2. Stream, Pond, and Lake Buffer Zones:

(***)

(c) Buffer zones shall be measured outward from a pond or lake boundary on a horizontal scale that is perpendicular to the pond or lake boundary. The following buffer zone widths shall be required.

(i) Forest communities: 75 feet

(ii) Shrub communities: 100 feet

(iii) Herbaceous communities: 150 feet

FINDING: The purpose of this section is to protect water quality, natural drainage, and fish and wildlife habitat of streams, ponds, lakes, and riparian areas, and enhance aquatic and riparian areas. According to State Wetlands Inventory, National Hydrography Dataset maps and digital data from the Gorge Commission available on the Wasco County GIS Map, there are no waterbodies located on subject properties or adjacent properties. The nearest is a freshwater forested/shrub wetland which includes a freshwater intermittent stream, which is located over 300' southwest from the proposed lots. No comments or requests for additional field survey data were received from the Department of State Lands or United States Forest Service. A **condition** of approval is included in the Notice of Decision requiring that the applicant obtain necessary federal, state, and local permits pertinent to the development. Staff finds that the request complies with Subsection 14.600.B.

C. Wildlife Habitat

(***)

3. Uses and Activities Permitted within 1,000 feet of a Sensitive Wildlife Area or Site.

Except for uses permitted without review in Section 3.100 and 3.180(B) (Open Space), uses and activities authorized by the applicable designation may be allowed within 1,000 feet of a sensitive wildlife area or site subject to (4) below, Site Plans and Field Surveys, the remaining applicable sections this Chapter and the following criteria:

(***)

d. The wildlife protection process may terminate if the County, in consultation with the state wildlife agency, determines:

(1) The sensitive wildlife area or site is not active, or

(2) The proposed use would not compromise the integrity of the wildlife area or site or occur during the time of the year when wildlife species are sensitive to disturbance.

FINDING: According to Wasco County GIS data, the proposals are within 50' feet of a designated White Oak habitat. The habitat is located wholly on the north adjacent property. The purpose of this section is to ensure that new uses do not adversely affect sensitive wildlife areas and sites. The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). No comments or requests for additional field survey data were received from the Oregon Department of Fish and Wildlife or the Untied States Forest Service (USFS). A **condition** of approval is included in the Notice of Decision requiring that the applicant obtain necessary federal, state, and local permits pertinent to the development. Staff finds that the request complies with Subsection 14.600.C.

C. Rare Plants

FINDING: The purpose of this section is to ensure that new uses do not adversely affect plant species listed on an inventory kept by the Gorge Commission, encourage the protection of plant species that are classified "Review" {list 3}, or "Watch" {list 4} by the Oregon Biodiversity Information Center, and enhance the natural habitat of rare plant species. Project notice and opportunity to comment was provided to the Oregon Biodiversity Information Center and the United States Forest Service. No comments or requests for additional field survey data were received from ORBIC or USFS. A **condition** of approval is included in the Notice of Decision requiring that the applicant obtain necessary federal, state, and local permits pertinent to the development. Staff finds that the request complies with Subsection 14.600.D.

Section 14.700, Recreation Resources – GMA

FINDING: The purpose of this section is to protect and enhance recreation resources consistent with Indian treaty rights, and to protect scenic, natural, cultural and recreation resources when providing new recreation opportunities. The request is for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). No development is proposed. There are no recreational sites on the subject properties and no new recreational use is proposed. The closest recreational site is the Columbia River, which is more than 0.95 miles from the subject properties. The request will have no impact on the recreational use due to distance. Staff finds that the request complies with Subsection 14.700.

Section 14.800, Indian Tribal Treaty Rights and Consultation - GMA

The purpose of this section is to ensure that the Scenic Area Act, the Management Plan, and these implementing ordinances do not affect or modify any treaty or other rights of any Indian tribe. It requires notification to the four tribal governments when new uses are proposed.

FINDING: Section 14.800 provides protection of Indian Tribal Treaty Rights from new development in the National Scenic Area. Section 14.800.B.3. lists additional notice materials for projects in or providing access to the Columbia River or its fish bearing tributaries or for projects that may affect Indian treaty rights and provides 20 days for tribal governments to submit comments. The subject property has no access to the Columbia River, but pursuant to other noticing requirements, notice of the proposal was mailed or e-mailed to the four tribal governments Notice of Administrative Action was mailed on March 16, 2023, and a 20-day comment period was provided. No comments were received during the comment period.

Section 14.800.C. lists guidelines for tribal government consultation when those governments submit substantive written comments. No comments were received. Staff finds that the proposed development is consistent with Section 14.800.C.

Section 14.800.D. states that the treaty rights protection process may conclude if the Executive Director determines that the proposed uses would not affect or modify treaty or other rights of any Indian tribe. Uses that would affect or modify such rights shall be prohibited.

The subject property does not provide access to the Columbia River or its fish bearing tributaries. No known treaty rights are affected by this proposal and no treaty rights concerns were raised by the tribal governments. Because the proposed use would not affect or modify treaty or other rights of any Indian tribe, the treaty rights protection process may conclude pursuant to Subsection 14.800.D.

F. Chapter 21 – Scenic Area Review

Section 21.030 - Basic Provisions and Design Standards

A. Compliance required: No land within the unincorporated territory of the Columbia River Gorge National Scenic Area portion of Wasco County shall be subdivided or partitioned, and no plat shall be filed or recorded until submitted to and approved by the Approving Authority in accordance with ORS Chapter 92.

B. Minimum Standards: The requirements and standards set forth in this chapter are the minimum ones to Page 21-2 Chapter 21-Land Divisions which a subdivision, partition, or boundary adjustment must conform before approval by the Approving Authority. Scenic, Natural, Cultural and Recreational resource buffers set forth in Chapter 14 - Scenic Area Review shall not be altered or varied to allow design standards to be met.

C. Conformity with the plan: All divisions of land and boundary adjustments shall conform to and be in harmony with the Wasco County Comprehensive Plan and National Scenic Area Land Use Designation Map and the Management Plan for the Columbia River Gorge National Scenic Area and map of that portion of the Columbia River Gorge National Scenic Area within which the subdivision and partition lies.

D. Conformity with zoning chapter: All divisions of land and boundary adjustments, regardless of the number of lots or parcels, shall comply with all specifications authorized by Chapter 3 of this Ordinance. All lots created shall conform in all respects with the applicable regulations of Chapter 3, including uses of land, lot size and dimensions, space for off-street parking, landscaping and other requirements as may be set forth. Variances from minimum parcel sizes shall not be granted.

Land divisions shall also be made only in full compliance with standards set in Chapter 14 - Scenic Area Review.

FINDING: The request is a Scenic Area Review for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). Vacation of unused ROW and easements plus dedication and construction of Cavern Way cul-de-sac ROW and lot preparation and utilities, and to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

The request will enlarge existing lots to conform to the current minimum acreage standard of five-acres. The request will also allow for residential development in an area with significant soil issues that precludes development within the smaller platted lots of the Columbia Crest Addition Subdivision. Prior to approval of the final plat, the Wasco County Planning Commission shall approve a preliminary subdivision plan (being addressed in this report). After receiving approval on the preliminary subdivision plan, a final subdivision plat shall be submitted in a separate application for approval from the Wasco County Board of Commissioners.

The standards in Chapter 21 have been applied as the minimum ones necessary for approval of the preliminary subdivision plan, and are addressed throughout this report.

The subject properties are designated “Residential” and are within the "R-R" Rural Residential Zone (GMA & SMA). The Management Plan for the Columbia River Gorge National Scenic Area requires that most residential development occur in areas already committed to residential use, and that the “5- or 10-acre minimum for those lands designated Residential that areas where a higher density would conflict with” policies seeking to do the following:

(1) Avoid steep slope, fire danger, and groundwater pollution hazards;
(2) Ensure adequacy of public services (transportation, fire, protection, police protection, schools, sewage disposal and water; and
(3) Protect existing landscape, wildlife and plant habitat, scenic sensitivity, cultural resources, and wetlands.

The purpose of the "R-R" Rural Residential Zone (GMA & SMA) is the following:

Residential development may locate outside Urban Areas so long as it does not adversely affect the scenic, cultural, natural and recreation resources. In addition to consideration of these factors, lands may be designated as residential if deemed suitable for residential development, taking into account the physical characteristics of the areas in question and their geographic proximity to transportation and commercial facilities and other amenities.

The requested replat of an existing nonconforming subdivision will increase the lots to conform with current minimum lot size. Additionally, the replat avoids steep slopes, decreases available density of development, and increases room for fire fuel breaks around potential development. The zoning, scenic, cultural, natural and recreation resource standards are addressed in Section 3.160 and Chapter 14 of this report, where the proposal is found to comply. Staff finds the request complies with Subsection 21.030.A-D.

E. Relation to Adjoining Street System: A subdivision or partition shall provide for the continuation of the principal streets existing in the adjoining subdivisions or of their proper projection when the adjoining property is not subdivided, and such streets shall be of a width not less than the minimum requirements for streets set forth in these regulations.

FINDING: The proposed replat Prince Heights Subdivision of the Columbia Crest Addition Subdivision will replat 66 lots to six lots. The remainder of the Columbia Crest Addition Subdivision will be located north and northwest of the proposed replat area. The Fruitland Park Addition Subdivision "Track 35" is also located north and northwest of the proposed replat area. The proposed replat subdivision will vacate three undeveloped Columbia Crest Addition Subdivision platted roads (Sandstone Way (portion), Cavern Way, and Granite Way), and replace them with one dedicated cul-de-sac road (Cavern Way). The proposed cul-de-sac road will not interfere with the continuation of principle streets in the adjoining subdivisions or other adjacent non-platted properties.

The Prince Heights Subdivision replat, the Columbia Crest Addition Subdivision, and the Fruitland Park Addition Subdivision "Track 35" are located north of Cherry Heights Road (a public dedicated and maintained road) and south of West 13th Street (a public dedicated and maintained road). The proposed replat provides for the continuation of all principle streets. Staff finds the request complies with Subsection 21.030.E.

See the "Columbia Crest Subdivision Road Map" and "Prince Heights Subdivision Road Map" in Attachment C.

F. Redevelopment Plan:

1. In subdividing or partitioning tracts of land into large lots which at some future time could be further divided, the Director may require that blocks and lots shall be of such size and shape, be so divided into lots, and meet such building site restrictions as will provide for extension and opening of streets at intervals which will permit a subsequent division of any parcel into lots of a smaller size which shall have the minimum lot frontage on a street.

FINDING: The request is for a replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). The subject property is within the "R-R" Rural Residential Zone (GMA)/ (GMA) R-5 (Five-acre minimum parcel size). The proposed lots will be:

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B - 0.16 acres

None of the proposed lots may be further divided. Staff finds the request complies with Subsection 21.030.F.1.

2. No lot in a platted subdivision shall be reduced in size from that shown on the recorded plat if the newly created lot will have less than the minimum lot area for the zone in which it is located.

FINDING: The request is for a replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). The subject property is within the "R-R" Rural Residential Zone (GMA)/ (GMA) R-5 (Five-acre minimum parcel size). None of the proposed lots will be reduced in size. Staff finds the request complies with Subsection 21.030.F.2.

3. Any lot in a platted subdivision may be enlarged to approximate more closely the minimum lot area for the zone in which the lot is located, provided that no leftover lot areas shall be less than the minimum lot area for the zone.

FINDING: The request is for a replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). The subject property is within the "R-R" Rural Residential Zone (GMA)/ (GMA) R-5 (Five-acre minimum parcel size). The proposed lots will be:

Six residential lots total

Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B - 0.16 acres

The Smilekel Group owns all 66 lots within the designated replat area of the Columbia Crest Addition Subdivision. The Smilekel Group also owns the following properties within the Columbia Crest Addition that are not a part of this subdivision replat. They are identified by tax lot:

Tax Lot	Account No.
1N 13E 5 AD 500	8352
1N 13E 5 AD 400	8351

The two tax lots consist of 22 independent lots. The lots were created by the Columbia Crest Addition Subdivision and recorded by the Wasco County Clerk on June 5, 1953. The lots are legal-nonconforming in size, but are below the current zone size of 5-acres.

Concerning "Tract A" the applicant provided the following statement on June 26, 2023:

> "We will have CCR's that protect the open space. I don't have CCR's yet for this subdivision – they are usually put together by the developer's lawyer, but here's a sample of one I've used in the past.
>
> *Open Space Tract:*
> a. *The designated open space tract within the subdivision shall be preserved in perpetuity and shall not be developed or altered for any purpose.*"

A copy of the this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Additionally, the applicant provides that "Tract A" will be reconfigured from existing lots and be owned by the Home Owner's Association. According to the preliminary plan, there are no "leftover lot areas" that will be less than the minimum lot area for the zone. Staff finds the request complies with Subsection 21.030.F.3.

> *4. Any person dividing tracts of land into large lots which at some future time could be further divided and still meet the minimum lot size requirement of the zone in which the land is located shall provide suitable road access to each created parcel so that the future development of each parcel will provide access for redevelopment parcels or lots.*

FINDING: The request is for a replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). The subject property is within the "R-R" Rural Residential Zone (GMA)/ (GMA) R-5 (Five-acre minimum parcel size). The proposed lots will be:

Six residential lots total

Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B - 0.16 acres

None of the proposed lots can be further divided at some future time. Suitable road access will be provided by the existing Sandstone and Ledge Ways (public dedicated roads), and by the proposed public right of way road Cavern Way cul-de-sac road. Staff finds the request complies with Subsection 21.030.F.4.

G. Access: A unit of land shall be considered to have access by way of a public road or street, private road, or private easement road, if the following criteria are satisfied:

1. The unit of land abuts on the road or street.

2. There is a legal right appurtenant to the unit of land to use the road or street for ingress and egress. A legal right to use a private road or private easement road may be evidenced by: (a) an express grant or reservation of an easement in a document recorded with the County Clerk; (b) a decree or judgment issued by a court of competent jurisdiction; (c) an order of the County Governing Body; or, (d) an express easement set forth in a duly recorded plat.

3. The road or street provides actual physical access for the unit of land.

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and/or Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way roads platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

The Director of Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "We received a petition to vacate several roads within the Columbia Crest Addition back in May, 2022. The Smilekel Group made that request. I would need an updated road vacation petition, clearly showing what roads or sections of road are proposed for vacation. Then, depending on the Planning Commission decision, we could move forward with the BOC on the vacations, pending approval of the new road dedications / subdivision plat."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

A **condition** of approval is recommended requiring the applicant, upon approval of the preliminary subdivision request by the Planning Commission, apply with the Wasco County Public Works

Department for a road vacation petition to vacate those roads identified within the preliminary subdivision plat in order that they be replaced with the proposed publicly dedicated Cavern Way cul-de-sac road. Staff also finds that the Wasco County Board of Commissioners cannot completely vacate Sandstone (portion), Cavern Way, and Granite Way before the proposed road dedication and subdivision replat are granted final approved because the road vacation would leave numerous lots within the Columbia Crest Addition without public access. Staff has determined that the final road vacation order for Sandstone Way (portion), Cavern Way, and Granite Way roads can only take effect upon the final approval and recording of the final plat of the Prince Heights Subdivision, including the public dedication of the proposed Cavern Way cul-de-sac road. The vacation order for Sandstone Way (portion), Cavern Way, and Granite Way roads must be **conditioned** to take effect upon the final approval and recording of the final plat of the Prince Heights Subdivision, including the public dedication of the proposed Cavern Way cul-de-sac road.

With the recommended condition and vacation/dedication timing, staff finds the request complies with Subsection 21.030.G.3.

H. Access Requirements for Land Divisions: Each unit of land shall be provided with access by a public road meeting standards noted in Table 1 (Rural Public Roadway Design Standards) & 2 (Urban Public Roadway Design Standards), except as provided below and in Table 3 (Private Access Standards):

1. Private Easement Road In all zones a unit of land may have access by way of a private easement road upon a finding that such road provides access for not more than three (3) units of land, serves not more than three (3) units of land, and that the easement is a minimum 30' in width;

The requirements of Section 21.300 are not applicable to a Private Easement Road.

If the private easement road could provide access for more than three (3) units of land based on existing zoning, structural setbacks shall be established from the potential right of way of the public or private road and not the right of way of the private easement road.

FINDING: The proposed subdivision is not within a resource zone, and the proposed lots will be accessed by dedicated public roads. Subsection 21.030.H.1 is not applicable to the request.

2. Private Road - In resource areas only (areas zoned F-1, F-3, A-1 and A-2), a unit of land may have access by way of a private road upon findings of the Approving Authority that:

a. Such private road provides access for not more than ten (10) units of land and serves not more than ten (10) units of land;

b. Private road approval is obtained pursuant to Section 21.400;

c. Private road is constructed to standards of Section 21.430 when more than three (3) units of land use roadway;

d. The primary use of the road is to provide access for resource activities. Conflicting uses shall be minimized;

e. When service to more than ten (10) units of land is possible, provision shall be made to serve the area by public road, including but not limited to: (a) dedication of right of way; (b) extension and improvement of the roadway to public road standards such that not more than ten (10) units of land may be served.

If the private road could provide access for more than ten (10) units of land based on existing zoning, structural setbacks shall be established from the potential right of way of the public road and not the right of way of the private road.

FINDING: The proposed subdivision is not within a resource zone, and the proposed lots will be accessed by dedicated public roads. Subsection 21.030.H.2 is not applicable to the request.

I. Alignment: As far as practical, streets other than minor streets shall be in alignment with existing streets by continuations of the center lines thereof. Staggered street alignment resulting in "T" intersections shall wherever practical leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and otherwise shall not be less than one hundred twenty five (125) feet.

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6. On June 26, 2023, the applicant provided additional details as to why a cul-de-sac road is being proposed:

> "[The] primary reasons are topographical and preserving the limited drainfield areas. We are minimizing land disturbance with a cul-de-sac vs a through road. The steepness of the site means that constructing a through road would require significant grading and excavation to create additional road. The topography is also too steep to create a through road to either the east or south, so a looped road would be the only option other than a cul-de-sac. By opting for a cul-de-sac, the need for extensive land disturbance is reduced since it involves developing a smaller area. The use of a cul-de-sac also allows for better utilization of the buildable area and suitable septic drainfield locations."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Based on the proposal, Subsection 21.030.I is not applicable to the request.

J. Half Streets: Half streets, while generally not acceptable, may be approved where essential to the reasonable development of the subdivision or partition when in conformity with the requirements of this Ordinance and when possible to require the dedication of the other half when the adjoining property is subdivided. Whenever an existing half street is adjacent to land to be subdivided, the remaining half of the street shall be dedicated within such subdivision. Reserve strips and street plugs may be required to insure the objectives of obtaining full width streets.

FINDING: The NSA-LUDO Chapter 1 Section 1.200, provides the following definition for "Half Street":

> *Half Street - One-half of the right-of-way of a public way equally divided by the property or border line, dedicated to the public together with the total width, here, of the public way by all owners, at the time of the recording of any plat including such half street or way.*

The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way, Granite Way, and Cavern Way roads (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way road that will provide access to the newly created Lots 3, 4, 5, and 6. The current looped road(s) (Sandstone Way, Granite Way, and Cavern Way) have never been constructed and are considered "paper roads". There is no need or request in this preliminary subdivision for a half-street.

Based on the proposal, Subsection 21.030.J is not applicable to the request.

> *K. Streets Adjacent to Railroads, Freeways and Parkways: When a subdivision or partition contains or is adjacent to a railroad, a parallel street may be required on each side of such railroad. A land strip of not less than twenty five (25) feet in width shall be provided along a railroad right of way for screen planting or park purposes between the railroad and residential lots. Parallel, local service streets shall be provided on each side of a freeway or parkway either within or abutting their right of way. When such parallel streets are less than eighty (80) feet from such freeway or parkway the intervening property shall be used for only park or thoroughfare purposes. Streets paralleling railroads, at those cross streets where grade separations are proposed, shall be located at a distance from the railroad that provides for such grade separation structure.*

FINDING: None of the existing or proposed streets are adjacent to railroads, freeways, or parkways. Based on the proposal, Subsection 21.030.K is not applicable to the request.

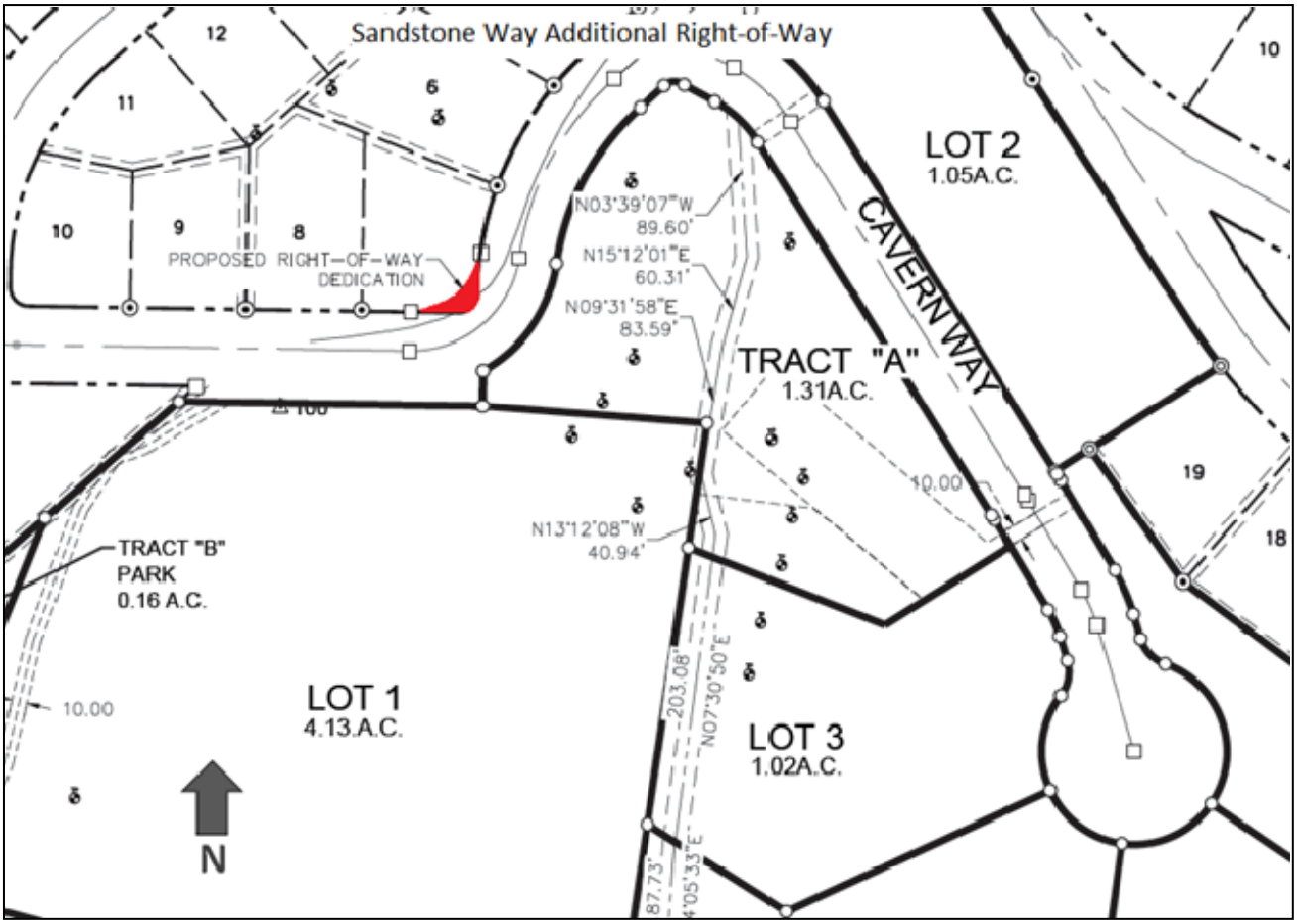
> *L. Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right of way shall be provided at the time of subdivision or partitioning.*

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6. Lot 1 and Lot 2 will have access from the existing Sandstone Way and/or Hermits Way and will require road approach permits. A **condition** of approval is recommended requiring the owner obtain Road Approach Permits for all of the proposed lots, if required by the Wasco County Public Works Department.

Additionally, the applicant proposes to dedicate additional right-of way over the existing Sandstone Way and utilities (portions of which were constructed outside of the original dedicated right-of-way). This will

center the right-of-way over the existing Sandstone Road. (See "Sandstone Way Additional Right-of-Way Dedication" Map).



The Director of Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "Cherry Heights is a fully maintained county road, with an ADT over 1500. Adding a few additional lots and traffic trips will not adversely impact that road. Sandstone, Hermits Way are currently public roads of local access. They are paved roads, in fair shape, but they are not maintained by the county. I am not looking to add them into the county road system. Please make sure a homeowners association or road maintenance agreement is a requirement of the subdivision approval."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Staff has confirmed that the county does perform maintenance on Sandstone Way up to the first curve in the road (approximately 450' north of Cherry Heights Road). The 1953 approved Columbia Crest Subdivision platted the roads at 50' wide. Examination of the 1953 "Ordinance No. 3 Subdivision Regulations of Wasco County" provides the following standards:

MINIMUM AND PREFERRED RIGHT-OF-WAYS AND WIDTHS FOR ROAD SURFACING

Type of Street	Right-of-Ways		Road Surfacing	
	Minimum	Preferred	Minimum	Preferred
Arterials	80	100	26	36
Secondary Arterials	60	80	26	36
Business & Industrial Streets	66	80	36	42
Local Streets	50	60	20	34
Dead-end Streets (not more than 400' long and serving a maximum of 18 single family dwellings)	50	50	20	20
Turn-arounds for dead-end streets	40' radius		30' radius	
Alley				
Residential	14	20		
Business or Industrial	20	20		

It is unclear when Sandstone Way and Hermits Way were actually constructed. A June 29, 2023, staff site visit confirmed that the paved (road surfaced) widths of both roads range from 35' to 25', which appears to be consistent with the "Road Surfacing" minimum standards for Local Streets and Dead-end Streets in the 1953 "Ordinance No. 3 Subdivision Regulations of Wasco County". On July 3, 2023, the Director of the Wasco County Public Works Department Arthur Smith provided comment concerning the estimated road conditions and adequacy of width for Sandstone Way and Hermits Way:

> "The existing roadway widths are adequate to serve the additional lots and appear to have been built to meet our minimum road standards. I would not require any road widening. My only request would be for a Road Maintenance Agreement or Homeowners Agreement to ensure that the public roads are maintained after development."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Staff sought additional comment from Mid-Columbia Fire and Rescue Division Chief Jay Wood concerning the existing width of Sandstone Way and Hermits Way. Chief Wood did not provided additional comment.

Based on technical commentary, and the underlying facts, staff finds the request complies with Subsection 21.030.L.

> *M. Future Extension of Streets: Where necessary to give access to or permit a satisfactory future subdivision or partitioning of adjoining land, streets shall be extended to the boundary of the subdivision or partition and the resulting dead end streets may be approved without a turnaround. Reserve strips and street plugs may be required to preserve the objectives of street extensions.*

FINDING: The NSA-LUDO Chapter 1 Section 1.200, provides the following definition for "Reserve Street":

Street Plug or Reserve Strip - A narrow strip of land controlling access to a street or half street, title to which is dedicated to the County and the disposal of which land shall be placed within the jurisdiction of the County Governing Body for disposal under conditions approved by the Commission.

The proposed replat Prince Heights Subdivision of the Columbia Crest Addition Subdivision will replat 66 lots to six lots. The remainder of the Columbia Crest Addition Subdivision will be located north and northwest of the proposed replat area. The Fruitland Park Addition Subdivision "Track 35" is also located north and northwest of the proposed replat area.

The proposed subdivision replat lots obtain primary access from Cherry Heights Road, which is a publicly maintained County Road. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way. The existing Sandstone Way (portion), Cavern Way, and Granite Way roads platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

Due to the geography and existing developed surrounding subdivision lots, the proposed cul-de-sac road is not proposed in a way that will require the continuation of the street or a future street extension.

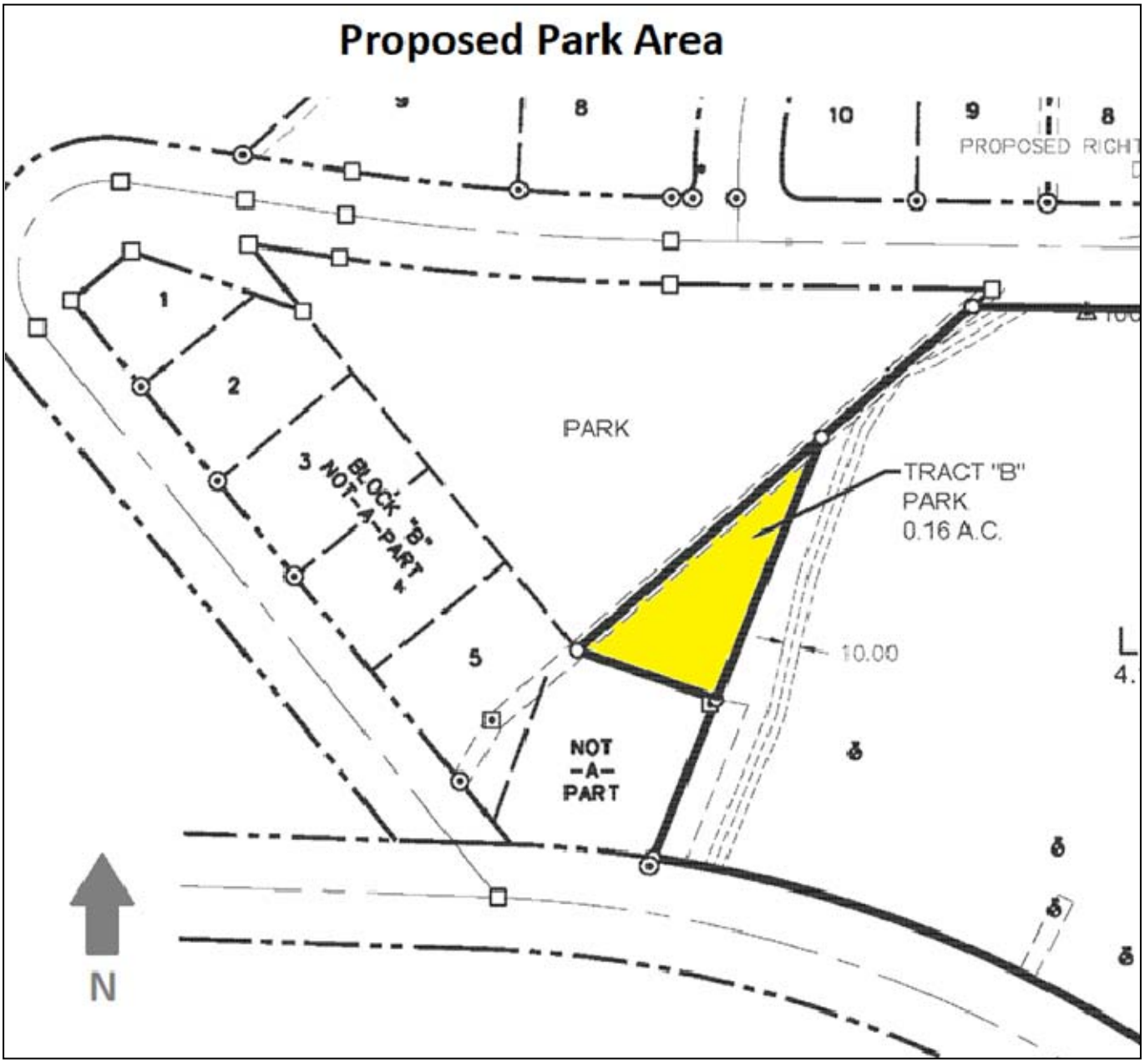
Based on these findings, staff finds the request complies with Subsection 21.030.M.

N. Alleys: The minimum width of alleys, when provided in residential blocks, shall be twenty (20) feet. Alleys shall be provided in commercial and industrial districts and shall not be less than twenty (20) feet in width. The corners of all alleys at their intersection with streets and other alleys shall be rounded and have a radius of not less than ten (10) feet.

FINDING: No blocks or alleys have been proposed through the subdivision request. Subsection 21.030.N is not applicable to the request.

O. Pedestrian Ways: When desirable for public convenience, pedestrian ways may be required to connect to cul-de-sacs or to pass through unusually long or oddly shaped blocks.

FINDING: All of the proposed Lots will have frontage along publicly dedicated roads and no blocks are proposed. However, a 0.16-acre unit of land "Tract B" is proposed to be dedicated as public park space. "Tract B" is proposed to serve the proposed subdivision, and the surrounding residentially zoned properties. The park is planned on the west side of an existing area designated as a park, and on the east side of the proposed Lot 1 (See "Proposed Park Area" below). The proposed park area is land locked and does not have public street frontage.



Concerning the proposed park space, comments were received from the Executive Director of the northern Wasco County Parks & Recreation District Scott Baker on July 6, 2023:

> "As we discussed, 1N 13E 5 AD 600 Account Number: 13902 is not currently owned or maintained by NWCPRD. It has little or no recreational value and increasing its size .16 acre does not make it a better fit for public recreation. My opinion is that Wasco County would be better served by a cash payment in lieu of the property. If Wasco county is the owner of the adjacent "publicly owned" property, I would encourage them to surplus the property and acquire much needed park space on the westside."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Additional comments pertaining to the proposed park dedication were received from the Wasco County Assessor Jill Amery and Wasco County Administrator Tyler Stone on July 12, 2023:
Jill Amery wrote:

> "The current park lot as you have seen from the previous correspondence has been very problematic. Though it isn't my decision on which path to take, my opinion for this subdivision is to not add another park space. Let the developer pay into the fund. If my initial calculation of the lots impacted are correct, the developer could pay an approximate $6,480.51 into the fund and forego the park."

Tyler Stone wrote:

> "Wasco County currently does not have a dedicated program to support the continued management of dedicated public space. I encourage you to recommend, in lieu of dedication of land…a payment to the County that will be held in a special fund for acquisition and the development and support of nearby public parks and facilities."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

The NSA-LUDO Chapter 21 Land Divisions provides the following options pertaining to final subdivision plat approval:

Section 21.310 Final Subdivision Plat Approval

E. Parks, Playgrounds, or Recreational Areas: The Approving Authority may require parks, playgrounds, or recreational areas be provided in the final subdivision plan and dedicated to the County in locations and of size indicated by the Plan for the area in which the subdivision is located.

F. Recreational Fund: Where no parks, playgrounds or recreational areas are required by the Commission, the subdivider shall pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. Such sum shall be paid to the County Clerk prior to recording of the final subdivision plan and such sum shall be held by him in a special fund for acquisition and development of parks, playgrounds, and recreational areas within the immediate area of the subdivision.

Based on the provided commentary, the fact that fee ownership of the existing park space has not been properly established, and that there are other public recreation options that do not require the dedication of public park space, staff does not recommend public open park space be required for this subdivision replat. In lieu of the park dedication, staff recommends a **condition** of approval requiring the subdivider pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. Such sum shall be paid to the County Clerk prior to recording of the final subdivision plat and such sum shall be held by the County Clerk in a special fund for acquisition and development of parks, playgrounds, and recreational areas within the immediate area of the subdivision.

However, if the Planning Commission determines that the subdivider shall dedicate to the public the 0.16-acre public park space "Tract B", staff recommends a **condition** of approval requiring the final plat provide a public pedestrian access easement for park access. With recommended conditions, staff finds the request complies with Subsection 21.030.O.

P. Cul-de-sacs: In general, dead end (cul-de-sac) streets are not desirable, but if provided, shall terminate in a turnaround that is consistent with Chapter 11 and the local fire department.

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

Application materials provide that the proposed Cavern Way cul-de-sac road will be "[a] 22' wide paved road with 2' wide gravel shoulders (in a 50' wide road tract)…approximately 590' in length, with a 48' radius (96' diameter) culdesac for fire turnaround at the end." (Project# 170105 Replat narrative, Page 13-14). Furthermore, the application provides that road maintenance for Cavern Way "will be provided by the homeowners and will be managed with a road maintenance agreement." (Project# 170105 Replat narrative, Page 10). A preliminary copy of the road maintenance agreement is provided in Attachment F and available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

On June 26, 2023, the applicant provided additional details as to why a cul-de-sac road is being proposed:

> "[The] primary reasons are topographical and preserving the limited drainfield areas. We are minimizing land disturbance with a cul-de-sac vs a through road. The steepness of the site means that constructing a through road would require significant grading and excavation to create additional road. The topography is also too steep to create a through road to either the east or south, so a looped road would be the only option other than a cul-de-sac. By opting for a cul-de-sac, the need for extensive land disturbance is reduced since it involves developing a smaller area. The use of a cul-de-sac also allows for better utilization of the buildable area and suitable septic drainfield locations."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Concerning road maintenance, the Director of the Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "Please make sure a homeowners association or road maintenance agreement is a requirement of the subdivision approval."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Concerning applicable state fire laws, Mid-Columbia Fire and Rescue Division Chief Jay Wood provided comment on June 28, 2023:

"To be clear, page 4 of the PDF you sent over is the proposed, and if so here are the requirements for access and water supply as per Oregon Fire Codes (OFC). All these requirements would come into play upon building.

Fire Apparatus Access:

- The fact that this is over 2 residential lots/buildings, these requirements come into play, again upon building. Access roads need to extend to within 150 feet of each structure on each lot. The 150 feet is from where we park the fire apparatus and then around the exterior of the building (where we would potentially pull the hose for fire attack). See note below regarding individual driveways on the lots.
- The rest of the access specifications come from Appendix D of the OFC
    - The height of the access needs to be at least 13'6" along the entire access road. Trees will need to be maintained at that height throughout and any overhead signs, etc as well.
    - The driving surface needs to be "all weather" though there is no good interpretation of what this really means. Generally accepted is concrete and/or asphalt. For a one or two lot development, a gravel driveway suffices. See note below about driveways on individual lots.
    - The access road must support an imposed load of 85,000, the gross weight of our heaviest fire apparatus including driveways.
    - Minimum width of the access road is 26' driving surface for two reasons;
        - Access roads great than 500 feet require 26' width
        - Hydrants will be required so the road must be 26' (see water supply below).
    - Grade shall be 10 percent of slope or less. There is the short pitch of greater than 10 percent allowed if necessary and by approval of the Fire District.
    - Dead end roads greater than 150 feet must have a turnaround. The cul-de-sac works as a turnaround; however, the minimum dimension of the cul-de-sac is 96 feet. Alternatives could be a hammer head "T", a "Y" or other arrangement that has at least 2 legs that are at a minimum of 60 feet in length.
    - No Parking Signs will be required unless the access road is greater than 32' in width.
        - At exactly 26' width, signs on both sides are required.
        - Greater than 26' width only requires on side to be signed.
        - Signs have to be a minimum of 12" wide by 18" high with red letters with white reflective background. Wording of "No Parking" and "Fire Lane" are required. Arrows can be used if a portion of the roadway is greater than 32' then necks down to less than 32'.
    - Probably not an issue with this as it's residential, but if the building heights are 30' or three stories, two roads to access the buildings are required (access for ladder truck)
- Structures on the lots must be within the 150' from the access road OR they must have access roads/driveways that meet the height, weight, grade and turnaround requirements. Width can be reduced to 12' drivable surface on individual lots with one or two dwellings (such as an ADU)
- There is the possibility of exceptions to some of these requirements if the dwellings (not garages, outbuildings) have an approved automatic fire sprinkler system installed in the residences. Typically, we see this with grades greater than 10 percent of slope or hydrant placement issues due to underground issues (rock usually), however, we can discuss further with you and/or the developer.

Water supply

- Because there is a water system in that area (Chen. Water PUD), one or more hydrants will be required. The hydrant/hydrant system will need to flow 1,000 Gallons per minute with a 20 pounds per square inch residual pressure.
  - If all of the homes will have sprinklers, that can be dropped to 500 gallons per minute at 20 psi residual.
  - If 1,000 gallons, the flow has to have the capacity to be maintained for 1-hour. If 500 gallons, then the duration is ½-hour.
  - The developer may be required to provide the available fire flow as noted if the water system cannot support the requirements. That can be in the form of:
    - their own water system of reservoirs and hydrant(s)
    - supplementing the current water system by paying for upgrades to the public system.
- Maximum distance from a dwelling to a hydrant is 200 feet. In other words, a hydrant will need to be installed within 200' of the center of the cul-de-sac (after being redrawn with the correct diameter requirement). This will need to be discussed if the dwellings are not near the cul-de-sac end of the lots (set back from the cul-de-sac with a driveway). If dwellings/buildings are set back from the street, it may be best to install the hydrant at the cul-de-sac.
  - This can be increased to 250' if sprinklers installed.
- Another hydrant would need to be installed within 500 feet of the one servicing the cul-de-sac. This can be increased to 625' if sprinklers are installed in all dwellings on each of the subject lots.
- Lot 1, if accessed by Sandstone Way will have to be situated so it is within that 500'/625' or an additional hydrant will need to be installed."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

In general, dead end (cul-de-sac) roads are not desirable, but considering the fire safety commentary, the geography of the area and the limited suitable land to locate septic drain fields, the following recommended conditions of approval are proposed to ensure the cul-de-sac road and final subdivision plan is consistent with Chapter 11 Fire Safety Standards and Chapter 21 Land Division of this Ordinance, and state fire codes concerning fire apparatus access:

(1) To ensure access roads extend to within 150 feet of each structure on each lot, a **condition** of approval is recommended requiring that designated development areas for proposed Lots 1-6 shall be within 150 feet of the primary access road for the individual lot, or that Lots 1-6 must contain access roads or driveways that shall be engineered to support an imposed load of 85,000 lbs., are 12' wide, and that the grade of the access driveway shall be 10 percent of slope or less.

(2) To ensure that no obstacles exist for fire apparatus access, a **condition** of approval is recommended requiring that the Cavern Way cul-de-sac road shall be maintained free of vegetation, signage, or any other man-made or natural objects, and that the height of trees, signage, or other man-made or natural objects shall be at least 13'6" along the entire Cavern Way cul-de-sac road.

(3) To ensure the public is notified of restricted parking areas for fire apparatus, a **condition** of approval is recommended requiring that the subdivder provide signage for both sides of the Cavern Way cul-de-sac road, and that the signage shall be a minimum of 12" wide x 18" high

with red letters with white reflective background with wording of “No Parking” and “Fire Lane”. The signage shall be reviewed and approved by Mid-Columbia Fire and Rescue and the Wasco County Public Works Department.

(4) To ensure that all fire apparatus have access to the proposed Lots 3-6 along the Cavern Way cul-de-sac road, a **condition** of approval is recommended requiring that the road shall be paved and engineered to support an imposed load of 85,000 lbs., that the paved portion shall be at least 26’ wide, that the grade shall be 10 percent of slope or less, and that the road shall have a 48' radius (96' diameter) cul-de-sac for fire turnaround at the end . A **variance** to the 10 percent slope condition may be granted upon demonstration of need by the applicant and approval by the local fire district.

(5) A **condition** of approval for road maintenance for Cavern Way cul-de-sac road shall be provided by the homeowners and will be managed with a road maintenance agreement.

According to Chief Wood, the subdivision area is within the Chenowith Water District. The Wasco County Geographic Information System “Water Districts” map layer provides that the water district is the Columbia Crest Water District. In any case, in consideration of water supply for fire apparatus, the following recommended conditions of approval are proposed to ensure the cul-de-sac road and final subdivision plan is consistent with Chapter 11 and state fire codes concerning water supply:

(1) To ensure on-site water is available for structural fire protection, a **condition** of approval is recommended that fire hydrants shall be provided at least 200 feet from all designated development areas for the proposed Lots 1-6; or

(2) If subdivider provides covenants, conditions, and restrictions that require that each of the lot’s dwelling units shall be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval is recommended that fire hydrants shall be provided at least 250 feet from all designated development areas for the proposed Lots 1-6.

(3) A **condition** of approval is recommended that a fire hydrant shall be provided within 500 feet of the fire hydrant servicing the cul-de-sac; or

(4) If subdivider provides covenants, conditions, and restrictions that require that each of the lot’s dwelling units be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval is recommended that the fire hydrant shall be provided within 625 feet of the fire hydrant servicing the cul-de-sac.

(5) If Lot 1 is accessed by Sandstone Way, a **condition** of approval is recommended requiring that a fire hydrant shall be situated so it is within 500 feet of the fire hydrant servicing the cul-de-sac, or that a separate fire hydrant shall be installed for Lot 1; or

(6) If subdivider provides covenants, conditions, and restrictions that require that each of the lot’s dwelling units be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval is recommended that the fire hydrant shall be provided within 625 feet of the fire hydrant servicing the cul-de-sac, or that a separate fire hydrant shall be installed for Lot 1.

(7) The fire hydrants shall have a flow rate of 1,000 gallons per minute with 20 pounds per square inch of residual pressure, and that the flow capacity shall be maintained for at least 60-minutes; or

(8) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units shall be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval is recommended that the required fire hydrant shall have a flow rate of 500 gallons per minute at 20 pounds per square inch of residual pressure that can be maintained for at least 30-minutes.

(9) To ensure the proposed fire hydrants can meet required flow rate conditions, a **condition** of approval is recommended that prior to public dedication of the proposed Cavern Way cul-de-sac, the subdivider shall provide objective substantial evidence from the local fire district that the proposed fire hydrants will have the required flow rates; or

(10) If the subdivider cannot demonstrate the required fire hydrant flow rate requirements, the subdivider, prior to public dedication of the proposed Cavern Way, shall provide objective substantial evidence from the local fire district that the required flow rates can be obtained from providing their own water system of reservoirs and hydrants, or by supplementing the current water system through upgrading the public water system. Upgrading the current water system to meet fire hydrant flow rate requirements is the sole responsibility of the subdivider.

To ensure adequate and safe access is provided to the area, a **condition** of approval is recommended requiring that prior to submittal of the final subdivision plat and public road dedication, all conditions required under this criterion shall be illustrated with dimensions on the plat, and, or, practically demonstrated to have been achieved. With the recommended conditions, staff finds the request complies with Subsection 21.030.P.

Q. Street Intersections:

1. *All streets shall intersect at right angles (90 degrees) one to the other; where an intersection at ninety (90) degrees cannot be secured by reason of physical conditions of the site an angular intersection of not less than sixty (60) degrees may be permitted.*

2. *Property corners at street intersections shall be rounded and with a radius of not less than ten (10) feet.*

3. *Major thoroughfares intersections shall have roadway curb radii of not less than twenty five (25) feet; all other street intersections shall have roadway curb radii of not less than twenty (20) feet.*

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6. As evidenced on the preliminary subdivision plat plan, the Cavern Way cul-de-sac road joins

the existing Sandstone Way at or near a right angle (90 degrees). No major thoroughfare intersections are planned.

The west side of the proposed Tract A and Lot 2 contain property corners at the Cavern Way cul-de-sac road and Sandstone Way intersection. The preliminary subdivision plat provides for rounded property corners, but does not explicitly provide that the radius of the corners are at least 10 feet or greater. A **condition** of approval is recommended that the final subdivision plat detail applicable property corners at street intersections that are rounded and with a radius of not less than ten (10) feet.

With recommended conditions of approval, staff finds the request complies with Subsection 21.030.Q.

R. Reserve Strips: Reserve strips or street plugs dedicated to the County and controlling the access to a street may be approved or required when necessary to:

1. Prevent access to the street on a side where additional width is required to meet the minimum right of way standards;

2. Prevent access to abutting property at the end of a street in order to assure the proper extension of the street pattern and the orderly development of land lying beyond the street; or

3. Prevent the uncontrolled development of land.

FINDING: The NSA-LUDO Chapter 1 Section 1.200, provides the following definition for "Reserve Street":

Street Plug or Reserve Strip - A narrow strip of land controlling access to a street or half street, title to which is dedicated to the County and the disposal of which land shall be placed within the jurisdiction of the County Governing Body for disposal under conditions approved by the Commission.

The proposed replat Prince Heights Subdivision of the Columbia Crest Addition Subdivision will replat 66 lots to six lots. The remainder of the Columbia Crest Addition Subdivision will be located north and northwest of the proposed replat area. The Fruitland Park Addition Subdivision "Track 35" is also located north and northwest of the proposed replat area.

The proposed subdivision replat lots obtain primary access from Cherry Heights Road, which is a publicly maintained County Road. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way. The existing Sandstone Way (portion), Cavern Way, and Granite Way roads platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

Due to the geography and existing developed surrounding subdivision lots, the proposed cul-de-sac road is not proposed in a way that will require the continuation of the street or a future street extension for the purposes of preventing access to the street on a side where additional width is required to meet the minimum right of way standards; prevent access to abutting property at the end of a street in order to assure the proper extension of the street pattern; or prevent the uncontrolled development of land.

Based on these findings, staff finds the request complies with Subsection 21.030.R.

S. Marginal Access Streets: Where a subdivision or partition abuts or contains an existing or proposed arterial street, the Approving Authority may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.

FINDING: The proposed subdivision does not abut any arterial streets, and none are proposed. Subsection 21.030.S is not applicable.

T. Utility Lines: Easements for sewers, water mains, electrical lines, or other public utilities shall be dedicated whenever necessary. The easements shall be at least twelve (12) feet wide and centered on lot lines where possible, except for utility pole tieback easements which may be reduced to six feet in width.

FINDING: Application materials provides the following concerning existing and proposed easements:

"In addition, the previously platted subdivision contains public utility easements as per the plat of Columbia Crest that are (and will not be) utilized. This re-p/at proposes extinguishment of the unnecessary easements. See attached Existing Easements/Road Vacation Exhibit for details of easements and ROW to be extinguished." (Project# 170105 Replat narrative, Page 6)

"Sanitary
Homes will be on septic/drainfield systems. Primary and Replacement drainfield locations have been evaluated and approved for each lot. Drain fields for Lots 1 (reserve), 2 and 6 have been evaluated and approved to be within easements in the open space tract. The open space tract contains remote set asides for individual drainfields and their associated backup drainfields. The developer also had Aqua Resource Design and Consulting (septic design consultant) review the pits for design of the systems prior to the sanitarian's review. Their memo is attached to this narrative, as are the sanitarian's approved drainfield locations (note that lot numbering and configuration has changed since original soil evaluation). Subsequently, in 2022, the developer contracted with EMS Environmental Consultants to stake the drain fields and conduct a hydrology study for drain fields located along the central drainage area as requested by the previous sanitarian. The drainfields as staked in the field caused a slight shift in the access road and lot lines from the pre-app layout, which is reflected in the current plans. Note that we have also adjusted the lot lines since the original sanitary approval to include as many of the drainfields as possible on the lots. Drainfields are located in the open space tract where there is not sufficient soil on the lot for a drainfield." (Project# 170105 Replat narrative, Page 13)

A **condition** is recommended requiring that existing easements to be extinguished shall be illustrated on the final subdivision plat, and that all proposed and non-extinguished existing easements shall be illustrated on the final subdivision plat, and that the proposed easements be at least (12) feet wide and centered on lot lines where possible, except for utility pole tieback easements which may be reduced to six feet in width. With the recommended condition, staff finds the request complies with Subsection 21.030.T.

U. Water Courses: If a subdivision or partition is traversed by a water course such as a drainage way, channel, or stream, there shall be provided a storm water easement or drainage right of way conforming substantially to the lines of the water course, and such further width as will be adequate for the purpose. Streets or parkways parallel to major water courses may be required.

FINDING: The Wasco County GIS "State Wetlands Inventory" layer provides that no delineated waterways exist on the proposed subdivision replat area. A Freshwater Forested/Shrub Wetland is delineated running in an east-west direction approximately 400 feet south of the proposed subdivision area.

Concerning watercourses and drainage, application materials provide the following:

> **"**Stream and Floodplain
> No development is proposed within a designated flood zone or stream setback. FEMA maps do not show
> any flood zones mapped on this property, and it is unlikely there would be flooding since these lots are on a hill and without a water source (creek, river, etc)." (Project# 170105 Replat narrative, Page 8).
>
> **"**Drainage
> This project will create little impervious area since most of the roads are already in place. The homes,
> driveways, and access road will utilize dispersion and infiltration. Care will be taken to not release
> storm water on or near the tops of the steep slopes or directly above drainfields. An 18" culvert will be
> installed under the new road where there is an apparent seasonal drainage. This drainage has not been
> observed by the developer or engineer to flow but will be accommodated as a precaution." (Project# 170105 Replat narrative, Page 13).

Additional comment pertaining to drainage was provided on June 30, 2023 and July 10, 2023, respectively:

> "The westernmost easement is for the existing water main. The other one is for the dry drainage channel that runs down the hill."
>
> "Yes, that is the apparent drainage. I've never seen water in it, but it is there, so we are accommodating it. Our surveyors tied it so that we could add the easement."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

A staff site visit was conducted on June 29, 2023. While taking photographs along Sandstone Way, staff was approached by Roger Howe, a resident who lives at (Map: 1N 13E 4 BC 2100, Account Number: 8344). Among other issues discussed, Mr. Howe explained that a seasonal drainage stream exists on or near where the proposed Tract A, Lot 2, and Cavern Way cul-de-sac road are proposed. Mr. Howe expressed concern that the seasonal drainage should be preserved. The preliminary plat provides for a "dry drainage channel" easement running north-south across Tract A, Lot 3, and Lot 4 to accommodate for the apparent seasonal drainage. The applicant has indicated that "

This criterion provides that the affected property must be "traversed by a water course such as a drainage way, channel, or stream" in order for a "storm water easement or drainage right of way" be required. The applicant has made note that a drainage way exists and neighbors have also mentioned it

during a staff site visit. The federal hydrology and state wetlands inventory GIS layers do not illustrate a waterway of any type on the subject property. Based on local knowledge of the seasonal drainage and the applicant's willingness to accommodate the unconfirmed seasonal drainage, staff recommends a **condition** of approval requiring an 18" culvert be installed under the proposed Cavern Way cul-de-sac road in the area where the seasonal drainage way is purported to be located, and that the proposed "dry drainage channel easement" illustrated on Sheet 5 of 5 of the "PRINCE HEIGHTS SUBDIVISION APPROVALS AND NOTES" be provided for in the final subdivision plat.

Given the aforementioned information and recommended condition of approval, staff finds that the request complies with Subsection 21.030.U.

V. Environmental Hazards: If a subdivision or partition contains known hazards resulting from potential for flooding, land movement, high water tables, erosion, or similar natural phenomena, the Approving Authority may require dedication of protective easements for uses that would minimize aggravation of the environmental hazard.

FINDING: According to the Wasco County GIS Overlay Zone (OZ) FEMA Flood Zone layer, OZ Geologic Hazards layer, no identified flood or geologic hazard has been mapped on the subject property.

From the application materials provided, it is clear that soil conditions on the subject property outright prohibit or at the very least, significantly restrict the construction of septic systems on the existing 66 smaller lots. Concerning soil quality and septic system expertise, staff requested comment from Eric Grendel Environmental Health, REHS North Central Public Health District. Mr. Grendel provided the following comments on June 28, 2023:

> "I appreciate you reaching out to seek input from the Environmental Health Department.
>
> I've reviewed this proposed replat a few times since taking over the onsite septic program for NCPHD and have also met with my predecessor John Zalaznik who conducted the site evaluation back in 2017, to discuss his interpretation of the proposed replat and development.
>
> Prior to John's evaluation, this proposal went through a Preliminary Feasibility Study by Aqua Resource Design & Consulting and was most notably finalized by REHS Brannon Lamp who is a highly regarded consultant for environmental health services. In Brannon's results, he suggested that the Re-Plat include a series of easements and some help from a designer to adequately demonstrate that the design could support both primary and secondary drainfield areas for 7-8 lots.
>
> Klein Associates was then hired in July of 2017 to create a schematic for the proposed development and replat for the individual lots, which included Aqua Resources sampled soil pit sites. This was provided to John Zalaznik for his site evaluation which was conducted on 9/28/17.
>
> John's evaluated 8 lots for onsite septic suitability and proposed that the area have an Engineered hydrologic Study be conducted due to his concerns over the loading capacity of the site and landslide potential.
>
> Environmental Management Services, INC. (EMS) was then hired to determine whether or not the site was stable to accept the projected daily flow for wastewater.

EMS determined that there were some factors that would indicate there be a cautious approach with the designing of the septic systems and determined that a pressurized distribution system be considered to prevent the uneven distribution of effluent to avoid instability of localized saturated soils. EMS also recommended that Erosion Control Measures be implemented to further prevent any destabilization that could occur.

From my standpoint, working with small lots (Murray's Addition, Sportsman's Park, Pine Hollow) is a major challenge once they've been developed because finding a suitable replacement site can be limited. Since these lots have not been developed yet, NCPHD can require certain criteria to be met before approving a structural permit for sanitation, or a construction permit for onsite wastewater disposal however, larger lots such as the ones proposed do provide more room for adjustments (even if they're on easements). Many times, people may build something in an area that doesn't require a permit and don't think about that space being the only suitable replacement area which can compound an already difficult situation.

While the hypothetical situations are endless as to what could occur in any development, I do believe that expanding the footprint of these lots would be more suitable than trying to squeeze in several ATT systems on smaller lots if they were found to be approved for onsite wastewater treatment.

This replat has had several environmental specialists provide insight into the proposed development, in which I cannot see anything that would keep this from moving forward as long as it's designed and installed appropriately."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Mentioned in Mr. Grendel's comments was the Environmental Management Systems, Inc. Hydrology Study that was submitted with the subdivision application. The Engineering Hydrologic Study that was published as Job: 22-0073 on December 12, 2022 by Environmental Management Systems, Inc. provides the following regarding erosion, and recommends a number of construction standards for septic and drainfield placement:

"EXISTING CONDITIONS & POTENTIAL IMPACTS
• Site Conditions did not present obvious active indicators of erosion or soil movement, but the County Feasibility Evaluator, John Zalaznik, REHS expressed concerns about site stability and required an Engineering Study of the Hydrologic impact of installation of drainfields on the common area to be used for drainfields." (Engineering Hydrologic Study Job: 22-0073, Page 2).

The Engineering Hydrologic Study report provides a list of findings regarding septic and drainfield installation as well as erosion control measures.

"FINDINGS:
• Use of traditional gravity trenches was not considered because of limited space and because gravity dispersal would result in localized saturated flow, with potential for destabilizing the site. Void spaces would be larger with gravity piping, but since this is not being considered, is moot.

• Use of traditional Gravel trenches would add significant weight that could be destabilizing to the site.

• Use of EZFiow Polystyrene Gravel Substitute would result in significantly less weight on the sloped site than gravel, so actually be considered to stabilize the site.

• Use of pressurized piping reduces uneven distribution of effluent thereby avoiding instability caused by localized saturation. 1 inch diameter PVC piping would be used in either gravel or EZFiow configurations, and present negligible weigh on the site.

• Erosion Control Measures should be implemented to prevent destabilization.

EMS performed the following project tasks to support this project:

• Designed & Staked the Initial and Reserve Drainfield lines to serve Alternative Treatment Technology (ATT) systems located in each respective lot and which will pump treated effluent to their respective easement areas located in Tract A.

• Prepared septic designs modified as needed based on hydrologic evaluation and County requirements.

• Consulted with the manufacturer of EZFiow Polystyrene Gravel Substitute for concurrence with the proposed use of their products.

• Prepared this report and design for review by the project engineer and County DEQ Agent.

EMS designed the drainfield components to receive highly treated effluent from the ATT System located at each of the 4 sites. The design has the following mitigating factors to further reduce instability:

1. Use of lightweight EZ Flow Polystyrene Substitute Drain Media instead of gravel.

2. Pressure Distribution to equalize the effluent flow over each active drainfield trench.

3. Spacing of>= 20 feet between installed drainfield lines, spreading effluent out across the site. Reserve lines are designated for future installation planned, but not installed. If ever used, these lines would replace the initially installed lines.

4. Removal of Excess Soil would also slightly reduce the amount of weight on the overall drainfield area. This step is considered optional to provide additional stability. If kept on the drainfield site, excess soil must be spread out over the total initial and reserve area.

5. Site gravel substitute to be covered in the trench excavation, and seeded for stability, immediately following approved inspection by EMS and authorized NCPHD Personnel." (Engineering Hydrologic Study Job: 22-0073, pp. 2-4).

Considering public comment, prior evaluations conducted by North Central Public Health, and the Engineering Hydrologic Study (Environmental Management Systems, Inc. Job: 22-0073), staff believes that the report's numerated findings should be viewed in a coalesced manner with regards to overall erosion control within the proposed subdivision area. However, the findings within the report are oriented towards the construction of the drainfield and septic systems, and provide for no specific area where a protective easements would be required for erosion control.

The subject area is not located within an area mapped or known to contain environmental hazards with potential for flooding, land movement, high water tables, erosion, or similar natural phenomena. Staff finds that Subsection 21.030.V is not applicable to this request.

W. Blocks: No block shall exceed twelve hundred (1200) feet in length between streets. In blocks over eight hundred (800) feet in length there shall be a cross walkway of not less than ten (10) feet in width, near the middle of the block. The width of blocks shall be such as to allow two tiers of lots, except where in the opinion of the Approving Authority a relatively short length of double frontage lots are unavoidable.

FINDING: No blocks have been proposed for the subdivision, Subsection 21.030.W is not applicable to the request.

X. Lots:

1. Lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for the types of use permitted. Lot dimensions shall not include part of existing or proposed streets. All lots shall be buildable, except a public utility lot. Depth and width of utility lots shall be adequate to provide for standard setbacks for service structures, and to furnish off street parking facilities required by the kind of use contemplated. In no other case shall the width or area be less than that prescribed for the zone in which the lot is proposed.

FINDING: The proposed subdivision will be located in "R-R" Rural Residential Zone (GMA & SMA), GMA R-5. The proposed replat of existing subdivision lots within the Columbia Crest Addition Subdivision will make the lots more conforming with current zoning (66 lots replatted to 6 lots). Regarding property size, the application provides the following:

"Property size
As shown in the attached plan sheets, these five taxlots are currently platted as 66 lots plus right-of-way in an undeveloped subdivision_ but the lack of public sewer and limited suitable drainfield area prevents such dense residential development to take place. Since the original platting of this subdivision, zoning has changed to GMA R-R-5, a rural residential zoning in the Scenic Area's General Management Area,
with minimum lot sizes of 5 acres.

This property is currently zoned GMA R-5 but was platted as a part of a subdivision in 1953 with average lot size of approximately 7,000 sf (measured in CAD). The goal of this application is to re-p/at from 66 small lots to 6 larger residential lots, one open space tract and one road ROW. By increasing the average residential lot size from about 7,ooo+/- sf to 112,748 sf (2.59 acres), the proposed lots will be much closer to conformance with the current zoning code." (Project# 170105 Replat narrative, Page 6).

Table 2 - Proposed Lots

Lots	Use	Min Width (feet)	Max Width (feet)	Average Width (feet)	Area (acres)
1	Single Family Res.	342	458	400	4.12
2	Single Family Res.	358	378	368	1.05
3	Single Family Res.	142	240	191	1.02
4	Single Family Res.	57	303	180	2.89
5	Single Family Res.	63	546	304	3.20
6	Single Family Res.	104	424	264	3.09
TOTAL	**SFR Lots**			**284**	**15.37**
Tract "A"	Open Space "Tract A"				1.31
	Park Space Dedication				0.16
TOTAL	**6 SFR Lots + Park + Open Space**				**16.84**
ROW	Cavern Way (50' ROW)				0.82
TOTAL	**TOTAL project area**				**17.66**

(Project# 170105 Replat narrative, Page 7).

The proposed subdivision has been reviewed in accordance with the property development standards for the applicable zoning, where the proposal was found to comply. The purpose of the zoning and intent of a subdivision is to allow for residential development. The lot dimensions do not include existing or proposed streets. No public utility lots are proposed; however, Tract A is proposed to be an open space tract that will contain remote set aside easement areas for individual drain fields and their associated backup drain fields for Lots 1, 2, and 6. Staff finds the request complies with Subsection 21.030.X.1.

2. *Each side lot line shall be at right angles to the adjacent street line or radial to a curved street line, unless the Approving Authority determines that variation from these requirements is necessitated by unusual circumstances such as topography and site location.*

FINDING: As illustrated in the preliminary subdivision plan, all of the proposed side lot lines will either be at right angles to its adjacent street (Lots 1, 2, 3, and Tract A), and radial to a curved street (Lots 4, 5, and 6). Staff finds the request complies with Subsection 21.030.X.2.

3. *Lots with double frontage shall be avoided, except where the Approving Authority determines that such lots are essential to provide separation or residential development from major traffic arterials or adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A planting screen easement at least ten (10) feet wide, across which there shall be no rights of access, may be required along the line of lots abutting such a traffic arterial or other incompatible use. Such area shall be considered the rear portion of the lot.*

FINDING: Lot 2 has triple frontage from Sandstone Way, Hermits Way loop road, and the proposed Cavern Way cul-de-sac road. Currently, the preliminary plat has not designated which road access will be provided from. A **condition** of approval is recommended that at least a (10) feet wide planting screen easement, across which there shall be no right of vehicle access be shown on the final plat for no less than two of the three frontage roads (Sandstone Way, Hermits Way, and/or Cavern Way cul-de-sac road).

Lot 1 has double frontage with Sandstone Way and Cherry Heights Road. Lot 1 will have access from Sandstone Way. Sandstone Way will be the primary access road for Lot 1. A **condition** of approval is recommended that at least a (10) feet wide planting screen easement, across which there shall be no right of vehicle access be shown on the final plat for Cherry Heights Road.

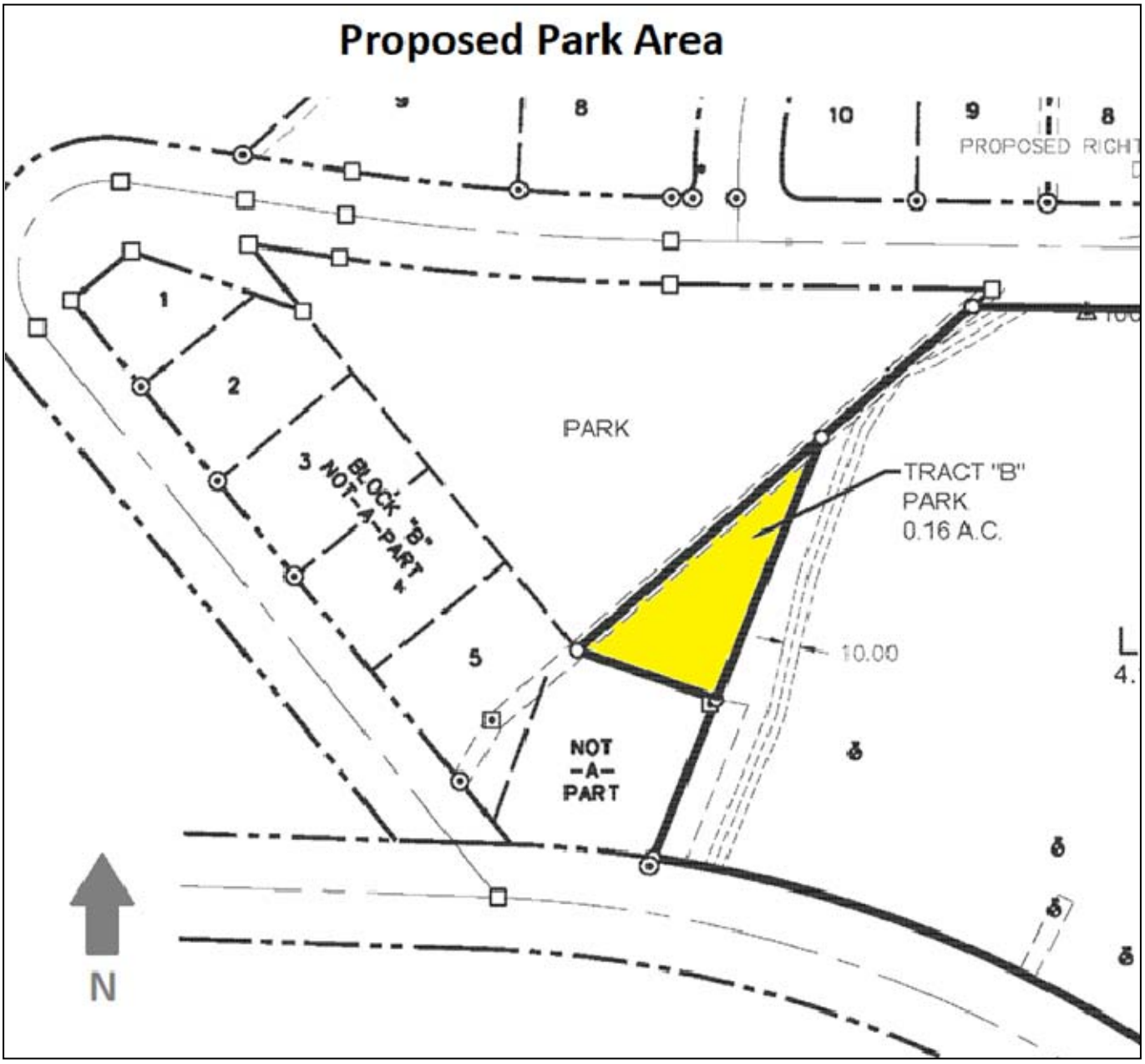
No other proposed lot has double frontage. With the recommended condition of approval, staff finds the request complies with Subsection 21.030.X.3.

> *4. Flag lots shall not be permitted, except when unusual circumstances exist. Such circumstances may include characteristics of topography and site which affect construction on the property or access to the property. Approval of the creation of flag lots by the Approving Authority shall be based on specific findings indicating what unusual circumstances exist.*

FINDING: None of the proposed lots are designed in such a manner to be defined as a flag lot. Staff finds the request complies with Subsection 21.030.X.4.

> *Y. Public Open Space:*
> *Elementary and high school sites, neighborhood playgrounds, parks and recreation areas shall be located in accordance to the development pattern of the County or the County area. When such public school or recreation sites are within the area of an approved subdivision they may be dedicated to the County or shall be reserved until such time as the County is able to acquire them. Parks and recreation areas shall be provided at the rate of one (1) acre of recreation area to every one hundred people.*

FINDING: All of the proposed Lots will have frontage along publicly dedicated roads and no blocks are proposed. However, a 0.16-acre unit of land "Tract B" is proposed to be dedicated as public park space. "Tract B" is proposed to serve the proposed subdivision, and the surrounding residentially zoned properties. The park is planned on the west side of an existing area designated as a park, and on the east side of the proposed Lot 1 (See "Proposed Park Area" below). The proposed park area is land locked and does not have public street frontage.



Concerning the proposed park space, comments were received from the Executive Director of the northern Wasco County Parks & Recreation District Scott Baker on July 6, 2023:

> "As we discussed, 1N 13E 5 AD 600 Account Number: 13902 is not currently owned or maintained by NWCPRD. It has little or no recreational value and increasing its size .16 acre does not make it a better fit for public recreation. My opinion is that Wasco County would be better served by a cash payment in lieu of the property. If Wasco county is the owner of the adjacent "publicly owned" property, I would encourage them to surplus the property and acquire much needed park space on the westside."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Additional comments pertaining to the proposed park dedication were received from the Wasco County Assessor Jill Amery and Wasco County Administrator Tyler Stone on July 12, 2023:
Jill Amery wrote:

> "The current park lot as you have seen from the previous correspondence has been very problematic. Though it isn't my decision on which path to take, my opinion for this subdivision is to not add another park space. Let the developer pay into the fund. If my initial calculation of the lots impacted are correct, the developer could pay an approximate $6,480.51 into the fund and forego the park."

Tyler Stone wrote:

> "Wasco County currently does not have a dedicated program to support the continued management of dedicated public space. I encourage you to recommend, in lieu of dedication of land, you to require a payment to the County that will be held in a special fund for acquisition and the development and support of nearby public parks and facilities."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

The NSA-LUDO Chapter 21 Land Divisions provides the following options pertaining to final subdivision plat approval:

Section 21.310 Final Subdivision Plat Approval

G. Parks, Playgrounds, or Recreational Areas: The Approving Authority may require parks, playgrounds, or recreational areas be provided in the final subdivision plan and dedicated to the County in locations and of size indicated by the Plan for the area in which the subdivision is located.

H. Recreational Fund: Where no parks, playgrounds or recreational areas are required by the Commission, the subdivider shall pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. Such sum shall be paid to the County Clerk prior to recording of the final subdivision plan and such sum shall be held by him in a special fund for acquisition and development of parks, playgrounds, and recreational areas within the immediate area of the subdivision.

Based on the provided commentary, the fact that fee ownership of the existing park space has not been properly established, and that there are other public recreation options that do not require the dedication of public park space, staff does not recommend public open park space be required for this subdivision replat. In lieu of the park dedication, staff recommends a **condition** of approval requiring the subdivider pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. Such sum shall be paid to the County Clerk prior to recording of the final subdivision plat and such sum shall be held by the County Clerk in a special fund for acquisition and development of parks, playgrounds, and recreational areas within the immediate area of the subdivision.

However, if the Planning Commission determines that the subdivider shall dedicate to the public the 0.16-acre public park space "Tract B", staff recommends a **condition** of approval requiring the final plat

provide a public pedestrian access easement for park access. With recommended conditions, staff finds the request complies with Subsection 21.030.Y.

Z. Subdivision Name: The name of any subdivision shall not duplicate or be so similar as to be confused with the name of any existing subdivision or parcel or area within the County.

FINDING: To ensure that the name of the proposed subdivision would not duplicate or be so similar as to be confused with the name of any existing subdivision or parcel or area within the county, staff contacted Bradley Cross, the Wasco County Surveyor by email for confirmation. Staff received a response on July 10, 2023, stating: "This name is not in use and there is nothing similar. We have a Highland Heights, but I believe there is enough difference to allow the use of Prince's Heights."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Since the subdivision name will not be a duplicate, or be similar enough to be confused with the name of an existing subdivision or parcel or area within the county, staff finds the request complies with Subsection 21.030.Z.

AA. Street Names: Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the names of existing streets. Street names and numbers shall conform to the established pattern in the surrounding area and, if near a city, to the pattern in the city, and shall be subject to the approval of the Approving Authority.

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

Since the proposed street name will not be a duplicate, or be similar enough to be confused with the name of another existing street name within the county, staff finds the request complies with Subsection 21.030.AA.

BB. Street Signs: All street and highway signs shall meet the County standards for such signs.

FINDING: To ensure compliance with the criterion, staff recommends a **condition** of approval requiring that placement of all street signage within the subdivision, to include the Cavern Way cul-de-sac road sign, shall be the responsibility of the developer, and prior to placement, the signage shall be approved by the Wasco County Public Works Department to ensure it meets county standards. With the recommended condition, staff finds the request complies with Subsection 21.030.BB.

Section 21.200 Property Line Adjustments & Replats

B. Replats shall be reviewed according to 1 or 2 below with the exception that the requirements of ORS 92.180 - 92.190 shall apply.

1. *Replats which result in a reconfiguration between lots or parcels in a recorded subdivision or partition, a decrease of lots in a recorded subdivision, or a correction of an error or irregularity in the original plat shall be reviewed according to A above.*

2. *Replats which result in an increase in the number of lots in a recorded subdivision shall be reviewed according to Section 21.100, Land Partitioning Approval.*

FINDING: The NSA-LUDO Chapter 1 Section 1.200 provides the following definitions:

Partition - Either an act of partitioning land or an area or tract of land partitioned as defined in this section.

Partition Land - To divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year.

Subdivision - Either an act of subdividing land or an area or tract of land subdivided as defined in this section.

Subdivide Land - To divide an area or tract of land into four or more lots within a calendar year when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of such year.

The proposed replat Prince Heights Subdivision of the Columbia Crest Addition Subdivision will replat 66 lots to six lots. The proposed replat will not increase the number of lots within the subdivision, but will result in the six lots. Staff finds that Subsection 21.200.B.1 applies to this request.

Section 21.300 - Preliminary Subdivision Plan Approval

The approval of a preliminary subdivision plan is reviewed by the Planning Commission subject to the provisions of Chapter 2.

A. Application for Preliminary Subdivision Plan Approval:

1. *An application for preliminary subdivision plan approval shall be initiated as provided in Chapter 2 of this Ordinance.*

2. *In addition to the complete application requirements for Chapter 14 - Scenic Area Review the applicant shall file with the Director a preliminary subdivision plan, together with improvement plans and other supplementary information required by B below to demonstrate the design and objectives of the subdivision.*

3. *The preliminary plan shall be clearly and legibly drawn. It shall show all required information to scale so that the Approving Authority may have an adequate understanding of what is proposed. Under ordinary circumstances, the scale of the drawing is to be one (1) inch equals one hundred (100) feet, or one (1) inch equals fifty (50) feet.*

FINDING: An application for a subdivision was submitted to the Planning Department on February 7, 2023, to be decided upon by the Planning Commission. A preliminary notification was issued on March 16, 2023. A Cultural and Historical Survey Determination was made by Chris Donnermeyer Heritage Resources Program Manager
Columbia River Gorge National Scenic on June 6, 2023. Any other improvement plans or supplementary information required is addressed in subsection B below. The preliminary subdivision plan that was received was legibly drawn and all information located on it was to scale so that the approving authority would have an adequate understanding of what was proposed. The scale of the preliminary subdivision plan submitted was 1" = 100'. Staff finds the request complies with Subsection 21.200.A.

B. Information Required in the Preliminary Subdivision Plan:

1. All existing and proposed means of utilities for each tract including but not limited to water, sewer, telephone lines, and electrical lines.

FINDING: Application materials provide the following:

"Residential Evaluation
Power and communications
Power will be provided by Northern Wasco PUD from the existing power poles along Sandstone Way. Underground power and transformers will be placed at their direction. Communications will follow the power in a joint utility trench."

(Residential Evaluation, Page 3).

Utility easements and proposed means of utilities are illustrated on the preliminary subdivision maps and the application forms have provided the information required by this criterion. Staff finds the request complies with Subsection 21.200.B.1.

2. Any existing permanent structures and their setbacks to existing and proposed subdivision lot lines.

FINDING: The preliminary subdivision maps, application forms, and Wasco County GIS provide the information necessary for this criterion. Staff finds the request complies with Subsection 21.200.B.2.

3. Predominant topographical features such as bluffs and rock outcroppings.

FINDING: The Septic Site Evaluations within the application contain maps of the subject area with contour lines. Additionally, the Wasco County GIS provides staff with topographic and slope percentage maps for reference and preliminary evaluation. Staff finds the request complies with Subsection 21.200.B.3.

4. Typical cross-sections of proposed streets, showing all improvements proposed within the street right of way at such scale to clearly show the details thereof.

FINDING: The preliminary subdivision maps and application forms provide the information necessary for this criterion. Staff finds the request complies with Subsection 21.200.B.4.

5. Contour lines may be required at intervals to be determined by the Director.

FINDING: The Septic Site Evaluations within the application contain maps of the subject area with contour lines. Additionally, the Wasco County GIS provides staff with topographic and slope percentage maps for reference and preliminary evaluation. Staff finds the request complies with Subsection 21.200.B.5.

6. *The names of adjacent subdivisions or the names of recorded owners of adjoining parcels of unsubdivided land.*

FINDING: The names of adjacent subdivisions is provided illustrating the the Columbia Crest Addition Subdivision and the Fruitland Park Addition Subdivision. Staff finds the request complies with Subsection 21.200.B.6.

7. *The location, width and names of all existing or plotted streets or other public ways within or adjacent to the tract, existing permanent buildings, railroad rights of way and other important features such as section lines, political subdivisions or corporation lines and school district boundaries.*

FINDING: The preliminary subdivision maps, application forms, and Wasco County GIS provides the information necessary for this criterion. Staff finds the request complies with Subsection 21.200.B.7.

8. *Vicinity sketch showing how the proposed streets and alleys may connect with existing streets in neighboring subdivisions or undeveloped property.*

FINDING: The preliminary subdivision maps and application forms provide the information necessary for this criterion. Staff finds the request complies with Subsection 21.200.B.8.

9. *Zoning classification and plan map designation of the land.*

FINDING: The preliminary subdivision maps and application forms provide the information necessary for this criterion. Staff finds the request complies with Subsection 21.200.B.9.

10. *The location of any environmental hazard; area unsuitable for building purposes; or land subject to mass movement, excessive erosion, or similar natural phenomena.*

FINDING: According to the Wasco County GIS Overlay Zone (OZ) FEMA Flood Zone layer, OZ Geologic Hazards layer, no identified flood or geologic hazard has been mapped on the subject property. Findings provided within subsection 21.030.V. address environmental hazards. Accordingly, the preliminary subdivision maps and application forms provides the information necessary for this criterion. Staff finds the request complies with Subsection 21.200.B.10.

11. *The proposed name of the subdivision or major partition.*

FINDING: The proposed name of the subdivision is the “Prince Heights Subdivision”. Staff finds the request complies with Subsection 21.200.B.11.

12. *North point, scale, date of application, and basis of bearing.*

FINDING: The preliminary subdivision maps and application forms contain a north point, a scale, a date of applilcation, and a basis of bearing, which reads “OREGON STATE PLANE COORDINATES SYSTEM NORTH ZONE, GRID NORTH, GROUND DISTANCE ESTABLISHED BY G.PS. OBSERVATION ALONG THE WEST LINE

OF BLOCK "B" COLUMBIA CREST ADDITION". Staff finds the request complies with Subsection 21.200.B.12.

13. Areas subject to flooding, storm water overflow and all water courses and their directional flows, including marshes and wetlands;

FINDING: According to the Wasco County GIS Overlay Zone (OZ) FEMA Flood Zone layer, OZ Geologic Hazards layer, no identified flood or geologic hazard has been mapped on the subject property. The federal hydrology and state wetlands inventory GIS layers do not illustrate a waterway of any type on the subject property. The preliminary subdivision maps and application forms provide the following regarding storm water and drainage management:

"Grading Plan Narrative
Proposed Stormwater Management
Grading on the site shall be minimized to only that necessary for the building pads and vehicle-related areas such as driveways, parking areas, and turnarounds. By minimizing ground disturbance and vegetation removal, stormwater runoff will be confined to the disturbed areas. On large parcels, roof and foundation drains may be released at least 10' from the foundation onto rock dispersion pads or into rain gardens. Hard surfacing and driveways will utilize sheet flow dispersion through at least 20' of vegetation. No concentrated flows shall be released on or within 30' of the top of slopes exceeding 20% unless approved by a Geotechnical Engineer. Additionally, care shall be taken to not introduce runoff uphill of the septic drainfields. Drainage should be diverted around drainfields using ditches, berms, or french drains if needed to divert runoff around the drainfield."

(Grading Plan Narrative, Page 6).

"Residential Evaluation
Drainage
This project will create little impervious area since most ofthe roads are already in place. The homes, driveways, and access road will utilize sheetflow and downspout dispersion. Care will be taken to not release stormwater on or near the tops of the steep slopes or directly above drainfields. Erosion control measures during construction, such as sediment fence, will be utilized to prevent construction
stormwater from leaving the site."
(Residential Evaluation, Page 3).

"Stream and Floodplain
No development is proposed within a designated flood zone or stream setback. FEMA maps do not show
any flood zones mapped on this property, and it is unlikely there would be flooding since these lots are on a hill and without a water source (creek, river, etc)."

(Project# 170105 Replat narrative, Page 8).

"Drainage
This project will create little impervious area since most of the roads are already in place. The homes,
driveways, and access road will utilize dispersion and infiltration. Care will be taken to not release

storm water on or near the tops of the steep slopes or directly above drainfields. An 18" culvert will be
installed under the new road where there is an apparent seasonal drainage. This drainage has not been
observed by the developer or engineer to flow but will be accommodated as a precaution."

(Project# 170105 Replat narrative, Page 13).

Based on application materials submitted, staff finds the request complies with Subsection 21.200.B.13.

14. *Names and addresses of the subdivider, engineer, surveyor, land planner or landscape architect.*

FINDING: The preliminary subdivision maps and application forms provide the names and addresses of the subdivider, engineer and surveyor. The subdivider/owner is the Smilikel Group and the engineer/surveyor is Klein & Associates. Staff finds the request complies with Subsection 21.200.B.14.

15. *The tract description according to the real estate records of Wasco County.*

FINDING: The preliminary subdivision maps and application forms provide the tract description according to the real estate records of Wasco County. Staff finds the request complies with Subsection 21.200.B.15.

16. *The boundary lines (accurate in scale) of the tract to be subdivided.*

FINDING: The preliminary subdivision maps and application forms provide the boundary lines of the subject tract. Staff finds the request complies with Subsection 21.200.B.16.

17. *All parcels of land intended to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purpose of conditions or limitations of such reservation, if any.*

FINDING: The preliminary subdivision maps indicate a public park "Tract B" and private open space area "Tract A". Staff finds the request complies with Subsection 21.200.B.17.

18. *All existing and proposed public and private easements, restrictions, and covenants providing for, or affecting all services, utilities, or access must be shown on the face of the map along with the legal description. If it is a pre-existing easement or if the easement has been filed with the County Clerk prior to the final approval of the land partition, then the Recorder's number shall appear on the face of the map; and*

FINDING: The preliminary subdivision maps indicate the locations of public and private easements. A **condition** of approval is recommended that the final plat provide all existing and proposed public and private easements, restrictions, and covenants providing for, or affecting all services, and utilities, and that if the easement has been filed with the County Clerk prior to the final approval of the land partition, then the Recorder's number shall appear on the face of the map.

[**AMENDED FINDING:** During the August 1, 2023, Planning Commission Hearing, commissioners requested that assurances be provided that "Tract A" shall never be further divided or developed. The proposed use of "Tract A" contains remote set asides for individual drainfields and their associated backup drainfields (for drain fields for Lots 1 (reserve), 2 and 6). Based on the Planning Commission's inquires and statements

made during the hearing, a **condition** of approval is provided in the Notice of Decision requiring that all necessary easements, restrictions, and covenants be provided for Tract A to ensure the lot is used for the purpose provided within the application and approved by the Planning Commission on August 1, 2023.]

As proposed and with the recommended condition of approval, staff finds the request complies with Subsection 21.200.B.18.

19. *Proposed lots, approximate lot dimensions, and lot numbers. Where lots are to be used for purposes other than residential, it shall be indicated upon such lots.*

FINDING: The preliminary subdivision maps and application forms provide the information necessary for this criterion. Staff finds the request complies with Subsection 21.200.B.19.

20. *Parks, playgrounds, recreation areas, parkways, and other open space for public use.*

FINDING: The preliminary subdivision maps indicate a public park "Tract B" and private open space area "Tract A". Staff finds the request complies with Subsection 21.200.B.20.

21. *Locations of proposed tree plantings or other plantings. Appropriate information clearly stating the map is a tentative plan.*

FINDING: Application materials provide the following regarding proposed landscaping:

"Residential Evaluation
Proposed Landscaping
The disturbed areas shall be revegetated with native grasses such as Koeleria macrantha (Prairie Junegrass) by seed. Seeding in non-irrigated areas (roadside slopes) shall be done during spring or fall, when they will be irrigated by rain. Irrigation shall be provided by the owner to ensure growth of plants for any areas planted during dry weather and through dry seasons, until established. If berms are placed to reduce setbacks for Lots 1 and 2 shall be planted per the guidance in the Wasco County and National Scenic Area (NSA) Land Use and Development Code to create a combined height of 15' (8' berm plus 7' planting)."

(Residential Evaluation, Page 3).

The preliminary subdivision maps and application forms have provided the information required by this criterion. Staff finds the request complies with Subsection 21.200.B.21.

22. *Proposed source of water supply, if any; estimated volume to be available, together with data regarding the location, type, and size of all storage facilities, distribution lines, fire hydrants, and gate valves.*

FINDING: Application materials provide the following regarding proposed source of water supply:

"Residential Evaluation
Utilities
Lots 1 and 2 will obtain water service from existing water mains in the existing roads. The developer proposes to install a 4" looped water main from the existing water mains in

> Sandstone Way and deadend main in Hermit's Way to serve lots 3-6. This plan has been discussed with Chenowith Water District, and they indicate that there is plenty of water plan for the proposed homes and they will let us know if they will require looping to Hermit's Way."
>
> (Residential Evaluation, Page 3).

Additional water requirements are included in Section 21.030.P., regarding state fire safety standards. Staff contacted Chenowith Water district by email on July 9, 2023, for comments. Darrin Eckman provided the following comments on July 17, 2023:

> "As the Engineer of Record for the Chenowith Water PUD I wanted to go on record regarding the development proposed by the Smilekel Group (921-23-000023-PLNG).
>
> > The proposed subdivision is within the Chenowith Water PUD service area and we are willing to provide domestic water service to the six residential lots.
> >
> > We have been in communication with the developers engineer, Ms. Elizabeth Betts (Klein & Associates, Inc.), and are in general agreement that the developer will:
> >
> > - Connect to the existing 6" line at the intersection of Ledge Way and Hermits Way;
> > - Replace the existing 4" water main in Ledge Way with 6" from Hermits Way to the proposed Cavern Way;
> > - Install new 6" water main in Cavern Way from Ledge Way to its southerly terminus;
> > - Install a fire hydrant assembly at the southerly terminus in the cul-de-sac;
> > - Install typical residential water services to each lot with the meter to be placed in and at the edge of the Cavern Way ROW; and
> > - Provide a 20-foot wide public utility easement across Lot 1 where the existing CWPUD watermain is located.
>
> All materials and work to conform to CWPUD standards. The developer is to enter into an Agreement to Reimburse for CWPUD contracted fees and pay the Subdivision Plan Review fee ($750).
>
> Each lot owner will be required to pay the Meter Drop-in Fee ($500) and System Development Charge ($3,100) at the time service is requested. Fees are subject to change."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.
A **condition** of approval is recommended that the final subdivision review shall provide the proposed source of water supply, estimated volume to be available, together with data regarding the location, type, and size of all storage facilities, distribution lines, fire hydrants, and gate valves.

Based on the aforementioned information, commentary, the preliminary subdivision maps and application forms, and the recommended condition of approval, staff finds the request complies with Subsection 21.200.B.22.

> *23. If domestic water supply proposed by the developer includes the drilling of wells, information on the feasibility of well drilling. Such information will be provided even if the developer is not required by the Commission to drill the wells.*

FINDING: Application materials provide the following regarding proposed source of water supply:

> "Residential Evaluation
> Utilities
> Lots 1 and 2 will obtain water service from existing water mains in the existing roads. The developer proposes to install a 4" looped water main from the existing water mains in Sandstone Way and deadend main in Hermit's Way to serve lots 3-6. This plan has been discussed with Chenowith Water District, and they indicate that there is plenty of water plan for the proposed homes and they will let us know if they will require looping to Hermit's Way."
>
> (Residential Evaluation, Page 3).

Based on the aforementioned information, the preliminary subdivision maps and application forms, and the recommended condition of approval, staff finds the request complies with Subsection 21.200.B.23.

24. The proposed method of sewage disposal.

a. If to be served by a community sewer system, data regarding the location, type, size, approximate grade, and capacity of all collection lines, feeder lines, trunk lines, pumping stations, storage facilities, backflow prevention devices, and gate valves. If treatment is to be accomplished by an existing municipal or public sewage facility, a statement regarding the ability of the facility to accommodate the projected increased load. If treatment is to be accomplished by a new installation or privately owned treatment facility, a statement regarding conformity to applicable regulations of the Oregon State Department of Environmental Quality.

b. If to be served by a community collection and storage system, data regarding the location, type, size, approximate grade, and capacity of all lines, holding tanks, storage facilities, pumping facilities, and valves.

c. If to be served by subsurface sewage disposal, a statement from an authorized representative of the Department of Environmental Quality, State of Oregon, or the County Sanitarian regarding the approval of each lot or parcel to be sold for installation of septic tank facilities.

FINDING: Sanitation for the proposed six lots will be provided by subsurface sewage disposal (septic and drain field). Subsection 21.200.B.23.c is applicable.

From the application materials provided, it is clear that soil conditions on the subject property outright prohibit or at the very least, significantly restrict the construction of septic systems on the existing 66 smaller lots. Concerning soil quality and septic system expertise, staff requested comment from Eric Grendel Environmental Health, REHS North Central Public Health District. Mr. Grendel provided the following comments on June 28, 2023:

> "I appreciate you reaching out to seek input from the Environmental Health Department.
>
> I've reviewed this proposed replat a few times since taking over the onsite septic program for NCPHD and have also met with my predecessor John Zalaznik who conducted the site evaluation back in 2017, to discuss his interpretation of the proposed replat and development.

Prior to John's evaluation, this proposal went through a Preliminary Feasibility Study by Aqua Resource Design & Consulting and was most notably finalized by REHS Brannon Lamp who is a highly regarded consultant for environmental health services. In Brannon's results, he suggested that the Re-Plat include a series of easements and some help from a designer to adequately demonstrate that the design could support both primary and secondary drainfield areas for 7-8 lots.

Klein Associates was then hired in July of 2017 to create a schematic for the proposed development and replat for the individual lots, which included Aqua Resources sampled soil pit sites. This was provided to John Zalaznik for his site evaluation which was conducted on 9/28/17.

John's evaluated 8 lots for onsite septic suitability and proposed that the area have an Engineered hydrologic Study be conducted due to his concerns over the loading capacity of the site and landslide potential.

Environmental Management Services, INC. (EMS) was then hired to determine whether or not the site was stable to accept the projected daily flow for wastewater.

EMS determined that there were some factors that would indicate there be a cautious approach with the designing of the septic systems and determined that a pressurized distribution system be considered to prevent the uneven distribution of effluent to avoid instability of localized saturated soils. EMS also recommended that Erosion Control Measures be implemented to further prevent any destabilization that could occur.

From my standpoint, working with small lots (Murray's Addition, Sportsman's Park, Pine Hollow) is a major challenge once they've been developed because finding a suitable replacement site can be limited. Since these lots have not been developed yet, NCPHD can require certain criteria to be met before approving a structural permit for sanitation, or a construction permit for onsite wastewater disposal however, larger lots such as the ones proposed do provide more room for adjustments (even if they're on easements). Many times, people may build something in an area that doesn't require a permit and don't think about that space being the only suitable replacement area which can compound an already difficult situation.

While the hypothetical situations are endless as to what could occur in any development, I do believe that expanding the footprint of these lots would be more suitable than trying to squeeze in several ATT systems on smaller lots if they were found to be approved for onsite wastewater treatment.

This replat has had several environmental specialists provide insight into the proposed development, in which I cannot see anything that would keep this from moving forward as long as it's designed and installed appropriately."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Mentioned in Mr. Grendel's comments was the Environmental Management Systems, Inc. Hydrology Study that was submitted with the subdivision application. The Engineering Hydrologic Study that was published as Job: 22-0073 on December 12, 2022 by Environmental Management Systems, Inc. provides

the following regarding erosion, and recommends a number of construction standards for septic and drainfield placement:

> **"**EXISTING CONDITIONS & POTENTIAL IMPACTS
> • Site Conditions did not present obvious active indicators of erosion or soil movement, but the County Feasibility Evaluator, John Zalaznik, REHS expressed concerns about site stability and required an Engineering Study of the Hydrologic impact of installation of drainfields on the common area to be used for drainfields." (Engineering Hydrologic Study Job: 22-0073, Page 2).

The Engineering Hydrologic Study report provides a list of findings regarding septic and drainfield installation as well as erosion control measures.

> "FINDINGS:
> • Use of traditional gravity trenches was not considered because of limited space and because gravity dispersal would result in localized saturated flow, with potential for destabilizing the site. Void spaces would be larger with gravity piping, but since this is not being considered, is moot.
>
> • Use of traditional Gravel trenches would add significant weight that could be destabilizing to the site.
>
> • Use of EZFiow Polystyrene Gravel Substitute would result in significantly less weight on the sloped site than gravel, so actually be considered to stabilize the site.
>
> • Use of pressurized piping reduces uneven distribution of effluent thereby avoiding instability caused by localized saturation. 1 inch diameter PVC piping would be used in either gravel or EZFiow configurations, and present negligible weigh on the site.
>
> • Erosion Control Measures should be implemented to prevent destabilization.
>
> EMS performed the following project tasks to support this project:
>
> • Designed & Staked the Initial and Reserve Drainfield lines to serve Alternative Treatment Technology (ATT) systems located in each respective lot and which will pump treated effluent to their respective easement areas located in Tract A.
>
> • Prepared septic designs modified as needed based on hydrologic evaluation and County requirements.
>
> • Consulted with the manufacturer of EZFiow Polystyrene Gravel Substitute for concurrence with the proposed use of their products.
>
> • Prepared this report and design for review by the project engineer and County DEQ Agent.
>
> EMS designed the drainfield components to receive highly treated effluent from the ATT System located at each of the 4 sites. The design has the following mitigating factors to further reduce instability:
>
> 1. Use of lightweight EZ Flow Polystyrene Substitute Drain Media instead of gravel.
>
> 2. Pressure Distribution to equalize the effluent flow over each active drainfield trench.

3. Spacing of>= 20 feet between installed drainfield lines, spreading effluent out across the site. Reserve lines are designated for future installation planned, but not installed. If ever used, these lines would replace the initially installed lines.

4. Removal of Excess Soil would also slightly reduce the amount of weight on the overall drainfield area. This step is considered optional to provide additional stability. If kept on the drainfield site, excess soil must be spread out over the total initial and reserve area.

5. Site gravel substitute to be covered in the trench excavation, and seeded for stability, immediately following approved inspection by EMS and authorized NCPHD Personnel." (Engineering Hydrologic Study Job: 22-0073, pp. 2-4).

The preliminary plat provides the location of the proposed septic system drainfields (See Preliminary Plat Sheet 5 of 5). Drain fields for Lots 1 (reserve), 2 and 6 have been evaluated and approved to be within easements in the open space tract (Tract A). Lots 4, 5, and 3 will contain their own primary and reserve drain fields.

FINDING: A **condition** of approval is recommended requiring the final plat provide a statement from an authorized representative of the Department of Environmental Quality, State of Oregon, or the County Sanitarian regarding the approval of each lot or parcel to be sold for installation of septic tank facilities. The preliminary subdivision maps, application forms, commentary, and recommended condition of approval, staff finds the request complies with Subsection 21.200.B.24.c.

25. Proposed building setback lines

FINDING: The preliminary subdivision maps and application forms provide staff with the information required within this criterion. Staff finds the request complies with Subsection 21.200.B.25.

C. Development Phasing:

1. A preliminary subdivision plan may provide for platting in as many as three (3) phases. The preliminary plan must show each phase and be accompanied by proposed time limitations for approval of the final plat for each phase.

2. Time limitations for the various phases must meet the following requirements:

a. Phase 1 final plat shall be approved within twelve (12) months of preliminary approval.

b. Phase 2 final plat shall be approved within twenty four (24) months of preliminary approval.

c. Phase 3 final plat shall be approved within thirty six (36) months of preliminary approval.

FINDING: The applicant has not proposed phasing the development of the subdivision, therefore the timeline criterion in Subsection E below will apply, and Subsection 21.200.C is not applicable to the request.

D. Criteria for Approval of Preliminary Subdivision Plan:

1. A decision on the preliminary subdivision plan application shall be made by the Approving Authority as provided in Chapter 2 of this Ordinance.

2. The preliminary subdivision plan shall be approved if the Approving Authority finds the following:

a. The information required by this Chapter has been provided;

b. The design and development standards of Section 21.030 of this Chapter have been met; and

c. If the preliminary plan provides for development in more than one phase, the Approving Authority makes findings and conclusions that such phasing is necessary due to the nature of the development, and that the applicant will be able to comply with the proposed time limitations.

FINDING: As identified in Chapter 2, the decision on the preliminary subdivision plan will be determined by the Planning Commission. The Planning Commission hearing will be held on August 1, 2023. Staff has recommended approval of the preliminary subdivision plan since the information required by Chapter 21 was provided, and the proposal was found to comply with the development standards of Section 21.030. The development of the subdivision will not be phased. Staff finds the request complies with Subsection 21.200.D.

E. Duration of Preliminary Subdivision Plan Approval:

1. Approval of a preliminary subdivision plan shall be valid for twenty-four (24) months from the date of approval of the preliminary plan, provided that if the approved preliminary plan provides for phased development, the approval shall be valid for the time specified for each phase, subject to the limitations of Section 21.200 C 2 of this Ordinance.

2. If any time limitation is exceeded, approval of the preliminary subdivision plan, and any subsequent phases, shall be void. Any subsequent proposal by the applicant for division of the property shall require a new development request.

F. Granting of Extensions

1. An applicant may request an extension of the validity of a preliminary subdivision plan approval, or, if the preliminary plan provides for phased development, an extension of the validity of preliminary approval with respect to the phase the applicant is then developing. Such request shall be considered an Administrative Action and shall be submitted to the Director, in writing, prior to expiration of such approval, stating the reason why an extension should be granted.

2. *The Director may grant one extension of up to twelve (12) months in the validity of a preliminary subdivision plan approval or, if the preliminary plan provides for phased development, one extension of up to twelve (12) months in the validity of a preliminary subdivision plan approval with respect to the phase then being developed, if it is determined that a change of conditions, for which the applicant was not responsible, would prevent the applicant from obtaining final plat approval within the original time limitation.*

FINDING: Following approval from the planning commission, the preliminary subdivision plan will be valid for a 24-month period, with no phasing proposed in accordance with Subsection 21.200C.2. To ensure compliance, a **condition** of approval is recommended providing that approval of the preliminary subdivision plan is valid for 24 months from the date of final approval, which is the end of the 15-day appeal period following the final decision of the Planning Commission. A final subdivision plat must be submitted for review by the authorized decision making body prior to the expiration of the 24 month period of validity. If the time limitation expires, approval of the preliminary subdivision plan shall be void. Any subsequent proposal by the applicant for a division of the property shall require a new development request. An extension of time may be granted, if it is applied for in accordance with Section 2.250 Extension of Validity of Land Use Approvals, and Subsection 21.200.F of the Wasco County National Scenic Area Land Use and Development Ordinance. With the recommended condition, staff finds the request complies with Subsections 21.200.E and 21.200.F.

Section 21.310 Final Subdivision Plat Approval

Approval of a final subdivision plat is reviewed by the Planning Commission and subject to the provision of Chapter 2.

A. Application for Final Subdivision Approval:

1. *Before expiration of the validity of the preliminary subdivision plan approval obtained pursuant to 21.300, the applicant shall cause an Oregon licensed land surveyor to survey the subdivision and to prepare a final plat, in conformance with the approved preliminary plan.*

2. *The applicant shall initiate a request for final plat approval by filing with the Director a final plat, an exact reproducible copy, other supporting documents as described in B, Final Subdivision Plat Requirements through D, Performance Bond, below, and the appropriate fees as established by the County Governing Body.*

FINDING: Prior to the expiration of the preliminary subdivision approval, the applicant, per the requirements of Section 21.300, requires that the applicant shall initiate a request for final plat approval by filing with the Director a final plat, an exact reproducible copy, other supporting documents as described in B, Final Subdivision Plat Requirements through D, Performance Bond, and the appropriate fees as established by the County Governing Body.

The Wasco County Planning Department shall review the final subdivision plat for conformance, and schedule a public hearing before the available decision making authority for final review and approval.

B. Final Subdivision Plat Requirements:

1. *The final plat shall be prepared in conformance with all provisions of this Section.*

FINDING: A copy of Subsection 21.310.B. is provided in Attachment G. A **condition** of approval is recommended requiring the final plat shall be prepared in conformance with all applicable provisions of Subsection 21.310.B.

(***)

C. Agreement for Improvements

1. Before approval of the final subdivision plat, the applicant shall either install the improvements required by the preliminary plan approval and repair existing streets and other public facilities damaged in the development of the subdivision, or shall execute and file with the County Governing Body an agreement between himself and the County specifying the period within which required improvements and repairs will be completed. The agreement may provide that if work is not completed within the period specified, the County may complete the work and recover the full cost and expense thereof from the applicant.

2. An applicant may request an extension of time for completion of required improvements. Such request will be considered an application for administrative action. Such extension shall be approved only if changed conditions for which the applicant is not responsible have made it impossible for him to fulfill the agreement within the original time limit(s).

FINDING: A **condition** of approval is recommended requiring that prior to final subdivision plat approval and pubic road dedication, the applicant shall either install the improvements required by the preliminary plan approval and repair existing streets and other public facilities damaged in the development of the subdivision, or shall execute and file with the County Governing Body an agreement between himself and the County specifying the period within which required improvements and repairs will be completed. The agreement may provide that if work is not completed within the period specified, the County may complete the work and recover the full cost and expense thereof from the applicant.

The applicant may request an extension of time for completion of required improvements. Such request will be considered an application for administrative action. Such extension shall be approved only if changed conditions for which the applicant is not responsible have made it impossible for him to fulfill the agreement within the original time limit(s).

D. Performance Bond

1. To assure full performance of the improvement agreement, an applicant shall provide one of the following:

a. A surety bond executed by a surety company authorized to transact business in the State of Oregon on a form approved by the District Attorney; or

b. cash deposit with the County Tax Collector; or

c. certification or letter of assurance by a bank or other reputable lending institution that money is being held to cover the cost of improvements and incidental expenses, and that said money will be released only upon the direction

of the County Road Master. The bank certification or letter of assurance shall be approved by the District Attorney; or

d. cash deposit with an escrow agent authorized to transact business in the State of Oregon subject to escrow instructions that require the escrow agent to release the money only upon the direction of the County Road Master. Escrow instructions shall be approved by the District Attorney.

2. Such assurance shall be for a sum determined by a qualified licensed engineer or in the case of survey monuments, a licensed land surveyor as sufficient to cover the costs of included improvements and repairs or monuments and including related County expenses; and

3. Such assurance provides that: If the applicant fails to carry out provisions of the agreement or the County has unreimbursed costs or expenses resulting from such failure, the County shall call on the bond or cash deposit for reimbursement; if the amount of the bond or cash deposit exceeds the cost and expense incurred by the County, the County shall release the remainder; and if the amount of the bond or cash deposit is less than the cost and expense incurred by the County, the applicant shall be liable to the County for the difference.

FINDING: If the applicant elects to execute and file with the County Governing Body an agreement for improvement as specified in Subsection 21.310.C.1., to ensure full performance of said agreement, staff recommends a **condition** of approval requiring the applicant provide one of the following options prior to final subdivision plat and public road dedication approval:

a. A surety bond executed by a surety company authorized to transact business in the State of Oregon on a form approved by the District Attorney; or

b. cash deposit with the County Tax Collector; or

c. certification or letter of assurance by a bank or other reputable lending institution that money is being held to cover the cost of improvements and incidental expenses, and that said money will be released only upon the direction of the County Road Master. The bank certification or letter of assurance shall be approved by the District Attorney; or

d. cash deposit with an escrow agent authorized to transact business in the State of Oregon subject to escrow instructions that require the escrow agent to release the money only upon the direction of the County Road Master. Escrow instructions shall be approved by the District Attorney.

Additionally, a **condition** of approval is recommended that the assured amount shall be for a sum determined by a qualified licensed engineer or in the case of survey monuments, a licensed land surveyor as sufficient to cover the costs of included improvements and repairs or monuments and including related County expenses; and

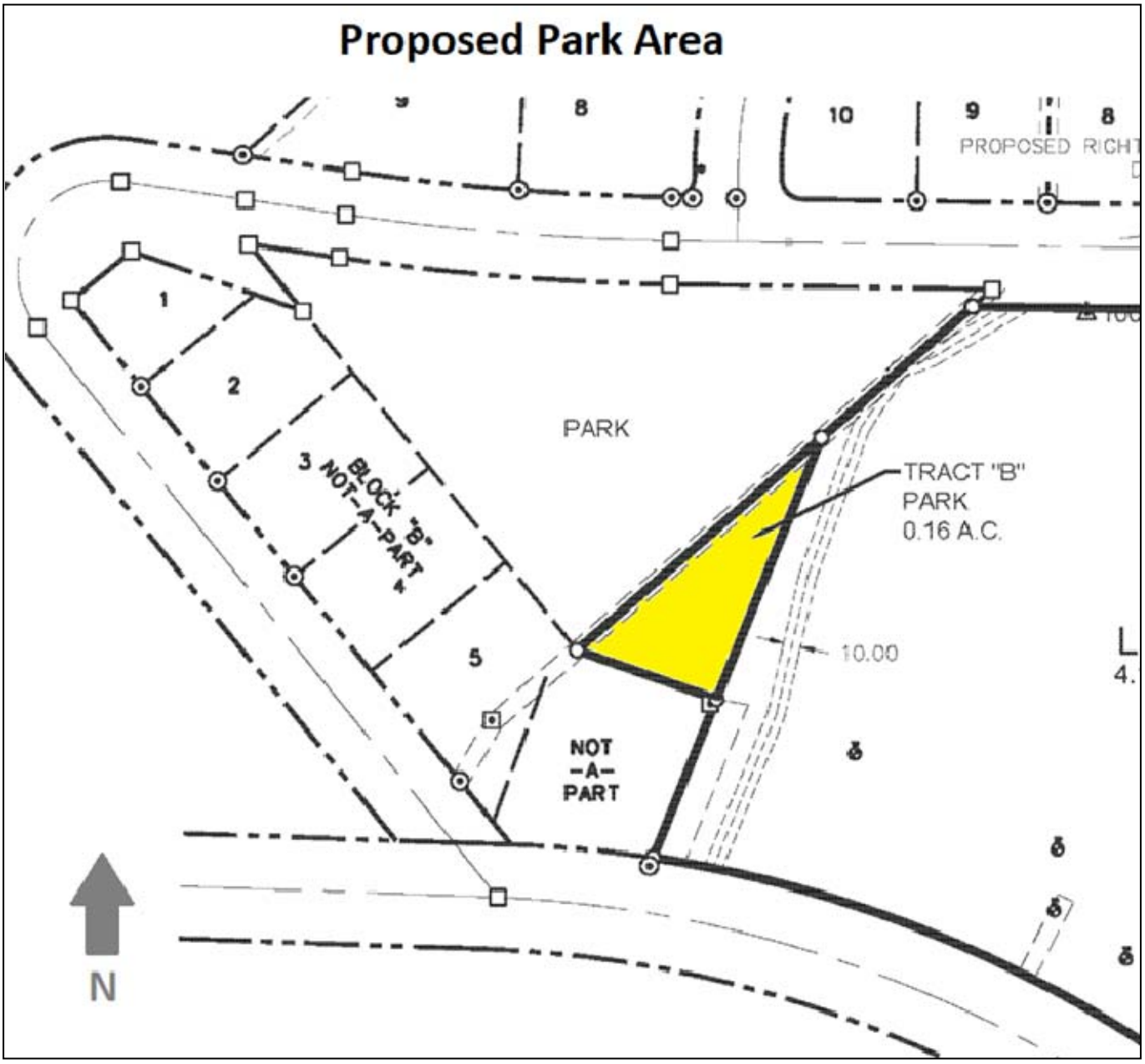
Such assurance provides that: If the applicant fails to carry out provisions of the agreement or the County has unreimbursed costs or expenses resulting from such failure, the County shall call on the bond or cash deposit for reimbursement; if the amount of the bond or cash deposit exceeds the cost

and expense incurred by the County, the County shall release the remainder; and if the amount of the bond or cash deposit is less than the cost and expense incurred by the County, the applicant shall be liable to the County for the difference.

E. Parks, Playgrounds, or Recreational Areas: The Approving Authority may require parks, playgrounds, or recreational areas be provided in the final subdivision plan and dedicated to the County in locations and of size indicated by the Plan for the area in which the subdivision is located.

F. Recreational Fund: Where no parks, playgrounds or recreational areas are required by the Commission, the subdivider shall pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. Such sum shall be paid to the County Clerk prior to recording of the final subdivision plan and such sum shall be held by him in a special fund for acquisition and development of parks, playgrounds, and recreational areas within the immediate area of the subdivision.

FINDING: All of the proposed Lots will have frontage along publicly dedicated roads and no blocks are proposed. However, a 0.16-acre unit of land will be dedicated to public park space. “Tract B” will serve the proposed subdivision, and the surrounding residentially zoned properties. The park will be situated on the west side of an existing area designated as a park, and on the east side of the proposed Lot 1 (See “Proposed Park Area” below). The proposed park area is land locked and does not have public street frontage.



Concerning the proposed park space, comments were received from the Executive Director of the northern Wasco County Parks & Recreation District Scott Baker on July 6, 2023:

> "As we discussed, 1N 13E 5 AD 600 Account Number: 13902 is not currently owned or maintained by NWCPRD. It has little or no recreational value and increasing its size .16 acre does not make it a better fit for public recreation. My opinion is that Wasco County would be better served by a cash payment in lieu of the property. If Wasco county is the owner of the adjacent "publicly owned" property, I would encourage them to surplus the property and acquire much needed park space on the westside."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Additional comments pertaining to the proposed park dedication were received from the Wasco County Assessor Jill Amery and Wasco County Administrator Tyler Stone on July 12, 2023:
Jill Amery wrote:

> "The current park lot as you have seen from the previous correspondence has been very problematic. Though it isn't my decision on which path to take, my opinion for this subdivision is to not add another park space. Let the developer pay into the fund. If my initial calculation of the lots impacted are correct, the developer could pay an approximate $6,480.51 into the fund and forego the park."

Tyler Stone wrote:

> "Wasco County currently does not have a dedicated program to support the continued management of dedicated public space. I encourage you to recommend, in lieu of dedication of land, you to require a payment to the County that will be held in a special fund for acquisition and the development and support of nearby public parks and facilities."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Based on commentary, the fact that fee ownership of the existing park space has not been properly established, and that there are public recreation options that do not include the dedication of public park space, **staff does not recommend** public open park space be required for this subdivision replat. In lieu of the park dedication, staff recommends a **condition** of approval requiring the subdivider pay to the County a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. Such sum shall be paid to the County Clerk prior to recording of the final subdivision plat and such sum shall be held by the County Clerk in a special fund for acquisition and development of parks, playgrounds, and recreational areas within the immediate area of the subdivision.

However, if the commission determines that the subdivider shall dedicate to the public the 0.16-acre public park space "Tract B", staff recommends a **condition** of approval requiring the final plat provide a public pedestrian access easement for park access. With recommended conditions, staff finds the request complies with Subsection 21.310.B

(***)

H. Standards for Final Subdivision Plat Approval

1. The Planning Commission shall grant final subdivision plat approval if they determine that the final plat and supporting documents are in substantial conformance with the approved preliminary plan, including any conditions imposed by the Approving Authority. Substantial conformance means that any differences between the preliminary and final plans are "minor amendments", as defined in 21.110(A)(1).

2. The granting of final plat approval shall not be affected by a change in the zone or plan map designation of the subject property made after approval of the preliminary subdivision plan.

3. *Approval of a final plat by the Approving Authority shall constitute an acceptance by the public of the dedication of any street shown on the plat. Acceptance of a street by approval of the final plat shall not constitute an acceptance to maintain the street. Acceptance for maintenance of any street by virtue of approval of the final plat shall be by a separate process of petitioning the County Governing Body for acceptance of road maintenance. Approval of the final plat shall not act as an acceptance by the public of any other land for public purposes.*

I. Filing and Recording of Final Plat

1. *After final plat approval, the applicant shall submit without delay the final plat for signatures of the following County officials, in the order listed:*

   a. *Planning Commission Chairman;*

   b. *County Surveyor;*

   c. *County Assessor/Tax Collector;*

   d. *An authorized representative of the Department of Environmental Quality, State of Oregon, or the County Sanitarian;*

   e. *County Sheriff;*

   f. *County Commissioners;*

   g. *County Clerk.*

2. *The final plat shall be recorded within thirty (30) days of the date that the approvals and signatures required by H, Standards and Recording of Final Plat and (1) above were obtained.*

***Section* 21.400 Private Road Approval and Public Road or Street Dedications**

Any person desiring to create a public street or private road not part of a subdivision or land division shall
make written application to the Director. Approval of a public or private road is reviewed by the County Governing Body. Public or private roads being created as part of a subdivision or land division shall be reviewed by the Planning Commission subject to the provisions of Chapter 2.

A. Application for Tentative Plan

1. *An application for tentative plan approval for road or street dedication or private road approval shall be initiated as provided in Chapter 2 of this Ordinance.*

2. *The applicant shall submit to the Director a written application and of a Tentative Plan prepared in accordance with B below, Information Required on Tentative Plan*

3. *The Director shall distribute a copy of the Tentative Plan to the County Road Master and obtain their recommendation on the proposed action.*

FINDING: The property owner submitted a written subdivision and road dedication application to the Wasco County Planning Department and a digital copy of a preliminary subdivision plan map which also serves as the tentative public road dedication map to the Planning Department on February 7, 2023.

The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way roads platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

The tentative plan contained all of the information provided in Subsection 21.300.B, and a copy of the tentative plan was distributed to the Wasco County Public Works Director for recommendation on March 16, 2023 and June 26, 2023.

The Director of Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "We received a petition to vacate several roads within the Columbia Crest Addition back in May, 2022. The Smilekel Group made that request. I would need an updated road vacation petition, clearly showing what roads or sections of road are proposed for vacation. Then, depending on the Planning Commission decision, we could move forward with the BOC on the vacations, pending approval of the new road dedications / subdivision plat."

Additional comments concerning the existing Sandstone Way and Hermits Way, and the proposed Cavern Way cul-de-sac Road were received on July 3, 2023:

> "The existing roadway widths are adequate to serve the additional lots and appear to have been built to meet our minimum road standards. I would not require any road widening. My only request would be for a Road Maintenance Agreement or Homeowners Agreement to ensure that the public roads are maintained after development."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

The application provides that road maintenance for Cavern Way "will be provided by the homeowners and will be managed with a road maintenance agreement." (Project# 170105 Replat narrative, Page 10). A preliminary copy of the road maintenance agreement is provided in Attachment F and available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Staff finds the request complies with Subsection 21.300.A.

B. Information Required on Tentative Plan: Tentative Plans shall include the following information presented in the following form:

1. The Tentative Plan shall be clearly and legibly drawn to an appropriate scale so that the Approving Authority may have an adequate understanding of what is proposed.

2. A vicinity map showing the proposal in relationship to other existing or proposed streets.

3. *Date, north point and scale*

4. *Name and address of applicant and the person preparing the Tentative Plan.*

5. *Appropriate identification of the drawing as a Tentative Plan.*

6. *Location of the proposed dedication or private road abutting the unit of land proposed to be approved by the Section, Township and Range sufficient to define its location and, if available, a centerline description or right of way boundary description.*

7. *Zoning classification and Comprehensive Plan Map designation.*

8. *The names of adjacent subdivisions and the names of recorded owners of adjoining lots, parcels or units of land and the amount of frontage each owner has on the proposed dedication or on the private road.*

9. *Existing roads or street(s) intersecting or meeting the proposed dedication or private road.*

FINDING: The tentative plan was professionally drawn by Klein & Associates Inc., and is clearly and legibly drawn to an appropriate scale. A vicinity map demonstrates the proposed road, Cavern Way, a cul-de-sac road to be dedicated in relation to the Prince Heighs Subdivision replat site. (See Preliminary Subdivision Replat Sheet 4 of 5). Staff confirms that the tentative plan conforms to all applicable criteria listed in the Wasco County LUDO Subsection 21.300.B. Staff finds the request complies with Subsection 21.400.B.

C. Approval of Road or Street Dedication

1. *After considering the recommendation by the County Roadmaster, the Approving Authority shall approve the Tentative Plan for road or street dedication and recommend to the County Governing Body the dedication of a public road if it determines that:*

   a. *the information required by this section has been provided;*

   b. *the road or street is or will be improved to meet all applicable standards of these regulations; and*

   c. *dedication of the road or street to the public is consistent with the goals, policies and map of the Comprehensive Plan.*

FINDING: The Management Plan for the Columbia River Gorge National Scenic Area provides little guidance regarding road and street dedications or transportation networks; however, Oregon statewide Planning Goal 12 provides that a Transportation Plan shall "provide and encourage a safe, convenient, and economic transportation system." In order to achieve the planning goal's overall vision, the Wasco County 2040 Comprehensive Plan (See also policies and goals provided in the 2009 Wasco County Transportation Systems Plan (TSP) plan), sets forth several policies and implementation strategies.

Two specific transportation policies relevant to this request are the following:

12.1.1 Plan for and maintain an interconnected system of roads that will link communities for all users and that will provide for the existing and future needs for transportation of goods and people in the region. (Wasco County 2040 Comprehensive Plan, Page 259).

12.1.6 Ensure transparency of infrastructure requirements and ongoing costs for future development.

Implementation for Policy 12.1.6:

a. A waiver of remonstrance for future road improvements may be required to be recorded with the County Clerk's office at the time of partition, subdivision or planned unit development application approval.

b. A restrictive covenant agreement requiring acknowledgment of improvement and maintenance costs for local access roads will be required to be recorded with the County Clerk's office at the time of partition, subdivision or planned unit development application approval. (Wasco County 2040 Comprehensive Plan, Page 261).

The proposed road dedication will provide public access to residentially developable properties. Based on the request and expert commentary, the public dedication of the proposed Cavern Way cul-de-sac road will be classified as a public road of local access that will not be added into Wasco County's publicly maintained road system.

Based on Mr. Smith's commentary and the implementation policies within the Wasco County Comprehensive Plan, staff recommends the following **conditions** of approval shall be achieved prior to final subdivision plat approval:

(1) A waiver of remonstrance for future publicly funded road improvements for the proposed Cavern Way road be recorded with the Wasco County Clerk; and

(2) A restrictive covenant agreement requiring acknowledgment of improvement and maintenance costs for the proposed Cavern Way cul-de-sac be recorded with the Wasco County Clerk.

With the recommended conditions, staff finds the request is consistent with the goals and policies of the Comprehensive Plan and Subsection 21.300.C.1.

2. If Tentative Plan to dedicate a road or street is recommended to the County Governing Body, and the street to be dedicated has not been improved, the Approving Authority shall recommend conditional approval on improvements of the road or street to the improvement standards recommended by the County Roadmaster.

FINDING: The property owner submitted a written subdivision and road dedication application to the Wasco County Planning Department and a digital copy of a preliminary subdivision plan map which also serves as the tentative public road dedication map to the Planning Department on February 7, 2023.

The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way roads platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

The Director of Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "We received a petition to vacate several roads within the Columbia Crest Addition back in May, 2022. The Smilekel Group made that request. I would need an updated road vacation petition, clearly showing what roads or sections of road are proposed for vacation. Then, depending on the Planning Commission decision, we could move forward with the BOC on the vacations, pending approval of the new road dedications / subdivision plat."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

The proposed Cavern Way cul-de-sac road has not been constructed, and cannot be dedicated until the existing dedicated roads have been properly vacated. However, the existing dedicated Sandstone Way (portion), Cavern Way, and Granite Way roads cannot be vacated before the proposed subdivision and road dedication are approved because the existing lots within the Columbia Crest Addition Subdivision would be left without public access. Staff recommends a **condition** of approval requiring the proposed Cavern Way cul-de-sac road conform with applicable criteria contained within Sections 21.410 through 21.440.

With the recommended conditions, staff finds the request is consistent with the goals and policies of the Comprehensive Plan and Subsection 21.300.C.2.

D. Acceptance of Dedication by the County Governing Body

1. Before the County Governing Body may accept the dedication, the applicant must have completed any improvements required as a condition of the approval of the dedication or have complied with 21.310(D).

FINDING: The County Governing Body may not accept the public road dedication until the applicant has either completed any improvements required as a condition of the approval of the dedication, or has complied with Section 21.310.D (Performance Bond). If the applicant chooses to complete road improvements in lieu of compliance with Section 21.310.D (Performance Bond), staff recommends a **condition** of approval requiring that the Wasco County Public Works Director review and approve the completed road improvements prior to the final subdivision and road dedication application being submitted. With the recommended condition, staff finds the request is consistent with the goals and policies of the Comprehensive Plan and Subsection 21.300.D.1.

2. Prior to acceptance by the County Governing Body, the owner of the land to be dedicated shall submit a preliminary title report issued by a title insurance company in the name of the owner of the interest in the land.

FINDING: A **condition** is recommended requiring the property owner to submit a preliminary title report issued by a title insurance company in the name of the owner of interest in the land prior to the signing of the final order by the Wasco County Board of Commissioners dedicating the proposed public road of

local access as a public road. With the recommended condition, staff finds the request is consistent with the goals and policies of the Comprehensive Plan and Subsection 21.300.D.2.

3. *Upon acceptance of the dedication by the County Governing Body, the owner of the land to be dedicated shall prepare a warranty deed dedicating the land to the public.*

4. *The County Governing Body shall indicate their approval of the dedication by an order accepting the deed and by recording such order with the recording of the deed.*

FINDING: A **condition** is recommended requiring the owner of the property prepare a Dedication Deed dedicating Cavern Way illustrated and described in the "Tentative Plan" to the public, upon the acceptance of the dedication of the road issued by the Wasco County Board of Commissioners. After the deed is prepared, the Wasco County Board of Commissioners shall indicate their approval of the dedication by an order accepting the deed and by recording such order with the recording of the deed. With this condition, staff finds the request complies with Subsections 21.300.D.3-4.

5. *No road or street will be accepted for maintenance as part of the county road system unless it meets the standards of subsection (B) and (C) of this Section and is ordered accepted by the County Governing Body pursuant to law.*

FINDING: Based on the application, expert commentary from the Wasco County Public Works Director, staff recommends the subject road **not be included** into the Wasco County road system for public maintenance, and that based on that recommendation, Subsection 21.300.D.5, is not applicable to this request.

E. *Approval of a Private Road*

1. *The County Roadmaster shall determine if the private road meets the improvement standards and shall submit his findings as a written recommendation to the Approving Authority.*

2. *The Approving Authority shall approve a private road if it finds that the private road meets the basic provisions and design standards of Section 21.030 and also the improvement standards for private roads.*

3. *Upon approval of such private road, the applicant shall submit a boundary line or centerline survey of the road, unless the location of the road is already established by existing property line surveys recorded with the County Surveyor. The boundary line survey shall be submitted to the Director and the Wasco County Surveyor.*

FINDING: The proposed Cavern Way cul-de-sac road will be a public dedicated road, not a private road. Staff finds that Subsection 21.300.E is not applicable to this request.

Section 21.410 - Improvements
The improvement standards contained in Sections 21.410 through 21.440 shall apply to all subdivisions, street dedications and private road approvals in Wasco County.

A. *Improvement Requirements: The following improvements shall be installed at the expense of the subdivider partitioner, or person(s) creating the road:*

1. *Roadways in all cases shall conform with the improvement standards set forth herein.*

FINDING: Staff recommends a **condition** of approval requiring that all roadway construction shall conform with applicable criteria contained within Sections 21.410 through 21.440. With the recommended condition of approval, staff finds the request complies with Subsection 21.410.A.1.

2. *Sidewalks shall be constructed in dedicated pedestrian ways along streets where determined necessary by the Approving Authority for pedestrian safety.*

FINDING: Staff has conferred with the Wasco County Public Works Director Arthur Smith on July 13, 2023 concerning sidewalks. Mr. Smith provided comment on July 17, 2023:

> "Wasco County's Rural road standards do not include sidewalks, curbs or gutters. I would apply the Rural road standards here, unless you believe that the City of The Dalles is interested in annexing this development?. Most county roads are "shared" roadways, with no dedicated bike lanes, so I would not recommend a bike lane."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Based on provided commentary, sidewalks shall not be required for this request. Staff finds the request complies with Subsection 21.410.A.2.

3. *The applicant shall undertake on site grading and construction or installation of drainage facilities necessary for the purpose of proper drainage of the subdivision, partition, or properties adjacent to the dedicated road.*

FINDING: Concerning watercourses, drainage, and grading, application materials provide the following:

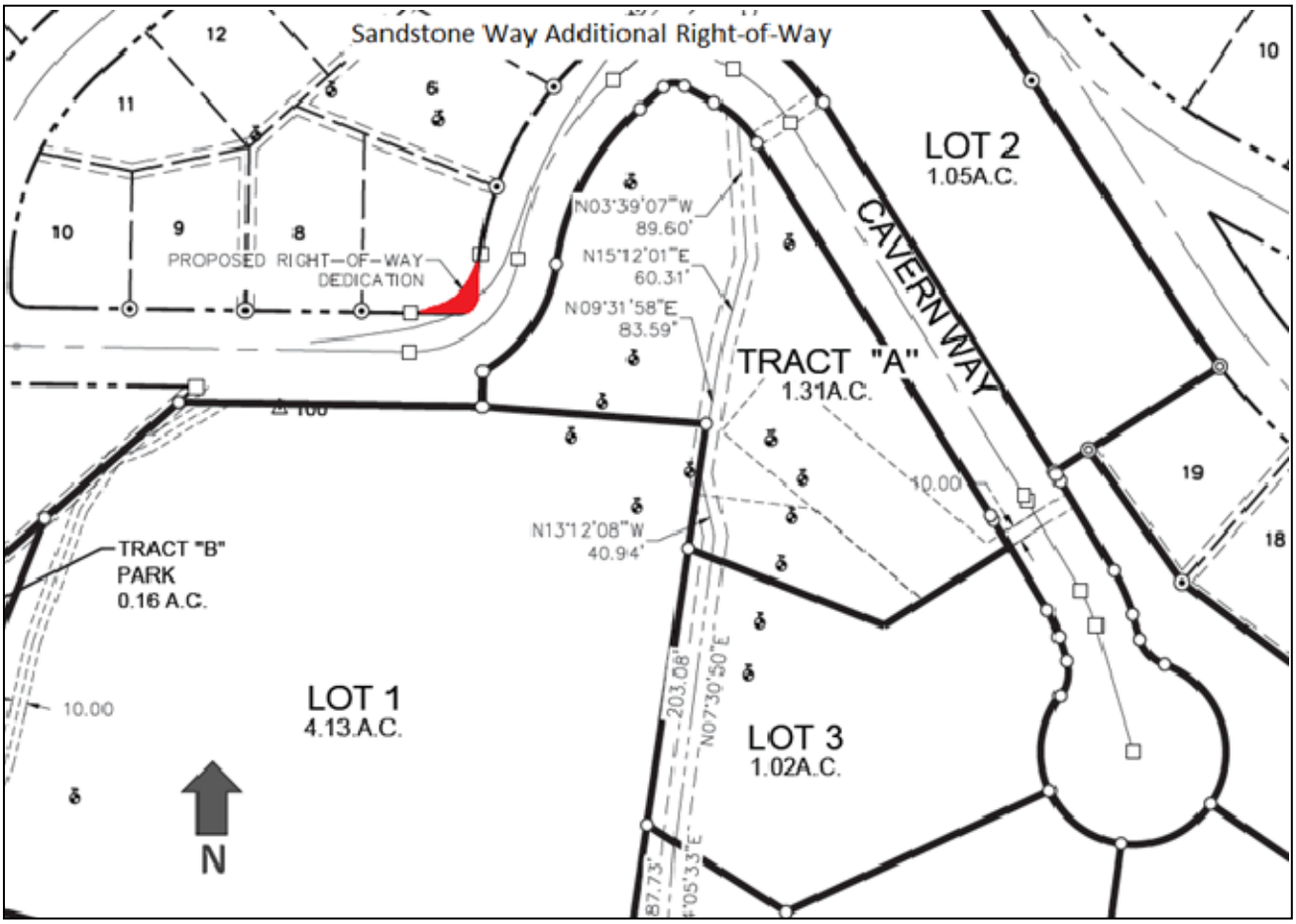
> "Grading Plan Narrative
> The proposed scope of work involves construction of a local access road with a culdesac for emergency turnaround. The project is a replat of 66 existing non-conforming lots into 6 larger more conforming lots. Average lot size before replat is about 7,000 sf. Average lot size after replat is 112,748 sf (2.59 acres). The access road and culdesac will require cutting and filling to create a level enough area for the access. Cuts will be along the north side of the access road, so will not be visible from KVA's (hidden by the bluff and homes on the bluff). Fill slopes will primarily be along the south side of the access road, so will also be screened from view since the KVA's are only visible along the east end of the site. At the east end ofthe culdesac, the cut and fill are minimized to reduce visibility from the KVA's." (Grading Plan Narrative, Page 1).
>
> **"**Stream and Floodplain
> No development is proposed within a designated flood zone or stream setback. FEMA maps do not show
> any flood zones mapped on this property, and it is unlikely there would be flooding since these lots are on a hill and without a water source (creek, river, etc)." (Project# 170105 Replat narrative, Page 8).
>
> **"**Drainage
> This project will create little impervious area since most of the roads are already in place. The homes,

driveways, and access road will utilize dispersion and infiltration. Care will be taken to not release
storm water on or near the tops of the steep slopes or directly above drainfields. An 18" culvert will be
installed under the new road where there is an apparent seasonal drainage. This drainage has not been
observed by the developer or engineer to flow but will be accommodated as a precaution." (Project# 170105 Replat narrative, Page 13).

As provided above in Subsection 21.030.U, staff recommends a **condition** of approval requiring an 18" culvert be installed under the proposed Cavern Way cul-de-sac road in the area where the seasonal drainage way is purported to be located. Staff also recommends a **condition** of approval requiring that all proposed construction on Sandstone Way and the proposed construction of the Cavern Way cul-de-sac road ensure that drainage facilities necessary for the purpose of proper drainage of the subdivision and properties adjacent to the dedicated road are installed prior to final subdivision approval. With recommended conditions, staff finds the request complies with Subsection 21.410.A.3.

4. *The applicant shall make improvements to existing County or public roads determined necessary by the Approving Authority at connections and intersections with subdivision streets and at locations where additional subdivision lots or partition parcels are created which front on County maintained roads.*

FINDING: The applicant proposes to dedicate additional right-of way over the existing Sandstone Way and utilities (portions of which were constructed outside of the original dedicated right-of-way). This will center the right-of-way over the existing Sandstone Road. (See "Sandstone Way Additional Right-of-Way Dedication" Map).



The development of the proposed Cavern Way cul-de-sac, additional right-of-way for Sandstone Way, and other preparatory work on the replatted lots may have deleterious effects on the existing Sandstone Way and Hermits Way access roads. Staff recommends a **condition** of approval requiring that all roadway construction shall conform with applicable criteria contained within Sections 21.410 through 21.440. With the recommended condition, staff finds the request complies with Subsection 21.410.A.3.

5. *Road signs shall be required as an improvement in a subdivision or partition. Wasco County shall install and maintain such road or street signs, provided the person(s) creating the road pays the expense of the initial improvement.*

FINDING: Concerning signage, application materials provide the following:

> "Signs
> Signs are not proposed with this project other than the stop/street sign at the new intersection." (Project# 170105 Replat narrative, Page 13).

The Wasco County Public Works Director Arthur Smith has not provided additional commentary regarding signage.

Regarding subsection 21.030.P., Mid-Columbia Fire and Rescue Division Chief Jay Wood provided substantial comments concerning necessary parking signage along the proposed Cavern Way cul-de-sac road, and staff subsequently recommends a **condition** of approval requiring that the subdivder provide signage for both sides of the Cavern Way cul-de-sac road, and that the signage shall be a minimum of

12" wide x 18" high with red letters with white reflective background with wording of "No Parking" and "Fire Lane". The signage shall be reviewed and approved by Mid-Columbia Fire and Rescue.

Staff also recommends a **condition** of approval requiring the subdivider purchase at least one street sign and one stop sign, and obtain approval from the Wasco County Public Works Department for the signage. The subdivider shall also purchase any additional signage the Wasco County Public Works Director finds necessary for the health, safety, and welfare of residents. The Wasco County Public Works Department shall install the signage.

6. *When necessary, and consistent with Wasco County's standards, sidewalks shall be required as part of a new road when a proposed development or land division is within an urban growth boundary, or when:*

    a. *The subject property is located within one-quarter mile of a school, shopping center, recreation area, or other use likely to create pedestrian traffic; or*

    b. *The surrounding area is developed with sidewalks or is zoned for commercial, industrial or urban residential uses.*

7. *Sidewalk(s) shall be constructed to applicable standards (see Table 2 Urban Wasco County Roadway Design Standards in the Wasco County Transportation System Plan). Sidewalk requirements may be waived, or may be deferred through a road improvement agreement when, in the opinion of the County, sidewalks would not be immediately necessary to accommodate pedestrian traffic.*

8. *Bicycle facilities shall be required along new roads when necessary to extend an existing bicycle route, or when a bicycle route or way is proposed within an adopted Transportation System Plan.*

FINDING: Staff has conferred with the Wasco County Public Works Director Arthur Smith on July 13, 2023 concerning sidewalks and bicycle facilities. Mr. Smith provided comment on July 17, 2023:

> "Wasco County's Rural road standards do not include sidewalks, curbs or gutters. I would apply the Rural road standards here, unless you believe that the City of The Dalles is interested in annexing this development?. Most county roads are "shared" roadways, with no dedicated bike lanes, so I would not recommend a bike lane."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Based on provided commentary, sidewalks and bicycle facilities shall not be required for this request. Staff finds the request complies with Subsections 21.410.A.6-8.

B. *Improvement Policies and Standards: The improvement policies and standards contained herein shall apply to development conducted under provisions of this Ordinance. They are primarily intended to govern the design and construction of streets and roads which are to be accepted into the Wasco County maintained road system. These policies and standards also apply to other roads, both public and private, as determined appropriate by the Approving Authority.*

It shall be the duty of the Wasco County Roadmaster to interpret the provisions and requirements of these standards in such a way as to carry out their intent and purposes.

FINDING: The Wasco County Public Works Department Director Arthur Smith has provided commentary and recommendations throughout this report. Staff finds the request complies with Subsection 21.410.B.

Section 21.420 - Public Streets and Roads

A. General Design Policies: The design of improvements governed by these standards shall, in general, conform to policies set forth in the current editions of the following publications by the American Association of State Highway and Transportation Officials (AASHTO):

1. "A Policy on Geometric Design on Highways and Streets".

2. "Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT < 400)"

FINDING: Staff recommends a **condition** of approval that the proposed Cavern Way road, in general, be constructed according to policies set forth in the current editions of the following publications by the American Association of State Highway and Transportation Officials (AASHTO): "A Policy on Geometric Design on Highways and Streets", and "Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT < 400)". With this condition, staff finds the request complies with Subsection 21.420.A

B. Design Criteria

1. Improvement of public streets and roads shall conform to the design standards designated for the particular classifications indicated in Table 21-1(Rural Public Roadway Design Standards) & 21-2 (Urban Public Roadway Design Standards) of this Chapter.

2. Roadway sections shall conform to the sections designated for the particular classifications.

3. The design of structural sections of all roadways required by this Ordinance, including arterials, collectors, local access roads and principal highways shall conform with the General Design Policies under Section 21.410 A and the standard specifications which are applicable to construction of improvements under Section 21.410 E 2 of this Chapter. Any deviation from these standards shall be approved by the County Roadmaster.

FINDING: Figure 21-3 – Hierarchy of Property Access "#4" (Page 21-49) provides that the proposed road must be a public road. Table 21-1 (Rural Public Roadway Design Standards) & 21-2 (Urban Public Roadway Design Standards) are provided below:

Table 21-1 – Rural Wasco County Public Roadway Design Standards

	Rural Local Roads									Rural Minor Collector			Rural Major Collector			Rural Arterial		
	Unpaved			Unpaved			Paved			Paved			Paved			Paved		
Design ADT	<25			25-250			25-250			250-400			400 – 2,000			>2,000		
Terrain[1]	L	R	M	L	R	M	L	R	M	L	R	M	L	R	M	L	R	M
Design Speed (mph)	30	30	20	30	30	20	30	30	20	40	30	20	50	40	30	60	50	40
Max Grade (%)	7	10	12	7	10	12	7	10	12	7	9	12	6	8	10	3	4	8
Stopping Sight Distance (ft)	220	235	135	220	235	135	220	235	135	340	230	135	475	350	235	600	610	350
Passing Sight Distance (ft)	-	-	-	-	-	-	1,090	[2]	[2]	1,470	[2]	[2]	1,835	[2]	[2]	2,135	[2]	[2]
Traveled Way Width (ft)	18	18	18	22	22	22	22	22	22	22	22	22	24	24	24	24	24	24
Paved Shoulder Width (each side)																		
- Non Bike Route	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	2	2	2
- Bike Route (ft)	-	-	-	-	-	-	-	-	-	2	2	2	5	5	5	6	6	6
Gravel Shoulder Width (each side)	-	-	-	-	-	-	2	2	2	2	2	2	2	2	2	2	2	2
Roadway Width (Non Bike / Bike Route) (ft)	18	18	18	22	22	22	26	26	26	28 30	28 30	28 30	30 38	30 38	30 38	32 40	32 40	32 40
Number of Lanes	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Minimum ROW Width (ft)	50	50	50	50	50	50	50	50	50	60	60	60	60	60	60	60	60	60
Preferred Access Spacing[3]	75			100			100			150			300			500		

[1] L= Level, R=Rolling, M=Mountainous
[2] See AASHTO manual for guidance.
[3] Lower spacing may be allowed when supported by a traffic study and/or approved by the County Engineer.

[**AMENDED FINDING:** Aside from additional construction standards recommended as conditions of approval for fire safety within subsection 21.030.P, staff recommends a **condition** of approval that the proposed Cavern Way road shall conform to the design standards designated for the "Paved Rural Local Road" indicated in Table 21-1 (Rural Public Roadway Design Standards). Additionally, a **condition** is recommended requiring the applicant submit documentation that the constructed public access road has been approved by The Wasco County Public Works Director and has been determined to conform to the "Paved Rural Local Road" and "Local Street" classifications indicated in Table 21-1 (Rural Public Roadway Design Standards) & 21-2 (Urban Public Roadway Design Standards) of this Chapter. This must be completed prior to public dedication by the Wasco County Board of Commissioners. With these recommended conditions, staff finds the request complies with Subsection 21.420.B.1-3.]

C. Drawings

1. The County Road Master shall have the authority to publish "Standard Drawings" for the design of public streets and roads. These drawings may be included in the separately adopted document listed in B(1) above.

2. The applicant's design shall conform to the "Standard Drawings".

FINDING: Staff has conferred with the Wasco County Public Works Director Arthur Smith on July 17, 2023 concerning sidewalks and bicycle facilities. Mr. Smith provided comment on July 17, 2023:

"We may have some drawings for typical road cross sections in our TSP (from 2009). That was done before I became Director. However, we defer to the ODOT / APWA standard drawings and specifications."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Based on Mr. Smith's commentary, staff finds that the request complies with Subsection 21.420.C.

D. General Considerations

1. The County Roadmaster may impose additional design requirements as are reasonably necessary to provide safe and adequate access.

FINDING: The Wasco County Public Works Director Arthur Smith provided the following commentary on July 17, 2023:

> "Wasco County's Rural road standards do not include sidewalks, curbs or gutters. I would apply the Rural road standards here, unless you believe that the City of The Dalles is interested in annexing this development?. Most county roads are "shared" roadways, with no dedicated bike lanes, so I would not recommend a bike lane."

Considering Mr. Smith's comments, staff finds the request complies with Subsection 21.420.D.1.

2. There shall be provided a cul-de-sac at the end of each street or road that ends within the confines of a proposed subdivision or partition. Any proposed street or road that terminates at a proposed subdivision or development boundary will be provided with a temporary cul-de-sac or turnaround which may be discontinued at such time as the road or street is extended.

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

Application materials provide that the proposed Cavern Way cul-de-sac road will be "[a] 22' wide paved road with 2' wide gravel shoulders (in a 50' wide road tract)…approximately 590' in length, with a 48' radius (96' diameter) culdesac for fire turnaround at the end." (Project# 170105 Replat narrative, Page 13-14). Furthermore, the application provides that road maintenance for Cavern Way "will be provided by the homeowners and will be managed with a road maintenance agreement." (Project# 170105 Replat narrative, Page 10). A preliminary copy of the road maintenance agreement is provided in Attachment F and available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

On June 26, 2023, the applicant provided additional details as to why a cul-de-sac road is being proposed:

> "[The] primary reasons are topographical and preserving the limited drainfield areas. We are minimizing land disturbance with a cul-de-sac vs a through road. The steepness of the site means that constructing a through road would require significant grading and excavation to create additional road. The topography is also too steep to create a through road to either the east or south, so a looped road would be the only option other than a cul-de-sac. By opting for a cul-de-sac, the need for extensive land disturbance is reduced since it involves developing a

> smaller area. The use of a cul-de-sac also allows for better utilization of the buildable area and suitable septic drainfield locations."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Concerning road maintenance, the Director of the Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "Please make sure a homeowners association or road maintenance agreement is a requirement of the subdivision approval."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Concerning applicable state fire laws, Mid-Columbia Fire and Rescue Division Chief Jay Wood provided comment on June 28, 2023. Chief Wood's full commentary is provided within the "Section 21.030.P Finding", where additional conditions of approval are provided regarding fire safety.

Considering the application proposal, commentary, and recommended conditions of approval throughout this report, staff finds the request complies with Subsection 21.420.D.2.

> 3. *Any road or street which does not connect directly to a County maintained road, city maintained street or state highway shall not be accepted for maintenance by the County. No other road or street shall be accepted for maintenance as a part of the County road system unless it is ordered accepted by the County Governing Body pursuant to law.*

FINDING: The subdivision replat proposes a new publicly dedicated Cavern Way cul-de-sac road which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated Sandstone Way and Hermits Way.

The existing Sandstone Way (portion), Cavern Way, and Granite Way (A looped road) platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6. The proposed Cavern Way cul-de-sac road will be connected to the existing non-county maintained Sandstone Way road.

The Director of Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "Cherry Heights is a fully maintained county road, with an ADT over 1500. Adding a few additional lots and traffic trips will not adversely impact that road. Sandstone, Hermits Way are currently public roads of local access. They are paved roads, in fair shape, but they are not maintained by the county. I am not looking to add them into the county road system. Please make sure a homeowners association or road maintenance agreement is a requirement of the subdivision approval."

Concerning road maintenance, the Director of the Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

"Please make sure a homeowners association or road maintenance agreement is a requirement of the subdivision approval."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Based on the request, the proposed Cavern Way cul-de-sac road will not be publicly maintained; however, application materials provide that road maintenance for Cavern Way "will be provided by the homeowners and will be managed with a road maintenance agreement." (Project# 170105 Replat narrative, Page 10). A preliminary copy of the road maintenance agreement is provided in Attachment F and available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Staff finds that Subsection 21.420.D.3. is not applicable to this request.

E. Development Requirements

1. Engineering:

a. Plans Construction plans may be required for improvements governed by these standards. Such construction plans shall be prepared under the direction of a consultant engineer registered in the State of Oregon, and shall be submitted for approval to the County Roadmaster and shall include the following information:

(1) Widths of all proposed road right-of-way dedication.

(2) Centerline alignment showing P.C. and P.T. stationing on all curves, necessary curve data and bearing of tangents.

(3) Original ground line and grade line profile on the centerline of the proposed road.

(4) Vertical curve data showing P.I. elevations and stations, length of vertical curve and tangent grades.

(5) Proposed drainage structures, showing both size and type of structure.

(6) Toe of fill and top of cut lines.

(7) Typical structural section of roads to be constructed.

(8) Section lines, fractional section lines and/or Donation Land Claim lines. Also, bearing and distance from which the centerline description is prepared, and basis of bearings.

(9) A vicinity map in the upper left hand corner of the first plan sheet showing the relationships of the proposed road to cities, state highways, county roads, or other well-defined topographical features.

(10)Proposed utilities, showing location and type. Also, a written statement that locations have been approved by affected utility companies. A composite map shall be furnished by the consultant engineer to all affected utilities.

(11)The plans shall contain a standard symbol sheet approved by the County Road Master.

(12)The stamp and signature of a consultant engineer preparing the plans.

(13)The location and dimensions of the pedestrian circulation system.

(14)The location and dimensions of bicycle parking, when required.

FINDING: A **condition** is recommended that the final road construction plans shall be prepared under the direction of a consultant engineer registered in the State of Oregon, and shall be submitted for approval to the Wasco County Public Works Director (County Roadmaster) and shall include the information provided for within Subsections 21.420.1.a.(1)-(14).

With the recommended condition, staff finds the request complies with Subsection 21.420.E.1.a.

b. Cost Estimates The consultant engineer shall submit, with his proposed construction plans, a construction cost estimate. This estimate shall include all related road work and affected utility installation and/or relocation.

FINDING: A **condition** is recommended that the consultant engineer shall submit, with his proposed construction plans, a construction cost estimate. This estimate shall include all related roadwork and affected utility installation and/or relocation.

With the recommended condition, staff finds the request complies with Subsection 21.420.E.1.b.

c. Monumentation All horizontal curve points shall be referenced with a 5/8" x 30" steel rod set perpendicular to the tangents at the right of way line and witnessed by a white 4" x 4" x 4' cedar post or a four foot section of steel fence post painted white. In the case of a curbed street, the witness posts may be omitted.

FINDING: A **condition** of approval is recommended requiring that a survey be filed with the Wasco County Surveyor and meet the monumentation requirements provided for in this subsection. With the recommended condition, staff finds the request complies with Subsection 21.420.E.1.c.

2. Construction:

a. Standard Specifications The Standard Specifications which are applicable to the construction of improvements governed by these standards are the following (except as they may be modified, supplemented or superseded by provisions contained herein):

(1) "Standard Specifications for Highway Construction", most recent edition, published by the Oregon Department of Transportation, Highway Division, except for the General Provisions contained in Sections 102 through 109.

(2) "Oregon Standard Specifications for Construction", most recent edition, published by the Oregon Chapter of the American Public Works Association (APWA) and the Oregon Department of Transportation (ODOT).

References to "State and Highway Commission" shall be construed to mean Wasco County and the Wasco County Governing Body, respectively. "Engineer" and "Director" shall be construed to mean the County Roadmaster, or his properly authorized agent(s) acting within the scope of his (their) particular duties.

b. Permits A permit to occupy and perform operations shall be obtained from the County Roadmaster prior to commencing construction within the right of way of any County maintained road.

c. Bond Requirements Before the dedication or deed to the public for street or road right of way is accepted by the County Governing Body, the applicant shall provide a performance bond or other security, as set forth in Section 21.210 F of this Ordinance.

d. Inspection Schedule After financial assurance is received by the County, the applicant shall arrange for periodic inspection by his consultant engineer. At a minimum, such inspection shall occur at the following stages of construction:

(1) After clearing and grubbing is completed.

(2) After grading and drainage is completed.

(3) After rock surface is completed.

(4) After paving is completed.

FINDING: Staff recommends a **condition** of approval that the construction of the proposed road shall be built according to criteria provided for within Subsection 21.410.E.2.a.-d. With the recommended condition, staff finds that the request will comply with Subsections 21.420.E.2.a-d.

e. Certification and Warranty Requirements

(1) When the project is completed, the consultant engineer shall certify to the County, in writing, that the project has been constructed in substantial conformance with the plans and specifications. The certification shall include a copy of the results of all conformance tests performed in conjunction with the design and construction of the project.

(2) Upon receiving said certification, the County will accept the project for normal and routine maintenance, provided the applicant posts a warranty bond equal to twenty percent (20%) of the performance bond required in Section E 2 c of this Section for the correction of any deficiencies that may arise within a period of one (1) year.

(3) Upon receiving the warranty bond for the correction of deficiencies and upon certification by the County Roadmaster that the provisions of the improvement agreement are complete, the performance bond required by Section E 2 c of this Section shall be released to the applicant.

(4) The County Roadmaster shall inspect the project at the end of one (1) year and list the deficiencies to be corrected and shall notify the applicant of such deficiencies. In the event no deficiencies are found, the warranty bond will be released to the applicant at that time.

(5) Upon notification of the deficiencies, the applicant shall commence corrective work within thirty (30) days and shall complete such work at the earliest possible date. Upon satisfactory completion, the warranty bond shall be released to the applicant.

(6) In the event the applicant fails to commence corrective work within thirty (30) days of notification of deficiencies, the County shall cause the corrective work to be accomplished and call on the warranty bond for reimbursement. If the amount of the warranty bond exceeds cost and expenses incurred by the County, the County shall release the remainder; and if the amount of the warranty bond is less than the cost and expenses incurred by the County, the applicant shall be liable to the County for the difference.

FINDING: Staff recommends a **condition** of approval that the final construction of the proposed road shall be certified and obtain the warranty requirements as required by subsections 21.410.E.2.e. With the recommended condition, staff finds that the request will comply with Subsection 21.420.E.2.e.

f. As Constructed Plans The County Roadmaster, at the completion of the project, may require the consultant engineer to furnish permanent reproducible plans of the work or an "as constructed" modification of the original permanent reproducible plans previously submitted, as may be required under Section E 1 a of this Section.

(1) The title sheet shall contain the consultant engineer's signed P.E. stamp and a certification signed by the engineer "that the project has been constructed in substantial conformance with the plans and specifications".

(2) The title sheet shall contain in the title block the name of the street or road; the name of the subdivision; the names of the applicant and consultant engineer preparing the plan; the location of the street or road according to Section, Township and Range; a typical section showing surfacing, thickness and types, side slopes and cut and fill slopes; and, a vicinity map of approximately 1"= 1 mile showing where the street or road is located in relation to Sections, Townships and Ranges and surrounding topographical features and its connections to existing County or State highways.

(3) The plans shall show the centerline alignment and all curve data, and direction of tangents, the location and monumentation of the street or road, right of way widths, drainage easements, section lines, lot lines of the subdivision, and all drainage structures, their sizes, lengths and locations, and underground utilities, their types, sizes and locations.

(4) The plans shall show the original ground line and the finish grade on the centerline, all P.I. elevations and stations, elevations of vertical curves and tangent grades.

(5) The plans shall have a title block in the lower right hand corner giving the name of the street or road, the subdivision, the name of the consultant engineer preparing the plans and the name of the applicant.

(6) The consultant engineer will provide accurate "as constructed" plans to all affected utility companies.

FINDING: Staff recommends a **condition** of approval, that if at the completeion of the project, the Wasco County Public Works Director (The County Roadmaster) determines that "As Constructed Plans" shall be furnished, the consultant engineer shall furnish permanent reproducible plans of the work or an "as constructed" modification of the original permanent reproducible plans previously submitted in accordance with Subsections 21.410.E.2.f.(1)-(6). With the recommended condition, staff finds that the request will comply with Subsection 21.420.E.2.f.

g. Signing Permanent traffic control and street or road identification signs will be required for all subdivisions.

(1) The applicant shall deposit (in cash) with the County Roadmaster, an amount determined by the Roadmaster adequate for the construction and installation of permanent signing required. Upon receiving said cash deposit, the County will prepare, place and maintain required permanent signing.

(2) Temporary construction signing will be required on all streets and roads under construction which are being used by the public. Temporary construction signing shall be in conformance with the "Manual on Uniform Traffic Control Devices", as published by the Department of Transportation, Federal Highway Administration, and supplemented by State of Oregon "Standard Practice and Interpretations", and shall be furnished, installed, maintained and removed at the expense of the applicant.

FINDING: Findings and conditions of approval regarding signage are found in Subsections 21.030.P and 21.030.BB. For reference those conditions are provided below:

To ensure the public is notified of restricted parking areas for fire apparatus, a **condition** of approval is recommended requiring that the subdivder provide signage for both sides of the Cavern Way cul-de-sac road, and that the signage shall be a minimum of 12" wide x 18" high with red letters with white reflective background with wording of "No Parking" and "Fire Lane". The signage shall be reviewed and approved by Mid-Columbia Fire and Rescue.

To ensure compliance with the criterion, staff recommends a **condition** of approval requiring that placement of all street signage within the subdivision, to include the Cavern Way cul-de-sac road sign, shall be the responsibility of the developer, and prior to placement, the signage shall be approved by the Wasco County Public Works Department to ensure it meets county standards.

Staff recommends **conditions** of approval requiring: (1) The developer consult with the Wasco County Road Department and Mid-Columbia Fire and Rescue to determine the amount and type of signage required; (2) the developer furnish required permanent road signs to the Wasco County Public Works Department for installation; or (3) pay the cost of the signage, which estimated cost will be provided for by the Wasco County Public Works Director. The County will prepare, place and maintain required permanent signing.

Staff also recommends that all temporary construction signing required shall be in conformance with the "Manual on Uniform Traffic Control Devices", as published by the Department of Transportation, Federal Highway Administration, and supplemented by State of Oregon "Standard Practice and Interpretations", and shall be furnished, installed, maintained and removed at the expense of the applicant.

With recommended conditions staff finds the request will comply with Subsection 21.420.E.2.g.

Section 21.440 Roadway Improvement Standards

A. Roadway Requirements: No development shall occur unless the roadways adjacent to the development meet the standards of this section, unless the following applies:

1. A development may be approved if the adjacent roadway does not meet the standards but halfstreet improvements meeting the standards of this title are constructed adjacent to the development.

2. Roadways under the jurisdiction of the Oregon Department of Transportation shall be improved to state standards.

B. Minimum Right-of-Way Width - The width of street right-of-way provided in Table 1 shall be the minimum widths of rights-of-way for streets existing along and adjacent to any boundary of the subdivision or partition which is the natural or planned continuation of the alignment of the existing or proposed streets. Unless otherwise indicated on the official roadway map, the width of all rights-of-way and roadway improvements shall be in compliance with the following:

1. Arterials: A minimum right-of-way width of sixty (60) feet.

2. Collectors: A minimum right-of-way width of sixty (60) feet.

3. Local Roads: A minimum right-of-way width of fifty (50) feet.

C. Partial street improvements - Partial street improvements resulting in a pavement width of less than 16 feet; while generally not acceptable, may be approved where essential to reasonable development when in conformity with the other requirements of these regulations, and when it will be practical to require the improvement of the other half when the adjoining property developed.

D. Improvements Guarantee in Lieu of Improvements - If the County could and would otherwise require the applicant to provide street improvements, the County Road Master may accept a future improvements guarantee in lieu of street improvements if one or more of the following conditions exist:

1. *A partial improvement is not feasible due to the inability to achieve proper design standards;*

2. *A partial improvement may create a potential safety hazard to motorists or pedestrians;*

3. *Due to the nature of existing development on adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide a significant improvement to street safety or capacity; Page 21-40 Chapter 21-Land Divisions*

4. *The improvement would be in conflict with an adopted capital improvement plan;*

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

6. *Additional planning work is required to define the appropriate design standards for the street and the application is for a project which would contribute only a minor portion of the anticipated future traffic on the street.*

E. Off-site Improvements - Off-site improvements, such as pavement construction or re-construction of existing street(s) proposed for access to the subdivision or partition, which are inadequate or in failing condition, may be required. Off-site transportation improvements will include bicycle and pedestrian improvements, as identified in the adopted Wasco County Transportation System Plan.

FINDING: The proposed Prince Heights replat subdivision will vacate three undeveloped Columbia Crest Addition Subdivision platted roads (Sandstone Way (portion), Cavern Way, and Granite Way), and replace them with one dedicated cul-de-sac road (Cavern Way). The proposed cul-de-sac road will not interfere with the continuation of principle streets in the adjoining subdivisions or other adjacent non-platted properties.

The Columbia Crest Addition Subdivision was approved in 1953. There are several "paper roads" within the subdivision that were planned, but never built. (See below maps "Columbia Crest Vacated Road Map" and "Prince Heights Road Map") (See Maps in Attachment C)



Columbia Crest Subdivision Road Map

- Developed Roads
- Undeveloped Roads "Paper Roads"
- Proposed Vacated Roads



Prince Heights Subdivision Road Map

- Developed Roads
- Undeveloped Roads "Paper Roads"
- Proposed Road

Concerning the condition of built adjacent roadways, the Director of Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "Cherry Heights is a fully maintained county road, with an ADT over 1500. Adding a few additional lots and traffic trips will not adversely impact that road. Sandstone, Hermits Way are currently public roads of local access. They are paved roads, in fair shape, but they are not

> maintained by the county. I am not looking to add them into the county road system. Please make sure a homeowners association or road maintenance agreement is a requirement of the subdivision approval."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

The adjacent Sandstone Way Road and Hermits Way road are "Local Roads". Staff has confirmed that the county does perform maintenance on Sandstone Way up to the first curve in the road (approximately 450' north of Cherry Heights Road). The 1953 approved Columbia Crest Subdivision platted the roads at 50' wide. Examination of the 1953 "Ordinance No. 3 Subdivision Regulations of Wasco County" provides the following standards:

MINIMUM AND PREFERRED RIGHT-OF-WAYS AND WIDTHS FOR ROAD SURFACING

Type of Street	Right-of-Ways		Road Surfacing	
	Minimum	Preferred	Minimum	Preferred
Arterials	80	100	26	36
Secondary Arterials	60	80	26	36
Business & Industrial Streets	66	80	36	42
Local Streets	50	60	20	34
Dead-end Streets (not more than 400' long and serving a maximum of 18 single family dwellings)	50	50	20	20
Turn-arounds for dead-end streets	40' radius		30' radius	
Alley				
Residential	14	20		
Business or Industrial	20	20		

It is unclear when Sandstone Way and Hermits Way were actually constructed. A June 29, 2023, staff site visit confirmed that the paved (road surfaced) widths of both roads range from 35' to 25', which appears to be consistent with the "Road Surfacing" minimum standards for Local Streets and Dead-end Streets in the 1953 "Ordinance No. 3 Subdivision Regulations of Wasco County". On July 3, 2023, the Director of the Wasco County Public Works Department Arthur Smith provided comment concerning the estimated road conditions and adequacy of width for Sandstone Way and Hermits Way:

> "The existing roadway widths are adequate to serve the additional lots and appear to have been built to meet our minimum road standards. I would not require any road widening. My only request would be for a Road Maintenance Agreement or Homeowners Agreement to ensure that the public roads are maintained after development."

Mr. Smith provided additional comments on July 18, 2023:

> "Based on my recent inspections, the adjacent public roadways - Sandstone Way and Hermits Way meet our rural road standards. The first portion of Sandstone Way is county maintained,

and both roadways are paved surface roads, with adequate width and drainage. I would not recommend any road improvements on these adjacent roads."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Sandstone Way and Hermits Way roads provide primary access to existing developed lots within the Columbia Crest Addition Subdivision, and via the proposed Cavern Way cul-de-sac road, will provide access to the six replatted lots. Technical commentary has not indicated that any adjacent roadway must be improved or widened in order to accommodate the planned replatted six lots. However, development of the proposed Cavern Way cul-de-sac road, additional right-of-way for Sandstone Way, and other preparatory work on the replatted lots may have deleterious effects on the existing Sandstone Way and Hermits Way access roads. A **condition** of approval is recommended requiring the owner repair damages, if any, that are made to Sandstone Way or Hermits Way during the development of the proposed Cavern Way cul-de-sac road and during preparatory work, if any, on the replatted lots. All necessary repairs shall meet applicable standards contained in Sections 21.410 through 21.440. It is recommended that the owner obtain an existing conditions report on Sandstone Way and Hermits Way prior to construction.

Accordingly, staff finds that Subsections 21.440.A-E are not applicable to this request.

Section 21.450 Access Control

A. Purpose. The following access control standards apply to industrial, commercial and residential developments including land divisions. Access shall be managed to maintain an adequate level of service and to maintain the functional classification of roadways as required by the Wasco County Transportation System Plan. Major roadways, including arterials and collectors, serve as the primary system for moving people and goods within and through the county. Access management is a primary concern on these roads. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function. The regulations in this section further the orderly layout and use of land, protect community character, and conserve natural resources by promoting well-designed road and access systems and discouraging the unplanned subdivision or partitioning of land.

B. Access Control Standards.

1. Traffic Impact Analysis Requirements. The County or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also, Section 4.180 Traffic Impact Analysis.)

2. The County or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system. Access to and from off-street parking areas shall not permit backing onto a public street.

3. *Access Options. When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (a minimum of 10 feet per lane is required).*

    a. *Option 1. Access to the lower order roadway.*

    b. *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.*

    c. *Option 3. Access is from a public street adjacent to the development parcel. If practicable, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in Subsection e., below.*

4. *Subdivisions and Partitions Fronting Onto an Arterial Street. New residential land divisions fronting onto an arterial street shall be required to provide secondary (local or collector) streets for access to individual lots.*

5. *Access Spacing. Minimum access spacing standards apply to newly established public street intersections, private drives, and non-traversable medians.*

    a. *Standards are found in Table 7.2, Rural Wasco County Roadway Design Standards and Table 7-3 Urban Wasco County Roadway Design Standards, in the Wasco County Transportation System Plan.*

    b. *Access to State Highways and Interchanges. Access to a transportation facility under the jurisdiction of the Oregon Department of Transportation (ODOT) shall be subject to the applicable standards and policies contained in the Oregon Highway Plan and the requirements of OAR 734-051.*

6. *Number of Access Points. For single-family housing types, one street access point is permitted per lot, when secondary (local or collector) street access cannot otherwise be provided. The number of street access points for commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with Subsection (g) below, in order to maintain the required access spacing, and minimize the number of access points.*

7. *Shared Driveways. The number of driveway and the frequency with which private streets intersect with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The County shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:*

    a. *Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but*

may be extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).

b. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.

c. Exception. Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, parcel configuration, and similar conditions) prevent extending the street/driveway in the future.

C. Notwithstanding Section 21.450, upon the recommendation of the County Road Master the County may reduce access spacing standards if the following conditions are met:

1. Joint access (shared) driveways and cross access easements are provided in accordance with the standards;

2. The site plan incorporates an integrated access and circulation system in accordance with the standards;

3. The property owner enters into a written agreement with the County that pre-existing connections on the site will be closed and eliminated after construction of each side of the shared driveway;

4. The proposed access plan for redevelopment properties moves in the direction of the spacing standards; and

5. The reduced access spacing is consistent with all applicable provisions of Chapter 14.

D. The County Road Master may modify or waive the access spacing standards for roadways under County jurisdiction where the physical site characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical and would make meeting the access standards infeasible, subject to the following:

1. The application of the location of access standard will result in the degradation of operational and safety integrity of the transportation system.

2. The granting of the modification or waiver shall meet the purpose and intent of these standards and shall not be considered until every feasible option for meeting access standards is explored.

3. Applicants for modification or waivers from these standards must provide proof of unique or special conditions that make strict application of the standards impractical. Applicants shall include proof that:

a. Indirect or restricted access cannot be obtained;

b. No engineering or construction solutions can be applied to mitigate the condition;

c. No alternative access is available from a road with a lower functional classification than the primary roadway;

d. The hardship is not self-created; and e. The modification or waiver is necessary to protect scenic, natural, cultural or recreation resources in Chapter 14 or is at a minimum consistent with the standards to project them.

E. Street/roadway Connectivity and Formation of Blocks Required. In order to promote efficient vehicular and pedestrian circulation throughout the county, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private roads, in accordance with AASHTO design standards. For residential and commercial developments, the maximum block length shall not exceed 600 feet, with the maximum perimeter not to exceed 1,400 feet.

FINDING: The proposed Prince Heights replat subdivision will vacate three undeveloped Columbia Crest Addition Subdivision platted roads (Sandstone Way (portion), Cavern Way, and Granite Way), and replace them with one dedicated cul-de-sac road (Cavern Way). The proposed cul-de-sac road will not interfere with the continuation of principle streets in the adjoining subdivisions or other adjacent non-platted properties.

The existing Sandstone Way (portion), Cavern Way, and Granite Way roads platted within the Columbia Crest Addition Subdivision shall be vacated and replaced with a publicly dedicated and privately maintained Cavern Way cul-de-sac road that will provide access to the newly created Lots 3, 4, 5, and 6.

The Prince Heights Subdivision replat, the Columbia Crest Addition Subdivision, and the Fruitland Park Addition Subdivision "Track 35" are located north of Cherry Heights Road (a public dedicated and maintained road) and south of West 13th Street (a public dedicated and maintained road).

Concerning public access and existing road conditions, the Director of Wasco County Public Works Department Arthur Smith provided comment on June 26, 2023:

> "Cherry Heights is a fully maintained county road, with an ADT over 1500. Adding a few additional lots and traffic trips will not adversely impact that road. Sandstone, Hermits Way are currently public roads of local access. They are paved roads, in fair shape, but they are not maintained by the county. I am not looking to add them into the county road system. Please make sure a homeowners association or road maintenance agreement is a requirement of the subdivision approval."

Mr. Smith provided additional comments on July 18, 2023:

> "I have reviewed the existing average daily traffic volumes for Cherry Heights Road and Sandstone Way - I have no data for the public roads. These roads can easily absorb the additional traffic generated by the proposed development and will not cause any increased maintenance. I do not foresee any access control issues resulting from this development."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Sandstone Way and Hermits Way roads provide primary access to existing developed lots within the Columbia Crest Addition Subdivision, and, with access from the proposed Cavern Way cul-de-sac road, will provide access to the six replatted lots. Technical commentary has not indicated that additional access control standards are required for approval of this subdivision replat. Accordingly, staff finds that Subsections 21.450.A-E are not applicable to this request.

Section 21.460 Pedestrian Access and Circulation

A. Site Layout and Design - To ensure safe, direct, and convenient pedestrian circulation, all developments shall provide a continuous pedestrian system. The pedestrian system shall be based on the standards in subsections 1-4, below:

1. Continuous Walkway System - The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets or roads and to private property with a previously reserved public access easement for this purpose, in accordance with the provisions of Section 21.030(E) (Relation to Adjoining Street System).

2. Safe, Direct, and Convenient - Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets/roadways, based on the following definitions:

a. Reasonably direct - A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

b. Safe and convenient - Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

c. "Primary entrance" for commercial, mixed use, and office buildings is the main public entrance to the building. In the case where no public entrance exists, street/roadway connections shall be provided to the main employee entrance.

d. "Primary entrance" for residential buildings is the front door (i.e., facing the street or road). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard, or breezeway which serves as a common entrance for more than one dwelling.

3. Connections Within Development - Connections within developments shall be provided as required in subsections a-c, below:

a. Walkways shall connect all building entrances to one another to the extent practicable, as generally shown in Figure 21-1;

b. Walkways shall connect all on-site parking areas, storage areas, recreational facilities and common areas, and shall connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be

cause for not making certain walkway connections; and

c. Large parking areas shall be broken up so that no contiguous parking area exceeds three (3) acres or the space required for the maximum number of cars allowed by the applicable provisions of this ordinance. Parking areas may be broken up with plazas, large landscape areas with pedestrian access ways (i.e., at least 20 feet total width), streets/roadways, or driveways with street-like features, Street-like features, for the purpose of this section, means a raised sidewalk of at least 4-feet in width, 6-inch curb, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian-oriented lighting. The parking areas shall be designed consistent with all applicable provisions of this ordinance including but not limited to Section 14.200 (Key Viewing Areas), 14.600 (Natural Resources) and 14.700 (Recreation Resources).

B. Walkway Design and Construction - Walkways, including those provided with pedestrian access ways, shall conform to all of the standards in subsections 1-4, as generally illustrated in Figure 21-2:

1. Vehicle/Walkway Separation. Except for crosswalks (subsection 2), where a walkway abuts a driveway or street, it shall be raised 6 inches and curbed along the edge of the driveway/street. Alternatively, the Approving Authority may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or concrete bollards designed for withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians.

2. Crosswalks - Where walkways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials (e.g., light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Painted or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.

3. Walkway Width and Surface - Walkway and access way surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the Public Works Director, at least six (6) feet wide. Multi-use paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt, at least 10 feet wide.

4. Accessible Routes - Walkways shall comply with applicable Americans with Disabilities Act (ADA) requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.

FINDING: Concerning pedestrian access and circulation, the Director of Wasco County Public Works Department Arthur Smith provided comment on July 17 and July 18, 2023:

"Wasco County's Rural road standards do not include sidewalks, curbs or gutters. I would apply the Rural road standards here, unless you believe that the City of The Dalles is interested in annexing this development?. Most county roads are "shared" roadways, with no dedicated bike lanes, so I would not recommend a bike lane."

"As I stated before, most rural county roads are shared use roads - drivers, bicyclists and

pedestrians all have the same right to travel the public roadway. Our rural road standards do provide for a shoulder area outside the paved road and that shoulder is adequate for the expected pedestrian use to be generated by this development (pedestrians can obviously walk along the main roadway, when not in conflict with vehicular traffic). I would not recommend any additional pedestrian path or pedestrian system."

A copy of this commentary is available for inspection at the Wasco County Planning Department under File 921-23-000023-PLNG.

Application materials, and technical commentary has not indicated that pedestrian access is required for approval of this subdivision replat. Accordingly, staff finds that Subsections 21.460.A-B are not applicable to this request.

G. Chapter 23 Sign Provisions

Section 23.010 Purpose

A. Protect and enhance scenic resources by minimizing visual impacts of signage, while authorizing signage necessary for commerce, recreation, safety and public information.

B. Encourage the use of the Columbia River Gorge National Scenic Area Graphic Signing System for public signs in and adjacent to public rights-of-way.

Section 23.020 Signs (GMA Only)

A. Except for signs allowed without review pursuant to Sections 3.100 and 3.180(B), all new signs must meet the following standards unless these guidelines conflict with the Manual on Uniform Traffic Control Devices for public safety, traffic control or highway construction signs. In such cases, the standards in the Manual for Uniform Traffic Control Devices shall supersede these guidelines.

FINDING: Concerning signage, application materials provide the following:

"Signs
Signs are not proposed with this project other than the stop/street sign at the new intersection."
(Project# 170105 Replat narrative, Page 13).

The Wasco County Public Works Director Arthur Smith has not provided additional commentary regarding signage.

Findings and conditions of approval for signage are provided for in Chapter 21 of this report. The signage is required by local and state law and are allowed without review pursuant to Sections 3.100 and 3.180(B). Staff finds that Chapter 23 is not applicable to this request.

ATTACHMENT E – PUBLIC COMMENTS

Comments submitted during review.

03162023: Wasco County Sheriff Lane Magill Comments

03222023-07202023: Friends of the Columbia River Gorge Comments

06012023: Heritage Resources Program Manager Survey Determination

06262023-07112023: Applicant Elizabeth Betts Comments

06262023-07182023: Wasco County Public Works Department Arthur Smith Comments

06282023: North Central Public Health District Eric Grendel Comments

06282023: Mid-Columbia Fire & Rescue Chief Jay Wood Comments

06302023-07062023: North Wasco County Parks & Recreation District Scott Baker Comments

06302023-07122023: Wasco County Assessor Jill Amery & Brenna La Vigne Comments

07102023: Wasco County Surveyor Brad Cross Comments

07122023: Wasco County Administrator Tyler Stone Comments

07142023: Kristin Campbell & Chris Crean Comments

07172023: Chenowith Water Darrin Eckmann Comments

Daniel Dougherty <danield@co.wasco.or.us>

Subdivision Comments Requested [File No. 921-23-000023-PLNG]

3 messages

Daniel Dougherty <danield@co.wasco.or.us> Sun, Jul 9, 2023 at 3:34 PM
To: districtmanager@chenowithwater.com, Ben Beseda <BBeseda@tennesoneng.com>

Good afternoon,

The Wasco County Planning Department recieved a subdivision to replat 66 lots to 6 lots within the Columbia Crest Addition Subdivision Scenic Area:
.

Map/Tax Lot	Acct. #	Acres
1N 13E 5 AD 300	8347	2.28
1N 13E 5 AD 1000	8355	2.74
1N 13E 5 AD 1100	15570	3.76
1N 13E 5 AD 1200	8350	1.90
1N 13E 4 BC 2600	15569	4.27

The proposal seeks to vacate "paper roads" in the Columbia Crest Subdivision and dedicate a single point of access (see Cavern Way Cu-De-Sac in maps below). The subdivision replat proposes a new publicly dedicated road “Cavern Way” (Cul-De-Sac) which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated “Sandstone Way” and/or "Hermits Way".

The proposed Cul-De-Sac will be 22' wide paved with 2' wide gravel shoulders (50' wide road tract). I've provided a couple of maps I created and the actual subdivision Pdf. Maps. The entire application is located: https://www.co.wasco.or.us/departments/planning/active_landuse_applications.php.

I'm hoping to get your professional opinion concerning water usage impacts or other related commentary. A pre-notice was sent on March 16, 2023 for comments, and a Planning Commission hearing for the decision will be heard on August 1.

Thanks for your help.

Respectfully,

Daniel



Map 1

Columbia Crest Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"



Prince Heights Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

541-506-2560 | Fax 541-506-2561
2705 E Second Street | The Dalles, OR 97058

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Email is still the best way to reach me!

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It is informational only and a matter of public record.

Prince Hts Plans - Prelim Plat and Survey Exhibits (1).pdf
2810K

Ben Beseda <BBeseda@tennesoneng.com> Mon, Jul 10, 2023 at 6:10 AM
To: Daniel Dougherty <danield@co.wasco.or.us>, "districtmanager@chenowithwater.com" <districtmanager@chenowithwater.com>

Good morning Daniel. My partner Darrin Eckman has taken over as engineer for Chenowith Water PUD. I have forwarded your email to him for comments.

Thanks, Ben

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Sunday, July 9, 2023 3:34 PM
To: districtmanager@chenowithwater.com; Ben Beseda <BBeseda@tennesoneng.com>
Subject: Subdivision Comments Requested [File No. 921-23-000023-PLNG]

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Thanks for your help.

Respectfully,

Daniel



Map 1

Columbia Crest Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"



Prince Heights Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

[Quoted text hidden]

Darrin Eckman <eckmand@aks-eng.com> Mon, Jul 17, 2023 at 10:46 AM
To: Daniel Dougherty <danield@co.wasco.or.us>
Cc: "jebm@chenowithwaterpud.com" <jebm@chenowithwaterpud.com>

Good morning Daniel,

As the Engineer of Record for the Chenowith Water PUD I wanted to go on record regarding the development proposed by the Smilekel Group (921-23-000023-PLNG).

The proposed subdivision is within the Chenowith Water PUD service area and we are willing to provide domestic water service to the six residential lots.

We have been in communication with the developers engineer, Ms. Elizabeth Betts (Klein & Associates, Inc.), and are in general agreement that the developer will:

- ***Connect to the existing 6" line at the intersection of Ledge Way and Hermits Way;***
- ***Replace the existing 4" water main in Ledge Way with 6" from Hermits Way to the proposed Cavern Way;***
- ***Install new 6" water main in Cavern Way from Ledge Way to its southerly terminus;***
- ***Install a fire hydrant assembly at the southerly terminus in the cul-de-sac;***
- ***Install typical residential water services to each lot with the meter to be placed in and at the edge of the Cavern Way ROW; and***
- ***Provide a 20-foot wide public utility easement across Lot 1 where the existing CWPUD watermain is located.***

All materials and work to conform to CWPUD standards. The developer is to enter into an Agreement to Reimburse for CWPUD contracted fees and pay the Subdivision Plan Review fee ($750).

Each lot owner will be required to pay the Meter Drop-in Fee ($500) and System Development Charge ($3,100) at the time service is requested. Fees are subject to change.

Please let me know if you have any questions…

Please note that I have taken over for Ben Beseda as the Chenowith Water PUD Engineer-of-Record and you can remove him from the email list and add me.

Also the CWPUD Manager's (Jeb) email address has changed to: jebm@chenowithwaterpud.com

Finally – Tenneson Engineering has merged with AKS Engineering & Forestry so my email has changed from what you had in the past.

We are still getting the old …tennesoneng.com emails forwarded to us but at some point that may end.

Thanks Daniel!

Darrin Eckman, PE, CWRE

TENNESON ENGINEERING | AN AKS COMPANY

P: 541.296.9177 | www.aks-eng.com | eckmand@aks-eng.com

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Sunday, July 9, 2023 3:34 PM
To: districtmanager@chenowithwater.com; Ben Beseda <BBeseda@tennesoneng.com>
Subject: Subdivision Comments Requested [File No. 921-23-000023-PLNG]

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I'm hoping to get your professional opinion concerning water usage impacts or other related commentary. A pre-notice was sent on March 16, 2023 for comments, and a Planning Commission hearing for the decision will be heard on August 1.

Thanks for your help.

Respectfully,

Daniel



Map 1

Columbia Crest Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"



Prince Heights Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us>

Road Vacation & Dedication Question

3 messages

Daniel Dougherty <danield@co.wasco.or.us> Thu, Jul 13, 2023 at 3:22 PM
To: Kristen Campbell <kcampbell@campbellphillipslaw.com>

Hi Kristen,

We've got a preliminary subdivision replat (Prince Heights Subdivision) request that involves a replat of 66 lots into six lots within the Columbia Crest Subdivision, a road vacation and a public road dedication (I've attached maps below).



Columbia Crest Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Proposed Vacated Roads



The issue is the timing of the vacation and dedication. The BOCC can't technically vacate Sandstone (portion), Cavern Way, and Granite Way before the new dedication and subdivision replat are approved because the vacation would leave numerous lots within the Columbia Crest Addition without public access. My solution is that the vacation order contains a condition that final vacation of Sandstone (portion), Cavern Way, and Granite Way occur on the final approval of the Prince Heights Subdivision plat and dedication of Cavern Way cul-de-sac Road. I suppose the vacation, approval of the subdivision, and dedication can occur simultaneously at the same hearing.

My proposed condition is provided below:

Staff has conferred with the Wasco County Public Works Director Arthur Smith and the Wasco County Surveyor Brad Cross, and recommends the following **condition** of approval: The final road vacation for Sandstone Way (portion), Cavern Way, and Granite Way roads shall be conditioned to take effect only upon the final approval of the proposed Prince Heights Subdivision plat and the approved public dedication of the proposed Cavern Way cul-de-sac road.

Please let me know what you think. Thanks for your assistance.

Respectfully,

Daniel

--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

541-506-2560 | Fax 541-506-2561
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Kristen Campbell <kcampbell@campbellphillipslaw.com> Fri, Jul 14, 2023 at 11:33 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hi Daniel,

I did the initial once over and punted to Chris.

Let me know if you have any additional questions!

Kristen

From: Christopher Crean <chris@gov-law.com>
Sent: Friday, July 14, 2023 11:17 AM
To: Kristen Campbell <kcampbell@campbellphillipslaw.com>

Cc: Kristen Ketchel-Bain <kristen@gov-law.com>
Subject: RE: Road Vacation & Dedication Question

It's a good plan. My only comment is to tweak the condition of approval, which is not really a "condition of approval" since it doesn't require the applicant to do anything. It's really just a delayed effective date. Here's my suggestion:

> "The final road vacation for Sandstone Way (portion), Cavern Way, and Granite Way roads shall take effect only upon the [final approval???] [recording???] of the final plat of the Prince Heights Subdivision, including the public dedication of the proposed Cavern Way cul-de-sac road."

I'm not entirely clear whether a final plat is "approved" or just "recorded." I know it has to be recorded (ORS 92.025), but it also may be "approved." Dan and/or the surveyor will know.

Chris

Christopher D. Crean
Beery Elsner & Hammond LLP

1804 NE 45th Avenue

PORTLAND, OR 97213

t (503) 226-7191 | c (503) 347-9863

www.gov-law.com

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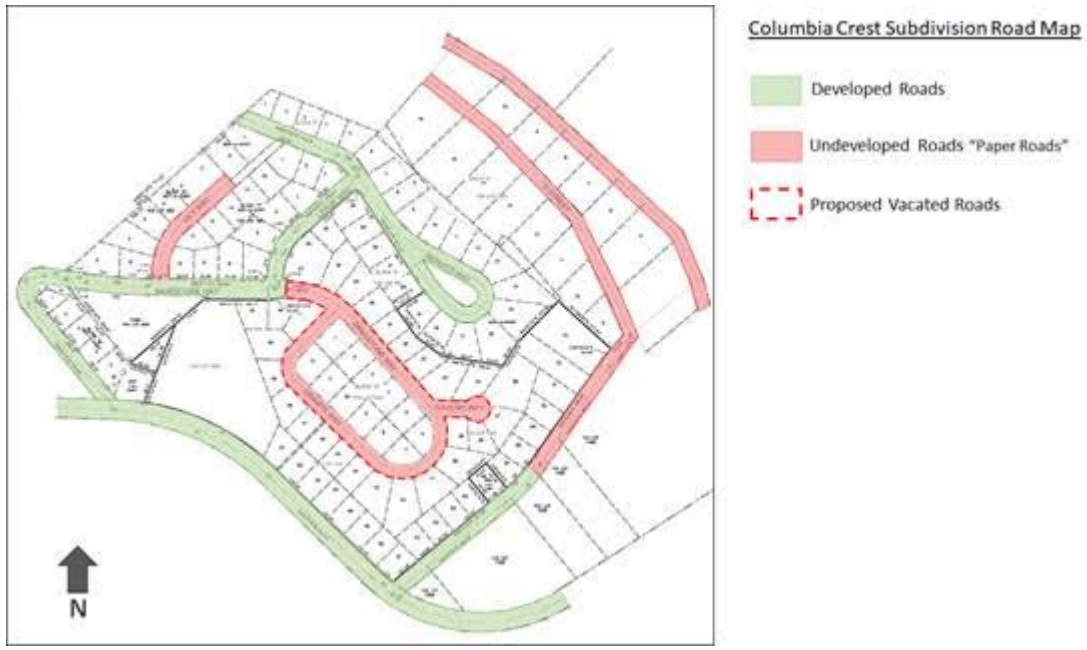
From: Kristen Campbell [mailto:kcampbell@campbellphillipslaw.com]
Sent: Thursday, July 13, 2023 3:58 PM
To: Christopher Crean
Subject: FW: Road Vacation & Dedication Question

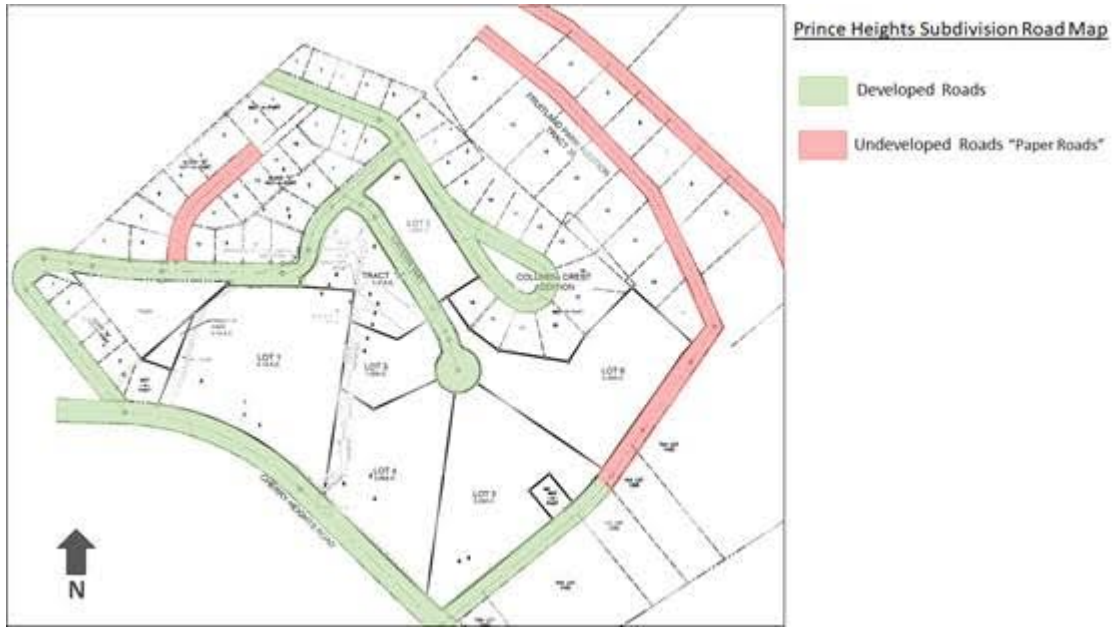
I don't see an obvious problem with this approach. What say you?!? Thanks for any input.

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Thursday, July 13, 2023 3:23 PM
To: Kristen Campbell <kcampbell@campbellphillipslaw.com>
Subject: Road Vacation & Dedication Question

Hi Kristen,

We've got a preliminary subdivision replat (Prince Heights Subdivision) request that involves a replat of 66 lots into six lots within the Columbia Crest Subdivision, a road vacation and a public road dedication (I've attached maps below).





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My proposed condition is provided below:

Staff has conferred with the Wasco County Public Works Director Arthur Smith and the Wasco County Surveyor Brad Cross, and recommends the following **condition** of approval: The final road vacation for Sandstone Way (portion), Cavern Way, and Granite Way roads shall be conditioned to take effect only upon the final approval of the proposed Prince Heights Subdivision plat and the approved public dedication of the proposed Cavern Way cul-de-sac road.

Please let me know what you think. Thanks for your assistance.

Respectfully,

Daniel

--

Daniel Dougherty | ***Senior Planner***

PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

541-506-2560 | Fax 541-506-2561
2705 E Second Street | The Dalles, OR 97058

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Email is still the best way to reach me!

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Daniel Dougherty <danield@co.wasco.or.us> Fri, Jul 14, 2023 at 11:42 AM
To: Kristen Campbell <kcampbell@campbellphillipslaw.com>

Many thanks to you and Chis.

Have a great weekend.

Respectfully,

Daniel
[Quoted text hidden]
--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Daniel Dougherty <danield@co.wasco.or.us>

Replat Letter

2 messages

Kathy Clark <kathyc@co.wasco.or.us> Wed, Jul 12, 2023 at 4:33 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Good Afternoon, Daniel-

Tyler asked that I send this to you. :-)

Kathy Clark | ***Executive Assistant***
ADMINISTRATIVE SERVICES

kathyc@co.wasco.or.us | www.co.wasco.or.us
541-506-2520 | Fax 541-506-2551
511 Washington Street, Suite 101 | The Dalles, OR 97058

Email is the best way to reach me! In an effort to prevent, slow, and stop the spread of COVID-19 to our citizens and staff, our office will be limiting business to phone, email and online service. Please keep in mind that response time may vary. Thank you for your patience during this time.

WCCommentSmekelRePlat.docx.pdf
540K

Daniel Dougherty <danield@co.wasco.or.us> Wed, Jul 12, 2023 at 4:43 PM
To: Kathy Clark <kathyc@co.wasco.or.us>

Hi Kathy,

Many thanks! Please tell Tyler thanks:)

Respectfully,

Daniel
[Quoted text hidden]
--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Dear Planning Commission,

I am writing to provide comment on subdivision replat File 921-23-000023-PLNG related to the requirement for parks, playgrounds or recreational lands to be dedicated to Wasco County.

Wasco County currently does not have a dedicated program to support the continued management of dedicated public space. I encourage you to recommend, in lieu of dedication of land, you to require a payment to the County that will be held in a special fund for acquisition and the development and support of nearby public parks and facilities.

Sincerely,

Tyler Stone
Wasco County Administrator

Daniel Dougherty <danield@co.wasco.or.us> Jul 10, 2023, 7:36 AM (13 days ago) Reply

to Bradley

Good morning Brad,

I hope your weekend went well. Can you tell me if the Prince Heights Subdivision name is already in use in Wasco County? I'm sure it's not, but would appreciate your comment for the record.

Respectfully,

Daniel

•••

...

[Message clipped] View entire message

Bradley Cross Jul 10, 2023, 7:55 AM (13 days ago) Reply

to me

This name is not in use and there is nothing similar. We have a Highland Heights, but I believe there is enough difference to allow the use of Prince's Heights.

Bradley Cross | ***County Surveyor***
PUBLIC WORKS

bradleyc@co.wasco.or.us | www.co.wasco.or.us
541-506-2644 | Fax 541-506-2641
2705 East Second Street | The Dalles, OR 97058

•••

Daniel Dougherty <danield@co.wasco.or.us>

Inquiry: Who Owns this Property

4 messages

Daniel Dougherty <danield@co.wasco.or.us> Fri, Jun 30, 2023 at 7:32 AM
To: Brenna La Vigne <brennal@co.wasco.or.us>

Hi Brenna,

I'm trying to figure out who owns the following property. I'm guessing Wasco County.

Map: 1N 13E 5 AD 600
Account Number: 13902
Taxpayer: THE PUBLIC
Mailing Address: UNDETERMINED

The unit of land was created by the Columbia Crest Addition subdivision in 1953.

Thanks for your help.

Respectfully,

Daniel

--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Brenna La Vigne <brennal@co.wasco.or.us> Fri, Jun 30, 2023 at 7:58 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hi Daniel,

From what Mel and I understand is that when the subdivision was created they designated that lot as a park. No one really owns it. Typically parks will be deeded over to the HOA but since this is an older subdivision I can not speak for why they did this the way it is. So no, Wasco County does not own it.

Thank you,

Brenna La Vigne | ***Deeds Clerk***
ASSESSMENT & TAX

brennal@co.wasco.or.us | www.co.wasco.or.us
541-506-2510 | Fax 541-506-2511
511 Washington Street, Suite #208 | The Dalles, OR 97058

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Fri, Jun 30, 2023 at 8:03 AM
To: Brenna La Vigne <brennal@co.wasco.or.us>

Hi Brenna,

That's interesting. Can I put my name crest flag in the soil and obtain it for myself by right of conquest? :) Thanks for your help.

Respectfully,

Daniel
[Quoted text hidden]

Brenna La Vigne <brennal@co.wasco.or.us> Fri, Jun 30, 2023 at 8:10 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Yeah it had us stumped too. But it is also not the only parcel that is owned by "The Public".

Haha yes, please do that! And sorry I couldn't be anymore help. I swear the way things were done in the past gives me heartburn sometimes lol.

Brenna La Vigne | ***Deeds Clerk***
ASSESSMENT & TAX

brennal@co.wasco.or.us | www.co.wasco.or.us
541-506-2510 | Fax 541-506-2511
511 Washington Street, Suite #208 | The Dalles, OR 97058

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us>

Comments Requested: Scenic Area Subdivision Replat [File No. 921-23-000023-PLNG]

Jill Amery <jilla@co.wasco.or.us> Wed, Jul 12, 2023 at 1:46 PM
To: Daniel Dougherty <danield@co.wasco.or.us>
Cc: Kelly Howsley - Glover <kellyg@co.wasco.or.us>

Hi Daniel,

Doing some catch up today. The current park lot as you have seen from the previous correspondence has been very problematic. Though it isn't my decision on which path to take, my opinion for this subdivision is to not add another park space. Let the developer pay into the fund. If my initial calculation of the lots impacted are correct, the developer could pay an approximate $6,480.51 into the fund and forego the park.

I hope this is helpful to you. Please let me know if you have any additional questions.
Jill

[Quoted text hidden]
--

Jill Amery | ***Assessor/Tax Collector***
ASSESSMENT & TAX

jilla@co.wasco.or.us | www.co.wasco.or.us
541-506-2512 | Fax 541-506-2511
511 Washington St. Suite 208 | The Dalles, OR 97058

Daniel Dougherty <danield@co.wasco.or.us>

Seeking Public Comment: [Planning File No. 921-23-000023-PLNG]

Daniel Dougherty <danield@co.wasco.or.us> Fri, Jun 30, 2023 at 10:03 AM
To: todd@nwprd.org

Good morning,

Wasco County Planning has received a subdivision replat application (see details below) that's within the North Wasco County Park and Recreation District, and we are hoping you can provide feedback pertaining to a criterion related to parks and recreation.

An application for a Scenic Area Review for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning (66 lots replatted to 6 lots). The replat subdivision is named the Prince Heights Subdivision. Vacation of unused ROW and easements plus dedication of ROW to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B 0.16 acres

The National Scenic Area Land Use and Development Ordinance (NSA-LUDO) Section 21.030.Y provides the following:
Y. Public Open Space: Elementary and high school sites, neighborhood playgrounds, parks and recreation areas shall be located in accordance to the development pattern of the County or the County area. When such public school or recreation sites are within the area of an approved subdivision they may be dedicated to the County or shall be reserved until such time as the County is able to acquire them. Parks and recreation areas shall be provided at the rate of one (1) acre of recreation area to every one hundred people.

Wasco County Planning is looking for feedback, comments or advice pertaining to the fulfillment of this criterion. Are you concerned about long-term maintenance/ability to be adequately maintained? Would a sum paid to Wasco County be preferred instead of a public land dedication. I'm slightly concerned considering the proposed 0.16-acre park is adjacent to a long ago platted park (located at Map: 1N 13E 5 AD 600 Account Number: 13902) that I cannot locate the fee owner or figure out if the platted park is actively maintained.

I've attached the Notice of Hearing for your reference and provided maps of the existing and replatted subdivisions. The link to the application is here: https://www.co.wasco.or.us/departments/planning/active_landuse_applications.php. (You can find the application materials via file number 921-23-000023-PLNG).

Your comments/feedback are greatly appreciated.

Respectfully,

Daniel

--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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2 attachments

06272023_PCHearing_Notice_921-23-000023-PLNG.pdf
845K

Prince Hts Plans - Prelim Plat and Survey Exhibits (1).pdf
2810K

Daniel Dougherty <danield@co.wasco.or.us>

Sandstone Way property

Scott Baker <scottb@nwprd.org> Fri, Jun 30, 2023 at 2:49 PM
To: danield@co.wasco.or.us

Hello Daniel,

I have some, but limited information about the Sandstone way "park" property you emailed Todd about. 1N 13E 5 AD 600 Account Number: 13902 Please give me a call and I'll share what I know and my thoughts about additional park property at that location. I'm out of the office until July 5th.

Best regards,
Scott Baker
(541) 296-9533

Daniel Dougherty <danield@co.wasco.or.us>

Sandstone properties

1 message

Scott Baker <scottb@nwprd.org> Thu, Jul 6, 2023 at 4:06 PM
To: danield@co.wasco.or.us

Hello Daniel,

It was nice to talk with you today. As we discussed, 1N 13E 5 AD 600 Account Number: 13902 is not currently owned or maintained by NWCPRD. It has little or no recreational value and increasing its size .16 acre does not make it a better fit for public recreation. My opinion is that Wasco County would be better served by a cash payment in lieu of the property. If Wasco county is the owner of the adjacent "publicly owned" property, I would encourage them to surplus the property and acquire much needed park space on the westside.

Please let me know if I can be of further assistance,

Scott Baker

Daniel Dougherty <danield@co.wasco.or.us>

Comment Request: Scenic Area Subdivision (Replat) [File No. 921-23-000023-PLNG]

2 messages

Daniel Dougherty <danield@co.wasco.or.us> Fri, May 12, 2023 at 1:34 PM
To: Eric Grendel <ericg@ncphd.org>

Hi Eric,

I'm reaching out for feedback concerning this proposed subdivision (replat request). The request involves the following tax lots:

Map/Tax Lot
1N 13E 5 AD 300
1N 13E 5 AD 1000
1N 13E 5 AD 1100
1N 13E 5 AD 1200
1N 13E 4 BC 2600

The request is a Scenic Area Review for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning
(66 lots replatted to 6 lots). Vacation of unused ROW and easements plus dedication of ROW to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development).

Six residential lots total
Lot 1 = 4.12 acres
Lot 2 = 1.05 acres
Lot 3 = 1.02 acres
Lot 4 = 2.89 acres
Lot 5 = 3.20 acres,
Lot 6 = 3.09 acres
Private Open Space Tract A - 1.31 acres
Public Park space Tract B - 0.16 acres

I attached the original Pre-Notice for reference, and the application's submitted Septic Evaluations that were conducted a few years ago. I've also provided the application link: https://cms5.revize.com/revize/wascocounty/document_center/Planning/Actions/Smilekel_Group_921-23-000023-PLNG/APP_921-23-000023-PLNG_SMILEKEL_GROUP.pdf

I've recieved several comments (none written yet, but several phone calls and a meeting) with neighbors who are all concerned about the soil quality in the area and the proposed areas of septic system. If there is contention with this replat, it's likely to center around septic feasibility in the area and the proposed sites for septic systems.

Any feedback for the record would be of great help.

If you need additional information or have questions please let me know.

Have a great weekend sir.

Respectfully,

Daniel

--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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2 attachments

Signed_PreNotice_for_Comments_NSA_921-23-000023-PLNG_Smilekel.pdf
349K

Septic_Eval_&_Soils.pdf
13185K

Eric Grendel <ericg@ncphd.org> Wed, Jun 28, 2023 at 11:17 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hey Daniel,

I appreciate you reaching out to seek input from the Environmental Health Department.

I've reviewed this proposed replat a few times since taking over the onsite septic program for NCPHD and have also met with my predecessor John Zalaznik who conducted the site evaluation back in 2017, to discuss his interpretation of the proposed replat and development.

Prior to John's evaluation, this proposal went through a Preliminary Feasibility Study by Aqua Resource Design & Consulting and was most notably finalized by REHS Brannon Lamp who is a highly regarded consultant for environmental health services. In Brannon's results, he suggested that the Re-Plat include a series of easements and some help from a designer to adequately demonstrate that the design could support both primary and secondary drainfield areas for 7-8 lots.

Klein Associates was then hired in July of 2017 to create a schematic for the proposed development and replat for the individual lots, which included Aqua Resources sampled soil pit sites. This was provided to John Zalaznik for his site evaluation which was conducted on 9/28/17.

John's evaluated 8 lots for onsite septic suitability and proposed that the area have an Engineered hydrologic Study be conducted due to his concerns over the loading capacity of the site and landslide potential.

Environmental Management Services, INC. (EMS) was then hired to determine whether or not the site was stable to accept the projected daily flow for wastewater.

EMS determined that there were some factors that would indicate there be a cautious approach with the designing of the septic systems and determined that a pressurized distribution system be considered to prevent the uneven distribution of effluent to avoid instability of localized saturated soils. EMS also recommended that Erosion Control Measures be implemented to further prevent any destabilization that could occur.

From my standpoint, working with small lots (Murray's Addition, Sportsman's Park, Pine Hollow) is a major challenge once they've been developed because finding a suitable replacement site can be limited. Since these lots have not been developed yet, NCPHD can require certain criteria to be met before approving a structural permit for sanitation, or a construction permit for onsite wastewater disposal however, larger lots such as the ones proposed do provide more room for adjustments (even if they're on easements). Many times, people may build something in an area that doesn't require a permit and don't think about that space being the only suitable replacement area which can compound an already difficult situation.

While the hypothetical situations are endless as to what could occur in any development, I do believe that expanding the footprint of these lots would be more suitable than trying to squeeze in several ATT systems on smaller lots if they were found to be approved for onsite wastewater treatment.

This replat has had several environmental specialists provide insight into the proposed development, in which I cannot see anything that would keep this from moving forward as long as it's designed and installed appropriately.

Sorry for the late response and feedback to your inquiry Daniel. This development has a few layers that I really wanted to feel confident with my input when addressing your questions.

I hope this helps. Feel free to reach out anytime if you have questions.

Eric Grendel
Environmental Health, REHS
North Central Public Health District
419 E. 7th St. The Dalles, OR 97058
ericg@ncphd.org
Ph:(541)506-2622
Cell:(541)993-0021
(He/Him)

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us>

Subdivision Comments [File No. 921-23-000023-PLNG]

7 messages

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jun 26, 2023 at 11:19 AM
To: jwood@mcfr.org

Good morning Chief Wood,

We recieved a subdivision to replat 66 lots to 6 lots within the Columbia Crest Addition Subdivision Scenic Area:

.

Map/Tax Lot	Acct. #	Acres
1N 13E 5 AD 300	8347	2.28
1N 13E 5 AD 1000	8355	2.74
1N 13E 5 AD 1100	15570	3.76
1N 13E 5 AD 1200	8350	1.90
1N 13E 4 BC 2600	15569	4.27

The proposal seeks to vacate "paper roads" in the Columbia Crest Subdivision and dedicate a single point of access (see Cavern Way Cu-De-Sac in maps below). The subdivision replat proposes a new publicly dedicated road “Cavern Way” (Cul-De-Sac) which will provide access to Lots 3, 4, 5, and 6. Lots 1 and 2 will have access by the existing publicly dedicated “Sandstone Way” and/or "Hermits Way".

The proposed Cul-De-Sac will be 22' wide paved with 2' wide gravel shoulders (50' wide road tract). I've provided a couple of maps I've created and the actual subdivision Pdf. Maps. The entire application is located

I'm hoping to get your professional opinion concerning fire safety. A pre-notice was sent on March 16, 2023 for comments, and a Planning Commission hearing for the decision will be heard on August 1.

Thanks for your help.

Respectfully,

Daniel



Columbia Crest Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Proposed Vacated Roads



Map 2

Prince Heights Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Proposed Road

--

Daniel Dougherty | ***Senior Planner***
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danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Prince Hts Plans - Prelim Plat and Survey Exhibits (1).pdf
2810K

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jun 26, 2023 at 11:41 AM
To: jwood@mcfr.org

Hi Chief Wood,

I forgot to mention that the cul-de-sac proposes a 590' Length and will have a 48' radius turnaround.

Thanks for your assistance.

Respectfully,

Daniel
[Quoted text hidden]

Jay Wood <jwood@mcfr.org> Wed, Jun 28, 2023 at 9:17 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Good morning,

I was out of the office Monday and worked on this yesterday. To be clear, page 4 of the PDF you sent over is the proposed, and if so here are the requirements for access and water supply as per Oregon Fire Codes (OFC). All these requirements would come into play upon building.

Fire Apparatus Access:

- The fact that this is over 2 residential lots/buildings, these requirements come into play, again upon building. Access roads need to extend to within 150 feet of each structure on each lot. The 150 feet is from where we park the fire apparatus and then around the exterior of the building (where we would potentially pull the hose for fire attack). See note below regarding individual driveways on the lots.
- The rest of the access specifications come from Appendix D of the OFC
  - The height of the access needs to be at least 13’6” along the entire access road. Trees will need to be maintained at that height throughout and any overhead signs, etc as well.
  - The driving surface needs to be “all weather” though there is no good interpretation of what this really means. Generally accepted is concrete and/or asphalt. For a one or two lot development, a gravel driveway suffices. See note below about driveways on individual lots.
  - The access road must support an imposed load of 85,000, the gross weight of our heaviest fire apparatus including driveways.
  - Minimum width of the access road is 26’ driving surface for two reasons;
    - Access roads great than 500 feet require 26’ width
    - Hydrants will be required so the road must be 26’ (see water supply below).
  - Grade shall be 10 percent of slope or less. There is the short pitch of greater than 10 percent allowed if necessary and by approval of the Fire District.
  - Dead end roads greater than 150 feet must have a turnaround. The cul-de-sac works as a turnaround; however, the minimum dimension of the cul-de-sac is 96 feet. Alternatives could be a hammer head “T”, a “Y” or other arrangement that has at least 2 legs that are at a minimum of 60 feet in length.
  - No Parking Signs will be required unless the access road is greater than 32’ in width.
    - At exactly 26’ width, signs on both sides are required.
    - Greater than 26’ width only requires on side to be signed.
    - Signs have to be a minimum of 12” wide by 18” high with red letters with white reflective background. Wording of “No Parking” and “Fire Lane” are required. Arrows can be used if a portion of the roadway is greater than 32’ then necks down to less than 32’.
  - Probably not an issue with this as it’s residential, but if the building heights are 30’ or three stories, two roads to access the buildings are required (access for ladder truck)
- Structures on the lots must be within the 150’ from the access road OR they must have access roads/driveways that meet the height, weight, grade and turnaround requirements. Width can be reduced to 12’ drivable surface on individual lots with one or two dwellings (such as an ADU)
- There is the possibility of exceptions to some of these requirements if the dwellings (not garages, outbuildings) have an approved automatic fire sprinkler system installed in the residences. Typically, we see this with grades greater than 10 percent of slope or hydrant placement issues due to underground issues (rock usually), however, we can discuss further with you and/or the developer.

Water supply

- Because there is a water system in that area (Chen. Water PUD), one or more hydrants will be required. The hydrant/hydrant system will need to flow 1,000 Gallons per minute with a 20 pounds per square inch residual pressure.
  - If all of the homes will have sprinklers, that can be dropped to 500 gallons per minute at 20 psi residual.
  - If 1,000 gallons, the flow has to have the capacity to be maintained for 1-hour. If 500 gallons, then the duration is ½-hour.
  - The developer may be required to provide the available fire flow as noted if the water system cannot support the requirements. That can be in the form of:
    - their own water system of reservoirs and hydrant(s)
    - supplementing the current water system by paying for upgrades to the public system.
- Maximum distance from a dwelling to a hydrant is 200 feet. In other words, a hydrant will need to be installed within 200' of the center of the cul-de-sac (after being redrawn with the correct diameter requirement). This will need to be discussed if the dwellings are not near the cul-de-sac end of the lots (set back from the cul-de-sac with a driveway). If dwellings/buildings are set back from the street, it may be best to install the hydrant at the cul-de-sac.
  - This can be increased to 250' if sprinklers installed.
- Another hydrant would need to be installed within 500 feet of the one servicing the cul-de-sac. This can be increased to 625' if sprinklers are installed in all dwellings on each of the subject lots.
- Lot 1, if accessed by Sandstone Way will have to be situated so it is within that 500'/625' or an additional hydrant will need to be installed.

Please let me know if you have any questions. I'd be happy to get out of the office and meet with you and/or the developer as needed.

Thank you for reaching out on this one. I didn't see the earlier notice (but did get the email). Not sure how I missed this one.

Jay

Jay Wood, Division Chief

Prevention/Public Education

Mid-Columbia Fire and Rescue

1400 W. 8th Street

The Dalles, Oregon 97058

jwood@mcfr.org

Office: 541-296-9445

Cell: 541-993-1677

Educate, Serve and Protect

[Quoted text hidden]
[Quoted text hidden]
[Quoted text hidden]

> Good morning Chief Wood,
>
> [Quoted text hidden]



Columbia Crest Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Proposed Vacated Roads



Map 2

Prince Heights Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Proposed Road

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Daniel Dougherty | ***Senior Planner***

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danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Daniel Dougherty <danield@co.wasco.or.us> Wed, Jun 28, 2023 at 4:26 PM
To: Sean Bailey <seanb@co.wasco.or.us>

Hi Sean,

I've forwarded you Chief Woods' comments.

Respectfully,

Daniel
[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Thu, Jun 29, 2023 at 3:50 PM
To: Jay Wood <jwood@mcfr.org>

Chief Wood,

Many thanks for your comments. I've got an additional item I'd like your feedback on as it's discretionary.

There's a criterion in our Land Divisions Chapter 21:

L. Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right of way shall be provided at the time of subdivision or partitioning.

Concerning "Sandstone Way" that will provide primary access from Cherry Heights to the proposed Cavern Way cul-de-sac: I measured Sandstone to be approximately 35' wide at Cherry Heights, roughly 30' w at the first eastward turn, and approximately 25' w at Hermits Way. This is a public road of local access, and I'm not sure when it was actually built, or to what standards it was built to. The original subdivision plat has Sandstone at 50' w. I'm trying to determine if the replat warrants the widening of Sandstone. Do you believe the request warrants Sandstone to be widened based on potential fire safety standards? Truthfully, if the developer could figure out how to make the septic system work, they could sell the existing 66 small lots and not necessarily have to deal with Sandstone Way at all...they might have to build out the platted paper roads approved under the original plat, but there'd be no mechanism under Planning to require additional right of way.

Thanks for the help! I'll likely have additional questions as we proceed.

Respectfully,

Daniel

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Sun, Jul 9, 2023 at 4:41 PM
To: Jay Wood <jwood@mcfr.org>

Good afternoon Chief Wood,

I've provided your comments in the staff report and relied upon them for findings and conditions of approval regarding our cul-de-sac criterion:

Chapter 21 Land Divisions Section 21.030.G

G. Cul-de-sacs: In general, dead end (cul-de-sac) streets are not desirable, but if provided, shall terminate in a turnaround that is consistent with Chapter 11 and the local fire department.

I'm hoping to get your feedback concerning the following findings/conditions, so that I can square them away prior to the hearing (It's quite a process to alter them after a decision is made).

In general, dead end (cul-de-sac) roads are not desirable, but considering the geography of the area and limited suitable spaces to locate septic drain fields, the following recommended conditions of approval are proposed to ensure the cul-de-sac road and final subdivision plan is consistent with Chapter 11 and state fire codes concerning fire apparatus access:

(1) To ensure access roads extend to within 150 feet of each structure on each lot, a **condition** of approval is recommended requiring that designated development areas for proposed Lots 1-6 shall be within 150 feet of the primary access road for the individual lot, or that Lots 1-6 must contain access roads or driveways that shall be engineered to support an imposed load of 85,000 lbs., are 12' wide, and that the grade of the access driveway shall be 10 percent of slope or less.

(2) To ensure that no obstacles exist for fire apparatus access, a **condition** of approval is recommended requiring that the Cavern Way cul-de-sac road shall be maintained free of vegetation, signage, or any other man-made or natural objects, and that the height of trees, signage, or other man-made or natural objects shall be at least 13'6" along the entire Cavern Way cul-de-sac road.

(3) To ensure the public is notified of restricted parking areas for fire apparatus, a **condition** of approval is recommended requiring that signage be provided on both sides of the Cavern Way cul-de-sac road, and that the signage must be a minimum of 12" wide x 18" high with red letters with white reflective background with wording of "No Parking" and "Fire Lane".

(4) To ensure that all fire apparatus have access to the proposed Lots 3-6 along the Cavern Way cul-de-sac road, a **condition** of approval is recommended requiring that the road shall be paved and engineered to support an imposed load of 85,000 lbs., that the paved portion shall be at least 26' wide, and that the grade shall be 10 percent of slope or less. A **variance** to the 10 percent slope condition may be granted upon demonstration of need by the applicant and approval by the local fire district.

According to Chief Wood, the subdivision area is within the Chenowith Water District. The Wasco County Geographic Information System "Water Districts" map layer provides that the water district is the Columbia Crest Water District. In any case, in consideration of water supply for fire apparatus, the following recommended conditions of approval are proposed to ensure the cul-de-sac road and final subdivision plan is consistent with Chapter 11 and state fire codes concerning water supply:

(1) To ensure on-site water is available for structural fire protection, a **condition** of approval is recommended that fire hydrants shall be provided at least 200 feet from all designated development areas for the proposed Lots 1-6; or

(2) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units shall be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval is recommended that fire hydrants shall be provided at least 250 feet from all designated development areas for the proposed Lots 1-6.

(3) A **condition** of approval is recommended that a fire hydrant shall be provided within 500 feet of the fire hydrant servicing the cul-de-sac; or

(4) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval is recommended that the fire hydrant shall be provided within 625 feet of the fire hydrant servicing the cul-de-sac.

(5) If Lot 1 is accessed by Sandstone Way, a **condition** of approval is recommended requiring that a fire hydrant shall be situated so it is within 500 feet of the fire hydrant servicing the cul-de-sac, or that a separate fire hydrant shall be installed for Lot 1; or

(6) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval is recommended that the fire hydrant shall be provided within 625 feet of the fire hydrant servicing the cul-de-sac, or that a separate fire hydrant shall be installed for Lot 1.

(7) The fire hydrants shall have a flow rate of 1,000 gallons per minute with 20 pounds per square inch of residual pressure, and that the flow capacity shall be maintained for at least 60-minutes; or

(8) If subdivider provides covenants, conditions, and restrictions that require that each of the lot's dwelling units shall be constructed to contain an approved automatic fire sprinkler system, a **condition** of approval is recommended that the required fire hydrant shall have a flow rate of 500 gallons per minute at 20 pounds per square inch of residual pressure that can be maintained for at least 30-minutes.

(9) To ensure the proposed fire hydrants can meet required flow rate conditions, a **condition** of approval is recommended that prior to public dedication of the proposed Cavern Way cul-de-sac, the subdivider shall provide objective substantial evidence from the local fire district that the proposed fire hydrants will have the required flow rates; or

(10)If the subdivider cannot demonstrate the required fire hydrant flow rate requirements, the subdivider, prior to public dedication of the proposed Cavern Way, shall provide objective substantial evidence from the local fire district that the required flow rates can be obtained from providing their own water system of reservoirs and hydrants, or by supplementing the current water system through upgrading the public water system. Upgrading the current water system to meet fire hydrant flow rate requirements is the sole responsibility of the subdivider.

Thanks for your feedback.

Respectfully,

Daniel

On Wed, Jun 28, 2023 at 9:17 AM Jay Wood <jwood@mcfr.org> wrote:

[Quoted text hidden]

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Sun, Jul 9, 2023 at 4:48 PM
To: Jay Wood <jwood@mcfr.org>

I missed the cul-de-sac requirement, and added it into Access Condition 4:

(4) To ensure that all fire apparatus have access to the proposed Lots 3-6 along the Cavern Way cul-de-sac road, a **condition** of approval is recommended requiring that the road shall be paved and engineered to support an imposed load of 85,000 lbs., that the paved portion shall be at least 26' wide, that the grade shall be 10 percent of slope or less, and that the road shall have a 48' radius (96' diameter) cul-de-sac for fire turnaround at the end . A **variance** to the 10 percent slope condition may be granted upon demonstration of need by the applicant and approval by the local fire district.

Respectfully,

Daniel

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us>

Subdivision Comments [File No. 921-23-000023-PLNG]

8 messages

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jun 26, 2023 at 10:13 AM
To: Arthur Smith <arthurs@co.wasco.or.us>, Bradley Cross <bradleyc@co.wasco.or.us>

Good morning,

We recieved a subdivision to replat 66 lots to 6 lots within the Columbia Crest Addition Subdivision Scenic Area:

.

Map/Tax Lot	Acct. #	Acres
1N 13E 5 AD 300	8347	2.28
1N 13E 5 AD 1000	8355	2.74
1N 13E 5 AD 1100	15570	3.76
1N 13E 5 AD 1200	8350	1.90
1N 13E 4 BC 2600	15569	4.27

I know the proposal has been tossed around since at least 2018, and we've discussed the process on road vacation and road dedications.

Correct me if I'm wrong, but from my understanding, the BOCC can't vacate the existing Cavern Way, Sandstone Way, and Granite Way roads before it dedicates the new Cavern Way. The Planning Commission will make a decision in the matter (Preliminary Plan) on August 1. I'm trying to figure out how to condition the dedication and vacation so it works with any requirements you folks might have for the final plat. I'm also looking for any technical feedback you might have. I'll send additional questions in this thread as they arise.

I've attached a couple of maps, the Pdf. subdivision plan and linked the online location of the application (See File No. 921-23-000023-PLNG): https://www.co.wasco.or.us/departments/planning/active_landuse_applications.php.

Thanks for the help.

Respectfully,

Daniel

See maps below:



Columbia Crest Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Proposed Vacated Roads



Map 2

Prince Heights Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Proposed Road

--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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2810K

Arthur Smith <arthurs@co.wasco.or.us> Mon, Jun 26, 2023 at 10:47 AM
To: Daniel Dougherty <danield@co.wasco.or.us>
Cc: Bradley Cross <bradleyc@co.wasco.or.us>

We received a petition to vacate several roads within the Columbia Crest Addition back in May, 2022. The Smilekel Group made that request. I would need an updated road vacation petition, clearly showing what roads or sections of road are proposed for vacation. Then, depending on the Planning Commission decision, we could move forward with the BOC on the vacations, pending approval of the new road dedications / subdivision plat. Brad and I have discussed this issue before. Thanks

Arthur
[Quoted text hidden]
--

Arthur Smith | ***Director***
PUBLIC WORKS

arthurs@co.wasco.or.us | www.co.wasco.or.us
541-506-2645 | Fax 541-506-2641
2705 East 2nd Street | The Dalles, OR 97058

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jun 26, 2023 at 11:48 AM
To: Arthur Smith <arthurs@co.wasco.or.us>

Hi Arthur,

Thanks for the update. Do you have opinions of the potential impact this proposal will have on Cherry Heights Road or Sandstone Way/Hermits Way?

Anticipated ADT impacts to existing roads?

The proposed Cul-De-Sac will be 22' wide paved with 2' wide gravel shoulders (50' wide road tract), will be 590' in length, and have a 48' radius (96' diameter) turnaround. The application provides that the road will be maintained by the homeowners with a maintenance agreement.

Respectfully,

Daniel

[Quoted text hidden]

Arthur Smith <arthurs@co.wasco.or.us> Mon, Jun 26, 2023 at 1:38 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Daniel,

Cherry Heights is a fully maintained county road, with an ADT over 1500. Adding a few additional lots and traffic trips will not adversely impact that road. Sandstone, Hermits Way are currently public roads of local access. They are paved roads, in fair shape, but they are not maintained by the county. I am not looking to add them into the county road system. Please make sure a homeowners association or

road maintenance agreement is a requirement of the subdivision approval. Thanks

Arthur
[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Thu, Jun 29, 2023 at 3:44 PM
To: Arthur Smith <arthurs@co.wasco.or.us>

Hi Arthur,

Thanks for the comments. There's a criterion in our Land Divisions Chapter 21:

L. Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right of way shall be provided at the time of subdivision or partitioning.

Concerning "Sandstone Way" that will provide primary access from Cherry Heights to the proposed Cavern Way cul-de-sac: I measured Sandstone to be approximately 35' wide at Cherry Heights, roughly 30' w at the first eastward turn, and approximately 25' w at Hermits Way. This is a public road of local access, and I'm not sure when it was actually built, or to what standards it was built to. The original subdivision plat has Sandstone at 50' w. I'm trying to determine if the replat warrants the widening of Sandstone. Do you believe the request warrants Sandstone to be widened based on the proposed replat and potential traffic. Truthfully, if the developer could figure out how to make the septic system work, they could sell the 66 small lots and not necessarily have to deal with Sandstone Way at all...they might have to build out the platted paper roads, but there'd be no mechanism under Planning to require additional right of way.

Thanks for the help! I'll likely have additional questions as we proceed.

Respectfully,

Daniel
[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Thu, Jun 29, 2023 at 3:47 PM
To: Arthur Smith <arthurs@co.wasco.or.us>

Hi Arthur,

Accidentally sent my email to you before it was ready. See below:

Thanks for the comments. There's a criterion in our Land Divisions Chapter 21:

L. Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right of way shall be provided at the time of subdivision or partitioning.

Concerning "Sandstone Way" that will provide primary access from Cherry Heights to the proposed Cavern Way cul-de-sac: I measured Sandstone to be approximately 35' wide at Cherry Heights, roughly 30' w at the first eastward turn, and approximately 25' w at Hermits Way. This is a public road of local access, and I'm not sure when it was actually built, or to what standards it was built to. The original subdivision plat has Sandstone at 50' w. I'm trying to determine if the replat warrants the widening of Sandstone? Do you believe the request warrants Sandstone to be widened based on the proposed replat and potential traffic? Truthfully, if the developer could figure out how to make the septic system work, they could sell the 66 small lots and not necessarily have to deal with Sandstone Way at all...they might have to build out the platted paper roads, but there'd be no mechanism under Planning to require additional right of way.

Thanks for the help! I'll likely have additional questions as we proceed.

Respectfully,

Daniel
[Quoted text hidden]

Arthur Smith <arthurs@co.wasco.or.us> Mon, Jul 3, 2023 at 8:37 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Good morning,

The existing roadway widths are adequate to serve the additional lots and appear to have been built to meet our minimum road standards. I would not require any road widening. My only request would be for a Road Maintenance Agreement or Homeowners Agreement to ensure that the public roads are maintained after development. Thanks

Arthur
[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Wed, Jul 12, 2023 at 11:20 AM
To: Arthur Smith <arthurs@co.wasco.or.us>, Bradley Cross <bradleyc@co.wasco.or.us>

Gentleman,

I'm looking for feedback pertaining to the following conditions of approval concerning the proposed Prince Heights Subdivision Caver Way cul-de-sac road dedication and the necessary road vacations for Sandston Way (portion), Caver Way, and Granite Way roads in the existing Columbia Crest Addition Subdivision.

Pertaining to Road Maintenance:

Based on Mr. Smith's commentary and the implementation policies within the Wasco County Comprehensive Plan, staff recommends the following **conditions** of approval be achieved prior to final subdivision plat approval:

(1) A waiver of remonstrance for future publicly funded road improvements for the proposed Cavern Way road be recorded with the Wasco County Clerk; and

(2) A restrictive covenant agreement requiring acknowledgment of improvement and maintenance costs for the proposed Cavern Way cul-de-sac be recorded with the Wasco County Clerk.

With the recommended conditions, staff finds the request is consistent with the goals and policies of the Comprehensive Plan and Section 21.300.C.1.

Pertaining to the Road Vacation and Dedication:

The proposed Cavern Way cul-de-sac road has not been constructed, and cannot be dedicated until the existing dedicated roads have been properly vacated. However, the existing dedicated Sandstone Way (portion), Cavern Way, and Granite Way roads cannot be vacated before the proposed subdivision and road dedication are approved because the existing lots within the Columbia Crest Addition Subdivision would be left without public access. Staff has conferred with the Wasco County Public Works Director Arthur Smith and the Wasco County Surveyor Brad Cross, and recommends the following **condition** of approval: The final road vacation for Sandstone Way (portion), Cavern Way, and Granite Way roads shall be conditioned to take effect only upon the final approval of the proposed Prince Heights Subdivision plat and the approved public dedication of the proposed Cavern Way cul-de-sac road.

Please let me know what you think. Thanks for your assistance.

Respectfully,

Daniel

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us>

Subdivision Sidewalks

8 messages

Daniel Dougherty <danield@co.wasco.or.us> Thu, Jul 13, 2023 at 11:09 AM
To: Arthur Smith <arthurs@co.wasco.or.us>

Hi Arthur,

I'm looking for feedback pertaining to sidewalk and bike lane criteria for the proposed subdivision. Do you think that the request needs sidewalks or bicycle lanes? The area currently lacks sidewalks, bicycle lanes and has a low residential density.

1. When necessary, and consistent with Wasco County's standards, sidewalks shall be required as part of a new road when a proposed development or land division is within an urban growth boundary, or when:

a. The subject property is located within one-quarter mile of a school, shopping center, recreation area, or other use likely to create pedestrian traffic; or

b. The surrounding area is developed with sidewalks or is zoned for commercial, industrial or urban residential uses.

2. Sidewalk(s) shall be constructed to applicable standards (see Table 2 Urban Wasco County Roadway Design Standards in the Wasco County Transportation System Plan). Sidewalk requirements may be waived, or may be deferred through a road improvement agreement when, in the opinion of the County, sidewalks would not be immediately necessary to accommodate pedestrian traffic.

3. Bicycle facilities shall be required along new roads when necessary to extend an existing bicycle route, or when a bicycle route or way is proposed within an adopted Transportation System Plan.

Thanks for the help.

Respectfully,

Daniel
--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

541-506-2560 | Fax 541-506-2561
2705 E Second Street | The Dalles, OR 97058

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Email is still the best way to reach me!

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It is informational only and a matter of public record.

Arthur Smith <arthurs@co.wasco.or.us> Mon, Jul 17, 2023 at 8:50 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Daniel,

Wasco County's Rural road standards do not include sidewalks, curbs or gutters. I would apply the Rural road standards here, unless you believe that the City of The Dalles is interested in annexing this development?. Most county roads are "shared" roadways, with no dedicated bike lanes, so I would not recommend a bike lane.

Arthur
[Quoted text hidden]
--

Arthur Smith | ***Director***
PUBLIC WORKS

arthurs@co.wasco.or.us | www.co.wasco.or.us
541-506-2645 | Fax 541-506-2641
2705 East 2nd Street | The Dalles, OR 97058

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jul 17, 2023 at 2:32 PM
To: Arthur Smith <arthurs@co.wasco.or.us>

Hi Arthur,

I don't believe the City is interested. Thanks for the feedback.

Another question:

Have you published:

A. Drawings

1. The County Road Master shall have the authority to publish "Standard Drawings" for the design of public streets and roads. These drawings may be included in the separately adopted document listed in B(1) above.

Respectfully,

Daniel
[Quoted text hidden]

Arthur Smith <arthurs@co.wasco.or.us> Mon, Jul 17, 2023 at 2:36 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

We may have some drawings for typical road cross sections in our TSP (from 2009). That was done before I became Director. However, we defer to the ODOT / APWA standard drawings and specifications. Thanks

Arthur
[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jul 17, 2023 at 2:45 PM
To: Arthur Smith <arthurs@co.wasco.or.us>

Excellent. Thank you for your comments. I think that's about it. I should have the Staff Report and recommended Conditions of Approval finished by tomorrow. Can I shoot the road related conditions your way for a quick once over?

Respectfully,

Daniel
[Quoted text hidden]

Arthur Smith <arthurs@co.wasco.or.us> Mon, Jul 17, 2023 at 2:52 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Yes, no problem.
[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Tue, Jul 18, 2023 at 9:25 AM
To: Arthur Smith <arthurs@co.wasco.or.us>

Hi Arthur,

I've got three more questions for you if you have the time. There's three more sections that need findings, concerning adjacent roadway improvements, access improvements (traffic study, and pedestrian access). In the case of ublic, agency, or interest group comments, I want to make sure I've buttoned up or covered any possible concerns. I know we've addressed these issues in prior sections, but comments specific to the sections would be extremely helpful.

First
Section 21.440 Roadway Improvement Standards
A. Roadway Requirements: No development shall occur unless the roadways adjacent to the development meet the standards of this section, unless the following applies:
1. A development may be approved if the adjacent roadway does not meet the standards but halfstreet improvements meeting the standards of this title are constructed adjacent to the development.

Based on the application materials and your previous statements, I don't believe that adjacent roadways (primarily Sandstone and Hermits Way) need to be improved, and meet the standards, but additional comments would be helpful.

Second
Section 21.450 Access Control Standards.
1. Traffic Impact Analysis Requirements. The County or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also, Section 4.180 Traffic Impact Analysis.)

This entire section is concerned with access to the subdivision. Primary public access comes from Cherry Heights via Sandstone Way (and/or Hermits for Lots 1 &2) and for Lots 3, 4, 5, and 6, the proposed Cavern Way cul-de-sac road. Based on the application materials and your previous statements, I don't believe that access control will be an issue, but additional comments would be helpful.

Third
Section 21.460 Pedestrian Access and Circulation
A. Site Layout and Design - To ensure safe, direct, and convenient pedestrian circulation, all developments shall provide a continuous pedestrian system.

You've made comment that considering the rural nature of the subdivision area, sidewalks will not be required. The overall application, density of the area, and history of the developed lots within the existing Columbia Crest Addition do not support requiring pedestrian access for the 6 proposed replatted lots, but additional comments would be helpful.

Thanks for your help.

Respectfully,

Daniel
[Quoted text hidden]

Arthur Smith <arthurs@co.wasco.or.us> Tue, Jul 18, 2023 at 10:51 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Daniel,

Thank you for the opportunity to comment - see below:

First
Section 21.440 Roadway Improvement Standards
A. Roadway Requirements: No development shall occur unless the roadways adjacent to the development meet the standards of this section, unless the following applies:
1. A development may be approved if the adjacent roadway does not meet the standards but half street improvements meeting the standards of this title are constructed adjacent to the development.

Based on the application materials and your previous statements, I don't believe that adjacent roadways (primarily Sandstone and Hermits Way) need to be improved, and meet the standards, but additional comments would be helpful.

Based on my recent inspections, the adjacent public roadways - Sandstone Way and Hermits Way meet our rural road standards. The first portion of Sandstone Way is county maintained, and both roadways are paved surface roads, with adequate width and drainage. I would not recommend any road improvements on these adjacent roads.

Second
Section 21.450 Access Control Standards.
1. Traffic Impact Analysis Requirements. The County or other agency with access jurisdiction may require a traffic study prepared by a qualified professional to determine access, circulation and other transportation requirements. (See also, Section 4.180 Traffic Impact Analysis.)

This entire section is concerned with access to the subdivision. Primary public access comes from Cherry Heights via Sandstone Way (and/or Hermits for Lots 1 &2) and for Lots 3, 4, 5, and 6, the proposed Cavern Way cul-de-sac road. Based on the application materials and your previous statements, I don't believe that access control will be an issue, but additional comments would be helpful.

I have reviewed the existing average daily traffic volumes for Cherry Heights Road and Sandstone Way - I have no data for the public roads. These roads can easily absorb the additional traffic generated by the proposed development and will not cause any increased maintenance. I do not foresee any access control issues resulting from this development.

Third
Section 21.460 Pedestrian Access and Circulation
A. Site Layout and Design - To ensure safe, direct, and convenient pedestrian circulation, all developments shall provide a continuous pedestrian system.

You've made comment that considering the rural nature of the subdivision area, sidewalks will not be required. The overall application, density of the area, and history of the developed lots within the existing Columbia Crest Addition do not support requiring pedestrian access for the 6 proposed replatted lots, but additional comments would be helpful.

As I stated before, most rural county roads are shared use roads - drivers, bicyclists and pedestrians all have the same right to travel the public roadway. Our rural road standards do provide for a shoulder area outside the paved road and that shoulder is adequate for the expected pedestrian use to be generated by this development (pedestrians can obviously walk along the main roadway, when not in conflict with vehicular traffic). I would not recommend any additional pedestrian path or pedestrian system.

Thank you,

Arthur
[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us>

Inquiry [File No. 921-23-000023-PLNG]

21 messages

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jun 26, 2023 at 8:47 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good morning,

I hope your weekend went well. As I dive deeper into the staff report, I'll likely submit questions to you.

Question 1: The leftover TRACT "A" (1.31 Acres). Who will own it, maintain it (HOA?)

Section 21.030.F

> *3. Any lot in a platted subdivision may be enlarged to approximate more closely the minimum lot area for the zone in which the lot is located, provided that no leftover lot areas shall be less than the minimum lot area for the zone.*

"Leftover lot areas" aren't necessarily defined, but Tract A as a leftover private open space tract might fall within that definition if pressed. The lots within the subdivision are being enlarged to approximate the minimum zone size, but more information about Tract A will help address this criterion.

Respectfully,

Daniel
--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Elizabeth Betts <elizabeth@kleinassocinc.com> Mon, Jun 26, 2023 at 9:14 AM
To: Daniel Dougherty <danield@co.wasco.or.us>
Cc: Jim Klein <jimk@kleinassocinc.com>

Hi Daniel,

Tract A will be owned by the HOA. It is open space and will also contain easements for some of the septic drainfields. I'm curious whether a Tract considered a leftover lot area since it will never be proposed to be built on?

Best,

Elizabeth Betts, PE

Klein & Associates, Inc

Office: 541-386-3322

Web: kleinassocinc.com

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Monday, June 26, 2023 8:47 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Inquiry [File No. 921-23-000023-PLNG]

Good morning,

I hope your weekend went well. As I dive deeper into the staff report, I'll likely submit questions to you.

Question 1: The leftover TRACT "A" (1.31 Acres). Who will own it, maintain it (HOA?)

Section 21.030.F

> *3. Any lot in a platted subdivision may be enlarged to approximate more closely the minimum lot area for the zone in which the lot is located, provided that no leftover lot areas shall be less than the minimum lot area for the zone.*

"Leftover lot areas" aren't necessarily defined, but Tract A as a leftover private open space tract might fall within that definition if pressed. The lots within the subdivision are being enlarged to approximate the minimum zone size, but more information about Tract A will help address this criterion.

Respectfully,

Daniel

--

Daniel Dougherty | ***Senior Planner***

PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Daniel Dougherty <danield@co.wasco.or.us> Mon, Jun 26, 2023 at 11:23 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good morning,

Is a covenant proposed for Tract A keeping it open-space?

Also,

Section 21.030.
P. Cul-de-sacs: In general, dead end (cul-de-sac) streets are not desirable, but if provided, shall terminate in a turnaround that is consistent with Chapter 11 and the local fire department.

Can you provide additional details as to why the Cul-de-sac is being proposed as opposed to a through street? I'm guessing slope and elimination of developable land to be used for septic fields, but if you can provide additional details that would be great.

Respectfully,

Daniel
[Quoted text hidden]
--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Elizabeth Betts <elizabeth@kleinassocinc.com> Mon, Jun 26, 2023 at 1:42 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hi Daniel,

We will have CCR's that protect the open space. I don't have CCR's yet for this subdivision – they are usually put together by the developer's lawyer, but here's a sample of one I've used in the past.

Open Space Tract:

a. *The designated open space tract within the subdivision shall be preserved in perpetuity and shall not be developed or altered for any purpose.*

For the cul-de-sac, you are correct in your thoughts. My primary reasons are topographical and preserving the limited drainfield areas. We are minimizing land disturbance with a cul-de-sac vs a through road. The steepness of the site means that constructing a through road would require significant grading and excavation to create additional road. The topography is also too steep to create a through road to either the east or south, so a looped road would be the only option other than a cul-de-sac. By opting for a cul-de-sac, the need for extensive land disturbance is reduced since it involves developing a smaller area. The use of a cul-de-sac also allows for better utilization of the buildable area and suitable septic drainfield locations.

Best,

Elizabeth

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Tue, Jun 27, 2023 at 11:20 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good morning,

Thanks for the additional information.

Pertaining to 21.030.L
L. Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right of way shall be provided at the time of subdivision or partitioning.

Arthur Smith provided that Sandstone and Hermits Way are local roads of public access that are not maintained by the County. Per application materials, the newly proposed Cavern Way cul-de-sac will be publicly dedicated (local road of public access) and maintained by the HOA (a condition of approval will be added to the decision ensuring this occurs). Two questions:

(1) Are there plans to provide for the maintenance of the existing Sandstone and Hermits Way roads?
(2) What is current condition of Sandstone and Hermits Way roads? Every indication I have is that they are paved, at least 30' wide (maybe wider), and meet existing Fire Safety Standards.

Respectfully,

Daniel
[Quoted text hidden]
--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Elizabeth Betts <elizabeth@kleinassocinc.com> Wed, Jun 28, 2023 at 12:39 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hi Daniel,

For your questions below:

1. There is normally a road maintenance agreement for privately maintained roads. I do not know how the road maintenance agreement (if there is one) is set up for the existing Sandstone or Hermit's Way. If these parcels were part of that agreement, then they would need to participate in the maintenance. Does Arthur have that documentation? I don't believe that Hermit's Way would be impacted or accessed by this subdivision other than the sawcuts for water and dry utility trench, which will be restored/paved; therefore maintenance of Hermit's Way does not seem to be something that would be indicated for this project.

The existing ROW on both roads is 50'. We are also revising and dedicating ROW on Sandstone in the curve so that the existing road will actually be in ROW (it was constructed outside of ROW).

2. The streets are paved and appear to be in decent condition. The pavement in our limited survey area on Sandstone exceeds 20' width (varies up to 24') and gravel shoulders are about 2' wide. I've attached a photo of Sandstone taken during surveying a few years ago as well as one of the intersection of Sandstone and Hermit's looking east on Hermit's. Again, I don't believe that Hermits Way would be impacted or used by this subdivision other than the sawcuts for water and dry utility trench, which will be restored/paved, so width of Hermit's would not be pertinent to this project since access will be from Sandstone.

Hope that helps – let me know if you have additional questions.

Best regards,

[Quoted text hidden]

2 attachments



IMG_4489.JPG
6874K



20211117_121310.jpg
4491K

Daniel Dougherty <danield@co.wasco.or.us> Wed, Jun 28, 2023 at 4:25 PM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good afternoon,

I've provided Chief Woods (Mid Col. Fire Dept.) comments for your reference:

Good morning,

I was out of the office Monday and worked on this yesterday. To be clear, page 4 of the PDF you sent over is the proposed, and if so here are the requirements for access and water supply as per Oregon Fire Codes (OFC). All these requirements would come into play upon building.

Fire Apparatus Access:

- The fact that this is over 2 residential lots/buildings, these requirements come into play, again upon building. Access roads need to extend to within 150 feet of each structure on each lot. The 150 feet is from where we park the fire apparatus and then around the exterior of the building (where we would potentially pull the hose for fire attack). See note below regarding individual driveways on the lots.
- The rest of the access specifications come from Appendix D of the OFC

- The height of the access needs to be at least 13'6" along the entire access road. Trees will need to be maintained at that height throughout and any overhead signs, etc as well.
- The driving surface needs to be "all weather" though there is no good interpretation of what this really means. Generally accepted is concrete and/or asphalt. For a one or two lot development, a gravel driveway suffices. See note below about driveways on individual lots.
- The access road must support an imposed load of 85,000, the gross weight of our heaviest fire apparatus including driveways.
- Minimum width of the access road is 26' driving surface for two reasons;
  - Access roads great than 500 feet require 26' width
  - Hydrants will be required so the road must be 26' (see water supply below).
- Grade shall be 10 percent of slope or less. There is the short pitch of greater than 10 percent allowed if necessary and by approval of the Fire District.
- Dead end roads greater than 150 feet must have a turnaround. The cul-de-sac works as a turnaround; however, the minimum dimension of the cul-de-sac is 96 feet. Alternatives could be a hammer head "T", a "Y" or other arrangement that has at least 2 legs that are at a minimum of 60 feet in length.
- No Parking Signs will be required unless the access road is greater than 32' in width.
  - At exactly 26' width, signs on both sides are required.
  - Greater than 26' width only requires on side to be signed.
  - Signs have to be a minimum of 12" wide by 18" high with red letters with white reflective background. Wording of "No Parking" and "Fire Lane" are required. Arrows can be used if a portion of the roadway is greater than 32' then necks down to less than 32'.
- Probably not an issue with this as it's residential, but if the building heights are 30' or three stories, two roads to access the buildings are required (access for ladder truck)

- Structures on the lots must be within the 150' from the access road OR they must have access roads/driveways that meet the height, weight, grade and turnaround requirements. Width can be reduced to 12' drivable surface on individual lots with one or two dwellings (such as an ADU)
- There is the possibility of exceptions to some of these requirements if the dwellings (not garages, outbuildings) have an approved automatic fire sprinkler system installed in the residences. Typically, we see this with grades greater than 10 percent of slope or hydrant placement issues due to underground issues (rock usually), however, we can discuss further with you and/or the developer.

Water supply

- Because there is a water system in that area (Chen. Water PUD), one or more hydrants will be required. The hydrant/hydrant system will need to flow 1,000 Gallons per minute with a 20 pounds per square inch residual pressure.
  - If all of the homes will have sprinklers, that can be dropped to 500 gallons per minute at 20 psi residual.
  - If 1,000 gallons, the flow has to have the capacity to be maintained for 1-hour. If 500 gallons, then the duration is ½-hour.
  - The developer may be required to provide the available fire flow as noted if the water system cannot support the requirements. That can be in the form of:
    - their own water system of reservoirs and hydrant(s)
    - supplementing the current water system by paying for upgrades to the public system.
- Maximum distance from a dwelling to a hydrant is 200 feet. In other words, a hydrant will need to be installed within 200' of the center of the cul-de-sac (after being redrawn with the correct diameter requirement). This will need to be discussed if the dwellings are not near the cul-de-sac end of the lots (set back from the cul-de-sac with a driveway). If dwellings/buildings are set back from the street, it may be best to install the hydrant at the cul-de-sac.

- This can be increased to 250’ if sprinklers installed.
- Another hydrant would need to be installed within 500 feet of the one servicing the cul-de-sac. This can be increased to 625’ if sprinklers are installed in all dwellings on each of the subject lots.
- Lot 1, if accessed by Sandstone Way will have to be situated so it is within that 500’/625’ or an additional hydrant will need to be installed.

Please let me know if you have any questions. I’d be happy to get out of the office and meet with you and/or the developer as needed.

Thank you for reaching out on this one. I didn’t see the earlier notice (but did get the email). Not sure how I missed this one.

Jay

Jay Wood, Division Chief

Prevention/Public Education

Mid-Columbia Fire and Rescue

1400 W. 8th Street

The Dalles, Oregon 97058

jwood@mcfr.org

Office: 541-296-9445

Cell: 541-993-1677

[Quoted text hidden]

--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Daniel Dougherty <danield@co.wasco.or.us> Wed, Jun 28, 2023 at 4:51 PM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good afternoon,

(1) The application materials provided Lots 1 & 2 will access "from existing public roads (existing Sandstone Way or Hermits Way)". Negating Hermits Way, my concern is making sure that Sandstone (at the very least) meets the current conditions of a "Rural Local Road" in accordance with Table 21-1 – Rural Wasco County Public Roadway Design Standards, located in Chapter 21 of the NSA-LUDO. Arthur's didn't express any concern with the proposed replat subdivision concerning Average Daily Trips. His primary concern was to make it clear that the county doesn't maintain Sandstone Way, Hermits Way, ect..., and that the new Cavern Way should contain a road maintenance agreement. I'm not sure when Sandstone & Hermits Way were constructed, what the standards were in 1953, or when they were constructed, but since this is a current land use application seeking preliminary approval of a new subdivision where primary access will come from Sandstone Way, we'll have to ensure that at the very least the existing access way meets or will meet current standards. I've also forwarded you Chief Woods' comments.

Respectfully,

Daniel

Table 21-1 – Rural Wasco County Public Roadway Design Standards

	Rural Local Roads									Rural Minor Collector			Rural Major Collector			Rural Arterial		
	Unpaved			Unpaved			Paved			Paved			Paved			Paved		
Design ADT	<25			25-250			25-250			250-400			400 – 2,000			>2,000		
Terrain[1]	L	R	M	L	R	M	L	R	M	L	R	M	L	R	M	L	R	M
Design Speed (mph)	30	30	20	30	30	20	30	30	20	40	30	20	50	40	30	60	50	40
Max Grade (%)	7	10	12	7	10	12	7	10	12	7	9	12	6	8	10	3	4	8
Stopping Sight Distance (ft)	220	235	135	220	235	135	220	235	135	340	230	135	475	350	235	600	610	350
Passing Sight Distance (ft)	-	-	-	-	-	-	1,090	[2]	[2]	1,470	[2]	[2]	1,835	[2]	[2]	2,135	[2]	[2]
Traveled Way Width (ft)	18	18	18	22	22	22	22	22	22	22	22	22	24	24	24	24	24	24
Paved Shoulder Width (each side)																		
- Non Bike Route	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	2	2	2
- Bike Route (ft)	-	-	-	-	-	-	-	-	-	2	2	2	5	5	5	6	6	6
Gravel Shoulder Width (each side)	-	-	-	-	-	-	2	2	2	2	2	2	2	2	2	2	2	2
Roadway Width (Non Bike / Bike Route) (ft)	18	18	18	22	22	22	26	26	26	28 30	28 30	28 30	30 38	30 38	30 38	32 40	32 40	32 40
Number of Lanes	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Minimum ROW Width (ft)	50	50	50	50	50	50	50	50	50	60	60	60	60	60	60	60	60	60
Preferred Access Spacing[3]	75			100			100			150			300			500		

[1] L= Level, R=Rolling, M=Mountainous
[2] See AASHTO manual for guidance.
[3] Lower spacing may be allowed when supported by a traffic study and/or approved by the County Engineer.

[Quoted text hidden]

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Elizabeth Betts <elizabeth@kleinassocinc.com> Wed, Jun 28, 2023 at 4:56 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Thank you, Daniel,

I'll take a look at the info in you email and Chief Woods' email tomorrow and get back to you. If I recall correctly, our proposed cul-de-sac road width was based on the pre-app meeting, during which nothing was indicated to be done to Sandstone or Hermit's Way, so that is why we are not proposing any improvements to those roads. Anyway, I'll go through each comment from Chief Woods to make sure those are addressed.

Best,
Elizabeth

Get Outlook for Android

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Wednesday, June 28, 2023 4:51:09 PM
[Quoted text hidden]

[Quoted text hidden]

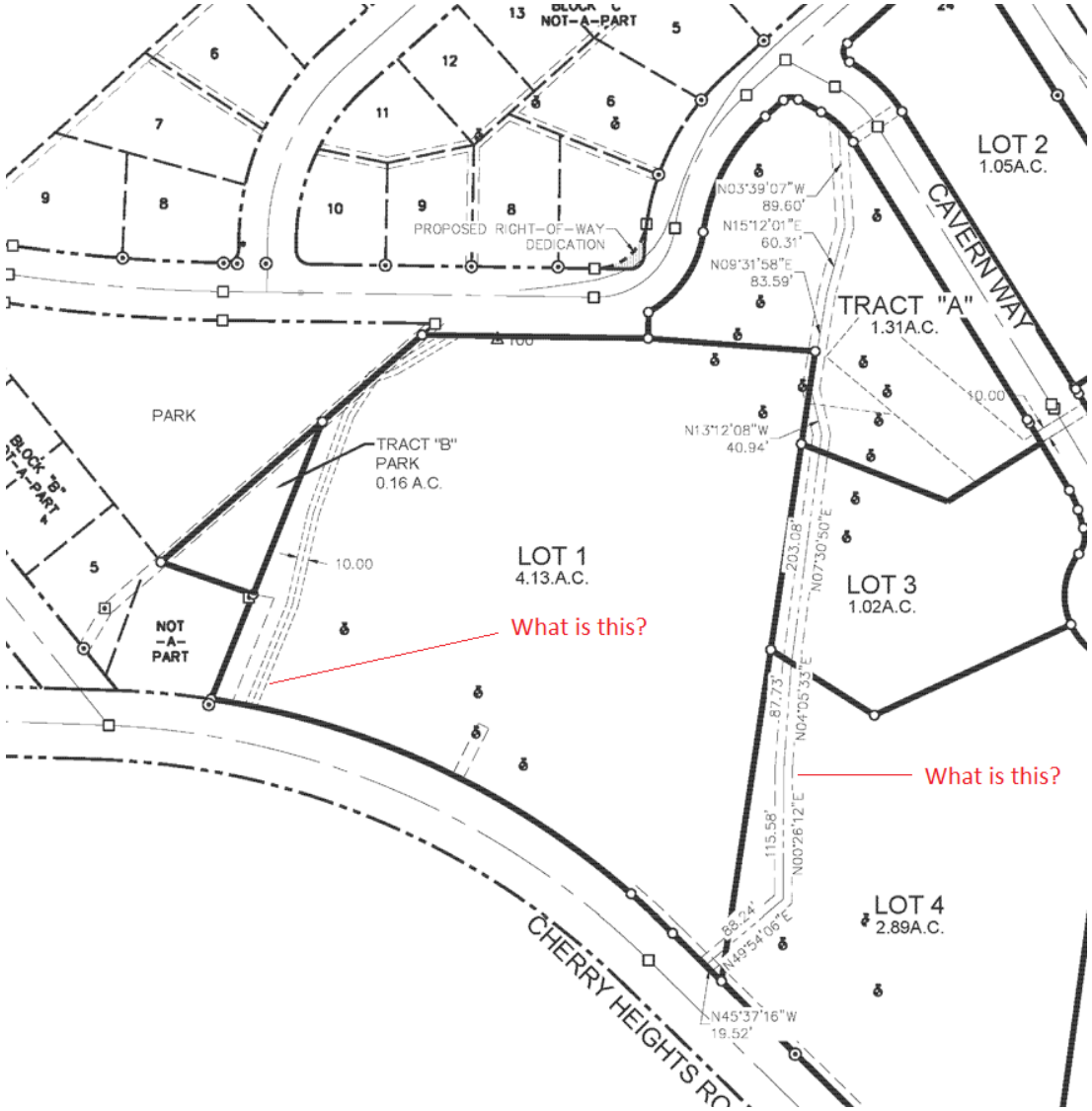
Daniel Dougherty <danield@co.wasco.or.us> Thu, Jun 29, 2023 at 4:55 PM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Hi Elizabeth,

Looking at the plat Sheet 5:

(1) Under Easement Note: "A new septic and access easement, over, under, and across that portion of Tract "B" for the benefit of Lots 3, 4, 5, 6, 7, and 8. I'm guessing this was for the original plan of 8 lots. Can you point me in the right direction of where this easement is on Sheet 5?

(2) I'm guessing the below are access/utility/stormwater easements.



Thanks for the help.

Respectfully,

Daniel

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Fri, Jun 30, 2023 at 7:21 AM

To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good morning,

I want to confirm that Tract A is proposed to be used for the primary drain fields for Lots 1, 2, and 6.

Respectfully,

Daniel
[Quoted text hidden]

Elizabeth Betts <elizabeth@kleinassocinc.com> Fri, Jun 30, 2023 at 8:58 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hi Daniel,

You are correct, that note should be updated for the current layout. The drainfields contained in Tract A are shown on the preliminary site plan, sheet C1.0: Lot 1 reserve, Lot 2 primary and reserve, Lot 6 primary and reserve. I will have our surveyor revise the Preliminary Plat sheet 5 with the correct note as well as turn on the drainfield easements for each of those drainfields and label the two easements you are pointing out below. The westernmost easement is for the existing water main. The other one is for the dry drainage channel that runs down the hill.

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Friday, June 30, 2023 7:22 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Re: Inquiry [File No. 921-23-000023-PLNG]

Good morning,

I want to confirm that Tract A is proposed to be used for the primary drain fields for Lots 1, 2, and 6.

Respectfully,

Daniel

On Thu, Jun 29, 2023 at 4:55 PM Daniel Dougherty <danield@co.wasco.or.us> wrote:

> Hi Elizabeth,
>
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>
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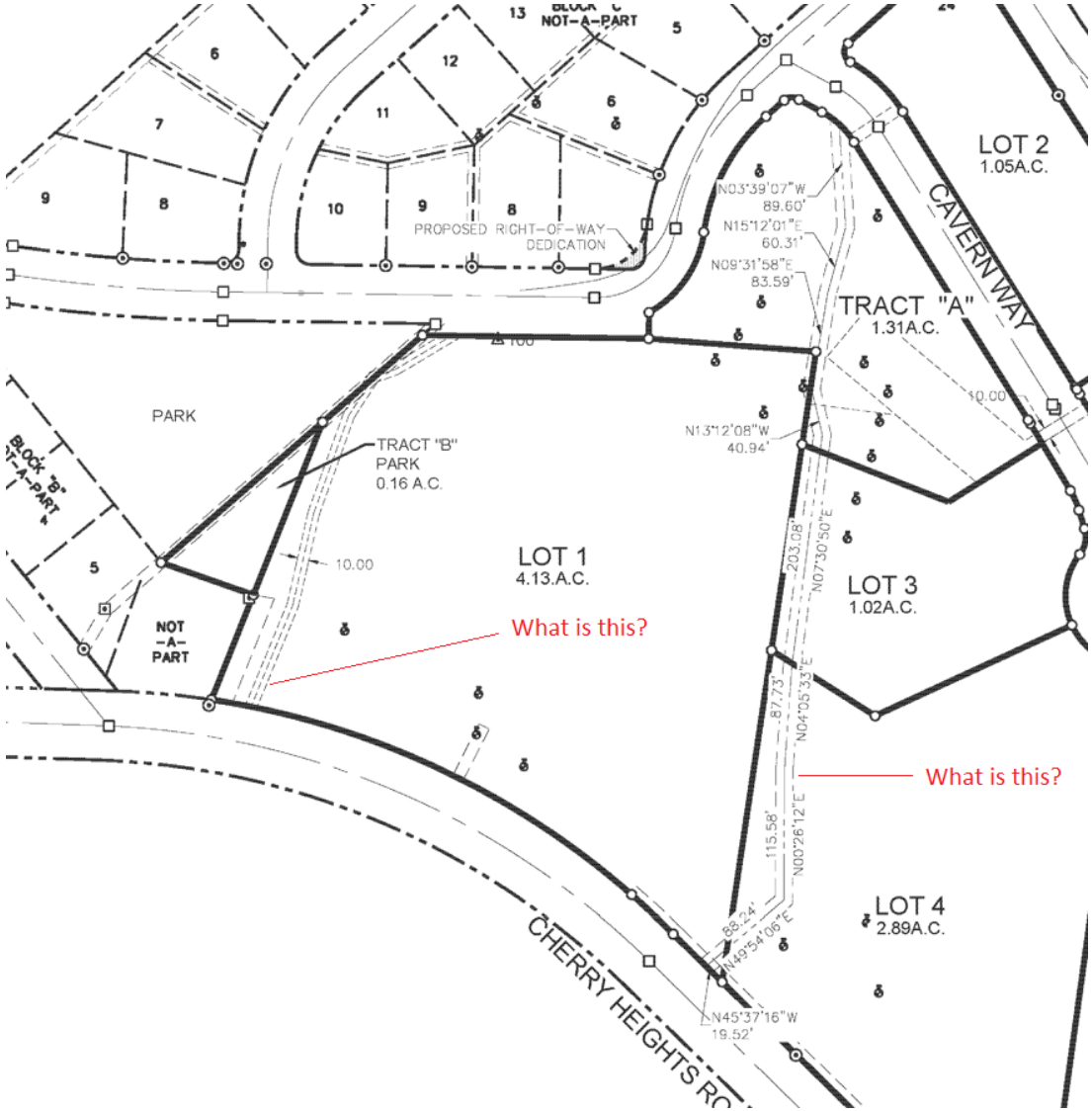

Thanks for the help.

Respectfully,

Daniel

On Wed, Jun 28, 2023 at 4:56 PM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

> Thank you, Daniel,
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> I'll take a look at the info in you email and Chief Woods' email tomorrow and get back to you. If I recall correctly, our proposed cul-de-sac road width was based on the pre-app meeting, during which nothing was indicated to be done to Sandstone or Hermit's Way, so that is why we are not proposing any improvements to those roads. Anyway, I'll go through each comment from Chief Woods to make sure those are addressed.
>
> Best,
>
> Elizabeth
>
> Get Outlook for Android
>
> ---
>
> **From:** Daniel Dougherty <danield@co.wasco.or.us>
> **Sent:** Wednesday, June 28, 2023 4:51:09 PM
> **To:** Elizabeth Betts <elizabeth@kleinassocinc.com>
> **Subject:** Re: Inquiry [File No. 921-23-000023-PLNG]
>
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> Respectfully,

Daniel

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Max Grade (%)	7	10	12	7	10	12	7	10	12	7	9	12	6	8	10	3	4	8
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Paved Shoulder Width (each side)																		
- Non Bike Route	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	2	2	2
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[1] L= Level, R=Rolling, M=Mountainous
[2] See AASHTO manual for guidance.
[3] Lower spacing may be allowed when supported by a traffic study and/or approved by the County Engineer.

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Fri, Jun 30, 2023 at 9:52 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good morning,

Last question/issue for today.

The proposed Tract B (Public Park). Since the proposed park is adjacent to an existing platted park I'm interested to know who actually owns the existing park at:

Map: 1N 13E 5 AD 600
Account Number: 13902
Taxpayer: THE PUBLIC

Mailing Address: UNDETERMINED

I can't seem to locate the owner in fee for the property indicated as "Park" on the Col. Crest Addn. Subdivision. Do you know who owns the park (an HOA)? I've reached out to the Assessor's Office for assistance. I assume that Wasco County owns the property, but no one has indicated that is the case. Considering long term maintenance of public parks is/has been an issue in prior subdivision applications, I think it's important to (1) figure out who owns/maintains the existing park; and (2) look at long term maintenance solutions for the proposed park.

Respectfully,

Daniel
[Quoted text hidden]
--

Daniel Dougherty | ***Senior Planner***
PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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Elizabeth Betts <elizabeth@kleinassocinc.com> Fri, Jun 30, 2023 at 1:08 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hi Daniel –

Great question! Our client spent a lot of time researching the owner of the park, as they originally thought to incorporate it into their replat and dedicate park in another location on the project. They finally gave it up, and I don't think they found the owner. If I remember correctly, it may be the heirs and descendants of the original owners of the lots in the original subdivision. The subdivision requirements require the developer to dedicate park or pay the equivalent, so we dedicated park adjoining the existing park, thinking that was the best option.

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jul 10, 2023 at 6:59 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good morning,

Is the dry drainage channel for the "apparent" seasonal water drainage? The Wasco County GIS does not delineate a waterway on the property, but a neighbor has made mention of a seasonal waterway near the same dry drainage channel illustrated on the plat (he wants the drainage way preserved). The application provides for a culvert under the road for the drainage. Satellite imagery doesn't really provide much regarding the usual vegetation along watercourses (seasonal or otherwise).

Thanks for your help.

Respectfully,

Daniel
[Quoted text hidden]
--

Daniel Dougherty | ***Senior Planner***
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Elizabeth Betts <elizabeth@kleinassocinc.com> Mon, Jul 10, 2023 at 8:17 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Good morning, Daniel,

Yes, that is the apparent drainage. I've never seen water in it, but it is there, so we are accommodating it. Our surveyors tied it so that we could add the easement.

[Quoted text hidden]

Daniel Dougherty <danield@co.wasco.or.us> Mon, Jul 10, 2023 at 1:00 PM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Hi Elizabeth,

Regarding Section 21.030.X.3:

3. Lots with double frontage shall be avoided, except where the Approving Authority determines that such lots are essential to provide separation or residential development from major traffic arterials or adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A planting screen easement at least ten (10) feet wide, across which there shall be no rights of access, may be required along the line of lots abutting such a traffic arterial or other incompatible use. Such area shall be considered the rear portion of the lot.

Lot 2 will have triple road frontage. Have your clients decided which road will provide primary access to Lot 2? If not, I think we might be able to craft a condition of approval that the final plat contain the vegetation easement and vehicle access restriction on the selected roads. We've done it before; however, we're now dealing with the developer who changed their mind post subdivision recording. Considering the issue, I'm not too sure if the Director would like to see that type of condition.

Respectfully,

Daniel
[Quoted text hidden]
--

Daniel Dougherty | ***Senior Planner***
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Elizabeth Betts <elizabeth@kleinassocinc.com> Mon, Jul 10, 2023 at 1:35 PM
To: Daniel Dougherty <danield@co.wasco.or.us>

Hi Daniel,

I'd see the access being along either Hermits or Cavern, rather than Sandstone. If the neighbors on Hermits appear opposed to access on Hermits, then it seems like access from Cavern would be appropriate so that we aren't impacting Hermits Way.

I've attached the revised preliminary plat with the easements and drainfields better noted.

[Quoted text hidden]

17-01-05-Prince Heights Sub 5 - rev.pdf
4544K

Daniel Dougherty <danield@co.wasco.or.us> Tue, Jul 11, 2023 at 9:22 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Good morning,

Thanks for the updated plat. Regarding Section 21.200.B.17.,

17. Proposed source of water supply, if any; estimated volume to be available, together with data regarding the location, type, and size of all storage facilities, distribution lines, fire hydrants, and gate valves.

Do you have the estimated volume to be available, or any specific data concerning water supply? I think the response given in the application:

> "Residential Evaluation
> Utilities
> Lots 1 and 2 will obtain water service from existing water mains in the existing roads. The developer proposes to install a 4" looped water main from the existing water mains in Sandstone Way and deadend main in Hermit's Way to serve lots 3-6. This plan has been discussed with Chenowith Water District, and they indicate that there is plenty of water plan for the proposed homes and they will let us know if they will require looping to Hermit's Way."

along with other recommended conditions of approval (specifically those provided for by Chief Wood) covers down on this requirement, and I will find the preliminary plan meets the criterion; however, if the public requests specific data at the hearing, it might be wise to have it available. I have reached out to Chenowith Water District for comment, but have not heard back from them.

Respectfully,

Daniel

[Quoted text hidden]

--

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Daniel Dougherty <danield@co.wasco.or.us> Tue, Jul 11, 2023 at 9:34 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>

Sorry about that, it's actually, 21.200.B.22

22. Proposed source of water supply, if any; estimated volume to be available, together with data regarding the location, type, and size of all storage facilities, distribution lines, fire hydrants, and gate valves.
[Quoted text hidden]

Elizabeth Betts <elizabeth@kleinassocinc.com> Tue, Jul 11, 2023 at 9:42 AM
To: Daniel Dougherty <danield@co.wasco.or.us>

Good morning, Daniel,

We have been in discussion with Tenneson (consulting engineer for Chenowith). Chenowith PUD said they have good supply up there, but I can ask them for specifics on the flow and pressure, if needed. As for gate valves, assuming we hot tap the main in Hermits Way, there will be a 6" gate valve there, a cluster of (2) 6" gate valves and 4" gate valve (to tie existing Sandstone/Ledge main south of Cavern) at the intersection of Sandstone/Ledge and our new Cavern Way, plus a 6" gate valve for the hydrant. Darrin sent me the following summary of what Chenowith will require:

The proposed subdivision is within the Chenowith Water PUD service area and we are willing to provide domestic water service to the six residential lots.

We have been in communication with the developers engineer, Ms. Elizabeth Betts (Klein & Associates, Inc.), and are in general agreement that the developer will:

- *Connect to the existing 6" line at the intersection of Ledge Way and Hermits Way;*
- *Replace the existing 4" water main in Ledge Way with 6" from Hermits Way to the proposed Cavern Way;*
- *Install new 6" water main in Cavern Way from Ledge Way to its southerly terminus;*
- *Install a fire hydrant assembly at the southerly terminus in the cul-de-sac;*
- *Install typical residential water services to each lot with the meter to be placed in and at the edge of the Cavern Way ROW; and*
- *Provide a 20-foot wide public utility easement across Lot 1 where the existing CWPUD watermain is located.*

All materials and work to conform to CWPUD standards. The developer is to enter into an Agreement to Reimburse for CWPUD contracted fees and pay the Subdivision Plan Review fee ($750).

Each lot owner will be required to pay the Meter Drop-in Fee ($500) and System Development Charge ($3,100) at the time service is requested. Fees are subject to change.

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Tuesday, July 11, 2023 9:34 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Re: Inquiry [File No. 921-23-000023-PLNG]

Sorry about that, it's actually, 21.200.B.22

22. Proposed source of water supply, if any; estimated volume to be available, together with data regarding the location, type, and size of all storage facilities, distribution lines, fire hydrants, and gate valves.

On Tue, Jul 11, 2023 at 9:22 AM Daniel Dougherty <danield@co.wasco.or.us> wrote:

> Good morning,
>
> Thanks for the updated plat. Regarding Section 21.200.B.17.,
>
> *17. Proposed source of water supply, if any; estimated volume to be available, together with data regarding the location, type, and size of all storage facilities, distribution lines, fire hydrants, and gate valves.*
>
> Do you have the estimated volume to be available, or any specific data concerning water supply? I think the response given in the application:
>
> "Residential Evaluation

Utilities

Lots 1 and 2 will obtain water service from existing water mains in the existing roads. The developer proposes to install a 4" looped water main from the existing water mains in Sandstone Way and deadend main in Hermit's Way to serve lots 3-6. This plan has been discussed with Chenowith Water District, and they indicate that there is plenty of water plan for the proposed homes and they will let us know if they will require looping to Hermit's Way."

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Respectfully,

Daniel

On Mon, Jul 10, 2023 at 1:35 PM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

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> I'd see the access being along either Hermits or Cavern, rather than Sandstone. If the neighbors on Hermits appear opposed to access on Hermits, then it seems like access from Cavern would be appropriate so that we aren't impacting Hermits Way.
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> I've attached the revised preliminary plat with the easements and drainfields better noted.
>
> Best,
>
> Elizabeth
>
> ---
>
> **From:** Daniel Dougherty <danield@co.wasco.or.us>
> **Sent:** Monday, July 10, 2023 1:01 PM

To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Re: Inquiry [File No. 921-23-000023-PLNG]

Hi Elizabeth,

Regarding Section 21.030.X.3:

3. Lots with double frontage shall be avoided, except where the Approving Authority determines that such lots are essential to provide separation or residential development from major traffic arterials or adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A planting screen easement at least ten (10) feet wide, across which there shall be no rights of access, may be required along the line of lots abutting such a traffic arterial or other incompatible use. Such area shall be considered the rear portion of the lot.

Lot 2 will have triple road frontage. Have your clients decided which road will provide primary access to Lot 2? If not, I think we might be able to craft a condition of approval that the final plat contain the vegetation easement and vehicle access restriction on the selected roads. We've done it before; however, we're now dealing with the developer who changed their mind post subdivision recording. Considering the issue, I'm not too sure if the Director would like to see that type of condition.

Respectfully,

Daniel

On Mon, Jul 10, 2023 at 8:17 AM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

> Good morning, Daniel,
>
> Yes, that is the apparent drainage. I've never seen water in it, but it is there, so we are accommodating it. Our surveyors tied it so that we could add the easement.
>
> Best,

Elizabeth

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Monday, July 10, 2023 6:59 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Re: Inquiry [File No. 921-23-000023-PLNG]

Good morning,

Is the dry drainage channel for the "apparent" seasonal water drainage? The Wasco County GIS does not delineate a waterway on the property, but a neighbor has made mention of a seasonal waterway near the same dry drainage channel illustrated on the plat (he wants the drainage way preserved). The application provides for a culvert under the road for the drainage. Satellite imagery doesn't really provide much regarding the usual vegetation along watercourses (seasonal or otherwise).

Thanks for your help.

Respectfully,

Daniel

On Fri, Jun 30, 2023 at 8:58 AM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

> Hi Daniel,
>
> You are correct, that note should be updated for the current layout. The drainfields contained in Tract A are shown on the preliminary site plan, sheet C1.0: Lot 1 reserve, Lot 2 primary and reserve, Lot 6 primary and reserve. I will have our surveyor revise the Preliminary Plat sheet 5 with the correct note as well as turn on the drainfield easements for each of those drainfields and label the two easements you are pointing out below. The westernmost easement is for the existing water main. The other one is for the dry drainage channel that runs down the hill.

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Friday, June 30, 2023 7:22 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Re: Inquiry [File No. 921-23-000023-PLNG]

Good morning,

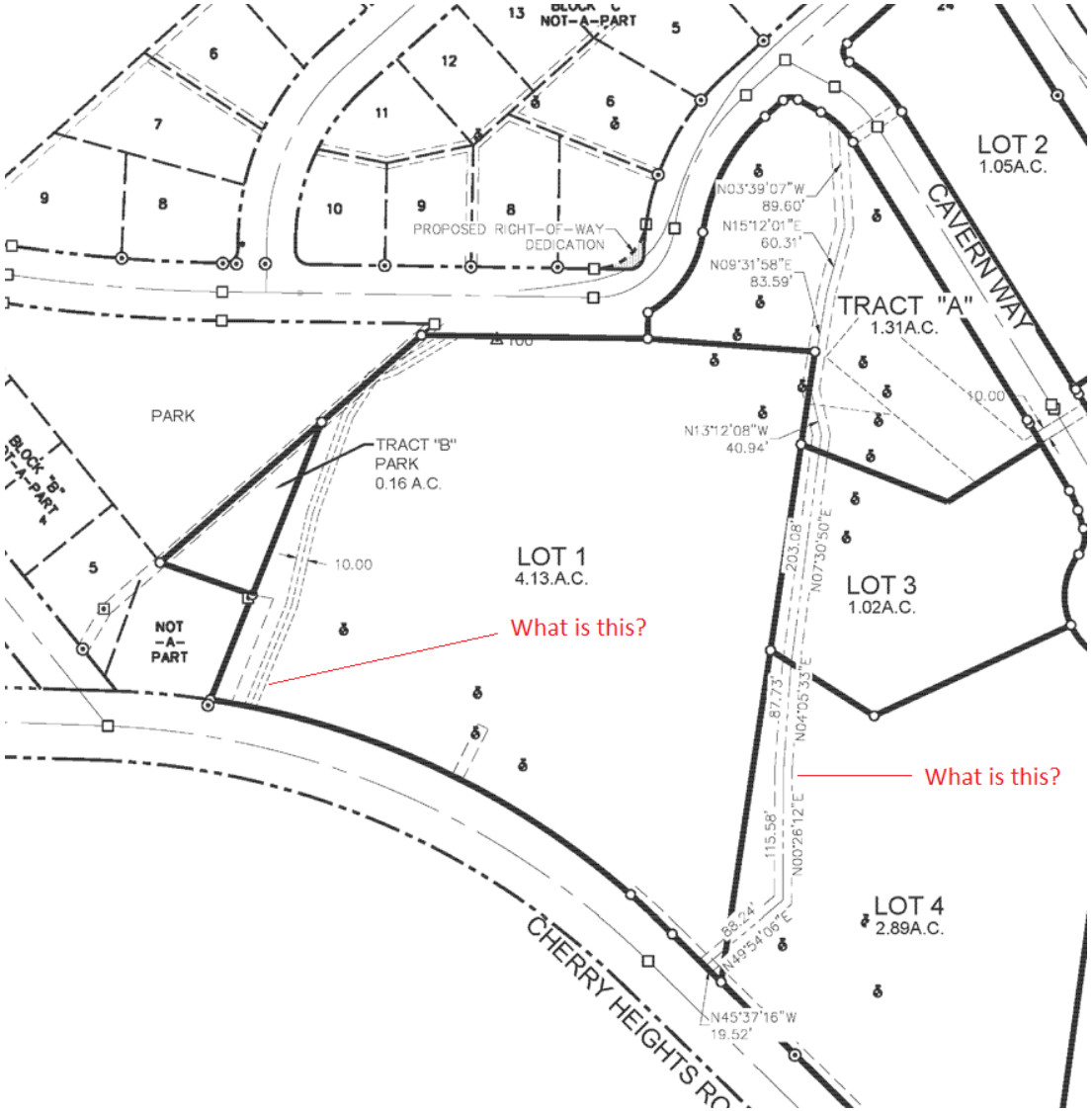
I want to confirm that Tract A is proposed to be used for the primary drain fields for Lots 1, 2, and 6.

Respectfully,

Daniel

On Thu, Jun 29, 2023 at 4:55 PM Daniel Dougherty <danield@co.wasco.or.us> wrote:

> Hi Elizabeth,
>
> Looking at the plat Sheet 5:
>
> (1) Under Easement Note: "A new septic and access easement, over, under, and across that portion of Tract "B" for the benefit of Lots 3, 4, 5, 6, 7, and 8. I'm guessing this was for the original plan of 8 lots. Can you point me in the right direction of where this easement is on Sheet 5?
>
> (2) I'm guessing the below are access/utility/stormwater easements.



Thanks for the help.

Respectfully,

Daniel

On Wed, Jun 28, 2023 at 4:56 PM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

> Thank you, Daniel,
>
> I'll take a look at the info in you email and Chief Woods' email tomorrow and get back to you. If I recall correctly, our proposed cul-de-sac road width was based on the pre-app meeting, during which nothing was indicated to be done to Sandstone or Hermit's Way, so that is why we are not proposing any improvements to those roads. Anyway, I'll go through each comment from Chief Woods to make sure those are addressed.
>
> Best,
>
> Elizabeth
>
> Get Outlook for Android
>
> ---
>
> **From:** Daniel Dougherty <danield@co.wasco.or.us>
> **Sent:** Wednesday, June 28, 2023 4:51:09 PM
> **To:** Elizabeth Betts <elizabeth@kleinassocinc.com>
> **Subject:** Re: Inquiry [File No. 921-23-000023-PLNG]
>
> Good afternoon,
>
> (1) The application materials provided Lots 1 & 2 will access "from existing public roads (existing Sandstone Way or Hermits Way)". Negating Hermits Way, my concern is making sure that Sandstone (at the very least) meets the current conditions of a "Rural Local Road" in accordance with Table 21-1 – Rural Wasco County Public Roadway Design Standards, located in Chapter 21 of the NSA-LUDO. Arthur's didn't express any concern with the proposed replat subdivision concerning Average Daily Trips. His primary concern was to make it clear that the county doesn't maintain Sandstone Way, Hermits Way, ect..., and that the new Cavern Way should contain a road maintenance agreement. I'm not sure when Sandstone & Hermits Way were constructed, what the standards were in 1953, or when they were constructed, but since this is a current land use application seeking preliminary approval of a new subdivision where primary access will come from Sandstone Way, we'll have to ensure that at the very least the existing access way meets or will meet current standards. I've also forwarded you Chief Woods' comments.
>
> Respectfully,

Daniel

Table 21-1 – Rural Wasco County Public Roadway Design Standards

	Rural Local Roads									Rural Minor Collector			Rural Major Collector			Rural Arterial		
	Unpaved			Unpaved			Paved			Paved			Paved			Paved		
Design ADT	<25			25-250			25-250			250-400			400 – 2,000			>2,000		
Terrain[1]	L	R	M	L	R	M	L	R	M	L	R	M	L	R	M	L	R	M
Design Speed (mph)	30	30	20	30	30	20	30	30	20	40	30	20	50	40	30	60	50	40
Max Grade (%)	7	10	12	7	10	12	7	10	12	7	9	12	6	8	10	3	4	8
Stopping Sight Distance (ft)	220	235	135	220	235	135	220	235	135	340	230	135	475	350	235	600	610	350
Passing Sight Distance (ft)	-	-	-	-	-	-	1,090	[2]	[2]	1,470	[2]	[2]	1,835	[2]	[2]	2,135	[2]	[2]
Traveled Way Width (ft)	18	18	18	22	22	22	22	22	22	22	22	22	24	24	24	24	24	24
Paved Shoulder Width (each side)																		
- Non Bike Route	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	2	2	2
- Bike Route (ft)	-	-	-	-	-	-	-	-	-	2	2	2	5	5	5	6	6	6
Gravel Shoulder Width (each side)	-	-	-	-	-	-	2	2	2	2	2	2	2	2	2	2	2	2
Roadway Width (Non Bike / Bike Route) (ft)	18	18	18	22	22	22	26	26	26	28 30	28 30	28 30	30 38	30 38	30 38	32 40	32 40	32 40
Number of Lanes	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Minimum ROW Width (ft)	50	50	50	50	50	50	50	50	50	60	60	60	60	60	60	60	60	60
Preferred Access Spacing[3]	75			100			100			150			300			500		

[1] L= Level, R=Rolling, M=Mountainous

[2] See AASHTO manual for guidance.

[3] Lower spacing may be allowed when supported by a traffic study and/or approved by the County Engineer.

On Wed, Jun 28, 2023 at 12:39 PM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

> Hi Daniel,
>
> For your questions below:
>
> 1. There is normally a road maintenance agreement for privately maintained roads. I do not know how the road maintenance agreement (if there is one) is set up for the existing Sandstone or Hermit's Way. If these parcels were part of that agreement, then they would need to participate in the maintenance. Does Arthur have that documentation? I don't believe that Hermit's Way would be impacted or accessed by this subdivision other than the sawcuts for water and dry utility trench, which will be restored/paved; therefore maintenance of Hermit's Way does not seem to be something that would be indicated for this project.
>
> The existing ROW on both roads is 50'. We are also revising and dedicating ROW on Sandstone in the curve so that the existing road will actually be in ROW (it was constructed outside of ROW).

2. The streets are paved and appear to be in decent condition. The pavement in our limited survey area on Sandstone exceeds 20' width (varies up to 24') and gravel shoulders are about 2' wide. I've attached a photo of Sandstone taken during surveying a few years ago as well as one of the intersection of Sandstone and Hermit's looking east on Hermit's. Again, I don't believe that Hermits Way would be impacted or used by this subdivision other than the sawcuts for water and dry utility trench, which will be restored/paved, so width of Hermit's would not be pertinent to this project since access will be from Sandstone.

Hope that helps – let me know if you have additional questions.

Best regards,

Elizabeth Betts, PE

Klein & Associates, Inc

Office: 541-386-3322

Web: kleinassocinc.com

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Tuesday, June 27, 2023 11:20 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Re: Inquiry [File No. 921-23-000023-PLNG]

Good morning,

Thanks for the additional information.

Pertaining to 21.030.L

L. Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right of way shall be provided at the time of subdivision or partitioning.

Arthur Smith provided that Sandstone and Hermits Way are local roads of public access that are not maintained by the County. Per application materials, the newly proposed Cavern Way cul-de-sac will be publicly dedicated (local road of public access) and maintained by the HOA (a condition of approval will be added to the decision ensuring this occurs). Two questions:

(1) Are there plans to provide for the maintenance of the existing Sandstone and Hermits Way roads?

(2) What is current condition of Sandstone and Hermits Way roads? Every indication I have is that they are paved, at least 30' wide (maybe wider), and meet existing Fire Safety Standards.

Respectfully,

Daniel

On Mon, Jun 26, 2023 at 1:42 PM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

> Hi Daniel,
>
> We will have CCR's that protect the open space. I don't have CCR's yet for this subdivision – they are usually put together by the developer's lawyer, but here's a sample of one I've used in the past.
>
> *Open Space Tract:*
>
> a. *The designated open space tract within the subdivision shall be preserved in perpetuity and shall not be developed or altered for any purpose.*
>
> For the cul-de-sac, you are correct in your thoughts. My primary reasons are topographical and preserving the limited drainfield areas. We are minimizing land disturbance with a cul-de-sac vs a through road. The steepness of the site means that constructing a through road would require significant grading and excavation to create additional road. The topography is also too steep to create a through road to either the east or south, so a looped road would be the only option other than a cul-de-sac. By opting for a cul-de-sac, the need for extensive land disturbance is reduced since it involves developing a smaller area. The use of a cul-de-sac also allows for better utilization of the buildable area and suitable septic drainfield locations.

Best,

Elizabeth

From: Daniel Dougherty <danield@co.wasco.or.us>
Sent: Monday, June 26, 2023 11:24 AM
To: Elizabeth Betts <elizabeth@kleinassocinc.com>
Subject: Re: Inquiry [File No. 921-23-000023-PLNG]

Good morning,

Is a covenant proposed for Tract A keeping it open-space?

Also,

Section 21.030.

P. Cul-de-sacs: In general, dead end (cul-de-sac) streets are not desirable, but if provided, shall terminate in a turnaround that is consistent with Chapter 11 and the local fire department.

Can you provide additional details as to why the Cul-de-sac is being proposed as opposed to a through street? I'm guessing slope and elimination of developable land to be used for septic fields, but if you can provide additional details that would be great.

Respectfully,

Daniel

On Mon, Jun 26, 2023 at 9:14 AM Elizabeth Betts <elizabeth@kleinassocinc.com> wrote:

> Hi Daniel,
>
> Tract A will be owned by the HOA. It is open space and will also contain easements for some of the septic drainfields. I'm curious whether a Tract considered a leftover lot area since it will never be proposed to be built on?
>
> Best,
>
> **Elizabeth Betts, PE**
>
> Klein & Associates, Inc
>
> Office: 541-386-3322
>
> Web: kleinassocinc.com
>
> ---
>
> **From:** Daniel Dougherty <danield@co.wasco.or.us>
> **Sent:** Monday, June 26, 2023 8:47 AM
> **To:** Elizabeth Betts <elizabeth@kleinassocinc.com>
> **Subject:** Inquiry [File No. 921-23-000023-PLNG]
>
> Good morning,
>
> I hope your weekend went well. As I dive deeper into the staff report, I'll likely submit questions to you.
>
> Question 1: The leftover TRACT "A" (1.31 Acres). Who will own it, maintain it (HOA?)
>
> Section 21.030.F

3. Any lot in a platted subdivision may be enlarged to approximate more closely the minimum lot area for the zone in which the lot is located, provided that no leftover lot areas shall be less than the minimum lot area for the zone.

"Leftover lot areas" aren't necessarily defined, but Tract A as a leftover private open space tract might fall within that definition if pressed. The lots within the subdivision are being enlarged to approximate the minimum zone size, but more information about Tract A will help address this criterion.

Respectfully,

Daniel

--

Daniel Dougherty | ***Senior Planner***

PLANNING DEPARTMENT

danield@co.wasco.or.us | **http://www.co.wasco.or.usdepartments/planning/index.php**

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FRIENDS OF THE COLUMBIA GORGE

HOOD RIVER | PORTLAND | WASHOUGAL

GORGEFRIENDS.ORG

March, 22 2023

Daniel Dougherty, Senior Planner
Wasco County Planning Department
2705 East Second Street
The Dalles, Oregon 97058
via email

Re: Elizabeth Bett's application # 921-23-000023 to replat 5 tax lots to 8 total lots

Dear Mr. Dougherty:

Friends of the Columbia Gorge ("Friends") has reviewed and submits these comments on the above-referenced application. Friends is a non-profit organization with approximately 5,500 members dedicated to protecting and enhancing the resources of the Columbia River Gorge. Our membership includes hundreds of citizens who reside within the Columbia River Gorge National Scenic Area.

Friends reviews and comments on all land use applications subject to the Wasco County National Scenic Area Land Use and Development Ordinance. These comments are intended to identify application requirements and resource protection standards, provide recommendations to the permitting agency and the public regarding legal requirements, and establish standing.

Burden of Proof

The Wasco County National Scenic Area Land Use and Development Ordinance ("NSA-LUDO") places the burden of proof on the applicant. NSA-LUDO § 2.120.A.1. Unless otherwise provided for in the NSA-LUDO, the applicant must prove that:

- The proposed action fully complies with the applicable criteria of the NSA-LUDO; and
- The proposed action fully complies with all of the applicable elements of the relevant Comprehensive Plan, the Management Plan for the Columbia River Gorge National Scenic Area ("Management Plan"), and the Columbia River Gorge National Scenic Area Act ("National Scenic Area Act").

Application Requirements

Under section 2.080.A of the NSA-LUDO, a complete application is required prior to review. Approval of a land use proposal not accompanied by a complete and adequate application violates the county's scenic area ordinance, denies the public any meaningful opportunity to comment on the proposed development, and results in a decision not based on substantial evidence. Such a decision is subject to reversal, as held by the Gorge Commission unanimously in the *Eagle Ridge* case. CRGC No. COA-S-99-01 (June 22, 2001). It is similarly unlawful for the County to use conditions

of approval to defer the submission of complete and adequate application materials. *Eagle Ridge* at 9–10.

Site Plan Map

Each site plan must contain a map of the project area. NSA-LUDO § 14.020.B contains a list of specific elements that must be included in site plan maps. Site plan maps must include the following required elements:

- North arrow
- Map scale
- Boundaries, dimensions, and size of the subject parcel
- Location, size, and shape, of all existing and proposed buildings and structures on the subject parcel
- An illustration of the buildings and parking facilities on abutting parcels
- Location, size and dimension of all yards and setbacks and all spaces between buildings
- Bodies of water and watercourses
- Location and width and methods of improvement for all existing and proposed roads, driveways, trails, and parking areas with individual parking spaces and internal circulation patterns
- Location of existing and proposed services, including wells or other water supplies, sewage disposal systems, power and telephone poles, and lines, and outdoor lighting
- The location of the pond, stream, tank, or sump with storage of not less than 1,000 gallons if the well or water system is not capable of delivering twenty (20) gallons per minute
- The location of a standpipe (water spigot) a minimum of fifty (50) feet from each flammable structure if the development includes a plumbed water system
- Outdoor storage and activities, if permitted in the zone, showing type, location, and height of screening devices, including trash and recycling storage locations and their pick up locations
- Either a Grading Plan or the location and depth of all proposed grading, filling, ditching, and excavating
- An indication of all existing and proposed point of ingress and egress and whether they are public or private
- Significant terrain features and landforms

Landscaping Plan

Pursuant to NSA-LUDO § 14.020.D, all applications must contain a detailed landscaping plan that must clearly illustrate the following elements:

- The location, height, and species of all existing trees and vegetation, with an indication of any vegetation that would be removed including detailed information to the level of individual trees and groupings of vegetation for the proposed development area and all topographically visible corridors between the proposed development area and key viewing areas.
- The location, height, and species of individually proposed trees and vegetation groupings.
- The location of automatic sprinkler systems or other irrigation provisions to ensure the survival of any proposed screening vegetation.

- The fuel break surrounding each new building and how this area will meet hazardous fuels reduction standards.

Without the above-mentioned required information, neither the County nor any other reviewing agency can accurately evaluate the potential impacts of the development. In addition, this information is required in order to afford the public a meaningful opportunity to comment on the proposed development.

Review for Legality of Lots

Legality of Lot

The NSA-LUDO definition of "Parcel (Legal)/Lot of Record" is very different from the Management Plan definition of "Parcel." In some respects, the NSA-LUDO definition is more restrictive than the Management Plan definition, and in others, it is less restrictive. *Compare* NSA-LUDO § 1.200 (definition of "Parcel (Legal)/Lot of Record") *with* Management Plan at Glossary-14 (definition of "Parcel"). When Wasco County evaluates whether units of land in the National Scenic Area are legal parcels, the County must apply both definitions, and where one is more restrictive than the other, the more restrictive portion of that definition controls. *See, e.g.*, NSA-LUDO § 1.070 ("When conditions herein imposed are less restrictive than comparative provisions imposed by . . . Management Plan Guidelines, then the more restrictive shall govern.").

For example, pursuant to the NSA-LUDO, any unit of land created **solely** by a record of survey is **not** a legal parcel, regardless of the date of the record of survey. In addition, pursuant to the NSA-LUDO, any unit of land created **after** September 4, 1974 and **solely** by deed or land sales contract is **not** a legal parcel. For a unit of land created **before** September 4, 1974 and **solely** by deed or land sales contract, it is not a legal parcel under the Management Plan unless it was "legally created and separately described" by a deed or a land sales contract and unless the creation of the unit of land "complied with all planning, zoning, and land division ordinances or regulations applicable at the time of creation and up through November 16, 1986." Finally, pursuant to the Management Plan, any unit of land created **after** November 16, 1986 by deed or sales contract is not a legal parcel unless it was "legally created and separately described" by a deed or sales contract and unless the creation of the unit of land "was approved under the Final Interim Guidelines or a land use ordinance consistent with the Management Plan, or by the Forest Service prior to the Final Interim Guidelines."

The County must apply both the Management Plan and NSA-LUDO definitions, and where one of these definitions is more restrictive, that definition controls. NSA-LUDO § 1.070. The County must verify that the lots are legally existing before approving a replat. All available GIS data only identifies 5 parcels rather than 66 in the proposed area. The County must ensure that the lots are legal lots of record before allowing a replat.

Contiguous units of land created by deed or land sales contract prior to September 4, 1974, under common ownership, and not conforming to the minimum lot size requirement of this ordinance must be considered one lot of record unless specific conditions are satisfied. NSA-LUDO § 13.200.

The landowners apparently own multiple contiguous tax lots. If any of the tax lots were created only by deed or land sales contract and are below the minimum lot size, then they are not separate legal lots of record. The applicants bear the burden of establishing legality of the parcels.

Allowed Uses

Land Divisions

The County must review any proposed land division for all potential adverse effects to scenic, natural, cultural, and recreational resources that may occur as a result of the proposed land division **including cumulative adverse effects**. NSA-LUDO §§ 1.200 (definition of "development"), 21.030.D. Applications for divisions into two or three parcels must include the information specified at NSA-LUDO § 21.100.A.2. Applications for divisions into four or more parcels must include the information specified at NSA-LUDO § 21.300.B. In addition, the following rules apply to land divisions:

- All parcels resulting from the division must meet the minimum lot size requirements for the area.
- If the subject property contains environmental hazards such as a potential for flooding, land movement, high water tables, or erosion, then the County may require the dedication of protective easements. NSA-LUDO §§ 21.030.D & V.

Residential Zone

The proposed project is located in a Residential zone in the General Management Area. NSA-LUDO § 3.160 specifies which uses are allowed in GMA Residential zones.

Resource Impact Review

Scenic Resource Protection

NSA-LUDO §§ 14.100 and 14.200 contain the scenic resource protection standards for the General Management Area.

Key Viewing Areas

According to the Gorge Commission's Seen Areas Composite GIS data layer, the subject parcel may be visible from key viewing areas such as the Columbia River, I84, and SR14. If so, then the following rules apply:

- The County's determination of the potential visual impact of a new development must include written findings addressing the following factors:
  - The number of key viewing areas it is visible from;
  - The distance from the building site to the KVAs it is visible from;
  - The linear distance along the KVAs from which the building site is visible (for linear KVAs, such as roads and the Columbia River);
  - The difference in elevation between the building site and KVAs;
  - The nature and extent of topographic and vegetative back screening behind the building site as visible from KVAs;
  - The amount of area of the building site exposed to KVAs; and
  - The degree of existing vegetation providing screening. NSA-LUDO § 14.200.A.1.

- The County must evaluate the potential cumulative visual effects of the proposed development. NSA-LUDO § 14.200.J. This includes evaluation of past, present and likely future actions. Individually insignificant but cumulatively significant actions must be evaluated and cumulative adverse impacts must be avoided. 16 USC 544(a)(3). **Since the visually subordinate standard allows some visibility of the development, simply achieving the standard does not guarantee that there will not be cumulative adverse effects.**

Landscape Setting
NSA-LUDO § 14.400 specifies the standards for compatibility of development with the landscape setting in the GMA. Generally, new development in all landscape settings must be compatible with the general scale (height, dimensions, overall mass) of similar development in the vicinity. This development is proposed in a Rural Residential landscape setting. If the parcel is visible from KVAs, at least half of all new screening trees must be native and coniferous. NSA-LUDO § 14.400.E.

Natural Resource Protection

Cumulative Adverse Effects
The County must determine if there would be "[a] reasonable likelihood of more than moderate adverse consequence for the scenic, cultural, recreation or natural resources of the scenic area" considering the context of the proposal, the intensity of the proposal (including magnitude, duration, and likelihood of reoccurrence), other similar actions that may cumulatively lead to "more than moderate adverse consequences," and any proposed mitigation measures. NSA-LUDO § 1.200 (Definition of "Adversely affect or Adversely affecting"). No adverse effects to wetlands, streams, ponds, lakes, and riparian areas, and their buffer zones are allowed. NSA-LUDO §§ 14.600.A.5.f, A.6.g, A.8, B.4.g, B.6. In addition, there may be no adverse effects to sensitive plants and wildlife areas within 1000 feet of the project area. NSA-LUDO §§ 14.600.C.3.i, D.3.h.

Water Resources
NSA-LUDO § 14.600 contain the standards for projects that may affect streams, ponds, lakes, wetlands, or other riparian areas in the General Management Area. If one or more of these resources is present on or adjacent to the subject parcel, then the applicant must determine the *exact* location of the water resource boundary and the County must verify the accuracy of the applicant's determination. NSA-LUDO §§ 14.600.A.2.b, B.2.b.

Sensitive Wildlife Resources
NSA-LUDO § 14.600.C contains the standards for projects in the GMA that may affect sensitive wildlife resources. The first step is for the County to determine whether the project is proposed within 1,000 feet of a sensitive wildlife area or site including aspen stands, caves, old-growth forest, Oregon white oak woodlands, prairies and steppe, riparian areas, wetlands, snags and logs, talus, cliffs, dunes, winter range, and locations used by the following species for nesting roosting, denning or other life cycle needs:

- Listed as endangered or threatened pursuant to federal or state endangered species acts; or
- Listed as sensitive by the Oregon Fish and Wildlife Commission, or

- Considered to be of special interest to wildlife management authorities and the public, including great blue heron, osprey, mountain goat, golden eagle, peregrine falcon, and prairie falcon.

NSA-LUDO §§ 14.600.C.1.a, B.2.d. Other areas may be designated by the United States Forest Service or the Oregon Department of Fish and Wildlife. NSA-LUDO § 14.600.C.1.a. Oregon white oak may not be removed if practicable alternatives exist. Management Plan at p. 104 (Approval Criteria for Review Uses Near Priority Habitat and Sensitive Wildlife Sites, criterion 2); NSA-LUDO § 1.070.

Except uses allowed outright, proposed uses may be allowed within 1,000 feet of a Priority Habitat or sensitive wildlife site, subject to compliance with NSA-LUDO § 14.600.B. If the proposed project is within 1,000 feet of one of these areas, the County must transmit the site map to the Oregon Department of Fish and Wildlife, which will review the application to determine the precise locations of wildlife habitat and activities, as well as potential impacts to wildlife areas or sites.

If the County, in consultation with ODFW, concludes that the proposed project is likely to adversely affect a sensitive wildlife area or site and that the impacts cannot be eliminated through site plan modifications or project timing, then the applicant must prepare a wildlife management/mitigation plan. NSA-LUDO § 14.600.C.3.f. The plan will provide a basis for the applicant to redesign the project in a manner that protects sensitive wildlife areas and sites, maximizes his or her development options, and mitigates temporary impacts to the wildlife area or buffer zone. NSA-LUDO § 14.600.C.5. A wildlife management plan must be prepared by a professional biologist hired by the applicant and must include the following:

- relevant background, such as biology of the species, characteristics of the subject parcel and regulatory protection and management guidelines;
- delineation of core habitat;
- wildlife buffer zones;
- an indication of the size, scope, configuration or density, and timing of all new uses within core habitat;
- rehabilitation and enhancement actions; and
- a three-year monitoring plan for federal- or state-listed species.

NSA-LUDO § 14.600.C.5.

Rare Plants

NSA-LUDO § 14.600.D contains the standards for projects in the GMA that may affect sensitive plant resources. The first step is for the County to determine whether the project is proposed within 1,000 feet of a sensitive plant species. This includes the following plant species:

- species endemic to the Columbia River Gorge and vicinity;
- species listed as endangered or threatened by federal or state authorities, including the Oregon Biodiversity Information Center; and
- designated global or state status ranks 1, 2, or 3 by the Oregon Biodiversity Information Center, including designated native plant communities

NSA-LUDO § 14.600.D.1.a.

If the proposed project is within 1,000 feet of such a species, the next step is for the applicant to prepare a more detailed site plan map at a scale of at least one inch equals 100 feet (1:1,200). NSA-

LUDO § 14.600.D.4.a. The County must transmit the more detailed map to the Oregon Biodiversity Information Center, which will review the application to determine if the project could affect sensitive plants. NSA-LUDO § 14.600.D.3.f. Proposed uses within 1,000 feet of a rare plant shall be evaluated for adverse effects, including cumulative effects, and adverse effects shall be prohibited. NSA-LUDO § 14.600.D.3.h.

If the proposed project is within 1,000 feet of such a species, the County must transmit the site map to the State Natural Heritage Program, which will review the application to determine whether the project could affect sensitive plants and will identify the precise location of the affected plants and delineate a 200 foot buffer zone on the project applicant's site plan. NSA-LUDO § 14.600.D.3.b. A 200 foot buffer zone remaining in an undisturbed, natural condition must be maintained around rare plants. NSA-LUDO § 14.600.D.2.

Cultural Resource Protection
NSA-LUDO § 14.500 contains the standards for protection of cultural resources in the General Management Area.

County land use decisions must protect against cumulative adverse effects to cultural resources. NSA-LUDO § 14.500.B.6. The County must review whether the proposed development would contribute to cumulative adverse impacts to cultural resources. This includes evaluation of past, present, and likely future actions. Individually insignificant but cumulatively significant actions must be evaluated and cumulative adverse impacts must be avoided.

Significant Cultural Resource
If a cultural resource is identified, it must be evaluated for significance. NSA-LUDO § 14.500.D.1. If the resource is determined to be significant, the County must determine whether the project is likely to adversely affect the resource. NSA-LUDO § 14.500.E. If an adverse effect is likely, then a mitigation plan must be prepared pursuant to NSA-LUDO § 14.500.E.3.c.

Conditions of Approval

All conditions of approval must be entered into the deeds of the affected parcels and registered with the county. NSA-LUDO § 2.140.

Conclusion

Thank you for this opportunity to comment.

Sincerely,



Steven D. McCoy
Staff Attorney

July 20, 2023

Daniel Dougherty, Senior Planner
Wasco County Planning Department
2705 East Second Street
The Dalles, Oregon 97058
via email

Re: Elizabeth Bett's application # 921-23-000023 to replat 5 existing tax lots to 8 total lots

Dear Mr. Dougherty:

Friends of the Columbia Gorge ("Friends") has reviewed and submits these additional comments on the above-referenced application. Friends is a non-profit organization with approximately 5,000 members dedicated to protecting and enhancing the resources of the Columbia River Gorge. Our membership includes hundreds of citizens who reside within the Columbia River Gorge National Scenic Area.

Friends reviews and comments on all land use applications subject to the Wasco County National Scenic Area Land Use and Development Ordinance. These comments are intended to identify application requirements and resource protection standards, provide recommendations to the permitting agency and the public regarding legal requirements, and establish standing. **In addition, Friends requests party status for this matter.**

Burden of Proof

The Wasco County National Scenic Area Land Use and Development Ordinance ("NSA-LUDO") places the burden of proof on the applicant. NSA-LUDO § 2.120.A.1. Unless otherwise provided for in the NSA-LUDO, the applicant must prove that:

- The proposed action fully complies with the applicable criteria of the NSA-LUDO; and
- The proposed action fully complies with all of the applicable elements of the relevant Comprehensive Plan, the Management Plan for the Columbia River Gorge National Scenic Area ("Management Plan"), and the Columbia River Gorge National Scenic Area Act ("National Scenic Area Act").

Review for Legality of Lots

Legality of Lots

The Applicant bears the burden of establishing legality of the parcels. The NSA-LUDO definition of "Parcel (Legal)/Lot of Record" is very different from the Management Plan definition of "Parcel." In some respects, the NSA-LUDO definition is more restrictive than the Management Plan definition, and in others, it is less restrictive. *Compare* NSA-LUDO § 1.200 (definition of "Parcel

(Legal)/Lot of Record") *with* Management Plan at Glossary-14 (definition of "Parcel"). When Wasco County evaluates whether units of land in the National Scenic Area are legal parcels, the County must apply both definitions, and where one is more restrictive than the other, the more restrictive portion of that definition controls. *See, e.g.*, NSA-LUDO § 1.070 ("When conditions herein imposed are less restrictive than comparative provisions imposed by . . . Management Plan Guidelines, then the more restrictive shall govern.").

For example, pursuant to the NSA-LUDO, any unit of land created solely by a record of survey is not a legal parcel, regardless of the date of the record of survey. In addition, pursuant to the NSA-LUDO, any unit of land created after September 4, 1974 and solely by deed or land sales contract is not a legal parcel. For a unit of land created before September 4, 1974 and solely by deed or land sales contract, it is not a legal parcel under the Management Plan unless it was "legally created and separately described" by a deed or a land sales contract and unless the creation of the unit of land "complied with all planning, zoning, and land division ordinances or regulations applicable at the time of creation and up through November 16, 1986." Finally, pursuant to the Management Plan, any unit of land created after November 16, 1986 by deed or sales contract is not a legal parcel unless it was "legally created and separately described" by a deed or sales contract and unless the creation of the unit of land "was approved under the Final Interim Guidelines or a land use ordinance consistent with the Management Plan, or by the Forest Service prior to the Final Interim Guidelines."

The County must apply both the Management Plan and NSA-LUDO definitions, and where one of these definitions is more restrictive, that definition controls. NSA-LUDO § 1.070. <u>All available GIS data only identifies 5 parcels rather than 66 in the proposed area.</u> In addition, it is not clear from the application materials if subdivision or partition plats were ever recorded for the Columbia Crest Subdivision and the Fruitland Park Addition. <u>The County must verify that the lots are legally existing before approving any replat.</u> NSA-LUDO § 3.160.D. The Applicant bears the burden of establishing legality of the parcels.

Consolidation of Parcels

Contiguous units of land created by deed or land sales contract prior to September 4, 1974, under common ownership, and not conforming to the minimum lot size requirement of the NSA-LUDO ordinance must be considered one lot of record unless specific conditions are satisfied. NSA-LUDO § 13.200. **The landowners apparently own multiple contiguous tax lots. If any of the tax lots were created only by deed or land sales contract and are below the minimum lot size, then they are not separate legal lots of record.**

Furthermore, under Oregon case law, a partition map that does not indicate the continued existence of the lots that were previously partitioned can have the effect of vacating previous lot lines. *Weyerhaeuser Real Estate Development Co. v. Polk Cnty*, 246 Or. App. 548, 558, 267 P.3d 855 (2011); *Kine v. Deschutes Cnty.*, 313 Or App 370, 496 P.3d 1136 (2021). **Again, it is not clear from the application materials if subdivision or partition plats were ever recorded for the Columbia Crest Subdivision and the Fruitland Park Addition. In addition, even if such a plat had been recorded, it is not clear whether such a plat would have met the applicable standards at the time, and also whether the Columbia Crest Subdivision and Fruitland Park Addition might have been vacated by a later partition map. The Applicant bears the burden**

of establishing legality of the parcels. Based on the evidence available in the circulated application materials, that burden has not been met.

Replats

Even if there were 66 legally existing lots of record, they could not lawfully be replatted to lots that are below the 5-acre minimum lot size for the area. NSA-LUDO § 3.160.D.13 requires replats to comply with NSA-LUDO § 3.160.G. That provision requires that "[t]he creation or **alteration** of a parcel shall be subject to" the minimum lot size and parcel width for the zone and variances from minimum parcel sizes may not be granted. NSA-LUDO §§ 3.160.G (emphasis added), 21.030.C & D. **Here, the Applicant proposes 8 lots, each below the minimum lot size for the zone. This application cannot be lawfully approved as proposed.**

In addition, replats can only be done for recorded plats. ORS §§ 92.185(1), 92.010(13). As discussed above, it is not clear from the application materials whether the Columbia Crest Subdivision and the Fruitland Park Addition were lawfully approved and recorded. **The Applicant bears the burden of establishing that the criteria are met and that burden has not been met.**

Based on the evidence available in the application materials and in County parcel data, it is likely that the subject property is only eligible for 3 to 5 residential lots, depending on the criteria and factors discussed above. The applicant proposes 6 residential lots, which cannot be approved.

Also, if, as the application states, the subject property contains environmental hazards such as a potential for flooding, land movement, high water tables, or erosion, then the County may require the dedication of protective easements. NSA-LUDO § 21.030.V.

The applicant proposes to create two non-developable parcels for open space and park purposes. Any parcel approved to be created for such purposes should be restricted from development by conditions of approval and permanent deed restrictions or covenants.

Finally, the County must review any proposed replat for all potential adverse effects to scenic, natural, cultural, and recreation resources that may occur as a result of the proposed replat including cumulative adverse effects. NSA-LUDO §§ 1.200 (definition of "development"), 21.030.A & D.

Conclusion

Thank you for this opportunity to comment.

Sincerely,



Steven D. McCoy
Staff Attorney

Daniel Dougherty <danield@co.wasco.or.us>

Notice of Land Use Action - Smilekel Group

Lane Magill <lanem@co.wasco.or.us> Thu, Mar 16, 2023 at 2:53 PM
To: Daniel Dougherty <danield@co.wasco.or.us>
Cc: flathk@nwasco.k12.or.us, jwood@mcfr.org, Steven Horzynek <steven-horzynek@nwascopud.org>, nedr@wascoelectric.com, BrewsterW@wascoelectric.com, districtmanager@chenowithwater.com, Ben Beseda <BBeseda@tennesoneng.com>, Scott Williams <scottw@co.wasco.or.us>

No issues with law enforcement.

Lane
[Quoted text hidden]
--

Lane Magill | ***Wasco County Sheriff***
SHERIFF'S OFFICE

lanem@co.wasco.or.us | www.co.wasco.or.us
541-506-2592 | Fax 541-506-2581
511 Washington St. Suite 102 | The Dalles, OR 97058

ROAD MAINTENANCE AGREEMENT

The undersigned, being the owner of all the following described real property located in the County of Wasco, State of Oregon:

The Southeast quarter of the Northeast quarter of Section 5, Township 1 North, Range 13 East of the Willamette Meridian, Wasco County, Oregon. Being Lots 2-6 of Prince Heights Subdivision.

which property has access rights over, across, and through the roadway described as "Cavern Way" and shown in attached Exhibit "A", does hereby make the following Road Maintenance Agreement concerning the above described real property, specifying that this Agreement shall constitute a covenant to run with all the land and shall be binding on all persons claiming under them: and that these conditions and restrictions shall be for the benefit and limitations upon all future owners of said real property.

Recitals:

A. It is essential to the value of the lots and for the safety of persons living thereon that the above-described roadway be properly maintained, in good condition.
B. The undersigned has agreed to share in the cost of maintaining the roadway serving the lots according to the formula set forth herein.

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Agreement:

The undersigned agrees to the following:

1. When repairs and/or maintenance appear to be necessary, the parties to this agreement may undertake such repair or maintenance anywhere along the roadway upon the affirmative vote of a majority of all property owners participating in this agreement, as follows:

    a. One meeting shall be held each year to negotiate and vote on a need for maintenance and repair on said described road. The annual meeting shall be held on or before March 1st of each year and at such additional times as may be necessary in the case of an emergency. Each participating property owner shall be allowed one (1) vote per lot to approve any maintenance or repair to be performed on said road.

2. Following the vote approving maintenance and repair, a bid must be presented to each property owner before any maintenance or repair can be performed. A majority of all property owners participating in this agreement must agree with the bid prior to the work being performed on the road. Each property owner participating in this agreement must sign a copy of the bid acknowledging that they have received and voted on the bid.

3. Repairs and maintenance to be performed on the road under this agreement shall include, but not be limited to the following: grading, patching, and snow removal. Capitol improvements (such as asphalting) may be undertaken only on the affirmative vote of all (100%) of the property owners participating in this agreement.

4. The property owner who makes the arrangements for repair and maintenance according to the property owner's decision shall send copies of all the bills to the property owners participating in this agreement.

5. All property owners participating in this agreement shall share equally the cost of approved maintenance or repair within ten (10) days of receiving the bill. If a property owner fails to pay his or her respective share within thirty (30) days after receipt of a statement, the amount of the statement, together with interest at 9% per annum from the date of the statement, plus any attorney fees necessary to collection, shall automatically become a continuing lien against the lot of the defaulting lot owner. Each lot owner's obligation to pay his or her share of the cost will be an enforceable personal obligation of the lot owner.

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6. The lot owners shall work together to coordinate their repair and maintenance activities to make the repairs and maintenance as economical as possible and to minimize interference with the lot owner's use of the roadway. To the extent reasonably possible, any repairs, maintenance or capital improvements will be obtained through competitive bidding for the purpose of cost comparison.

7. The property owners will exercise reasonable care in their use of the roadway so as not to cause more than normal wear and tear.

8. The rights and responsibilities set forth in this agreement shall be perpetual and shall run with the land and shall be binding on the successors and assigns of the property owners.

9. The provisions of this agreement may only be amended in writing and with the consent of all (100%) of the property owners participating in this agreement.

10. If the lot is owned by more than one person, all the owners of the lot will collectively be referred to as the lot owner, and will be entitled to only one collective vote, i.e., each lot represents one vote in the matters covered by this agreement.

11. The undersigned hereby agrees that this document may be recorded as an appurtenance to the above-described property.

_____

(_____, _____ of _____, LLC)
Property Owner

STATE OF OREGON

ss.

County Of Wasco

On the _____ day of _____, 2022, the above-named _____, _____ of _____, LLC personally appeared and acknowledged the foregoing instrument to be his/her/their voluntary act and deed.

Before me _____
Notary Public of Oregon

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My Commission expires:_____

SECTION 21.310 Final Subdivision Plat Approval

Approval of a final subdivision plat is reviewed by the Planning Commission and subject to the provision of Chapter 2.

A. Application for Final Subdivision Approval:

1. Before expiration of the validity of the preliminary subdivision plan approval obtained pursuant to 21.300, the applicant shall cause an Oregon licensed land surveyor to survey the subdivision and to prepare a final plat, in conformance with the approved preliminary plan.

2. The applicant shall initiate a request for final plat approval by filing with the Director a final plat, an exact reproducible copy, other supporting documents as described in B, Final Subdivision Plat Requirements through D, Performance Bond, below, and the appropriate fees as established by the County Governing Body.

B. Final Subdivision Plat Requirements:

1. The final plat shall be prepared in conformance with all provisions of this Section.

2. Prior to submission for final approval, the final subdivision plat shall be signed by all persons who own land in the subdivision and the mortgagees, or by their authorized representatives or any title-holder. The plat shall bear the signature and seal of the licensed land surveyor responsible for its preparation and certification that the plat has been correctly surveyed and properly monumented. All signatures must be with black ink.

3. Conformance to preliminary plan. The plat map shall substantially conform to the preliminary plan as approved.

4. Preparation. All plat maps shall be prepared by a professional land surveyor registered with the State of Oregon.

5. Format. The plats shall be drawn with an archival quality black permanent ink, approved by the County Surveyor, on 4 mil (minimum) thick polyester based transparent drafting film, or an

equivalent, matted on both sides, eighteen inches by twenty-four inches (18"x24") in size. The quality of said drafting film and any other drafting particulars will be subject to the County Surveyor's approval. No diazo process may be used.

6. Scale. The plat shall be drawn to a standard engineering scale sufficient to depict the subdivision of land approved by the County Surveyor.

7. Survey Accuracy. The survey for the plat shall be done in such a manner to achieve sufficient accuracy that measurements may be taken between monuments within one-tenth of a foot or one ten-thousandth of the distance shown on the plat, whichever is greater.

8. Measurements. The subdivision plat shall contain the following measurements:

a. The boundary lines with distance and bearing of the exact location and width of existing or recorded streets intersecting the boundary.

b. The arc, length, chord length, chord bearing, radii, and central angles of curves.

c. Block indications, lot numbers and lot lines with dimensions in feet and hundredths and bearings and angles to street and alley lines.

d. The area of each lot in either acres, to the nearest 1/100th of an acre, or square feet.

e. All measured bearings or angles and distances separately indicated from those of record.

f. All monuments set and their relation to older monuments found. A detailed description of monuments found and set shall be included and all monuments set shall be separately indicated from those found.

Any additional information shall be typed or printed in narrative form.

9. Monuments. The subdivision plat shall contain the location, material, and size of all monuments which have been set. A monument shall be set at each of the following locations.

a. The Initial Point, which must be on the exterior boundary of the plat and must be marked with a monument meeting the specifications of ORS 92.060(1). The location of the monument shall be with reference by survey to a known corner per ORS 92.060.

b. The exterior boundary including every angle point or curve point along the boundary lines. Any exceptions shall be allowed only with approval of the County Surveyor. All monuments for the exterior boundaries of a subdivision shall be set and referenced on the plat before the plat is offered for approval.

c. All lot corners, except lot corners of a cemetery. All monuments for the interior boundaries of a subdivision shall be set and referenced on the plat before the plat is offered for approval, unless the surveyor certifies the remaining monuments will be set. If the interior monuments

are not set prior to the approval of the plat:

(1) The person performing the survey work shall, by affidavit, certify that the interior monuments will be set by a date specified by him, such a date not exceeding one year from the date of submission of the plat for approval. The County Surveyor may extend the one year period and such extension shall be in writing. The County Surveyor shall submit a written copy of the extension to the Director.

(2) The subdivider shall furnish to the Wasco County Surveyor's Office a bond or cash deposit, at the option of the Wasco County Surveyor's Office in the amount equal to not more than 120 percent of the County Surveyor's estimate of the cost to perform the work for the interior monumentation.

(3) Space will be provided on the face of the plat for endorsement of the recording reference to the plat copy to be filed upon completion of such interior monumentation.

(4) Upon completion of the interior monumentation, the person performing the survey shall indicate upon a copy of the plat that monumentation has been completed.

(5) The County Surveyor shall check the interior monumentation, and, if the conditions required on the tentative plan have been complied with, he shall so certify on the plat copy and file it with the County Clerk.

(6) The County Clerk shall file the plat copy and reference the filing number on the original plat. The County Clerk shall advise the County Surveyor of such number for notation on the plat previously filed with him.

d. Flood Plain Monumentation for Subdivisions and Partitions. For subdivisions and partitions involving land in a flood plain, the following specifications shall apply:

(1) A standard Bench Mark shall be a minimum of thirty-six inches (36") in depth and eight inches (8") in diameter, constructed of concrete with a brass cap set in the center. The brass cap shall bear the name of the Bench Mark, the year set and the agency or Registered Land Surveyor's license number. The Bench Mark shall be set at least thirty inches (30") in the ground in a stable, protected area of the partition or subdivision. The elevation established shall be 3rd order or higher.

(2) The Bench Mark location shall be indicated on the face of the Plat or Final Survey Map along with its name and elevation and the name, year, and elevation of the Bench Mark upon which the elevation is based.

(3) The level notes or a copy thereof shall be filed with the final map. Any exceptions shall be allowed only with the approval of the County Surveyor.

(4) Field notes and closure copies to County Surveyor:

(a) Copies of all lot closures, block closures and plat closures of the subdivision shall be furnished to the County Surveyor upon his request.

(b) If the interior monuments are not set prior to the approval of the plat, the field notes or legible copies for the original survey of the subdivision shall be furnished to the County Surveyor upon his request.

10. Surveyor's Certificate. The plat must include a Surveyor's Certificate, together with the seal and signature of the surveyor of record, to the effect that the surveyor has correctly surveyed and marked with proper monument the lands represented, including the initial point of the plat and its location, and accurately describing by metes or bounds, or other description as approved by the County Surveyor, the tract of land upon which the parcels are laid out.

11. Declaration

a. The plat shall include a declaration, taken before a notary public, stating that the declarant has caused the plat to be prepared in accordance with the provisions of ORS 92.

b. Any dedication of land to public purposes or any public or private easements created, or any other restrictions made, shall be included in the Declaration.

c. If the declarant is not the fee owner of the property, the fee owner and the vendor under any instrument of sale shall also execute the Declaration for the purpose of consenting to the property being partitioned.

d. If the plat contains any dedication or donation of land to public purposes, the holder of any mortgage or trust deed shall also execute the Declaration.

e. Notwithstanding the provisions of subsections a. to d., the fee owner, vendor or the mortgage or trust deed holder may record an affidavit consenting to the declaration, pursuant to ORS 92.075 (4).

12. General Information. The map shall comply with ORS 209.250 and contain the following information in addition to the preliminary plan information except that 21.3 00(B)(1) – (8) shall not be required to be on the face of the plat:

a. Table indicating the approximate acreages of all existing and newly created parcels and lots.

b. Assessor Account Number for each existing property.

c. Planning Department File Number.

d. Legal description of the subdivision boundaries, area of the subdivision in acres, and the location of the subdivision by one-fourth section and Donation Land Claim, Township and Range.

e. Subdivision block and lot boundary lines and street right-of-way and center lines with dimensions to the nearest 1/100th of a foot, bearings or deflection angles, radii, arcs, points of curvature, chord bearings and distances, and tangent bearings. Subdivision boundaries, lot boundaries, and street bearings shall be shown to the nearest thirty (30) seconds with basis of bearings.

f Names and width of the portion of streets being dedicated, the width of any existing right-of-way, and the width on each side of the center line. For streets on curvature, curve data shall be based on the street center line. In addition to the center line dimensions, the radius and central angle shall be indicated.

g. Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. If an easement is not of record, a certified copy of the easement shall be provided. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the subdivision must be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's declaration.

h. Locations and widths of drainage channels, railroad rights-of-way, reserve strips at the end of stubbed streets or along the edge of partial width streets on the boundary of the subdivision.

i. Numbering of blocks and lots, as follows:

(1) Block numbers beginning with the number "1" and continuing consecutively without omission or duplication throughout the subdivision. The numbers shall be solid, of sufficient size and thickness to stand out and so placed as not to obliterate any figure or lot numbers. In an addition to a subdivision of the same name, numbers shall be a continuation of the numbering in the original subdivision.

(2) Lot numbers beginning with the number "1" and numbered consecutively in each block.

j. Ties to any city, county, or adjacent subdivision boundary lines.

k. The course of all lines traced or established, giving the basis of bearing and the distance and course to a section corner, one-sixteenth corner or Donation Land Claim corner in Township and Range.

l. Space for date and signature of the County officials specified in I below.

m. Any conditions specified by the Approving Authority upon granting preliminary approval.

n. A copy of the covenants, if any, that will be placed on the subdivision, including the volume and page(s) of recording with Wasco County.

o. A copy of all documents relating to establishment and maintenance of private facilities, common areas and easements, including the volume and page(s) of recording with Wasco

County.

p. A copy of all documents relating to additional requirements or restrictions required by the County as a condition of approval.

q. A declaration signed and acknowledged by all parties having any record title interest in the land consenting to the preparation and recording of the plat.

r. A declaration signed and acknowledged by all parties having any record title interest in the land dedicating all land intended for public use and common improvements, including but not limited to streets, roads, parks, sewage disposal and water supply systems the donation of which was made a condition of the approval of the tentative plan.

s. A narrative per ORS 209.250(2).

t. All subdivisions outside the boundaries of an irrigation district, drainage district, water control district, or district improvement company must file a statement of water rights. If a water right is appurtenant to the lands of the subdivision, the statement of water right and a copy of the subdivision plan must be submitted to the Oregon Water Resources Department. A copy of the acknowledgment from the Water Resources Department must be submitted with the final subdivision plat.

u. Any additional information made a condition of approval of the tentative plan.

13. Supplemental Information with Final Plat. The following data shall accompany the final plat if requested by the Director or County Surveyor:

a. A preliminary title report issued by a title insurance company in the name of the owner of the land, showing all parties whose consent is necessary and their interest in the premises.

b. Sheets and drawings showing the following:

(1) Traverse data including the coordinates of the boundary of the subdivision and ties to section corners and donation land claim corners, and showing the error of closure, if any.

(2) The computation of all distances, angles, and courses shown on the final map.

(3) Ties to existing monuments, proposed monuments, adjacent subdivision, street corners, and state highway stationing.

c. A copy of any dedication requiring separate documents.

d. A Plan and Profile showing the following:

(1) Widths of the proposed dedication throughout the length of the proposal.

(2) Centerline alignment showing P.C. and P.T. stationing on all curves, necessary curve data and bearings of tangents.

(3) Ground line and grade line profile on the centerline of the proposed street or road.

(4) Vertical curve data showing P.I. elevations and stations, length of vertical curve and tangent grades.

(5) Proposed drainage structures, showing both size and type of structure.

(6) Earthwork distribution, i.e., volume of cuts and fills shown in appropriate haul distribution brackets.

(7) Provisions for waste or borrow areas if widened cuts or fills do not provide the desired balance of material.

(8) Toe of slope and top of cut lines showing the limits of the construction area within the dedication.

(9) Typical section of roadbed to be constructed.

(10) Sections lines, fractional section lines and/or Donation Land Claim lines tied to corner from which dedication description is prepared.

(11) Vicinity map in the upper left hand corner of the first plan sheet showing roughly the relationships of the proposed road to cities, state highways, county roads, or other well-defined topographical features.

(12) The stamp and signature of the registered Professional Engineer or qualified land surveyor preparing the plans.

e. Cross Sections

(1) Shall be platted on standard 10-square inch or CAD cross-section print-outs.

(2) Shall show proposed widened cuts or fill if these are needed for material balance.

f. If sewer and/or water facilities are required as the condition of approval of the Final Plat, the following may be required to be submitted with the Final Plat:

(1) Plans and profiles of proposed sanitary, and storm-water sewers, with grades, pipe sizes and the location of manholes indicated.

(2) Plans and profiles of the proposed water distribution system showing pipe sizes and the location of valves and fire hydrants.

(3) Specification for the construction of all proposed sewer and water lines and other utilities.

(4) Grading plans and specifications as required for areas other than streets and ways.

(5) Planting plans and specifications for street trees and other plantings in public areas.

14. County Surveyor Fees: The subdivider shall pay a subdivision review fee to the County Surveyor as provided in ORS 92.100(2) which is included in the cost at the time of application. In the event a second field and/or office check becomes necessary because of substantial discrepancies found in the first check, the County Surveyor may, at his discretion, charge a second fee or partial fee.

PLANNING DEPARTMENT
2705 East Second Street • The Dalles, OR 97058
p: [541] 506-2560 • f: [541] 506-2561 • www.co.wasco.or.us
Pioneering pathways to prosperity.

PLANNING APPLICATION COVER PAGE
NATIONAL SCENIC AREA

SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT					
File #	921-23-000023-PLNG	Fee:	5,515.58	Decision: ☐ Approved ☐ Denied	
Date Received:	2.7.23	Received by: (Planner Initials)	DW	Decision Date:	
Date Complete:		Reviewed by: (Planner Initials)		Issued by: (Planner Initials)	

APPLICANT INFORMATION

Name: Elizabeth Betts, PE
Address: 1411 13th Street
City/State/Zip: Hood River, OR 97031
Phone: 541-386-3322
Email: elizabeth@kleinassocinc.com

OWNER INFORMATION

Name: Mona Miller (Smilekel Group)
Address: 1309 SE 195th Ave
City/State/Zip: Camas, WA 98607
Phone: 503-274-7022
Email: mona@pacificgemlab.net

Primary Point of Contact for staff: Applicant

PROPERTY INFORMATION

Physical Address / Location Information: Sandstone Way at Ledge Street

Township, Range, Section, Tax Lot(s)	Acct #	Acres	Zoning	Overlay Zone(s)
1N13E5AD - TL 300,1000, 1100,1200	8347,8355,15570,8350	2.28,2.74,3.76,1.9	GMA R-5	
1M13E4BC - 2600	15569	4.27	GMA R-5	

SIGNATURES:

Applicant(s) Digitally signed by Elizabeth Betts Date: 2022.12.12 15:31:47-08'00' Date: Dec. 12, 2022

Date:

Property Owner(s) MJMiller Date: Dec. 9, 2022

Date:

**Signatures are only valid for one year from the date of signature. Signing indicates that the property owner(s) is/are aware that an application is being made on the subject property and also authorizes Planning Department staff reasonable access to the site in order to evaluate the application*

PROPERTY CREATION

Was your property created by Partition or Subdivision? ☑ Yes ☐ No If Yes, what is it called and what is your lot or parcel number? (*Example: Columbia Crest 2nd addition Lot 45, or MIP-80-012, Parcel #2*): portions of Columbia Crest Addition and Fultland Park Addition Tract 35

Is a copy of your current deed attached? ☑ Yes ☐ No

For help finding your deed, please visit the Wasco County Clerk's Digital Research Room

PROJECT DESCRIPTION

(What are building? How will you use it? EXAMPLE: Shed for residential use. Attach additional pages if necessary.)

Replat of existing subdivision lots to make them more conforming with current zoning

Dimensions of PROPOSED Improvements				
Structure/Development*	Length	Width	Height (at peak)	Square Footage
Example: Dwelling	35 feet	40 feet	16 feet	1,400 SF
N/A - no extg structures				
Dimensions of EXISTING Development				

*Please list all structures, including dwellings, sheds, well/pump houses, barns, shops, loafing sheds, fencing, etc.

ADDITIONAL PROPERTY INFORMATION:

Water source: Chenowith water - loop from extg 4" Sewage disposal method: ☑ Septic ☐ Sewer ☐ None

Are there wetlands/waterways on your property? ☑ NO ☐ YES (description) _____

Name of road(s) providing access: Sandstone

Current use of property: ☐ Agricultural ☐ Forestry ☐ Residential ☐ Commercial ☐ Industrial ☑ Vacant ☐ Other _____

Do you own neighboring property? ☐ NO ☑ YES (description) TL400, TL500, TL600, TL1500 - all vacant land

PLEASE NOTE: Before this application will be processed, you must supply all requested information and forms, and address all listed or referenced criteria. Pursuant to ORS 215.428, this office will review the application for completeness and notify Applicant of any deficiencies within 30 days of submission.

ALL APPLICATIONS MUST INCLUDE:

- ☐ Application Fee – Cash, Check, or Credit Card
- ☐ Site Plan
- ☐ Elevation Drawing
- ☐ Fire Safety Self-Certification
- ☐ Other applicable information/application(s):

_____

_____

PROPERTIES IN THE *NATIONAL SCENIC AREA* MUST ALSO INCLUDE:

- ☐ Scenic Area Application / Expedited Review
- ☐ Color and Material Samples
- ☐ Landscaping Plan
- ☐ Grading Plan
- ☐ Other applicable information/application(s):

_____

SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT

Legal Parcel ☐ NO ☐ YES
Deed/Land Use Action: _____

Previous Map and Tax Lot: _____

Past Land Use Actions: If yes, list file #(s) _____ ☐ NO ☐ YES

_____

_____

Still subject to previous conditions? ☐ NO ☐ YES

Assessor Property Class: _____

Zoning: _____

Overlay Zones – List applicable OZs:

☐ OZ # _____
☐ OZ # _____
☐ OZ # _____
☐ OZ # _____

Water Resources
Are there bodies of water or wetlands (seasonal or permanent) on property or adjacent properties? ☐ NO ☐ YES

Describe (include setback distances): _____

☐ Fish bearing ☐ Non-fish bearing ☐ Seasonal Creek
☐ Irrigation ditch ☐ Wetland ☐ Pond/Lake ☐ Not identified

(Note: Check buffers. Different zones have different setback requirements that may require a more extensive permitting process.)

Access:
County or ODOT approach permit on file? ☐ NO ☐ YES, # _____

Address:
Address exists and has been verified to be correct? ☐ NO ☐ YES
Address needs to be assigned after approval? ☐ NO ☐ YES

Fire District: _____

Are there active Code Enforcements cases on this property? ☐ NO ☐ YES

PLANNING DEPARTMENT

2705 East Second Street • The Dalles, OR 97058
p: [541] 506-2560 • f: [541] 506-2561 • www.co.wasco.or.us

Pioneering pathways to prosperity.

FILE NUMBER: _____

N/A - no homes proposed with replat subidivision - this will be completed for each home building permit application

FEE: _____

NATIONAL SCENIC AREA APPLICATION

Date Received: **Planner Initials:** **Date Complete:** **Planner Initials:**

Please describe your proposed development in the National Scenic Area below. Attach additional narrative if necessary.

	LENGTH	WIDTH	HEIGHT	SQ. FT.	MATERIAL, COLOR, NAME & VENDOR (Samples Must Be Submitted)
EXISTING Development					
Dwelling					
Garage					
Other (shed, road etc...)					
PROPOSED Improvements					
Dwelling					
Main/Body					
Trim					
Roof (Fire Resistant)					
Doors					
Windows (frame, sill & sash)					
Window Reflectivity Specs					
Other Building(s)					
Main/Body					
Trim					
Roof (Fire Resistant)					
Doors					
Windows (frame, sill & sash)					
Window Reflectivity Specs					
Decks					
Fences/Gates					
Driveway					
Exterior Lighting & Hooding					

ADDITIONAL INFORMATION

Your proposed development will be reviewed according to the following criteria. It is important that your proposed design takes them into consideration. Please consult *Building in the Scenic Area - Scenic Resources Implementation Handbook* for additional guidance regarding the siting and design of your proposed development.

KEY VIEWING AREAS

Check which Key Viewing Areas can be seen from the development site:

- ☑ Interstate 84, including rest stops
- ☑ Washington State Route 14
- ☐ Historic Columbia River Highway
- ☑ Columbia River
- ☐ Rowena Plateau and Tom McCall Point
- ☐ Washington State Route 142 (Lyle and Klickitat River road)
- ☐ Old Washington State Route 14 (County Road 1230)

Is property within ¼ mile of Interstate 84 or Historic Columbia River Highway (30)? ☑NO ☐YES

If YES, indicate setbacks to the paved edge of the Scenic Travel Corridors _____

Is any structure on property 50 years old or older? ☑NO ☐YES, year built: _____

Is proposed development site adjacent to agricultural uses? ☑NO ☐YES, type (grazing, orchards, grain, other):

_____

_____

_____

Please describe the operational characteristics of non-residential uses/structures, including hours of operation, number of average daily trips, number of commercial events per year, etc. (attach additional pages if necessary):

_____

_____

_____

MAINTAIN TOPOGRAPHY

☑ The proposed development has been designed to retain the existing topography and to minimize grading activities to the maximum extent practicable.

COMPATIBILTY

☑ The proposed development is compatible with the general scale (height, dimensions and overall mass) of existing nearby development.

SKYLINE

☑ The proposed development does not break the skyline as seen from any Key Viewing Areas.

VISUAL SUBORDINANCE

☑ The proposed development is sited to achieve visual subordinance from Key Viewing Areas by utilizing existing topography and existing vegetation. Please explain (attach additional pages if necessary):

Homes on proposed lots 5 and 6 may require additional vegetation for screening at time of building permits

_____

_____

_____

APPLICATION REQUIREMENTS

In addition to the items listed on the Land Use Application and Site Plan forms, the following information must be included with all applications for development in the National Scenic Area.

MATERIAL SAMPLES

All samples of exterior colors and materials have been included with the application. At time of building permit

- ☐ **If visible from Key Viewing Areas:** Dark earth-tone colors found at the specific site or in the surrounding landscape and either non-reflective or minimally reflective (non-metal with low-reflectivity glass); OR
- ☐ **If not visible from Key Viewing Areas:** Earth-tone colors found at the specific site.

GRADING PLAN

All applications for structural development, except for trails in the SMA, involving more than 100 cubic yards of grading and with slopes greater than 10 percent shall include a grading plan. All proposed structural development involving more than 200 cubic yards of grading on sites visible from Key Viewing Areas shall include a grading plan.

A grading plan is required ☐ NO ☒ YES

If yes, a grading plan meeting the requirements below is included with the application:

- ☒ A map of the site, prepared at a scale of 1 inch equals 200 feet (1:2,400) or a scale providing greater detail, with contour intervals of at least 5 feet, including:
  - **(1)** Natural and finished grades.
  - **(2)** Location of all areas to be graded, with cut banks and fill slopes delineated.
  - **(3)** Estimated dimensions of graded areas.
- ☒ A narrative description (may be submitted on the grading plan site map and accompanying drawings) of the proposed grading activity, including:
  - **(1)** Its purpose.
  - **(2)** An estimate of the total volume of material to be moved.
  - **(3)** The height of all cut banks and fill slopes.
  - **(4)** Provisions to be used for compactions, drainage, and stabilization of graded areas. (Preparation of this information by a licensed engineer or engineering geologist is recommended.)
  - **(5)** A description of all plant materials used to revegetate exposed slopes and banks, including the species, number, size, and location of plants, and a description of irrigation provisions or other measures necessary to ensure the survival of plantings.
  - **(6)** A description of any other interim or permanent erosion control measures to be used.

COMPLETENESS

☒ I have read and understand the following:

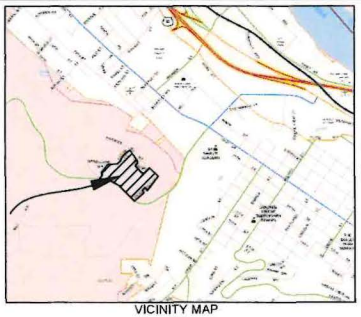
If an application is deemed incomplete within 30 days of receipt, a letter shall be sent to the Applicant notifying him of exactly what information is missing. Applicant will have 180 days from the original submittal date to respond to a potential Letter of Incompleteness. If the Applicant does not respond in writing within the 180 days, then the application will be deemed void on the 181st day.

Due to the missing information, Wasco County will be unable to adequately review the proposal to determine if it is consistent with all applicable criteria, and landowners within the required notification area, affected agencies and other interested parties will be unable to appropriately comment on the proposal. **As a result, the proposal will be denied.** Pursuant to Wasco County National Scenic Area Land Use & Development Ordinance 2.120(D), Applicant will not be able to submit a similar application for a minimum of one year unless the denial is reversed by a higher authority.

PRINCE HEIGHTS SUBDIVISION

IN THE NE 1/4 AND THE NW 1/4 SECTION 5,
T. 1N., R. 13E., W.M.
WASCO COUNTY, OREGON
DECEMBER 15, 2022

SITE



VICINITY MAP
NTS

NOTICE TO EXCAVATORS.
ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. (NOTE: THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503)-232-1987). IF YOU HAVE ANY QUESTIONS ABOUT RULES, YOU MAY CONTACT THE CALL CENTER. YOU MUST NOTIFY THE CENTER AT LEAST 2 BUSINESS DAYS, BUT NO MORE THAN 10 BUSINESS DAYS, BEFORE COMMENCING EXCAVATION. CALL 503-246-6699

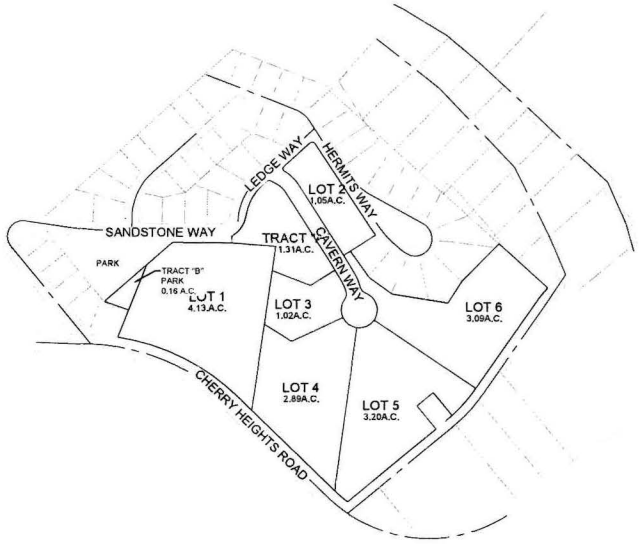
POTENTIAL UNDERGROUND FACILITY OWNERS

Dig Safely.

Call the Oregon One-Call Center
1-800-332-2344

EMERGENCY TELEPHONE NUMBERS

NW NATURAL GAS	
M-F 7am-6pm	503-226-4211 Ext. 4313
AFTER HOURS	503-226-4211
PACIFIC POWER	1-800-332-2344
CENTURY LINK	1-800-573-1311
WASCO COUNTY PUBLIC WORKS	541-506-2640
CHARTER	503-823-4874



SITE MAP
1" = 50'

SHEET INDEX:

SHEET CV	COVER SHEET
SHEET C1.0	PRELIMINARY SITE PLAN
SHEET C2.0	PRELIMINARY GRADING PLAN
SHEET C2.1	PRELIMINARY ROAD PLAN/PROFILE
SHEET C3.0	FIRE MITIGATION PLAN

STANDARD NOTES

i. ALL LATE-SEASON AC PAVING (PLACED AFTER OCTOBER 15TH AND BEFORE APRIL FIRST), SHALL BE HELD TO THE SAME PERFORMANCE CRITERIA AS ALL OTHER PAVING. IF FOR ANY REASON THERE IS AGGREGATE SEPARATION, A ROUGH FINISHED SURFACE, OR OTHER NON-ACCEPTABLE FINAL PRODUCT AND THE ENGINEER DETERMINES THAT IT IS NOT IN THE BEST INTEREST OF THE CITY TO REJECT THE WORK AND HAVE IT REMOVED AND RECONSTRUCTED, THE ENGINEER MAY REQUIRE AN ASPHALT SEAL COAT OR OTHER REMEDIATION ON THE ENTIRE SURFACE OR PORTIONS THEREOF.

ii. ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE WASCO COUNTY ROAD STANDARDS, THE ODOT/APWA OREGON STANDARD SPECIFICATIONS FOR CONSTRUCTION, AND THE AWWA STANDARD SPECIFICATIONS. IN CASE OF CONFLICTS, THE COUNTY'S ENGINEERING STANDARDS SHALL APPLY UNLESS SPECIFICALLY LISTED AS A DESIGN EXCEPTION ON THIS DRAWING.

SITE ADDRESS:
THE DALLES, OR 97058

OWNER / CONTACT INFO:
SMILEKEL GROUP LLC
1309 SE 195TH AVE
CAMAS, WA 98607

CIVIL ENGINEER:
KLEIN AND ASSOCIATES, INC.
1411 13TH STREET
HOOD RIVER, OR 97031
PHONE: 541-386-3322
CONTACT: ELIZABETH BETTS
EMAIL: ELIZABETH@KLEINASSOCINC.COM
PROJECT NO. XXXXXX

SURVEYOR:
KLEIN AND ASSOCIATES,INC
1411 13TH STREET
HOOD RIVER, OREGON, 97031
PHONE: 541-386-3322
EMAIL: INFO@KLEINASSOCINC.COM

Klein & Associates, Inc.
ENGINEERING - LAND SURVEYING - PLANNING
1411 13TH STREET
HOOD RIVER, OREGON 97031
TEL: 541-386-3322
FAX: 541-386-2515
WWW.KLEINASSOCINC.COM

REGISTERED PROFESSIONAL ENGINEER
71333PE
OREGON
ELIZABETH L. BETTS
EXPIRES

PRINCE HEIGHT SUBDIVISION-COVER SHEET
PRINCE HEIGHTS SUBDIVISION
WASCO COUNTY, OREGON

REVISIONS:

NO.	DESCRIPTION	DATE

SURVEYED: KA
DESIGN: KA
DRAFT: GD
APPROVE: JK
DATE:

DECEMBER, 2022

SHEET CV

CAD FILE: Z:\PROJECTS\2017\170105 Miller Columbia Crest PUD\Drawing\17-01-05-C2.0-COMPOSITE SITE PLAN.dwg PLOT DATE/TIME: 12/15/2022 - 3:33pm

SHEET C1.0

DECEMBER, 2022

DESIGNED: KA
DRAWN: KA
CHECKED: GD
APPROVED: JK
DATE:

NO.	DESCRIPTION	DATE

PRELIM SITE PLAN

PRINCE HEIGHTS SUBDIVISION

WASCO COUNTY, OREGON

EXPIRES:

Klein & Associates, Inc.
ENGINEERING · LAND SURVEYING · PLANNING
1411 13TH STREET
HOOD RIVER, OREGON 97031
TEL: 541-386-3322
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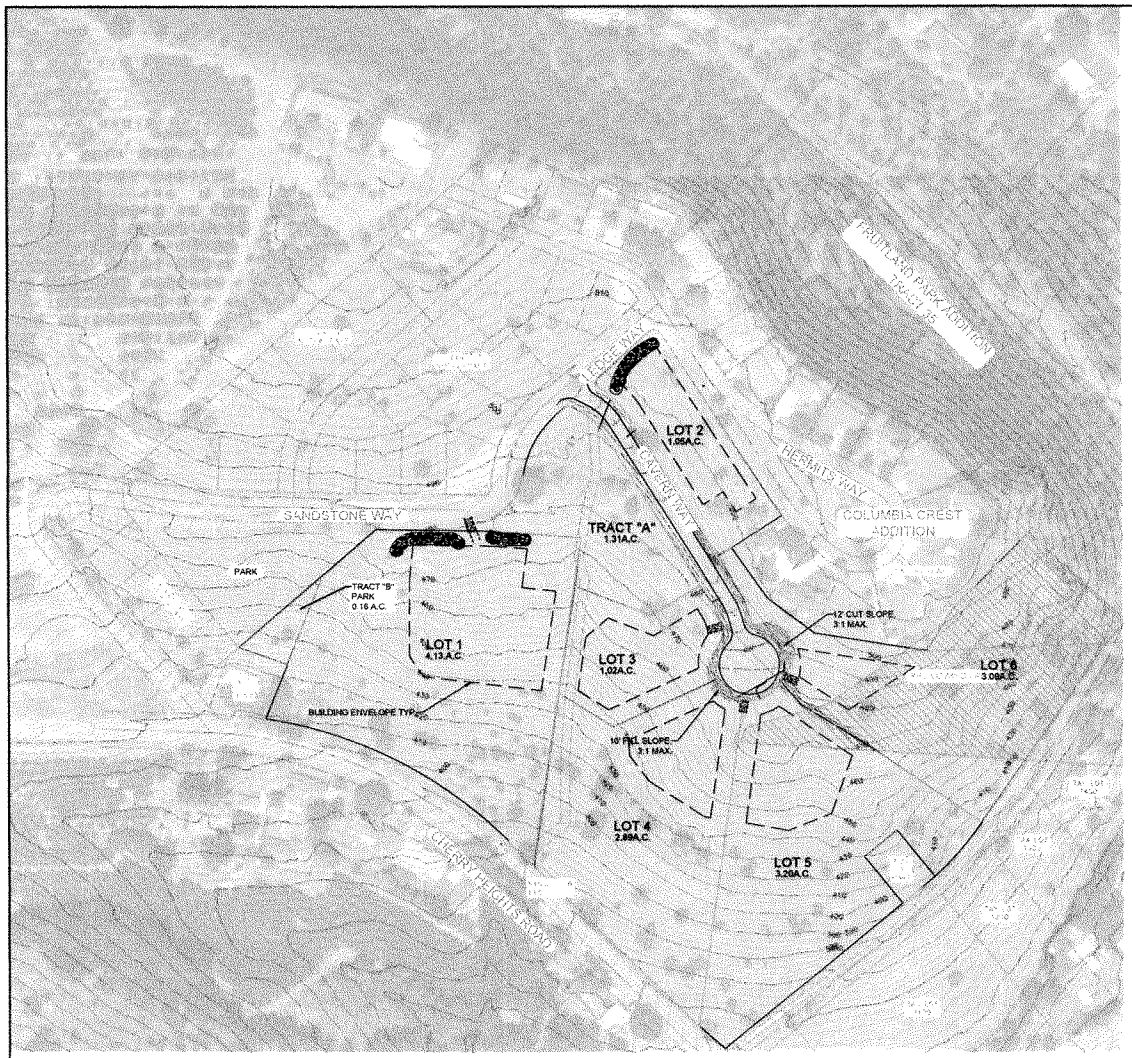
WWW.KLEINASSOCINC.COM



LEGEND

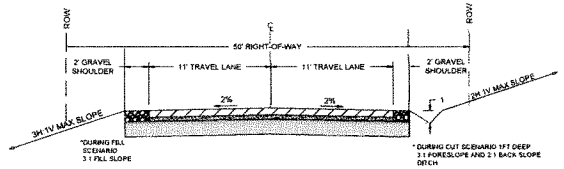
- EDGE OF ASPHALT
- EDGE OF GRAVEL
- WATER MAIN
- WATER SERVICE
- STORM DRAIN
- FENCE
- DITCH
- SWALE
- JOINT UTILITY TRENCH
- CONTOUR (2 FOOT INTERVAL)
- BUILDING ENVELOPE

PRELIMINARY EARTHWORK VOLUMES

CUT = 1650 CY
FILL = 1200 CY
NET = 450 CY

NOTES

1. SEE GRADING PLAN NARRATIVE FOR ADDITIONAL DETAILS.



GENERAL NOTES FOR ROAD TYPICAL SECTION ABOVE

1. BASE ROCK SHALL BE 1 1/2"-0" CRUSHED AGGREGATE 6" COMPACTED DEPTH @ A MINIMUM OF 95% AASHTO T-180
2. FINISH COURSE SHALL BE 3/4"-0" CRUSHED AGGREGATE 2" COMPACTED DEPTH @ A MINIMUM OF 95% AASHTO T-180
3. ASPHALT PAVEMENT SHALL BE 4" MINIMUM COMPACTED DEPTH PLACED IN TWO (2) 2" LIFTS. FIRST LIFT @ A MINIMUM OF 91% OF RICE DENSITY AND SECOND LIFT @ A MINIMUM OF 92% OF RICE DENSITY.

CAVERN WAY TYPICAL SECTION (NTS)

100 0 100 200
SCALE - FEET

Klein & Associates, Inc.
ENGINEERING - LAND SURVEYING - PLANNING
1411 13TH STREET
HOOD RIVER, OREGON 97031
TEL: 541-386-3322
FAX: 541-386-2515
WWW.KLEINASSOCINC.COM

REGISTERED PROFESSIONAL ENGINEER
OREGON
ELIZABETH L. KLEIN
EXPIRES

PRELIMINARY

PLOTTED: 12/15/2022
SAVED: 12/14/2022

PRELIMINARY GRADING PLAN
PRINCE HEIGHTS SUBDIVISION
WASCO COUNTY, OREGON

REVISIONS

NO.	DESCRIPTION	DATE

SURVEYED: KA
DESIGN: KA
DRAFT: GD
APPROVE: JK
DATE:

DECEMBER, 2022

SHEET C2.0

CAD FILE: Z:\PROJECTS\2017\170105 Miller Columbia Crest PUD\Drawing\17-01-05-C2.0-COMPOSITE SITE PLAN.dwg PLOT DATE/TIME: 12/15/2022 - 1:44pm

BOCC 1 - 642
Board of County Commissioners Agenda Packet
September 20, 2023

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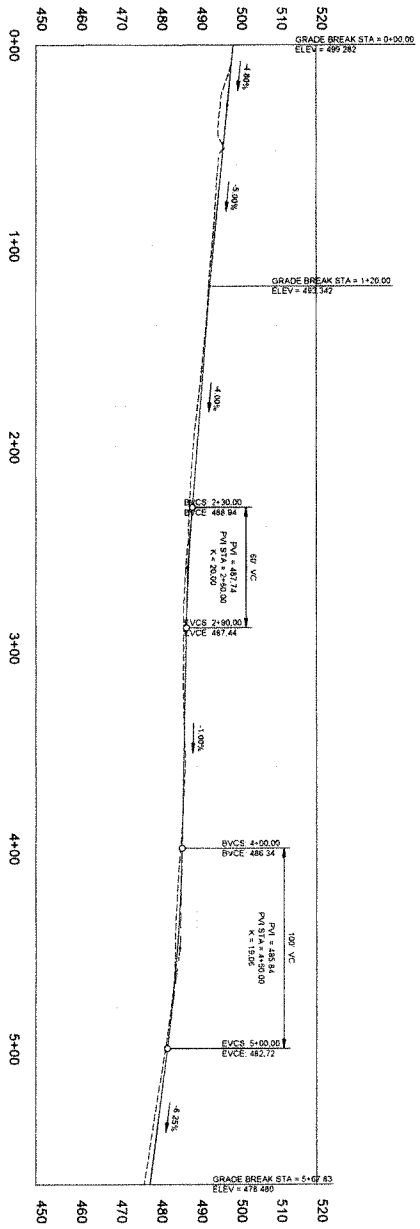

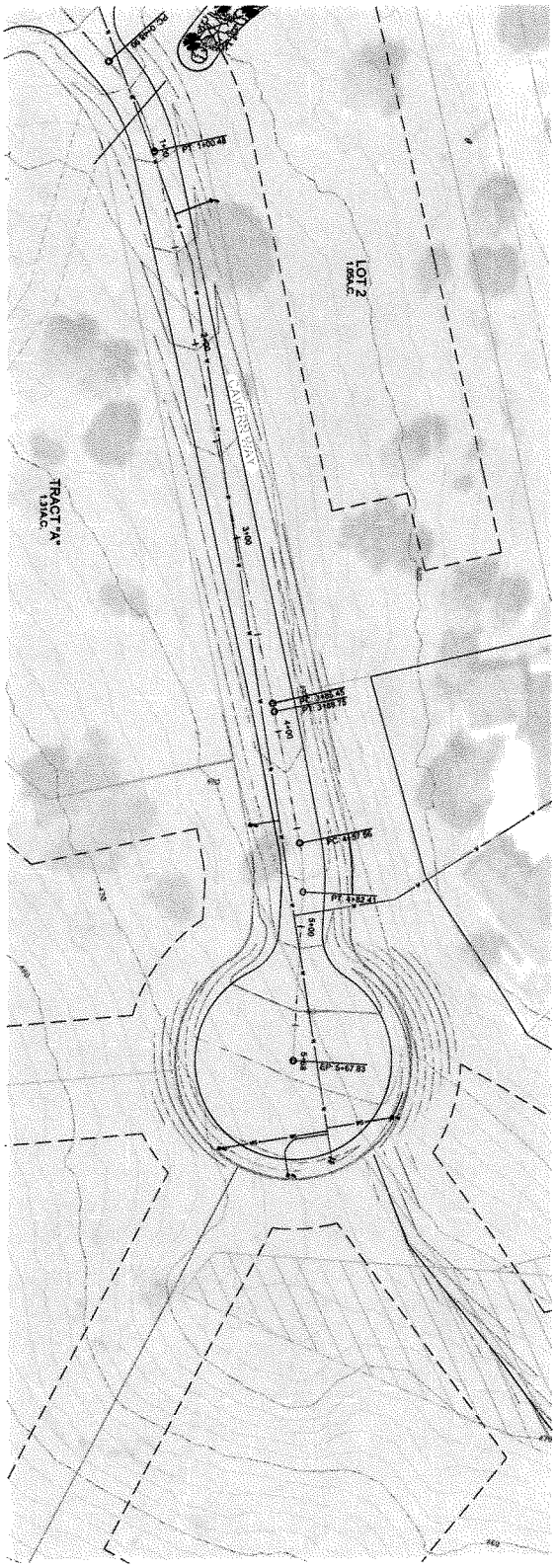

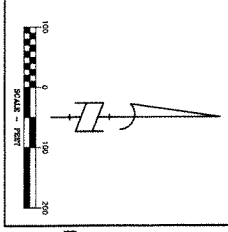

SHEET C2.1

DECEMBER, 2022

REVISIONS

NO.	DESCRIPTION	DATE

SURVEYED: KA
DESIGN: KA
DRAFT: GD
APPROVE: JK
DATE:

PRELIMINARY ROAD PLAN/PROFILE
PRINCE HEIGHTS SUBDIVISION
WASCO COUNTY, OREGON

PRELIMINARY

REGISTERED PROFESSIONAL ENGINEER
OREGON
PLOTTED: 12/15/2022
SAVED: 12/14/2022
EXPIRES

Klein & Associates, Inc.
ENGINEERING · LAND SURVEYING · PLANNING
1411 13TH STREET
HOOD RIVER, OREGON 97031
TEL: 541-386-3322
FAX: 541-386-2515
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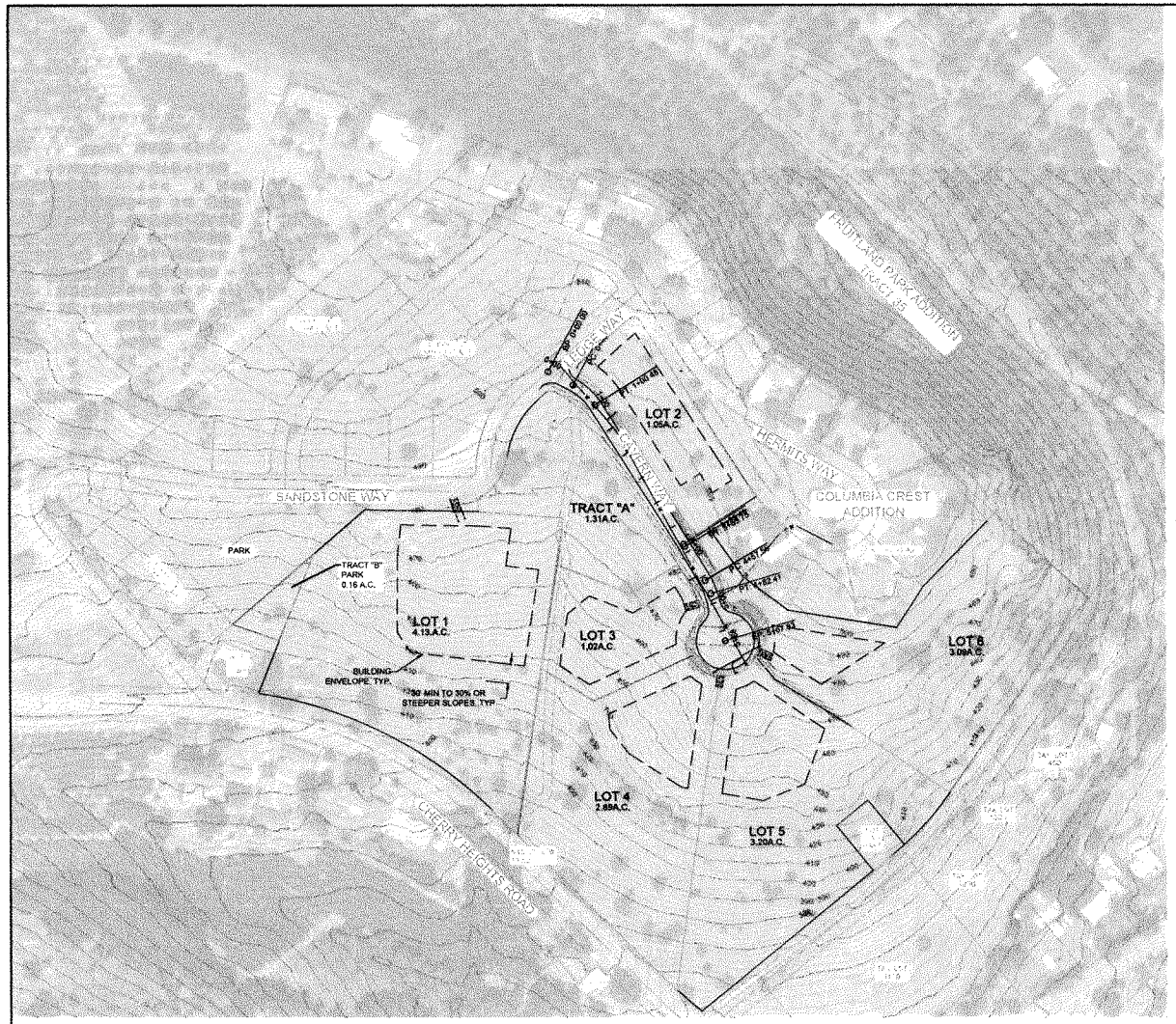

LEGEND

- EDGE OF ASPHALT
- EDGE OF GRAVEL
- WATER MAIN
- WATER SERVICE
- STORM DRAIN
- FENCE
- DITCH
- SWALE
- JOINT UTILITY TRENCH
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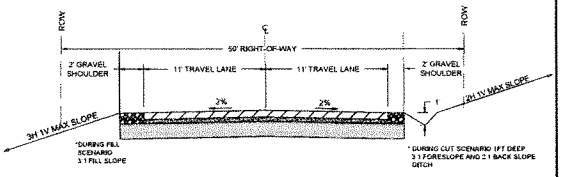


GENERAL NOTES FOR ROAD TYPICAL SECTION ABOVE:

1. BASE ROCK SHALL BE 1 1/2"-0" CRUSHED AGGREGATE 6" COMPACTED DEPTH @ A MINIMUM OF 95% AASHTO T-180
2. FINISH COURSE SHALL BE 3/4"-0" CRUSHED AGGREGATE 2" COMPACTED DEPTH @ A MINIMUM OF 95% AASHTO T-180
3. ASPHALT PAVEMENT SHALL BE 4' MINIMUM COMPACTED DEPTH PLACED IN TWO (2) 2" LIFTS, FIRST LIFT @ A MINIMUM OF 91% OF RICE DENSITY AND SECOND LIFT @ A MINIMUM OF 92% OF RICE DENSITY

CAVERN WAY TYPICAL SECTION (NTS)

FIRE MITIGATION NOTES:

1. FUTURE HOME CONSTRUCTION WILL REQUIRE THE FOLLOWING MEASURES
   - 1.1. 50' FIRE FUEL BREAK AROUND HOMES
   - 1.2. MINIMUM 30' SETBACK FROM 30% OR STEEPER SLOPES
   - 1.3. INSTALLATION OF WATER STANDPIPE 50' FROM THE BUILDING
   - 1.4. MINIMUM 12' WIDE DRIVEWAYS WITH MIN 3" OF ¾" MINUS OVER 6" PIT RUN

PRELIMINARY

PLOTTED: 12/15/2022
SAVED: 12/14/2022

100 0 100 200
SCALE – FEET

Klein & Associates, Inc.
ENGINEERING • LAND SURVEYING • PLANNING
1411 13TH STREET
HOOD RIVER, OREGON 97031
TEL: 541-386-3322
FAX: 541-386-2515
WWW.KLEINASSOCINC.COM

REGISTERED PROFESSIONAL ENGINEER 71333PE OREGON ELIZABETH L. BETTS

EXPIRES

PRELIMINARY FIRE MITIGATION PLAN
PRINCE HEIGHTS SUBDIVISION
WASCO COUNTY, OREGON

REVISIONS:

NO.	DESCRIPTION	DATE

SURVEYED: KA
DESIGN: KA
DRAFT: GD
APPROVE: JK
DATE:

DECEMBER, 2022

SHEET C3.0

CAD FILE: Z:\PROJECTS\2017\170105 Miller Columbia Crest PUD\Drawing\17-01-05-C2.0-COMPOSITE SITE PLAN.dwg PLOT DATE/TIME: 12/15/2022 - 3:59pm

PRINCE HEIGHTS SUBDIVISION

APPROVALS AND NOTES

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20-65, 67-73, BLOCK "A", LOTS 3-9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1-5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9-16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON

WASCO COUNTY SURVEYOR'S OFFICE
SURVEY NO. _____
FILED _____
BY _____

DOCUMENT NO. _____
PLAT NUMBER _____
SLIDE NO. _____

SURVEYOR'S NOTES

PLAT REPRESENTS A BOUNDARY SURVEY OF PARCELS DESCRIBED IN QUIT CLAIM DEED, RECORDED SEPTEMBER 8, 2000, IN INSTRUMENT NO. 2000-3838 WASCO COUNTY RECORDS.

WASCO COUNTY GEOLOGIC HAZARD ZONE " "

ZONING IS

MONUMENTS STARTED XXXX, 2017 AND COMPLETED XXXX, 2017

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE
OF BLOCK "B" COLUMBIA CREST ADDITION.

REFERENCED SURVEYS

R1. LOT LINE ADJUSTMENT PLAT PERFORMED BY TENNESON ENGINEERING CORP. FOR JOHN W.& L. MARILYN BYERS, FILED 04/23/1983 COUNTY SURVEY NO. 08-167.

R2. SURVEY PERFORMED BY TENNESON ENGINEERING CORP. FOR JEAN HOOKMAN, DATED 11/29/2000, COUNTY SURVEY NO. 11-178.

R3. PARTITION PLAT P.P.105, PERFORMED BY TENNESON ENG., COUNTY SURVEY NO. XXXX

R4. REPLAT OF LOT 18 & 19 COLUMBIA CREST., PERFORMED BY KLEIN AND ASSOCIATES, INC. FOR ERIC BLUMENTHAL, FILED 05/25/2007 COUNTY SURVEY NO. 15-322

R5. PARTITION PLAT 2013-0012 PERFORMED BY TENNESON ENGINEERING CORP. FOR JOHN W.& SANDRA BYERS, AND JOHN W.& L. MARILYN BYERS, FILED 10/25/2013 COUNTY SURVEY NO. 17-1184.

R6. SURVEY PERFORMED BY TENNESON ENGINEERING CORP. FOR POMICHTERA, MORIKAWA, JOHNSON, HARRISON, AND BYERS, FILED 08/20/2013 COUNTY SURVEY NO. 18-010.

R7. MAP OF COLUMBIA CREST ADDITION, PERFORMED BY HOMER S. WALL FOR T.J.& MARY E. JONES, JOE J.& RUBY L. FLECK, AND R.L.& BETTY MITCHELL, FILED 08/05/1953, BOOK 5, PAGE 8 OF COUNTY SURVEYS.

R8. PLAT OF FRUITLAND PARK ADDITION, PERFORMED BY WALTER N. OBER. FILED 12/14/1910, VOLUME 2, PAGE 14 OF PLATS

R9. SURVEY PERFORMED BY TENNESON ENGINEERING CORP. FOR RICHARD HARRISON, DATED 02/13/1998, COUNTY SURVEY NO. 10-167.

R10. SURVEY PERFORMED BY TENNESON ENGINEERING CORP. FOR CHARLES PHIPPS, DATED 04/16/79, COUNTY SURVEY NO. 4-72.

REFERENCED DEEDS

WARRANTY DEED, INSTRUMENT NO. 88-1488
WARRANTY DEED, INSTRUMENT NO. 71-2489
WARRANTY DEED, INSTRUMENT NO. 73-0138
WARRANTY DEED, INSTRUMENT NO. 73-0539
WARRANTY DEED, INSTRUMENT NO. 77-0026
QUITCLAIM DEED, INSTRUMENT NO. 2016-004685
WARRANTY DEED, BOOK 148, PAGE 113

SHEET INDEX

SHEET 1: APPROVALS AND NOTES
SHEET 2: EXISTING LOT LAYOUT
SHEET 3: EXISTING EASEMENTS
SHEET 4: NEW LOT LAYOUT
SHEET 5: NEW EASEMENTS

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO COMPLETE A 6 LOT SUBDIVISION OF TAX LOTS 1N-13E-04BC 1500, 2600 AND 1N 13E 05AD 300, 400, 500, 700, 1000, 1100, 1200. THE SUBJECT PROPERTY LIES WITHIN IN A PORTION OF COLUMBIA CREST ADDITION AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35, LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4 AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, WASCO COUNTY, STATE OF OREGON. PRIOR TO COMPLETING THE FIELD WORK, MAPPING AND CALCULATION NECESSARY FOR THIS PLAT, RESEARCH WAS OBTAINED AND A PRELIMINARY TITLE REPORT FURNISHED BY OUR CLIENT WAS USED TO ESTABLISH THE EXTERIOR BOUNDARY. PRIOR SURVEY SURVEYS UTILIZED ARE LISTED IN REFERENCE SURVEY.

RESEARCH INTO FRUITLAND PARK ADDITION YIELDED VERY LITTLE IN THE WAY OF PRIOR SURVEY INFORMATION TO WORK WITH FOR THIS SURVEY. SURVEYS THAT WERE AVAILABLE WERE VAGUE AT BEST ON HOW TO THEY RESOLVE FRUITLAND PARK ADDITION. THE ORIGINAL PLAT OF FRUITLAND PARK ADDITION WAS FOUND TO BE ESSENTIALLY INDECIPHERABLE AND PROVIDED LITTLE MORE THAN A GRAPHICAL REPRESENTATION. THE PLAT WAS LACKING DISTANCES, ANGLES OR BEARINGS AND IT WAS ALSO FOUND THAT NO ROAD OR LOT CLOSURES COULD BE COMPUTED FROM THE PLAT. GIVEN THE SITUATION OF POOR AND INACCURATE INFORMATION OF THE ORIGINAL PLAT TO WORK FROM, SEVERAL ASSUMPTION WERE MADE ALONG WITH HONORING PAST SURVEY OF RECORD. IN PARTICULARLY TWO SURVEYS PERFORMED BY TENNESON ENGINEERING CORPORATION, FILED AS COUNTY SURVEY NO. 10-167 AND 11-178 WHICH WERE USED TO ESTABLISH LOTS 9 THROUGH 16, TRACT 35 AND ROADS "D" AND "F". LOTS 9 THROUGH 16, TRACT 35 AND ROAD "D" WERE COMPUTED AS A BEST FIT BETWEEN EXISTING MONUMENT RECOVERED FROM BOTH TENNESON ENGINEERING AFOREMAID SURVEYS. BY UTILIZING MONUMENTS RECOVERED ALONG THE NORTH RIGHT-OF-WAY OF ROAD "F" PER COUNTY SURVEY NO. 10-167 AND HOLDING THE COMPUTED POSITION OF THE NORTHWEST CORNER OF TAX LOT 100, BEING A 5/8" REBAR SET BY TENNESON ENGINEERING FOR A SURVEY JEAN HOOKMAN, FILED IN COUNTY SURVEY NO. 11-178 WERE USED TO ESTABLISHED ROAD "F". LOTS 4 THROUGH 8, TRACT 34 WERE COMPUTED AT PLAT DISTANCE FROM THE SOUTHEAST CORNER OF LOT 17 AS ESTABLISHED BY AFORESAID TENNESON ENGINEERING ALONG WITH APPLYING THE PLAT ANGLE OF 91°54'.

SURVEYOR'S CERTIFICATE

I, JAMES M. KLEIN, REGISTERED LAND SURVEYOR NO. 56002 IN THE STATE OF OREGON, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH LEGAL MONUMENTS, ACCORDING TO ORS CHAPTER 92 AND WASCO COUNTY LAND USE DEVELOPMENT ORDINANCE, THE LANDS REPRESENTED ON THIS PLAT OF "PRINCE HEIGHTS SUBDIVISION", LYING IN A PORTION OF COLUMBIA CREST ADDITION AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35, LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4 AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, WASCO COUNTY, STATE OF OREGON, THE INITIAL POINT FOR SAID PLAT IS A 3" IRON PIPE LOCATED AT THE NORTHEAST CORNER OF LOT 3 OF COLUMBIA CREST ADDITION, LAST SAID POINT ALSO BEING THE NORTHEAST CORNER OF MONTE RESERVE IN THE PLAT OF FRUITLAND PARK ADDITION. THE PLATTED PROPERTY IS DESCRIBED AS FOLLOWS:

_____
JAMES M. KLEIN P.L.S. 56002

APPROVALS:

I HEREBY CERTIFY THAT I HAVE EXAMINED THE SURVEY DATA, LAYOUT OF ROADS, MONUMENTS AND EASEMENTS AND THAT THE PLAT CONFORMS TO THE APPROVED PRELIMINARY PLAN OF "PRINCE HEIGHTS SUBDIVISION" IN WASCO COUNTY, STATE OF OREGON AND HEREBY APPROVE SAID PLAT.

_____ _____
WASCO COUNTY SURVEYOR DATED

I HEREBY CERTIFY THAT THIS PLAT OF "PRINCE HEIGHTS SUBDIVISION" IN WASCO COUNTY, STATE OF OREGON, CONFORMS TO THE APPROVED PRELIMINARY PLAN AND, BY DIRECTION OF THE PLANNING COMMISSION, I HEREBY APPROVE THIS FINAL PLAT.

_____ _____
WASCO COUNTY PLANNING DIRECTOR DATED

APPROVALS:

THIS PLAT OF PRINCE HEIGHTS SUBDIVISION IN THE COUNTY OF WASCO, STATE OF OREGON WAS EXAMINED AND APPROVED BY:

_____ _____
WASCO COUNTY COMMISSIONER DATED

_____ _____
WASCO COUNTY COMMISSIONER DATED

_____ _____
WASCO COUNTY COMMISSIONER DATED

_____ _____
WASCO COUNTY ENGINEER DATED

_____ _____
WASCO COUNTY PLANNING DIRECTOR DATED

APPROVALS:

I HEREBY CERTIFY THAT I HAVE EXAMINED THE PLAT OF "PRINCE HEIGHTS SUBDIVISION" IN THE COUNTY OF WASCO, STATE OF OREGON, AND THAT THE NAME ADOPTED FOR SAID PLAT IS A PROPER NAME AND NOT INCLUDED IN ANY OTHER SUBDIVISION IN WASCO COUNTY AND FURTHER CERTIFY THAT ALL TAXES AND ASSESSMENTS DUE OR WILL BECOME DUE THEREON DURING THE CALENDER YEAR HAVE BEEN FULLY PAID AS REQUIRED BY LAW AND I HEREBY APPROVE SAID PLAT.

_____ _____
WASCO COUNTY ASSESSOR DATED

_____ _____
WASCO COUNTY TAX COLLECTOR DATED

COVENANTS, CONDITIONS AND RESTRICTIONS:

ALL LOTS WITHIN THE PLAT OF PRINCE HEIGHTS SUBDIVISION ARE SUBJECT TO A DOCUMENT TITLED "DECLARATION OF CONDOMINITE, CONDITIONS AND RESTRICTIONS" SAID DOCUMENT IS RECORDED ON A SEPARATE DOCUMENT BEING RECORDED IN INSTRUMENT NUMBER _____ WASCO COUNTY RECORDS. SAID DOCUMENTS SHALL BE CONSIDERED AS A PART OF THIS PLAT. IT IS THE RESPONSIBILITY OF ALL PARTIES TO BE AWARE OF AND TO CONFORM TO SAID DOCUMENT.

DECLARATION:

I, _____, THE OWNER OF THE LAND SHOWN ON THE PLAT HEREUNTO ATTACHED AND MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE ALSO HEREUNTO ATTACHED, DEDICATE TO THE PUBLIC FOREVER ALL STREETS AND EASEMENTS SHOWN ON SUCH PLAT AND DECLARE THE PLAT OF "PRINCE HEIGHTS SUBDIVISION" TO BE A CORRECT PLAT AS LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER SECTION 4 AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 13 EAST OF THE WILLAMETTE MERIDIAN, COUNTY OF WASCO, STATE OF OREGON, AND IN ACCORDANCE WITH MY DESIRES AND THE PROVISIONS OF ORS CHAPTER 92.

_____
NAME

ACKNOWLEDGMENTS:

ON THE _____ DAY OF _____ 2023 BEFORE ME A NOTARY PUBLIC FOR THE STATE OF OREGON, APPEARED _____ KNOWN TO ME PERSONALLY, WHO BEING DULY SWORN, SAID THAT HE DID ACKNOWLEDGE THIS INSTRUMENT OF HIS FREE AND VOLUNTARY ACT.

NOTARY SIGNATURE _____

NOTARY PUBLIC-(NAME) _____

STATE OF _____

COUNTY OF _____

COMMISSION NO. _____

MY COMMISSION EXPIRES _____

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 27, 2017
JAMES M. KLEIN
56002
Expires: 6-30-2023

SHEET 1 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4 SEC	T.	R.
4	1N.	13E.
5	1N.	13E.

OWNER
SMILEKEL GROUP, LLC

SURVEY PERFORMED FOR:
LNH REAL ESTATE
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, CD
FILE: 170105-PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE.

Klein & Associates, Inc.
ENGINEERING • SURVEYING • PLANNING
1411 13th Street • Hood River, OR 97031
TEL: 541-386-2229 • FAX: 541-386-5515

PRINCE HEIGHTS SUBDIVISION

EXISTING LOT LAYOUTS

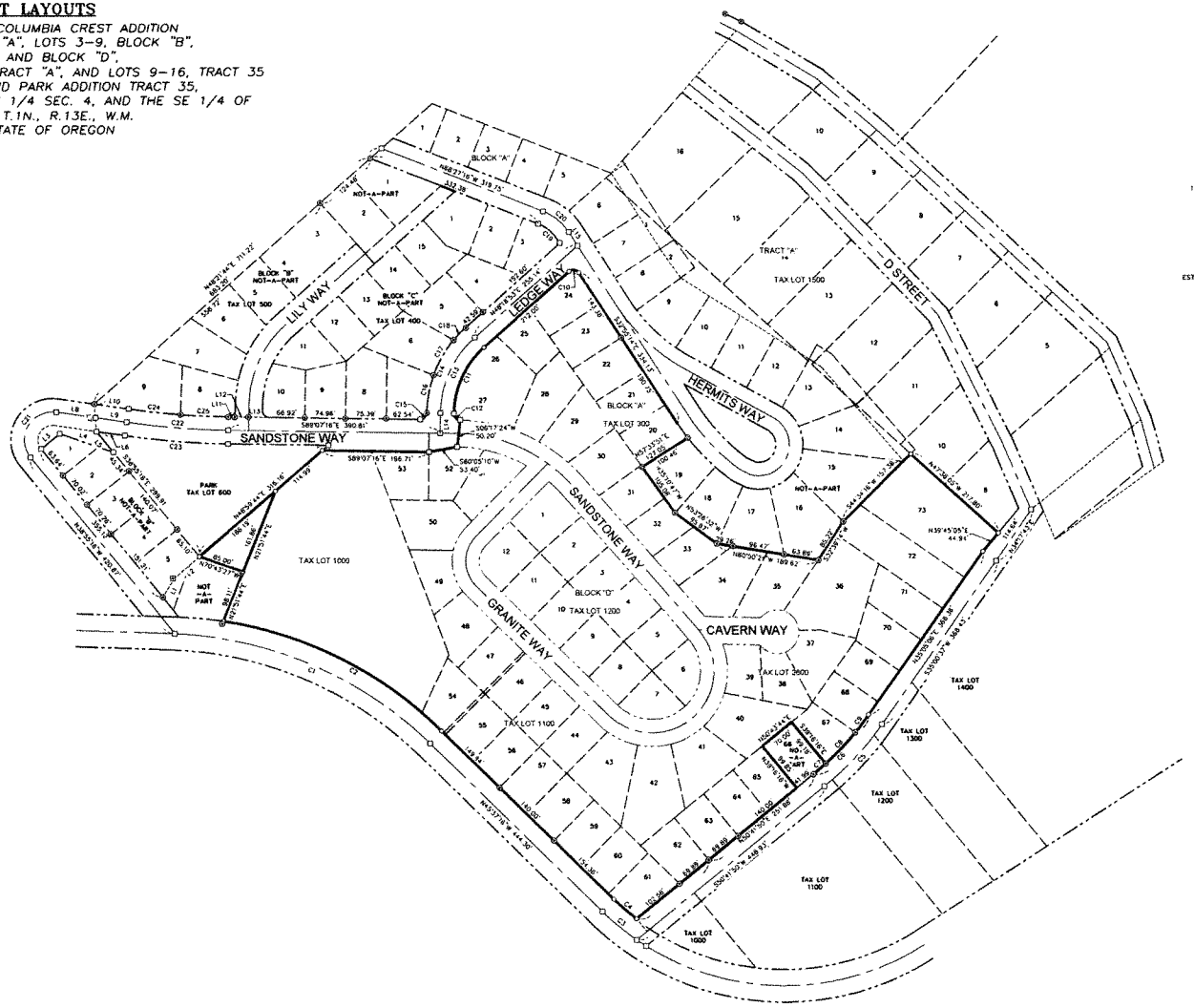
REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20–65, 67–73, BLOCK "A", LOTS 3–9, BLOCK "B",
ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1–5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9–16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	523.76'	716.20'	41°54'01"	N66°33'41"W	512.16'
C2	457.94'	716.30'	36°37'49"	N63°09'12"W	450.16'
C3	81.57'	477.50'	9°47'17"	S50°30'54"E	81.47'
C4	55.42'	447.50'	7°05'49"	S49°10'09"E	55.39'
C5	156.88'	573.00'	15°41'13"	S42°51'13"W	156.39'
C6	120.70'	513.17'	13°28'34"	N41°06'05"E	120.42'
C7	28.02'	513.08'	3°07'46"	N49°24'18"E	28.02'
C8	80.03'	513.17'	8°56'09"	N43°22'18"E	79.95'
C9	40.64'	513.89'	4°31'53"	N36°37'58"E	40.63'
C10	20.69'	12.00'	98°45'53"	S82°18'11"E	18.22'
C11	137.95'	185.99'	47°37'00"	S24°30'23"W	134.01'
C12	18.66'	12.00'	89°06'25"	S43°51'20"E	16.84'
C13	156.28'	190.99'	47°29'00"	S24°34'23"W	153.79'
C14	178.00'	215.99'	47°29'00"	S24°34'23"W	173.92'
C15	18.86'	12.00'	90°02'51"	N45°51'16"E	16.98'
C16	71.46'	215.99'	18°57'20"	S10°18'33"W	71.13'
C17	75.20'	215.99'	19°56'38"	S29°45'42"W	74.82'
C18	32.34'	215.99'	8°34'42"	S44°01'32"W	32.31'
C19	46.51'	75.00'	35°32'02"	N50°41'15"W	45.77'
C20	62.02'	100.00'	35°32'02"	N50°41'15"W	61.03'

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	S30°30'05"W	39.65'
L2	S48°59'44"W	62.49'
L3	N50°31'36"E	44.58'
L4	S70°45'16"E	104.28'
L5	N38°55'18"W	49.40'
L6	S81°37'16"E	52.87'
L7	N4°11'02"W	51.23'
L8	S81°37'16"E	72.56'
L9	S81°37'16"E	58.24'
L10	N81°37'16"W	63.81'
L11	S89°07'16"E	12.00'
L12	S89°07'16"E	24.99'
L13	S89°07'16"E	37.01'
L14	S0°49'53"W	37.10'
L15	N32°55'14"W	29.71'
L16	N0°52'44"E	22.73'
L17	N48°18'53"E	21.04'
L18	N61°38'16"W	48.90'
L19	N30°51'02"W	67.81'
L20	N16°36'48"W	85.42'
L21	N16°36'48"W	18.68'
L22	S68°27'16"E	26.01'



WASCO COUNTY SURVEYOR'S OFFICE

SURVEY NO. _____
FILED _____
BY _____

DOCUMENT NO. _____
PLAT NUMBER _____
SLIDE NO. _____

100 0 100 200'
SCALE – FEET
1" = 100'

BASIS OF BEARINGS

OREGON STATE PLANE, COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCES
ESTABLISHED BY GPS OBSERVATION ALONG THE WEST LINE
OF BLOCK "B" COLUMBIA CREST ADDITION

LEGEND

- ○ SET 5/8" X 24" REBAR WITH 1 1/4" YELLOW PLASTIC CAP (KA DR59002)
- ◉ FOUND 1/2" " IRON PIPE, PER THE PLAT OF COLUMBIA CREST ADDITION VISITED 2017
- ⊕ FOUND KLEIN 5/8" IRON ROD WITH Y.P.C. INSCRIBED "KLEIN & ASSOCIATES DR59002" PER CS NO 15-022, VISITED 2017
- ● FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 11-176 VISITED 2017
- ⊗ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 10-167 VISITED 2017
- ⊞ FOUND 3/4" IRON PIPE, UNKNOWN ORIGIN, VISITED 2017
- □ COMPUTED ANGLE POINT, NOT MONUMENTED
- RM REFERENCE MONUMENT
- CS NO COUNTY SURVEY NUMBER
- INST INSTRUMENT
- R1 RECORD DATA PER RECORD OF SURVEY NO
- FD FOUND DATA
- P.U.E. PUBLIC UTILITY EASEMENT
- (XXX.XX') DISTANCE PER COLUMBIA CREST PLAT
- (XXX.XX') DISTANCE PER FRUITLAND PLAT

EXISTING TAX LOT AREA

PARCEL	AREA
Tax LOT 300 (TRUST)	2.41 ACRES
Tax LOT 1000 (TRUST)	2.76 ACRES
Tax LOT 1100 (TRUST)	4.00 ACRES
Tax LOT 1200 (TRUST)	1.99 ACRES
Tax LOT 2600 (TRUST)	4.35 ACRES

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 2007
JAMES M. KLEIN
58002
Expires: 6-30-2023

SURVEY PERFORMED FOR:
~~VAN HEIN, DONNIE~~
DATE OF SURVEY: JULY 2016
PROJECT: 17-01-05 DRAFT: BTB, GD
FILE: 170105-PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE

OWNER
SMILEKEL GROUP, LLC

Klein & Associates, Inc.
ENGINEERING • SURVEYING • PLANNING
1411 13th Street • Hood River, OR 97031
TEL: 541-386-3322 • FAX: 541-386-3515

SHEET 2 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R
NE	4	1N.	13E.
SE	5	1N.	13E.

PRINCE HEIGHTS SUBDIVISION

EXISTING EASEMENTS/ ROAD VACATION EXHIBITS

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20-65, 67-73, BLOCK "A", LOTS 3-9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1-5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9-16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON



OWNER
SMILEKEL GROUP, LLC

SURVEY PERFORMED FOR:
~~SMILEKEL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, GD
FILE: 170105-PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE.

WASCO COUNTY SURVEYOR'S OFFICE
SURVEY NO. _____
FILED _____
BY _____

DOCUMENT NO. _____
PLAT NUMBER _____
SLIDE NO. _____

100 0 100' 200'
SCALE - FEET
1" = 100'

BASIS OF BEARINGS
OREGON STATE PLANE, COORDINATES SYSTEM NORTH ZONE, GRID NORTH, GROUND DISTANCE. ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE OF BLOCK "B" COLUMBIA CREST ADDITION

LEGEND

- ○ SET 5/8" X 24" REBAR WITH 1 1/4" YELLOW PLASTIC CAP (KA OR59002)
- ⊛ FOUND 1/2 " IRON PIPE, PER THE PLAT OF COLUMBIA CREST ADDITION VISITED 2017
- ⊛ FOUND KLEIN 5/8" IRON ROD WITH Y.P.C. INSCRIBED "KLEIN & ASSOCIATES OR59002" PER CS NO 15-022. VISITED 2017.
- ● FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2708" PER CS NO 11-176. VISITED 2017.
- ⊛ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2708 PER CS NO 10-167. VISITED 2017
- ⊞ FOUND 3/4" IRON PIPE, UNKNOWN ORIGIN. VISITED 2017.
- □ COMPUTED ANGLE POINT, NOT MONUMENTED
- RM REFERENCE MONUMENT
- CS NO COUNTY SURVEY NUMBER
- INST INSTRUMENT
- RI RECORD DATA PER RECORD OF SURVEY NO
- FD FOUND DATA
- P.U.E. PUBLIC UTILITY EASEMENT
- (XXX.XX') DISTANCE PER COLUMBIA CREST PLAT
- [XXX.XX'] DISTANCE PER FRUITLAND PLAT
- PROPOSED AREA TO BE VACATED

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 17, 2007
JAMES M. KLEIN
59002
Expires: 6-30-2023

KA
Klein & Associates, Inc.
ENGINEERING • SURVEYING • PLANNING
1411 12th Street • Hood River, OR 97031
TEL: 541-386-3322 • FAX: 541-386-3515

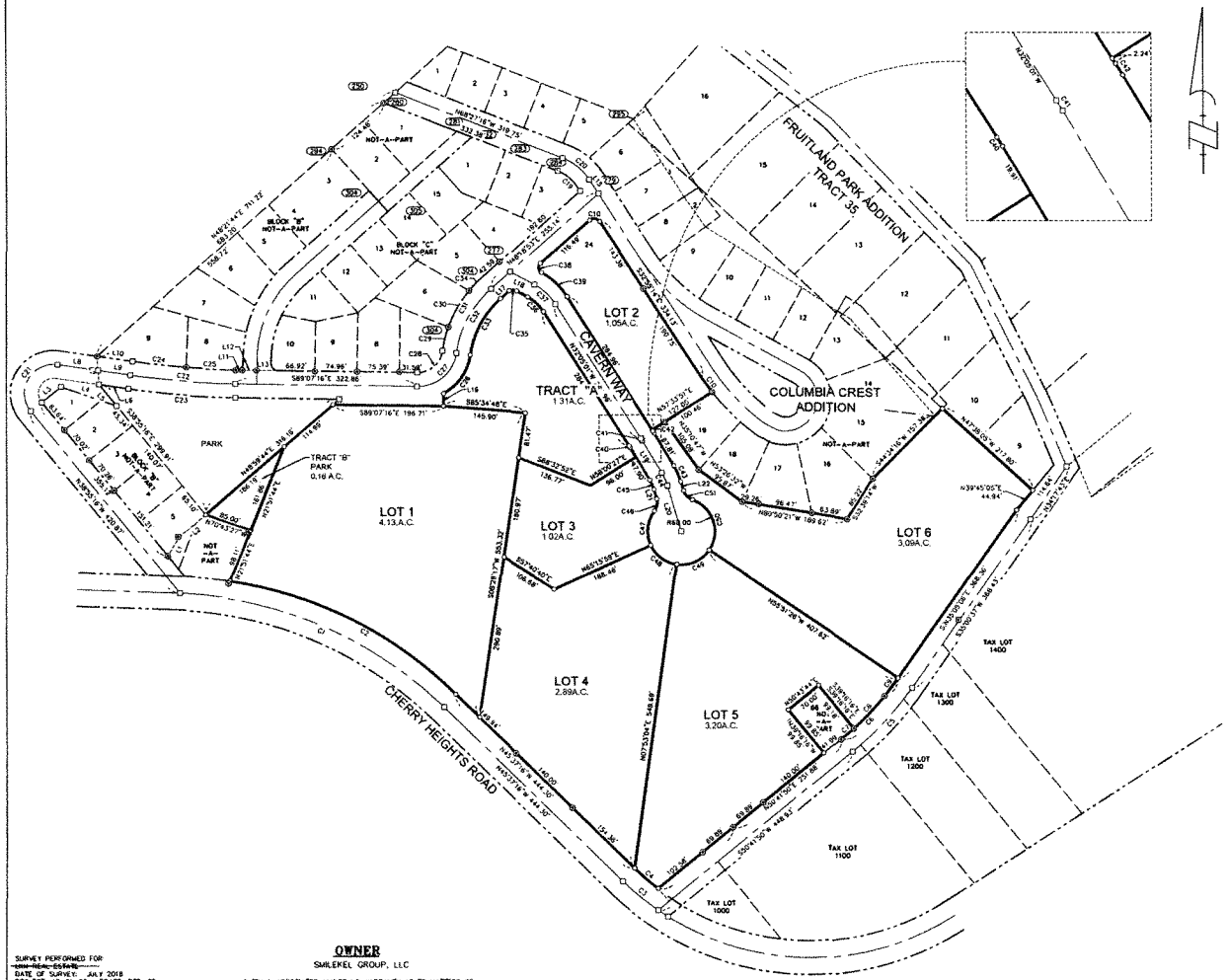
SHEET 1 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4 SEC	T	R.
4	1N.	13E.
5	1N.	13E.

PRINCE HEIGHTS SUBDIVISION

PROPOSED LOT LAYOUTS

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20–65, 67–73, BLOCK "A", LOTS 3–9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1–5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9–16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON



150 0 150 300
SCALE – FEET
1" = 150

BASIS OF BEARINGS
OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE
OF BLOCK "B" COLUMBIA CREST ADDITION

WASCO COUNTY SURVEYOR'S OFFICE
SURVEY NO. _____
FILED _____
BY _____

DOCUMENT NO. _____
PLAT NUMBER _____
SLIDE NO. _____

LEGEND

- ○ SET 5/8" X 24" REBAR WITH 1 1/4" YELLOW PLASTIC CAP (KA OR59002)
- ⊕ FOUND 1/2" IRON PIPE, PER THE PLAT OF COLUMBIA CREST ADDITION VISITED 2017
- ⊕ FOUND KLEIN 5/8" IRON ROD WITH Y.P.C. INSCRIBED "KLEIN & ASSOCIATES OR59002" PER CS NO 15-022. VISITED 2017
- ● FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 11-176. VISITED 2017
- ⊗ FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "HUFFMON LS2786" PER CS NO 10-167. VISITED 2017
- ⊞ FOUND 3/4" IRON PIPE, UNKNOWN ORIGIN. VISITED 2017
- □ COMPUTED ANGLE POINT, NOT MONUMENTED
- RM REFERENCE MONUMENT
- CS NO COUNTY SURVEY NUMBER
- INST INSTRUMENT
- R1 RECORD DATA PER RECORD OF SURVEY NO
- FD FOUND DATA
- P.U.E. PUBLIC UTILITY EASEMENT
- (XXX.XX') DISTANCE PER COLUMBIA CREST PLAT
- [XXX.XX'] DISTANCE PER FRUITLAND PLAT

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	523.76'	716.20'	41°54'01"	N66°33'41"W	512.16'
C2	457.94'	716.20'	36°37'49"	N63°09'12"W	450.18'
C3	81.57'	477.50'	9°47'17"	S00°30'54"E	81.47'
C4	55.42'	447.50'	7°05'46"	S49°10'09"E	55.39'
C5	156.68'	573.00'	15°41'13"	S42°31'13"W	156.39'
C6	120.70'	513.17'	13°28'34"	N41°08'05"E	120.42'
C7	26.02'	513.08'	3°07'46"	N49°24'18"E	26.02'
C8	80.03'	513.17'	8°56'08"	N43°22'18"E	79.95'
C9	40.84'	513.89'	4°33'53"	N38°37'58"E	40.83'
C10	20.69'	12.00'	98°45'53"	S82°18'11"E	18.22'
C11	137.95'	165.99'	47°37'00"	S24°30'23"W	134.01'
C12	16.66'	12.00'	89°06'25"	S43°51'20"E	16.84'
C13	158.28'	190.99'	47°29'00"	S24°34'23"W	153.79'
C14	179.00'	215.99'	47°29'00"	S24°34'23"W	173.92'
C15	18.86'	12.00'	90°02'31"	N45°51'18"E	16.98'
C16	71.46'	215.99'	18°57'20"	S10°18'33"W	71.13'
C17	75.20'	215.99'	19°56'58"	S29°45'42"W	74.82'
C18	32.34'	215.99'	8°34'42"	S44°01'32"W	32.31'
C19	46.51'	75.00'	35°32'02"	N50°41'15"W	45.77'
C20	62.02'	100.00'	35°32'02"	N50°41'15"W	61.03'
C21	123.83'	52.10'	135°57'26"	S25°42'26"W	96.60'
C22	187.50'	1432.50'	7°29'58"	S85°22'15"E	187.37'
C23	190.77'	1457.50'	7°29'58"	S85°22'15"E	190.64'
C24	95.92'	1407.50'	3°54'17"	S83°34'24"E	95.90'
C25	89.35'	1407.50'	3°38'13"	S87°20'39"E	89.33'
C26	87.60'	95.00'	52°49'58"	N34°27'25"E	84.53'
C27	101.21'	70.00'	82°50'18"	N49°27'35"E	92.62'
C28	65.06'	45.00'	82°50'18"	N49°27'35"E	59.54'
C29	44.29'	215.99'	11°44'54"	S13°54'46"W	44.21'
C30	75.20'	215.99'	19°56'58"	S29°45'42"W	74.82'
C31	151.83'	215.99'	40°16'34"	S28°10'36"W	148.72'
C32	134.25'	190.99'	40°16'27"	S28°10'39"W	131.50'
C33	120.67'	165.99'	41°39'03"	S27°29'21"W	118.03'
C34	32.34'	215.99'	8°34'42"	S44°01'32"W	32.31'
C35	12.23'	10.00'	70°02'31"	N83°20'18"E	11.48'
C36	38.69'	75.00'	29°33'15"	N46°51'38"W	38.26'
C37	51.58'	100.00'	29°33'15"	N46°51'38"W	51.01'
C38	19.19'	10.00'	109°57'09"	N6°39'42"W	16.38'
C39	63.44'	125.00'	29°04'40"	N46°37'20"W	62.76'
C40	3.77'	175.00'	1°13'58"	S21°28'01"E	3.77'
C41	4.30'	200.00'	1°13'58"	N21°28'01"W	4.30'
C42	4.84'	225.00'	1°13'59"	S21°28'01"E	4.84'
C43	31.06'	125.00'	14°14'16"	S23°43'54"E	30.98'
C44	24.85'	100.00'	14°14'16"	N23°43'54"W	24.79'
C45	18.64'	75.00'	14°14'16"	N23°43'54"W	18.59'
C46	23.55'	25.00'	53°58'05"	N10°22'17"E	22.69'
C47	65.02'	60.00'	62°05'21"	S61°18'39"W	61.88'
C48	60.09'	60.00'	57°22'54"	S53°25'29"E	57.61'
C49	66.75'	60.00'	63°44'30"	N66°50'49"E	63.36'
C50	108.67'	60.00'	104°43'25"	N18°13'09"W	95.03'
C51	23.55'	25.00'	53°58'05"	S43°35'48"E	22.69'

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	S30°30'09"W	39.65'
L2	S48°59'44"W	62.49'
L3	N50°51'36"E	44.56'
L4	S70°45'16"E	104.26'
L5	N38°55'16"W	49.40'
L6	S81°37'16"E	52.67'
L7	N4°11'02"W	51.23'
L8	S81°37'16"E	72.56'
L9	S61°37'16"E	58.24'
L10	N81°37'16"W	63.81'
L11	S89°07'16"E	12.00'
L12	S89°07'16"E	24.99'
L13	S89°07'16"E	37.01'
L14	S0°49'53"W	37.10'
L15	N32°55'14"W	29.71'
L16	N0°52'44"E	22.73'
L17	N48°18'53"E	21.04'
L18	N61°38'16"W	48.90'
L19	N30°51'02"W	67.81'
L20	N16°36'46"W	85.42'
L21	N16°36'46"W	16.88'
L22	S68°27'16"E	28.01'

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 13, 2018
JAMES M. KLEIN
59002
Expires: 6-30-2023

SHEET 4 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4 SEC	T	R
4	1N	13E
5	1N	13E

OWNER
SMILEKEL GROUP, LLC

SURVEY PERFORMED FOR:
~~SMILEKEL GROUP, LLC~~
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, CD
FILE: 170105-PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

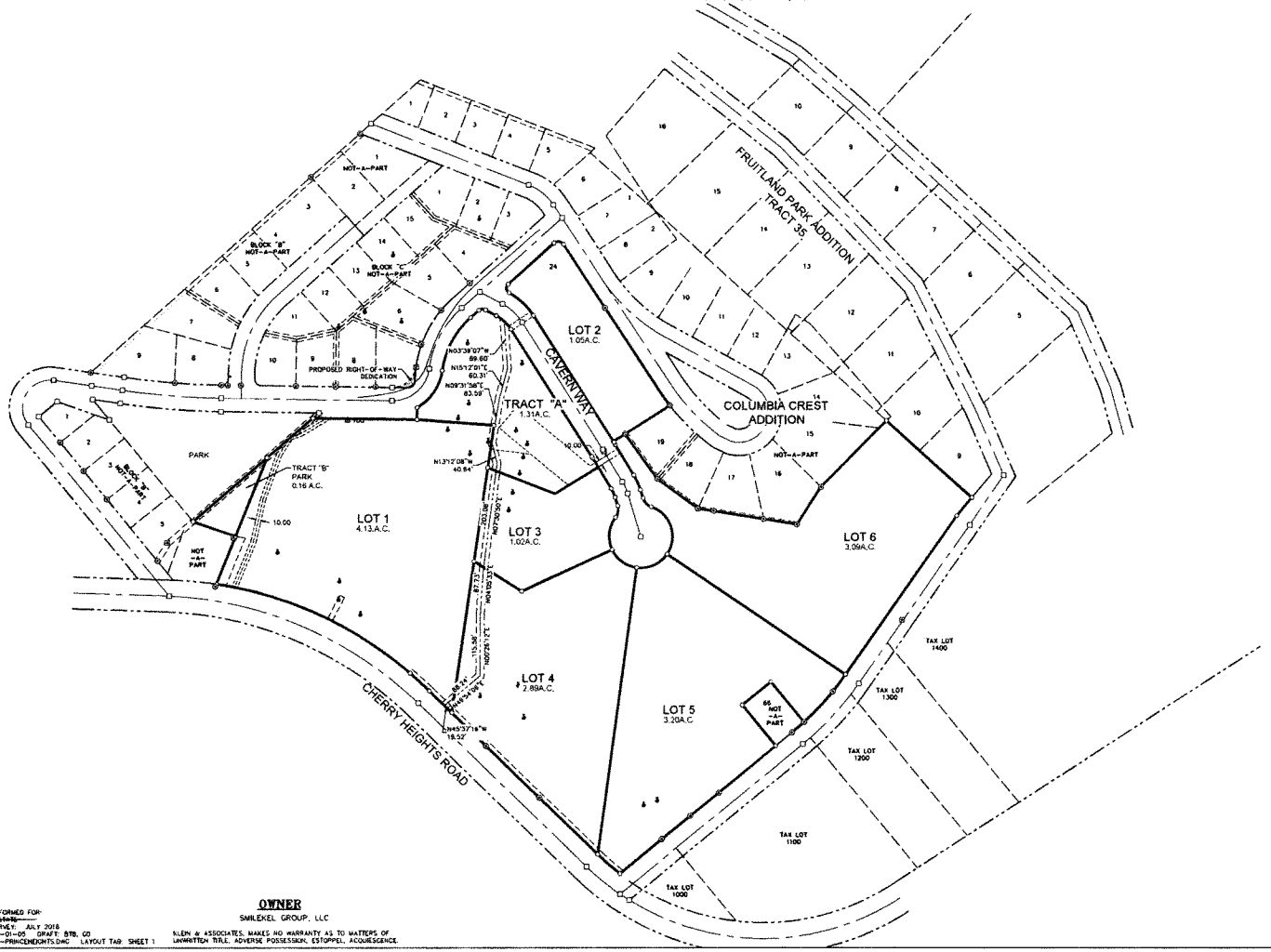
KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE.

Klein & Associates, Inc.
ENGINEERING • SURVEYING • PLANNING
3451 12th Street • Hood River, OR 97031
TEL: 541-386-3224 • FAX: 541-386-2515

PRINCE HEIGHTS SUBDIVISION

PROPOSED EASEMENTS & DRAIN FIELD LAYOUT

REPLAT OF A PORTION OF COLUMBIA CREST ADDITION
LOTS 20–65, 67–73, BLOCK "A", LOTS 3–9, BLOCK "B", ALL OF BLOCK "C" AND BLOCK "D",
LOTS 1–5 BLOCK "E", A PORTION OF TRACT "A", AND LOTS 9–16, TRACT 35
AND A PORTION OF FRUITLAND PARK ADDITION TRACT 35,
LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
THE NE 1/4 SEC 5, T.1N., R.13E., W.M.
WASCO COUNTY, STATE OF OREGON



WASCO COUNTY SURVEYOR'S OFFICE

SURVEY NO _____

FILED _____

BY _____

DOCUMENT NO. _____

PLAT NUMBER _____

SLIDE NO. _____

100' 0 100' 200'
SCALE – FEET
1" = 100'

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE
OF BLOCK "B" COLUMBIA CREST ADDITION

LEGEND

- SET 5/8" x 24" REBAR WITH 1 1/4" YELLOW PLASTIC CAP (KA OR59002)
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CS NO COUNTY SURVEY NUMBER
INST INSTRUMENT
R1 RECORD DATA PER RECORD OF SURVEY NO
FD FOUND DATA
P.U.E. PUBLIC UTILITY EASEMENT
(XXX.XX') DISTANCE PER COLUMBIA CREST PLAT
[XXX.XX'] DISTANCE PER FRUITLAND PLAT
PROPOSED DRAINFIELD AREA

EASEMENT NOTE

A NEW SEPTIC AND ACCESS EASEMENT, OVER, UNDER, AND ACROSS THAT PORTION OF TRACT "B" FOR THE BENEFIT OF LOTS 3, 4, 5, 6, 7, 8

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 12, 2021
JAMES M. KLEIN
59002
Expires 6-30-2023

SHEET 5 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R.
	4	1N.	13E.
	5	1N.	13E.

Klein & Associates, Inc.
ENGINEERING • SURVEYING • PLANNING
1411 13th Street • Hood River, OR 97031
TEL: 541-386-3322 • FAX: 541-386-2515

SURVEY PERFORMED FOR:
~~LINE REAL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, CD
FILE: 170105-PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

OWNER

SMILEKEL GROUP, LLC

KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE.

PLANNING DEPARTMENT

2705 East Second Street • The Dalles, OR 97058
p: [541] 506-2560 • f: [541] 506-2561 • www.co.wasco.or.us

Pioneering pathways to prosperity.

File Number:_____

WASCO COUNTY
PRELIMINARY SUBDIVISION APPLICATION

DETAILED SPECIFIC WRITTEN REQUEST

Replat of existing subdivision lots to make them more conforming with current zoning (66 lots replatted to 6 lots). Vacation of unused ROW and easements plus dedication of ROW to place existing Sandstone Way centered in ROW (was constructed outside of ROW in original development).

Number of proposed lots & their dimensions:

6 res. lots total. Lot 1=4.12 acres, Lot 2 = 1.05 acres, Lot 3 = 1.02 acres, Lot 4 = 2.89 acres, Lot 5 = 3.20 acres, Lot 6 = 3.09 acres, Private Open Space Tract A = 1.31 acres, Public Park space Tract B = 0.16 acres

PRELIMINARY SUBDIVISION PLAN REQUIREMENTS

The approval of a preliminary subdivision plan is reviewed by the Planning Commission subject to the following requirements:

1. Preliminary Site Plan: A preliminary site plan shall be submitted containing the following information. Check all items that are indicated on your submitted site plan.

☑ The proposed name of the subdivision.
☑ North point, scale, date of application and bases of bearing.
☑ Names and addresses of the subdivider and of the engineer, surveyor or land planner or landscape architect.
☑ The tract designation or other description according to the real estate records of Wasco County.
☑ The boundary lines (accurate in scale) of the tract to be subdivided.
☑ Contour lines (may be required at intervals to be determined by the Director).
☑ The names of adjacent subdivisions or the names of recorded owners of adjoining parcels of un-subdivided land.
☑ The location, width and names of all existing or plotted streets or other public ways within or adjacent to the tract, existing permanent buildings, railroad rights-of-way and other important features such as section lines, political subdivisions or corporation lines and school district boundaries.
☑ Existing sewers, water mains, culverts or underground utilities and improvements within the tract or immediately adjacent thereto together with pipe sizes, grades and locations indicated.
☑ All parcels of land intended to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purpose of conditions or limitations of such reservation, if any.

☑ The location, names, width and approximate grades of all streets proposed or existing in the subdivision, and the approximate widths and locations of proposed easements for drainage, sewerage and public utilities.

☑ Typical cross-sections of proposed streets, showing all improvements proposed within the street right-of-way at such scale to clearly show the details thereof.

☑ Approximate location of all areas subject to inundation or storm water overflow and the location, width and direction of flow of all watercourses.

☑ Proposed lots, approximate lot dimensions, and lot numbers. Where lots are to be used for purposes other than residential, it shall be indicated upon such lots.

☑ Parks, playgrounds, recreation areas, parkways, and other open space for public use.

☐ I request to pay a sum for future park acquisition in place of dedicating land.

☑ Locations of proposed tree plantings or other plantings. Appropriate information clearly stating the map is a tentative plan.

☑ Proposed source of water supply, if any; estimated volume to be available, together with data regarding the location, type, and size of all storage facilities, distribution lines, fire hydrants, and gate valves.

☐ If domestic water supply proposed by the developer includes the drilling of wells, information on the feasibility of well drilling. Such information will be provided even if the developer is not required by the Commission to drill the wells.

☑ Method of sewage disposal.

☐ If to be served by a community sewer system, data regarding the location, type, size, approximate grade, and capacity of all collection lines, feeder lines, trunk lines, pumping stations, storage facilities, backflow prevention devices and gate valves. If treatment is to be accomplished by an existing municipal or public sewage facility, a statement regarding the ability of the facility to accommodate the projected increased load. If treatment is to be accomplished by a new installation or privately owned treatment facility, a statement regarding conformity to applicable regulations of the Oregon State Department of Environmental Quality.

☐ If to be served by a community collection and storage system, data regarding the location, type, size, approximate grade, and capacity of all lines, holding tanks, storage facilities, pumping facilities, and valves.

☑ If to be served by subsurface sewage disposal, a statement from an authorized representative of the Department of Environmental Quality, State of Oregon, or the County Sanitarian regarding the approval of each lot or parcel to be sold for installation of septic tank facilities.

☑ Information on the source of other public utilities; proposed deed restrictions, if any; and the irrigation district involved and provisions for delivering irrigation water to the lots in the subdivision.

☑ The location of any environmental hazard; area unsuitable for building purposes; or land subject to mass movement, excessive erosion, or similar natural phenomena.

☑ Proposed building setback lines.

☑ Vicinity sketch showing how the proposed streets and alleys may connect with existing streets in neighboring subdivisions or undeveloped property.

2. Development Phasing: A preliminary subdivision plan may provide for platting in as many as three

(3) phases. The preliminary plan must show each phase and be accompanied by proposed time limitations for approval of the final plat for each phase.

Will the subdivision be phased? ☑ NO ☐ YES

If yes, time limitations for the various phases must meet the following requirements:

a. Phase 1 final plat shall be approved within twelve (12) months of preliminary approval.
b. Phase 2 final plat shall be approved within twenty-four (24) months of preliminary approval.
c. Phase 3 final plat shall be approved within thirty-six (36) months of preliminary approval.

The preliminary site plan includes the phases of the development? ☑ NO ☐ YES

Describe why such phasing is necessary due to the nature of the development, and how you will be able to comply with the required time limitations (attach additional sheets as necessary):

_____

_____

_____

_____

3. Basic Provisions and Design Standards

a. Conformity with Zoning Chapter: Lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for the types of use permitted within the zone. Lot dimensions shall not include part of existing or proposed streets. All lots shall be buildable, except a public utility lot.

(1) Minimum Lot Size and Width for Zone 5 acres, 300'

All of the proposed subdivision lots comply with this standard? more conforming - see narrative ☑ NO ☐ YES

(2) Fire Safety: If the subdivision is for residential use, a Fire Mitigation Plan is required identifying all home sites, building envelopes and access as necessary to demonstrate compliance with all applicable fire standards.

The subdivision is for residential use and a Fire Mitigation Plan has been submitted that shows all the proposed lots will be able to meet all of the applicable fire safety standards? ☐ NO ☑ YES

(3) Setbacks

Front Yard 25
Side Yard 15 15' per zoning, but 30' defensible space needed for fire safety
Rear Yard 20

Agricultural 250 varies depending on if vegetated barrier or berm are proposed, see narrative.

If the subdivision is for residential use, an evaluation must be done for each proposed lot which shows based on the above setbacks, on site septic requirements, on site water requirements and the fire safety requirements referenced above, future residential development will be able to be accommodated without the need for a variance.

A residential evaluation has been done and is included with the application? ☐ NO ☑ YES

4. Relation to Adjoining Street System: A subdivision shall provide for the continuation and alignment of the principal streets existing in the adjoining areas or of their proper projection when the adjoining property is not subdivided, and such streets shall be of a width not less than the minimum requirements for streets set forth in these regulations.

Does the subdivision provide for the continuation of existing principal streets? ☐ NO ☑ YES

If it does, explain how. If it does not, explain why not:

Proposed culdesac connects to existing streets. It cannot be looped or extend further east due to topographic constraints (steep slopes).

5. Redevelopment Plan

Based on the current zoning, will any of the proposed lots be eligible for further division? ☑ NO ☐ YES

If yes, public road right of way may be required to be dedicated which conforms to the number of future lots and extended to the boundary of the subdivision. Lot dimensions shall not include part of existing or proposed streets.

6. Access Requirements: Each proposed lot shall be required to have access by way of a street, either private or public.

A unit of land is required to have legal access. Indicate how all of the proposed lots will have legal access.

a. Direct Access: The unit of land has frontage along a public street or road. Will all or some of the proposed parcels have direct physical access from a publicly dedicated street or road? ☐ NO ☑ YES

If yes, indicate the publicly dedicated street or road and which lots will have direct physical access from it:

Sandstone Way, Ledge Way, Hermits Way (all existing roads). Cavern Way (proposed local access road)

Improvements at the time of subsequent development will be limited to County or ODOT road approach requirements and fire safety access requirements.

b. Private Easement Road: In resource and non-resource zones, a unit of land may have access by way of a private easement road only if the road provides access for not more than three (3) units of land, serves not more than three (3) units of land, and that the easement is a minimum 30 feet in width. The unit of land abutting the publicly dedicated street or road shall be counted among the three (3) units of land only if it uses the same road for access.

If the private easement road accesses more than three (3) units of land it must become a private road if in a resource zone and a public road if in a non-resource zone.

Will all or some of the lots have access by way of a private easement road? ☑ NO ☐ YES

If yes, indicate which lots will have access:

Proposed road is public.

Improvements at the time of subsequent development will be limited to County or ODOT road approach requirements and fire safety access requirements.

The 30 foot wide access easement is indicated on the preliminary plan? N/A ☑ NO ☐ YES

c. Private Road: **In resource zones only**, a unit of land may have access by way of a private road only if:

(1) Such private road provides access for not more than ten (10) units of land and serves not more than ten (10) units of land. The unit of land abutting the publicly dedicated street or road shall be counted among the (10) units of land only if it uses the same road for access.

(2) The primary use of the road is to provide access for resource activities. If the primary use of the private road is residential, a publicly dedicated road will be required upon the fourth (4th) unit of land using the road for access.

(3) If the existing or proposed private road will provide access to more than ten (10) units of land it will

be required to a publicly dedicated road.
Will all or some of the lots have access by way of an existing private road that will not provide access to more than ten (10) units of land used primarily for resource purposes? N/A ☑ NO ☐ YES

If yes, indicate the existing and proposed units of land that will have access and provide a legal right of access:

_____

_____

_____

The subdivision will result in the requirement of a private road dedication. I have submitted an Access Road Easement application that will be reviewed by the Wasco County Planning Commission? ☑ NO ☐ YES

The preliminary plat includes the 30 foot wide private road dedication? ☑ NO ☐ YES

d. Publicly Dedicated Road: This is required if the partition results in the access easement or private road accessing more than three (3) units of land in a non-resource zone, more than four (4) units of land in a resource zone where the primary purpose of the private road is non-resource related, or more than ten (10) units of land in a resource zone.

The partition will result in the requirement of a publicly dedicated road. I have submitted an Access Road Easement application that will be reviewed by the Wasco County Planning Commission and the Wasco County Board of County Commissioners? ☐ NO ☑ YES

The preliminary plat includes the required public road dedication? ☐ NO ☑ YES

7. Utility Lines: Easements for sewers, water mains, electrical lines, or other public utilities shall be dedicated whenever necessary. The easements shall be at least twelve (12) feet wide and centered on lot lines where possible, except for utility pole tieback easements which may be reduced to six feet in width.

Utility easements meeting these standards are located on the preliminary plan? ☐ NO ☑ YES

8. Water Courses: If a subdivision is traversed by a water course such as a drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the water course, and such further width as will be adequate for the purpose. Streets or parkways parallel to major water courses may be required.

Are there any watercourses which traverse the subdivision? ☐ NO ☑ YES

If yes, is storm water easement or drainage right of way located on the preliminary plan? ☐ NO ☑ YES

9. Environmental Hazards: If a subdivision contains known hazards resulting from potential for flooding, land movement, high water tables, erosion, or similar natural phenomena, the Approving Authority may require dedication of protective easements for uses that would minimize aggravation of the environmental hazard.

Does the proposed subdivision contain any known hazards such as floodplain or geological movement?
☑ NO ☐ YES

If yes, indicate the hazard and describe any proposed dedications that would minimize aggravation of the hazard:

_____

_____

_____

10. Public Open Space or Recreational Fund:

a. Parks and recreation areas shall be provided at the rate of one (1) acre of recreation area to every one hundred people.

According to the 2000 US Census the average household for Wasco County is 2.47.

Number of residentially proposed lots 6
multiplied by 2.47 = 14.82
divided by 100 = .15

This is the number of acres that shall be provided as public open space. Describe the location of the proposed public open space dedication and its intended purpose:

0.16 acre of proposed public open space shall be dedicated to the publice along the west side of Lot 1, which is adjacent to public park space (TL 600).

_____

_____

The public open space dedication is located on the preliminary plan? ☐ NO ☑ YES

b. Rather than dedicating public open space you may request to pay a sum equal to six and two-thirds percent (6 2/3%) of the assessed value of the land area, exclusive of streets, within the subdivision. This sum will held in a special fund for acquisition and development of parks, playgrounds, and recreational areas within the immediate area of the subdivision.

Do you request to pay this sum rather than dedicating public open space? ☑ NO ☐ YES

If yes, what is the assessed value of the land area, exclusive of streets, within the subdivision?

_____

Describe how this information was obtained:

_____

_____

_____

6 2/3% of assessed value = _____

11. Subdivision Name: The name of any subdivision shall not duplicate or be so similar as to be confused with the name of any existing subdivision or area within the County.

Research has determined the proposed subdivision name is unique? ☐ NO ☑ YES

SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT

AUTHORITY AND CRITERIA

Review Authority: Chapter 2, Sections 2.060 (B)(3)_____

Review Criteria: Chapters 3, Sections_____

Chapter 21, Sections 21.030 and 21.200

Other_____

☐ **Legal Parcel:** Property has been determined to be a legal parcel?

☐ **Fire Safety:** A Fire Safety Self Certification Form has been submitted?

Preliminary Plan - A preliminary plan has been submitted that includes all the required information. Verify by using check boxes. ☐ NO ☐ YES

Zoning Overlays – Development Site is within the following Divisions:

1. Flood Hazard: Specify Zone:_____ ☐ NO ☐ YES
2. Geological Hazards: ☐ NO ☐ YES
4. Cultural, Historic and Archeological _____ ☐ NO ☐ YES
5. Mineral & Aggregate ☐ NO ☐ YES
7. Natural Areas _____ ☐ NO ☐ YES
8. Sensitive Wildlife Habitat _____ ☐ NO ☐ YES
12. Sensitive Bird Sites: ☐ NO ☐ YES
13. Pond Turtles Sensitive Area: ☐ NO ☐ YES

Natural Resources

Are there natural water sources on property or adjacent properties? ☐ NO ☐ YES

If yes, indicate resource type, location and required buffer.

_____

Setbacks

Existing development will not be in violation of setback standards? ☐ NO ☐ YES

Future Development

If division will allow for future development, is there an adequate site for development considering fire safety, overlays, setbacks, slopes, natural resource buffers and visibility to the National Scenic Area? ☐ NO ☐ YES

Previous Map and Tax Lot #s: _____

_____

Past Actions: If yes, list review #(s)_____ ☐ NO ☐ YES

Is property still subject to conditions from previous review? ☐ NO ☐ YES

If yes, list review # and condition(s)_____

Additional Comments: _____

_____

Updated 3/01/2022

File Number: ARE-_____

WASCO COUNTY
ACCESS ROAD EASEMENT APPLICATION

TENTATIVE PLAN REQUIREMENTS

1. The plan shall be clearly and legibly drawn to an appropriate scale so that the Approving Authority may have an adequate understanding of what is proposed.
2. A vicinity map showing the proposal in relationship to other existing or proposed streets.
3. Date, north point and scale
4. Location of the proposed dedication or private road abutting the unit of land proposed to be approved by the Section, Township and Range sufficient to define its location and, if available, a centerline description or right-of-way boundary description.
5. Zoning classification and Comprehensive Plan Map designation of properties abutting the proposed dedication or private road
6. The names of adjacent subdivisions and the names of recorded owners of adjoining lots, parcels or units of land and the amount of frontage each owner has on the proposed dedication or on the private road.
7. Existing street(s) intersecting or meeting the proposed dedication or private road.

A tentative plan meeting the requirements of 1 – 6 above has been submitted? ☐NO ☒YES

PRIVATE ROADS

A private road may be approved by the Planning Commission only if all of the following can be met:

1. All units of land using the private road for access must be in a resource zone.

   List the zones for all units of land that will be accessing the private road.

   N/A - proposed road is public

2. The private road will provide access for not more than ten (10) units of land and will serve not more than ten (10) units of land. The unit of land abutting the publicly dedicated street or road shall be counted among the (10) units of land only if it uses the same road for access.

   List all of the properties that will use the private road after the dedication.

   N/A - proposed road is public

3. The primary use of the road is to provide access for resource activities. If the primary use of the private road is residential a publicly dedicated road will be required upon the fourth (4th) unit of land using the road for access.

   List the all of the properties that will use the private road after the dedication, their acreage and existing residential and resource (farm and/or forest) activities.

   N/A - proposed road is public

4. The private road shall be constructed to standards of Section 21.420 of the Land Use and Development Ordinance.

N/A - proposed road is public

The tentative plan has been designed to meet the requirements of Section 21.240? ☐NO ☐YES

5. When service to more than ten (10) units of land is possible, provision shall be made to serve the area by public road, including but not limited to: (a) dedication of right-of-way; (b) extension and improvement of the roadway to public road standards such that not more than ten (10) units of land may be served.

How many more units of land beyond ten (10) could be serviced by this road based on future land divisions considering the current zoning?

N/A - proposed road is public

6. Boundary line or center line survey: Please be aware that upon approval of such private road, the applicant shall submit a boundary line or centerline survey of the road, unless the location of the road is already established by existing property line surveys recorded with the County Surveyor. The boundary line survey shall be submitted to the Director and the Wasco County Surveyor.

PUBLICLY DEDICATED ROADS

1. The Wasco County Planning Commission will only approve the tentative plan for street dedication if the following have been met:

   a. The street has been designed to meet all of the requirements of a public road as required by this ordinance in consultation with the Wasco County Road Master

   The tentative plan meets these requirements ☐NO ☒YES

   b. Dedication of the street to the public is consistent with the goals, policies and map of the Comprehensive Plan.

   Indicate how the dedication is consistent with the goals, policies and map of the Comprehensive Plan

   The street will be owned by the County, but maintained by the homeowners, with a maintenance agreement (see attached). Since the road will be accessed by at least 4 homes and serve for emergency access/turnaround, the road width is to be 22' paved, with a minimum 96' diameter culdesac per the County Public Works Dept.

   c. If Tentative Plan to dedicate a street is recommended to the County Court, and the street to be dedicated has not been improved, the Approving Authority shall recommend conditional approval on improvements of the street to the improvement standards recommended by the County Roadmaster.

   Have there been any improvements to the street? ☒NO ☐YES

If yes indicate what has been done and what will need to be done to meet the required standards.

_____

_____

_____

2. Wasco County Court Acceptance

Be aware that the Wasco County Court will only accept a publicly dedicated road according the following requirements and procedures:

a. The applicant must have completed any improvements required as a condition of the approval of the dedication or have complied with Section 21.210(F) of this Chapter.

b. The owner of the land to be dedicated shall submit a preliminary title report issued by a title insurance company in the name of the owner of the interest in the land.

c. The owner of the land to be dedicated shall prepare a warranty deed dedicating the land to the public.

d. The County Court shall indicate their approval of the dedication by an order accepting the deed and by recording such order with the recording of the deed.

e. The County Court will decide if the road will be accepted for maintenance as part of the County road system by order pursuant to law.

ROAD MAINTENANCE AGREEMENT

The undersigned, being the owner of all the following described real property located in the County of Wasco, State of Oregon:

The Southeast quarter of the Northeast quarter of Section 5, Township 1 North, Range 13 East of the Willamette Meridian, Wasco County, Oregon. Being Lots 2-6 of Prince Heights Subdivision.

which property has access rights over, across, and through the roadway described as "Cavern Way" and shown in attached Exhibit "A", does hereby make the following Road Maintenance Agreement concerning the above described real property, specifying that this Agreement shall constitute a covenant to run with all the land and shall be binding on all persons claiming under them: and that these conditions and restrictions shall be for the benefit and limitations upon all future owners of said real property.

Recitals:

A. It is essential to the value of the lots and for the safety of persons living thereon that the above-described roadway be properly maintained, in good condition.
B. The undersigned has agreed to share in the cost of maintaining the roadway serving the lots according to the formula set forth herein.

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Agreement:

The undersigned agrees to the following:

1. When repairs and/or maintenance appear to be necessary, the parties to this agreement may undertake such repair or maintenance anywhere along the roadway upon the affirmative vote of a majority of all property owners participating in this agreement, as follows:

    a. One meeting shall be held each year to negotiate and vote on a need for maintenance and repair on said described road. The annual meeting shall be held on or before March 1st of each year and at such additional times as may be necessary in the case of an emergency. Each participating property owner shall be allowed one (1) vote per lot to approve any maintenance or repair to be performed on said road.

2. Following the vote approving maintenance and repair, a bid must be presented to each property owner before any maintenance or repair can be performed. A majority of all property owners participating in this agreement must agree with the bid prior to the work being performed on the road. Each property owner participating in this agreement must sign a copy of the bid acknowledging that they have received and voted on the bid.

3. Repairs and maintenance to be performed on the road under this agreement shall include, but not be limited to the following: grading, patching, and snow removal. Capitol improvements (such as asphalting) may be undertaken only on the affirmative vote of all (100%) of the property owners participating in this agreement.

4. The property owner who makes the arrangements for repair and maintenance according to the property owner's decision shall send copies of all the bills to the property owners participating in this agreement.

5. All property owners participating in this agreement shall share equally the cost of approved maintenance or repair within ten (10) days of receiving the bill. If a property owner fails to pay his or her respective share within thirty (30) days after receipt of a statement, the amount of the statement, together with interest at 9% per annum from the date of the statement, plus any attorney fees necessary to collection, shall automatically become a continuing lien against the lot of the defaulting lot owner. Each lot owner's obligation to pay his or her share of the cost will be an enforceable personal obligation of the lot owner.

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6. The lot owners shall work together to coordinate their repair and maintenance activities to make the repairs and maintenance as economical as possible and to minimize interference with the lot owner's use of the roadway. To the extent reasonably possible, any repairs, maintenance or capital improvements will be obtained through competitive bidding for the purpose of cost comparison.

7. The property owners will exercise reasonable care in their use of the roadway so as not to cause more than normal wear and tear.

8. The rights and responsibilities set forth in this agreement shall be perpetual and shall run with the land and shall be binding on the successors and assigns of the property owners.

9. The provisions of this agreement may only be amended in writing and with the consent of all (100%) of the property owners participating in this agreement.

10. If the lot is owned by more than one person, all the owners of the lot will collectively be referred to as the lot owner, and will be entitled to only one collective vote, i.e., each lot represents one vote in the matters covered by this agreement.

11. The undersigned hereby agrees that this document may be recorded as an appurtenance to the above-described property.

_____

(_____, _____ of _____, LLC)
Property Owner

STATE OF OREGON

ss.

County Of Wasco

On the _____ day of _____, 2022, the above-named _____, _____ of _____, LLC personally appeared and acknowledged the foregoing instrument to be his/her/their voluntary act and deed.

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Before me _____

Notary Public of Oregon

My Commission expires:_____

Klein & Associates, Inc.
Engineering, Land Surveying, Planning
1411 13TH STREET, HOOD RIVER, OREGON 97031 / (541)386-3322
www.kleinassocinc.com

Prince Heights Subdivision Replat

A proposed subdivision re-plat in Wasco County, Oregon

Application Narrative

Prepared By: Elizabeth Betts, PE

December 9, 2022

Wasco County Planning Department
2705 East Second Street
The Dalles, OR 97058

December 9, 2022

Re: **Prince Heights Re-plat Subdivision and Road Dedication/Vacation Narrative**

Dear Wasco County Planning Department:

We are pleased to submit this application for the proposed Prince Heights Subdivision, a re-plat of a portion of Columbia Crest Addition, on behalf of Smilekel Group/Mona Miller (owner/developer).

REQUEST:	6 lot replat subdivision (replat of 66 existing lots)
OWNER:	Smilekel Group/Mona Miller
APPLICANT:	Elizabeth Betts, PE, Klein & Associates, Inc.

The re-plat is proposed for property owned by Ms. Miller in Wasco County, OR (1N-13E05AD: lots 300, 1000, 1100, and 1200; 1N-13E-04BC: lot 2600). These tax lots contain no existing structures. The pre-application conference included additional tax lots: TL 400, 500, 600 and 700 (including Park and A-1 zoned lots) that are no longer included in this proposed replat subdivision. The included area is shown on the vicinity map below and all parcels to be replatted in this subdivision are currently zoned R-R-5.



Figure 1 - WASCO COUNTY PUBLIC BASEMAP 2022

Table 1 - Existing Lots

Taxlot	Area (acres)	Current # of Platted Lots
300	2.28	13
1000	2.74	1
1100	3.76	21
1200	1.92	12
2600	4.27	19
TOTAL	**14.97 (residential, includes ROW)**	**66 (residential)**

This letter is intended to demonstrate that the proposed re-plat subdivision complies with the standards and criteria of the Wasco County and National Scenic Area (NSA) Land Use and Development Codes.

The development will conform to the LUDO by conforming to all the procedural requirements in Chapter 2, general design and improvement standards, and land coverage requirements. All new private and public development and utilities will be designed to Wasco County Public Works Engineering Standards with consideration of the surrounding neighbors and existing and future public amenities.

The applicable sections of the NSA LUDO are addressed in Appendix A with the responses on how the proposed replat subdivision will comply with each:

Chapter 3 – Basic Provisions
Chapter 10 – Fire Safety Standards
Chapter 13 – Nonconforming Uses
Chapter 14 – Scenic Area Review
Chapter 21 – Land Divisions

Sincerely,

Digitally signed by Elizabeth Betts
Date: 2022.12.15 12:59:21-08'00'

Elizabeth Betts, PE
Klein & Associates, Inc.
Elizabeth@kleinassocinc.com
Ph: (541) 386-3322

Attachments: Appendix A – Responses to LUDO (Scenic Area)

The applicable portions of each section are copied below with responses following each.

CHAPTER 1 INTRODUCTORY PROVISIONS

SECTION 1.200 Definitions

Response

Section 1.200 provides definitions for terms encountered in the Scenic Area LUDO. For brevity, the applicable definitions are not copied into this narrative. They have been reviewed and are understood by the applicant.

CHAPTER 2 - DEVELOPMENT APPROVAL PROCEDURES

SECTION 2.050 Wasco County

Application Authority

The Following includes only the Wasco County Application Authority. All quasi – judicial appeals and legislative actions decided upon by the Columbia River Gorge Commission shall be governed by the Management Plan for the Columbia River Gorge National Scenic Area.

B. The following applications for Type III and Type IV Quasi-Judicial and Legislative Actions shall be heard by the Planning Commission, pursuant to Sections 2.100, 2.180, 2.190, 2.200, 2.210, and 2.220 of this Ordinance: Page 2-3 Chapter 2 – Development Approval Procedures Type III Actions

1. Appeals of Decision of Director made pursuant to 2.050(A) and any ministerial action of the Director.

2. Matters which the Director elects not to review, pursuant to 2.050(A).

3. Revocation of Conditional Use Permits (Chapter 5)

4. Variances (Chapter 6)

5. Recreational Vehicle Parks (Chapter 17)

6. Preliminary Partitions involving private or public road approval (Chapter 21)

7. Subdivisions (Chapter 21)

8. Private Road Approvals (Chapter 21)

Response

This project is a subdivision, which will require a Type III review, pursuant to Chapter 21. A pre-application conference was held December 17, 2020 (921-20-000155-PLNG). Information received in the pre-application conference guided revisions to the proposed project, such as removal of the Ag zoned lots and park from the replat subdivision. The project is now a replat subdivision of just R-R-5 zoned lots along with vacation and dedication of right-of-way as needed for the proposed layout.

Chapter 3 – Basic Provisions

Section 3.160 "R-R" Rural Residential Zone

Section 3.160.D - Uses Permitted Subject to Review:

Uses Permitted Subject to Review The following uses and activities may be allowed on a legal parcel designated Residential subject to Subsection G - Property Development Standards, Chapter 11 – Fire Safety Standards & Chapter 14 - Scenic Area Review, as well as any other listed or referenced standards. Firewise standards shall also be provided to the landowner at the time of application.

13. Land Divisions and Replats subject to the property development standards listed in G below, Section 21.100 and all other applicable provisions of Chapter 21. (GMA & SMA)

Response

This project is a subdivision, which is a permitted use in the R-R5 zone with a Type II Review.

Section 3.160.G - Property Development Standards

A. Property Size: The minimum property size for new parcels is five (5) acres with a three hundred (300) foot minimum average lot width.

B. Setbacks

Front Yard: No structure other than a fence or sign shall be located closer than twenty five (25) feet from the right of way of a public road.

Side Yard: No structure other than a fence shall be located closer than fifteen (15) feet from side property lines for interior lots and twenty (20) feet from exterior side property lines of corner building sites.

Rear Yard: No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property line.

All new structures to be located on a parcel adjacent to lands that are designated Large-Scale or Small-Scale Agriculture and are currently used for or are suitable for agricultural use shall comply with the following setback standards:

Adjacent Use	Open or Fenced	Natural or Created Vegetation Barrier	8 foot Berm or Terrain Barrier
Orchards	250'	100'	75'
Row crops/ vegetables	300'	100'	75'
Livestock grazing, pasture, haying	100'	15'	20'
Grains	200'	75'	20'
Berries, vineyards	150'	50'	50'
Other	100'	50'	30'

a. Earth berms may be used to satisfy, in part, the setback guidelines. The berm shall be a minimum of eight (8) feet in height, and contoured at 3 to 1 slopes to look natural. Shrubs, trees and/or grasses shall be employed on the berm to control erosion and achieve a finished height of fifteen (15) feet.

b. The planting of a continuous vegetative screen may be used to satisfy, in part, the setback guidelines. Trees shall be 6+ feet high when planted and reach an ultimate height of at least fifteen (15) feet. The vegetation screen shall be planted along the appropriate lot/parcel line(s), and be continuous.

c. The necessary berming and/or planting must be completed during the first phase of development and maintained in good condition.

d. If several crops or crop rotation is involved in the adjacent operation, the greater setback shall apply.

e. A variance to the setback requirements may be made in accordance with Chapter 6.

4. Height - Maximum height for all structures shall be thirty-five feet (35') unless further restricted in accordance with Chapter 14 - Scenic Area Review.

5. Floodplain: Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.240, Flood Hazard Overlay.

6. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

7. Parking - Off street parking shall be provided in accordance with Chapter 4.

Response

Property size

As shown in the attached plan sheets, these five taxlots are currently platted as 66 lots plus right-of-way in an undeveloped subdivision, but the lack of public sewer and limited suitable drainfield area prevents such dense residential development to take place. Since the original platting of this subdivision, zoning has changed to GMA R-R-5, a rural residential zoning in the Scenic Area's General Management Area, with minimum lot sizes of 5 acres.

This property is currently zoned GMA R-5 but was platted as a part of a subdivision in 1953 with average lot size of approximately 7,000 sf (measured in CAD). The goal of this application is to re-plat from 66 small lots to 6 larger residential lots, one open space tract and one road ROW. By increasing the average residential lot size from about 7,000$^{+/-}$ sf to 112,748 sf (2.59 acres), the proposed lots will be much closer to conformance with the current zoning code.

The previously platted subdivision contains several roads that were not built and will not be needed for the proposed development. These road rights-of-way will be vacated with this project. Roads proposed to be vacated with this re-plat include the following: Sandstone Way (portions), Granite Way, and Cavern Way.

Along with vacation of the unused portion of the Sandstone Way corner right-of-way, we propose to dedicate right-of way over the existing Sandstone Way and utilities (portions of which were constructed outside of the original dedicated right-of-way). This will center the right-of-way over the existing Sandstone Road.

In addition, the previously platted subdivision contains public utility easements as per the plat of Columbia Crest that are (and will not be) utilized. This re-plat proposes extinguishment of the unnecessary easements. See attached Existing Easements/Road Vacation Exhibit for details of easements and ROW to be extinguished.

The subdivision will also dedicate right-of-way for a new road (labeled as Cavern Way), which will give access to proposed lots 3-6. As required by the LUDO, at least 0.15 acres of park space/open space must be dedicated to the public. This project proposes to dedicate land along the west side of Lot 1, which is adjacent to the tax lot already owned by the Public as Park, thereby enlarging the park area.

Lots and open/park space that will be created with this re-plat are laid out in Table 2, below.

Table 2 - Proposed Lots

Lots	Use	Min Width (feet)	Max Width (feet)	Average Width (feet)	Area (acres)
1	Single Family Res.	342	458	400	4.12
2	Single Family Res.	358	378	368	1.05
3	Single Family Res.	142	240	191	1.02
4	Single Family Res.	57	303	180	2.89
5	Single Family Res.	63	546	304	3.20
6	Single Family Res.	104	424	264	3.09
TOTAL	**SFR Lots**			**284**	**15.37**
Tract "A"	Open Space "Tract A"				1.31
	Park Space Dedication				0.16
TOTAL	**6 SFR Lots + Park + Open Space**				**16.84**
ROW	Cavern Way (50' ROW)				0.82
TOTAL	**TOTAL project area**				**17.66**

Setbacks

This proposed re-plat will comply with all setbacks for the GMA R-R5 zone. All proposed lots in this replat are more than 300' from the orchard property (1N 13E 5 A 200). TL 400 and TL500 are zoned Ag-1, but have no existing farm use or water rights for irrigation, so are unsuitable for farming. In addition, they are owned by the same owner as this development, who plans to construct non-farm dwellings on two existing lots within those taxlots and replat the lots into two parcels. With the 50' road ROW and 25' setback from the ROW, there is a minimum of 75' from the proposed homes to Ag zoning.

Building envelopes were created using the zoning setbacks in the table below from the RR-5 zoning standards, 30' fire fuel break for fire safety, with additional consideration to avoid slopes over 30%, KVAs and existing trees to the greatest extent possible. The building envelopes and open space provide adequate building space within required setbacks per the zoning code and protect the majority of the existing white oak and ponderosa pine trees and keep building off of the steeper slopes on the site, which is essential for fire safety.

Table 3 – Minimum Building Setbacks in R-R5 zoning

Front Yard	25'
Interior Side Yard	15'
Exterior Side Yard	20'
Rear Yard	20'

Height

The homes will not exceed 35' in height. Homes on lots 5 and 6 will be required to be evaluated for visibility from the KVA's at the time of building permit. To the best of our knowledge, the building envelopes have been set to avoid visibility from key viewing areas; however, individual building permits will be required for each home and must comply with the height and visibility standards of the General Management Area in the Scenic Area. Additional vegetative screening may be required for homes on proposed lots 5 and 6.

Stream and Floodplain

No development is proposed within a designated flood zone or stream setback. FEMA maps do not show any flood zones mapped on this property, and it is unlikely there would be flooding since these lots are on a hill and without a water source (creek, river, etc).

Vision clearance

30' of vision clearance will be maintained on the corner lots for intersection sight distance.

Parking

Chapter 4 requires one off-street parking space per dwelling unit. This will be reviewed at time of building permit, but with lot sizes exceeding 1 acre, this re-plat will meet or exceed that requirement.

Chapter 11 – Fire Safety Standards

Section 11.110 – Siting Standards

A. Does your building avoid slopes steeper than 40% (more than 40-foot elevation gain over 100 feet horizontal distance)?
If **yes**, then:

- Extensive and costly grading and ground disturbance will be avoided
- Emergency responders will have room to access and maneuver around all sides of the structure.
- Structure will avoid exposure to the hottest side of fast moving flames climbing the slope
- Structure will avoid potential of trapping heat rising off of flames on the slope below

If **no**, then:

- A modification of fire safety standards must be requested. The fire mitigation plan submitted with the request for modification must propose mitigation measures such as:
    - Structural fire proofing (thermal windows, smaller windows, fire retardant building materials on all sides).
    - National Fire Protection Association (NFPA) Sprinkler system if access standards cannot be met.
    - Expanded fire fuel breaks.
    - Additional irrigation on all sides of the home and an on-site water supply capable of running the irrigation system for extended periods.
    - Evacuation plan.

Response

As shown in the attached plan sheets, building envelopes were created to show that there are buildable areas on the site that do not require building on steep slopes. The building envelopes are based on:

1) *Zoning setbacks*
2) *30' fire fuel break for fire safety*
3) *Minimum 30' setback from slopes 30% or greater (based on LIDAR)*
4) Protection of significant trees (white oak, ponderosa pine)

At the time of building permits, each structure and lot should be evaluated for fire safety standards. Note that the setbacks in the building envelopes were created based on the LIDAR surface and should be verified for each building location to ensure appropriate setback for the fire mitigation measures proposed (siding, enclosed soffits, etc).

Section 11.120 – Defensible Space – Clearing and Maintaining a Fire Fuel Break

Is your building surrounded by a 50-foot wide fire fuel break?

Response

Existing vegetation within the building envelopes is primarily long grass. Defensible space will need to be addressed with the individual building permits, as will design for fire resistance.

SECTION 11.130 Construction Standards for Dwellings and Structures –

A. Is your building designed, built, and maintained to include the following features and materials necessary to make the structure more fire resistant?

B. Is your structure designed, built, and maintained to include the following features and materials necessary to make the structure more fire resistant?

Response

Design for fire resistance will be addressed with individual building permits. Utilities will be placed underground for the new subdivision.

Section 11.140 - Access Standards

Providing safe access to and escape from your home.

A. Does your residential driveway meet standards for improved, all weather driveway surface and minimum driveway widths?

Response

The proposed access road meets the minimum width and surface requirements, with 22 feet of paved width ending in a 96' diameter culdesac for turnaround. Individual driveways are preliminarily shown for each lot but will need to be addressed with the building permits. Road maintenance for the shared access road will be provided by the homeowners and will be managed with a road maintenance agreement.

Section 11.150 – Fire Protection or On-Site Water Required

A. Are you proposing to construct a dwelling inside a structural fire protection district?
ON SITE WATER IS REQUIRED IN BOTH URBAN AND RURAL ENVIRONMENTS FOR FIRE SAFETY (Fire Flow Requirements).

- Dwellings less than or equal to 3,500 square feet can rely on emergency responders to meet the onsite water requirements if they are inside a fire protection district.
- Dwellings in excess of 3,500 square feet require on-site water in excess of the amount of water that could reasonably be delivered to the site by emergency responders. Dwellings in excess of 3,500 square feet need to provide an NFPA sprinkler system to meet on site water requirements. Provision of an NFPA sprinkler system meets fire code fire flow requirements. Structures must be located inside a structural fire protection district if possible.
- It is not possible to be in a fire protection district when it is demonstrated that the dwelling cannot locate within, annex into a district, or contract with a structural fire protection district for service

Response

Home sizes are unknown at this time. This section applies at time of individual building permit.
Chapter 13 – Nonconforming Uses

Section 13.080 – Consolidation of Undeveloped Subdivisions

A. A unit of land shall be consolidated with adjacent lands in the same ownership if the subdivision within which the unit of land is located is undeveloped pursuant to ORS chapter 92, Undeveloped Subdivisions.
B. No portion of a consolidated plat shall be considered a separate parcel solely because an existing property overlays, and possibly fragments, that consolidated subdivision.
C. Criterion A shall not be applied to consolidate two or more units of land where each unit of land is developed with a dwelling that qualifies as an existing use. One or more undeveloped units of land shall be consolidated with one or more developed units of land.
D. Lots shall be consolidated through the process outlined in ORS Chapter 92, Undeveloped Subdivisions, or through a Replat process as outlined in Chapter 21.

Response

A. The lots to be consolidated are adjacent, under the same ownership, and undeveloped.
B. N/A

C. N/A – no homes are currently on the lots
D. The lots will be consolidated through a replat subdivision per Chapter 21 of LUDO, see additional responses below under Chapter 21 heading.

Chapter 14 – Scenic Area Review

SECTION 14.020 Complete Application Submittal Requirements for a Scenic Area Review

Response

For brevity, Chapter 14 was not copied into this narrative. The application will comply with the following to be submitted:

A. *Application form, including narrative*
B. *Site Plan*
C. *Material samples – N/A for subdivision – will be required at time of building permits*
D. *Landscaping plan - N/A for subdivision – will be required at time of building permits*
E. *Elevation plan - N/A for subdivision – will be required at time of building permits*
F. *Grading plan with grading narrative*

SECTION 14.100 Provisions For All New Development (GMA & SMA)

Response

For brevity, Chapter 14 was not copied into this narrative.

A. *The subdivision will be reviewed under the applicable sections of the scenic area LUDO*
B. *Layout of the lots, road and building envelopes retains the existing topography to the maximum extent possible. The majority of the grading on the site takes place at the required culdesac to keep it from being too steep.*
C. *Design/color will be addressed at the time of building permits*
D. *Design/color will be addressed at the time of building permits*
E. *No additions are proposed to existing buildings (there are no existing buildings)*
F. *Lighting is not proposed with this subdivision.*
G. *Landscaping will be reviewed at the time of building permits*
H. *New trees are not proposed. Existing trees that screen from KVA's are protected by building envelopes.*

SECTION 14.200 Key Viewing Areas

The following is required for all development that occurs on parcels/lots topographically visible from Key Viewing Areas.

Response

For brevity, Chapter 14 was not copied into this narrative.

Klein & Associates surveyors performed a Key Viewing Area study to determine which portions of the site were visible from the following locations:

a. *Columbia River*
b. *I-84*
c. *WA State Route 14*

They determined that portions of proposed lots 5 and 6 were visible from these locations, as shown on the attached plans. Existing natural screening (vegetative and rock outcropping) provides some screening on these lots. Small portions of the building envelopes on Lots 5 and 6 contain potential KVA overlay and should be evaluated at the time of building permit. Additional vegetative screening will likely be adequate, depending on size and height of the dwelling proposed, so should be evaluated with the individual building permits. There are existing homes near this project which are visible on the bluff – new homes will be lower than the bluff and will be required to meet the scenic area screening, compatibility and design requirements.

I have contacted the US Forest Service, ORBIC, and ODFW representatives listed in the pre-application notes regarding potential need for a Wildlife Management Plan or field survey. The building envelopes that we created gave precedence to existing large trees (white oak and ponderosa pine) in an effort to preserve them to the greatest extent possible. In addition, an open space tract created for drainfields preserves the majority of the larger trees onsite.

Chapter 21 – Land Divisions

Section 21.030 – Basic Provisions and Design Standards

Response

For brevity, Chapter 21 was not copied into this narrative, but responses to applicable sections are below.

This re-plat combines 5 tax parcels, containing 66 subdivision lots plus vacated ROW (total of 19.86 Acres), resulting in 6 residential lots, 1 open space tract and new road ROW. This proposed re-plat complies with Section 21.130.

This replat subdivision will follow the requirements for compliance, minimum standards, conformity with plan and zoning. This subdivision provides a local access road with culdesac turnaround in order to reduce grading impacts that would be associated with looping roads. Redevelopment plan is not needed – lots are not large enough. No zoning lines will be crossed – all lots are zoned R-R-5. This subdivision replat will comply with all requirements of Chapter 21 for subdivision development.

Additional information for this application:

Water

Lots 1 and 2 will obtain water service from existing water mains in the existing roads. The developer proposes to install a 4" looped water main from the existing water mains in Sandstone Way and dead-end main in Hermit's Way to serve lots 3-6. This plan has been discussed with Chenowith Water District, and they indicate that there is plenty of water plan for the proposed homes and they will let us know if they will require looping to Hermit's Way.

Power and communications

Power will be provided by Northern Wasco PUD from the existing power poles along Sandstone Way. Underground power and transformers will be placed at their direction. Communications will follow the power in a joint utility trench.

Sanitary

Homes will be on septic/drainfield systems. Primary and Replacement drainfield locations have been evaluated and approved for each lot. Drainfields for Lots 1 (reserve), 2 and 6 have been evaluated and approved to be within easements in the open space tract. The open space tract contains remote set asides for individual drainfields and their associated backup drainfields. The developer also had Aqua Resource Design and Consulting (septic design consultant) review the pits for design of the systems prior to the sanitarian's review. Their memo is attached to this narrative, as are the sanitarian's approved drainfield locations (note that lot numbering and configuration has changed since original soil evaluation). Subsequently, in 2022, the developer contracted with EMS Environmental Consultants to stake the drainfields and conduct a hydrology study for drainfields located along the central drainage area as requested by the previous sanitarian. The drainfields as staked in the field caused a slight shift in the access road and lot lines from the pre-app layout, which is reflected in the current plans. Note that we have also adjusted the lot lines since the original sanitary approval to include as many of the drainfields as possible on the lots. Drainfields are located in the open space tract where there is not sufficient soil on the lot for a drainfield.

Drainage

This project will create little impervious area since most of the roads are already in place. The homes, driveways, and access road will utilize dispersion and infiltration. Care will be taken to not release stormwater on or near the tops of the steep slopes or directly above drainfields. An 18" culvert will be installed under the new road where there is an apparent seasonal drainage. This drainage has not been observed by the developer or engineer to flow but will be accommodated as a precaution.

Cultural Resources

An archaeological reconnaissance survey has been completed for this property by Cascade GIS & Consulting LLC. No further action was recommended. The report is included with this application.

Phasing

The development of this property will take place a single phase.

Signs

Signs are not proposed with this project other than the stop/street sign at the new intersection.

Access

Lot 1 and 2 will access from existing public roads (existing Sandstone Way or Hermits Way) and will require road approach permits. A 22' wide paved road with 2' wide gravel shoulders (in a 50' wide road

tract) road is proposed to serve lots 3-6. This road would be approximately 590' in length, with a 48' radius (96' diameter) culdesac for fire turnaround at the end.

In summary, the proposed replat complies with the LUDO and NSA standards for the RR-5 Zoning. The replat brings the subdivision into much closer conformance with the lot size standards than the 66 existing residential lots.

Klein & Associates, Inc.

Hood River, OR
1411 13TH ST. 97031
(541)386-3322

Camas, WA
2517 252ND AVE, 98607
(360) 687-0500

Wasco County Planning Department
2705 E 2nd Street
The Dalles, OR 97058

December 8, 2022

Re: Residential Evaluation

Property Information

Project Location: Sandstone Way, Wasco County, OR

Assessors Map: 1N-13E05AD: lots 300, 1000, 1100, and 1200; 1N-13E-04BC: lot 2600

Lot size(webmap): 14.97 acres (total)

Zoning: GMA R-R-5

Owner: Smilekel Group/Mona Miller

Applicant: Elizabeth Betts, PE, Klein & Associates, Inc

Introduction

This memo serves as the residential evaluation required for proposed lot in the Columbia Gorge National Scenic Area. The project site is located off Sandstone Way and Cherry Heights Road, near the crest of the hill outside of the Urban Growth Boundary. It is zoned Scenic Area General Management Rural Residential. The site currently has no structures and consists of approximately 15 acres of vacant grassy land. There are sparse mature Oregon white oak and Ponderosa pine trees, mostly clustered on the site in a few areas that will be primarily protected with open space and building envelopes. The site is hilly with steeper slopes across the southern end. Parcels to the north contain single family homes on small lots, to the west is GMA Agriculture, with an orchard west of vacant lots.

The proposed scope of work involves construction of a local access road with a culdesac for emergency turnaround. The project is a replat of 66 existing non-conforming lots into 6 larger more conforming lots. Average lot size before replat is about 7,000 sf. Average lot size after replat is 112,748 sf (2.59 acres).

Key Viewing Areas

KA surveyors evaluated the sightlines to the proposed homesites from Highway 14, I-84, and The Dalles Bridge/Columbia River. The future homesites on Lots 1-4 are not visible from KVA's and building envelopes have been provided for Lots 5 and 6 to minimize visibility. Homes on Lots 5 and 6 should be reviewed at the time of building permit to ensure that they are properly screened, which may require careful siting and additional vegetation for screening.

Setbacks from Agricultural Use

While the proposed lots are zoned Rural Residential, Agricultural (GMA A-1 40) zoning lies just across Sandstone Way (50' ROW width). The developer owns the undeveloped TL 1N 13E 5 AD 400 and 500, which contain multiple small legal lots without irrigation rights. The developer plans to build two homes and replat the small lots to two lots. To the northeast of these lots lies TL 1N 13E 5 A 200. This property is Ag (GMA A-1 40) zoned, as well, and contains a residence and orchard.

Per the Wasco County and National Scenic Area (NSA) Land Use and Development Code, *"all new structures to be located on a parcel adjacent to lands that are designated Large-Scale or Small-Scale Agriculture and are currently used for or are suitable for agricultural use shall comply with the following setback standards:*

Adjacent Use	***Open or Fenced***	***Natural or Created Vegetation Barrier***	***8-foot Berm or Terrain Barrier***
Orchards	*250'*	*100'*	*75'*
Row crops/ vegetables	*300'*	*100'*	*75'*
Livestock grazing, pasture, haying	*100'*	*15'*	*20'*
Grains	*200'*	*75'*	*20'*
Berries, vineyards	*150'*	*50'*	*50'*
Other	*100'*	*50'*	*30'*

a. Earth berms may be used to satisfy, in part, the setback guidelines. The berm shall be a minimum of eight (8) feet in height, and contoured at 3 to 1 slopes to look natural. Shrubs, trees and/or grasses shall be employed on the berm to control erosion and achieve a finished height of fifteen (15) feet.

b. The planting of a continuous vegetative screen may be used to satisfy, in part, the setback guidelines. Trees shall be 6+ feet high when planted and reach an ultimate height of at least fifteen (15) feet. The vegetation screen shall be planted along the appropriate lot/parcel line(s), and be continuous.

c. The necessary berming and/or planting must be completed during the first phase of development and maintained in good condition. "

For the proposed Lots 1 and 2, the 50' of Sandstone Road ROW and the 25' front setback add up to 75', which is adequate for all adjacent farm uses as long as there is an 8-foot berm with vegetation that achieves a total berm/vegetation height of at least 15 feet. Material that is excavated for the road and utilities that is unsuitable for structural fill will be utilized to form the required berms along Lots 1 and 2, as shown in the Ag Setback Exhibit EX2. However, if the TL400 and 500 have become residential usage as described above before the replatting of these six lots, then berms would not be necessary since the potential agricultural use would then be over 300 feet away from the proposed lots.

Utilities

Water

Lots 1 and 2 will obtain water service from existing water mains in the existing roads. The developer proposes to install a 4" looped water main from the existing water mains in Sandstone Way and dead-end main in Hermit's Way to serve lots 3-6. This plan has been discussed with Chenowith Water District, and they indicate that there is plenty of water plan for the proposed homes and they will let us know if they will require looping to Hermit's Way.

Sanitary

Homes will be on septic/drainfield systems. Primary and Replacement drainfield locations have been evaluated and approved for each lot. Drainfields for Lots 1 (reserve), 2 and 6 have been evaluated and approved to be within easements in the open space tract. The open space tract contains remote set asides for individual drainfields and their associated backup drainfields. The developer also had Aqua Resource Design and Consulting (septic design consultant) review the pits for design of the systems prior to the sanitarian's review. Their memo is attached to this narrative, as are the sanitarian's approved drainfield locations (note that lot numbering and configuration has changed since original soil evaluation). Subsequently, in 2022, the developer contracted with EMS Environmental Consultants to stake the drainfields and conduct a hydrology study for drainfields located along the central drainage area as requested by the previous sanitarian. The drainfields as staked in the field caused a slight shift in the access road and lot lines from the pre-app layout, which is reflected in the current plans. Note that we have also adjusted the lot lines since the original sanitary approval to include as many of the drainfields as possible on the lots. Drainfields are located in the open space tract where there is not sufficient soil on the individual lot for a drainfield.

Power and communications

Power will be provided by Northern Wasco PUD from the existing power poles along Sandstone Way. Underground power and transformers will be placed at their direction. Communications will follow the power in a joint utility trench.

Drainage

This project will create little impervious area since most of the roads are already in place. The homes, driveways, and access road will utilize sheetflow and downspout dispersion. Care will be taken to not release stormwater on or near the tops of the steep slopes or directly above drainfields. Erosion control measures during construction, such as sediment fence, will be utilized to prevent construction stormwater from leaving the site.

Proposed Landscaping

The disturbed areas shall be revegetated with native grasses such as Koeleria macrantha (Prairie Junegrass) by seed. Seeding in non-irrigated areas (roadside slopes) shall be done during spring or fall, when they will be irrigated by rain. Irrigation shall be provided by the owner to ensure growth of plants for any areas planted during dry weather and through dry seasons, until established. If berms are placed to reduce setbacks for Lots 1 and 2 shall be planted per the guidance in the Wasco County and

National Scenic Area (NSA) Land Use and Development Code to create a combined height of 15' (8' berm plus 7' planting).

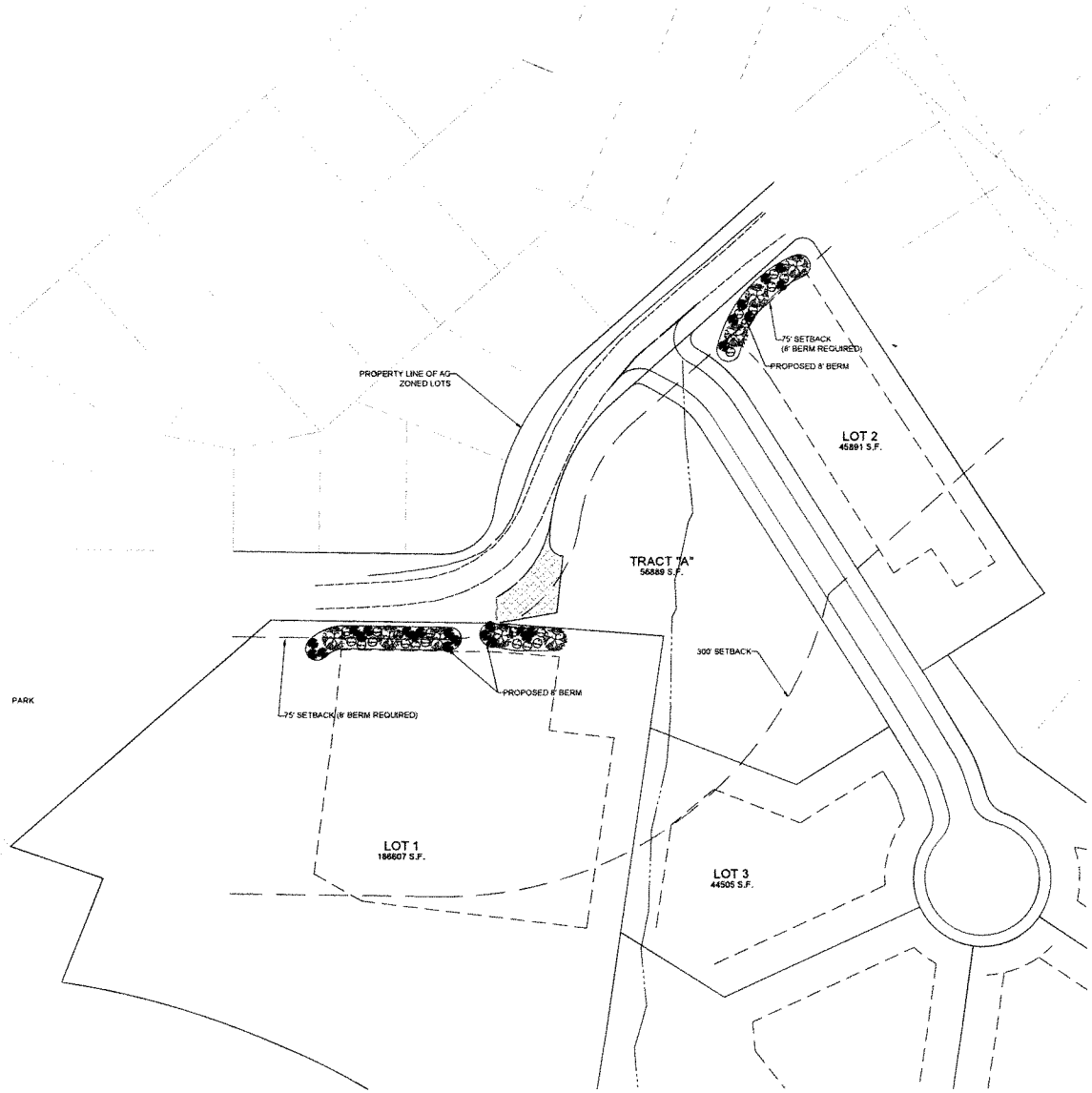
Sincerely,

Digitally signed by Elizabeth Betts
Date: 2022.12.15 12:50:54-08'00'

Elizabeth Betts, PE
Klein & Associates, Inc.
(541)386-3322
elizabeth@kleinassocinc.com

Attachments:

EX1 – Key View Area Analysis
EX2 – Residential Analysis Ag Setbacks
Septic: Septic evaluations, AquaResource septic memo, EMS Hydrology Study and Septic Site Plan



Adjacent Use	Open or Fenced	Natural or Created Vegetation Barrier	8-foot Berm or Terrain Barrier
Orchards	250'	100'	75'
Row crops/ vegetables	300'	100'	75'
Livestock grazing, pasture, haying	100'	15'	20'
Grains	200'	75'	20'
Berries, vineyards	150'	50'	50'
Other	100'	50'	30'

a. Earth berms may be used to satisfy, in part, the setback guidelines. The berm shall be a minimum of eight (8) feet in height, and contoured at 3 to 1 slopes to look natural. Shrubs, trees and/or grasses shall be employed on the berm to control erosion and achieve a finished height of fifteen (15) feet.

b. The planting of a continuous vegetative screen may be used to satisfy, in part, the setback guidelines. Trees shall be 6+ feet high when planted and reach an ultimate height of at least fifteen (15) feet. The vegetation screen shall be planted along the appropriate lot/parcel line(s), and be continuous.

c. The necessary berming and/or planting must be completed during the first phase of development and maintained in good condition. "

PRELIMINARY

PLOTTED: 12/9/2022
SAVED: 12/9/2022

Klein & Associates, Inc.
ENGINEERING LAND SURVEYING PLANNING
1411 13TH STREET
HOOD RIVER, OREGON 97031
TEL: 541-386-3322
FAX: 541-386-2515
WWW.KLEINASSOCINC.COM

REGISTERED PROFESSIONAL ENGINEER
71333PE
OREGON
ELIZABETH L. BETTS
EXPIRES

RESIDENTIAL EVALUATION - AG SETBACKS
PRINCE HEIGHTS SUBDIVISION
WASCO COUNTY, OREGON

REVISIONS:

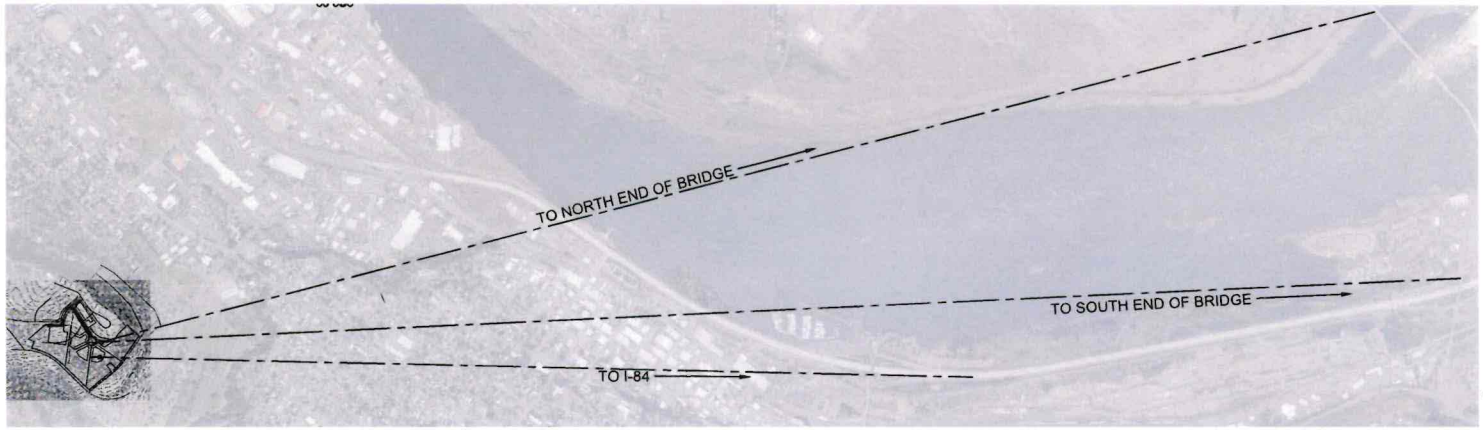
NO.	DESCRIPTION	DATE

SURVEYED: KA
DESIGN: KA
DRAFT: GD
APPROVE. JK
DATE:

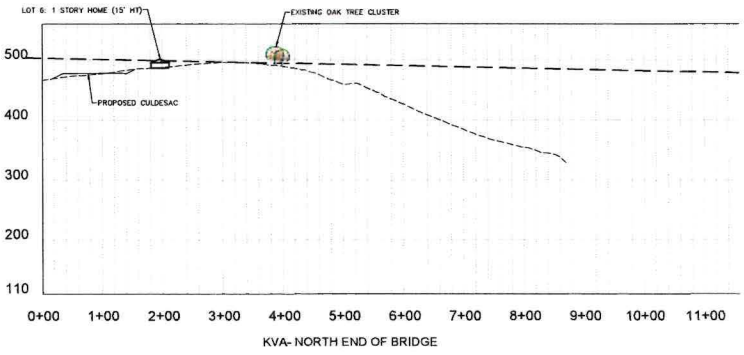
NOVEMBER, 2022

SHEET EX2

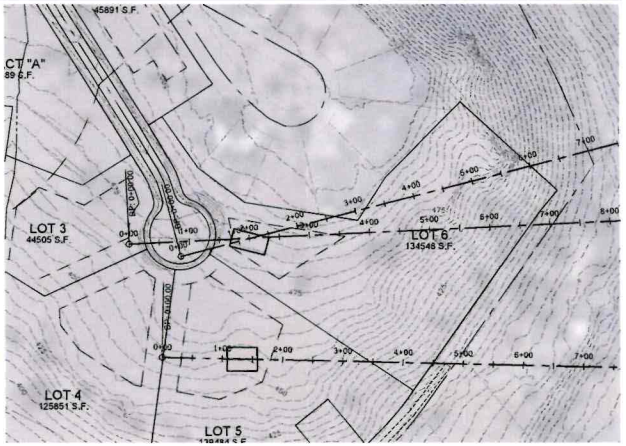
CAD FILE: Z:\PROJECTS\2017\170105 Mtn Columbia Crest PUD\Drawings\170105 KVA Exhibits.dwg PLOT DATE/TIME: 12/9/2022 - 1:08pm

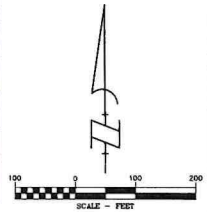


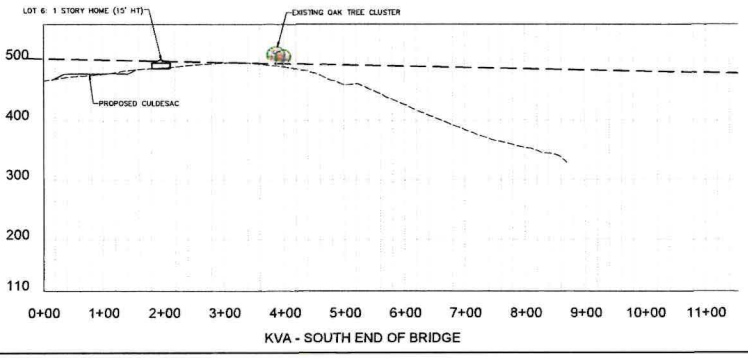




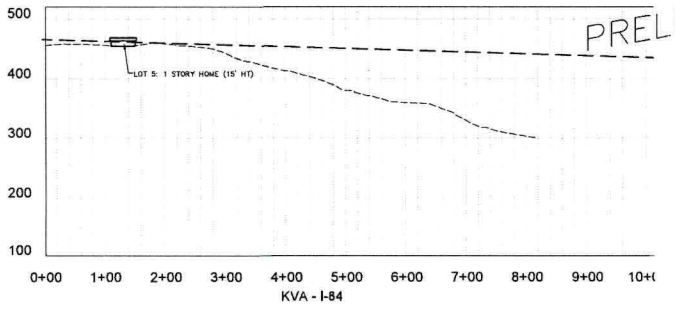
KVA- NORTH END OF BRIDGE







KVA - SOUTH END OF BRIDGE



KVA - I-84

PRELIMINARY

PLOTTED: 12/9/2022
SAVED: 12/9/2022

Klein & Associates, Inc.
ENGINEERING LAND SURVEYING PLANNING
1411 13TH STREET
HOOD RIVER, OREGON 97031
TEL: 541-386-3322
FAX: 541-386-2515
WWW.KLEINASSOCINC.COM

REGISTERED PROFESSIONAL ENGINEER
71333PE
OREGON
ELIZABETH L. BETTS
EXPIRES:

KVA ANALISYS
PRINCE HEIGHTS SUBDIVISION
WASCO COUNTY, OREGON

REVISIONS:
NO. DESCRIPTION DATE

SURVEYED: KA
DESIGN: KA
DRAFT: GD
APPROVE: JK
DATE:

NOVEMBER, 2022

SHEET EX1

CAD FILE: Z:\PROJECTS\2017\170105 Miller Columbia Crest PUD\Drawing\170105 KVA Exhibits.dwg PLOT DATE/TIME: 12/9/2022 - 1:12pm

SEPTIC SITE EVALUATIONS

ALL LOT #'S SHIFTED 2 LOTS FORWARD SINCE THESE WERE COMPLETED (IE LOT 3 BECAME LOT 1)

Back-up Area for Lot 2

SITE EVALUATION FIELD WORKSHEET

Township: 1N Range: 13E Section SAD Tax Lot _____ Evaluator John Zelaznik, NCPHD

Applicant Lewis Moller Date 9/28/17 Parcel Size _____

Soil matrix color and redox features, roots coarse fragments, structure, layer limiting effective soil depth, etc.

Back-up area for Lot #2

TP #10 (1)

Depth	Texture	
0-14	Sandy Clay Loam	Dry, Many Very fine, Subangular blocky 10YR 3/2
14-34	Sandy Clay Loam	Dry Few Fine, Subangular blocky, 10YR 4/3

TP #11

0-12	Fine Sandy Loam	Dry, Many Very fine, Subangular blocky 7.5YR 3/2
12-36	Fine Sandy Loam	Dry, Few Fine, Subangular blocky 10YR 4/4

Landscapes Notes _____

Slope 4-5% Aspect South Groundwater Type _____

Other Site Notes Cereal Rye

SYSTEM SPECIFICATIONS

Type System: Design Flow 450 gpd. Disposal Field Size 135'

Initial ATT System Sizing 45 /150 g. Max Depth Absorption Facility (in.) 28" min 18"

Replacement ATT System Sizing 45 /150g. Max Depth Absorption Facility (in.) 28"

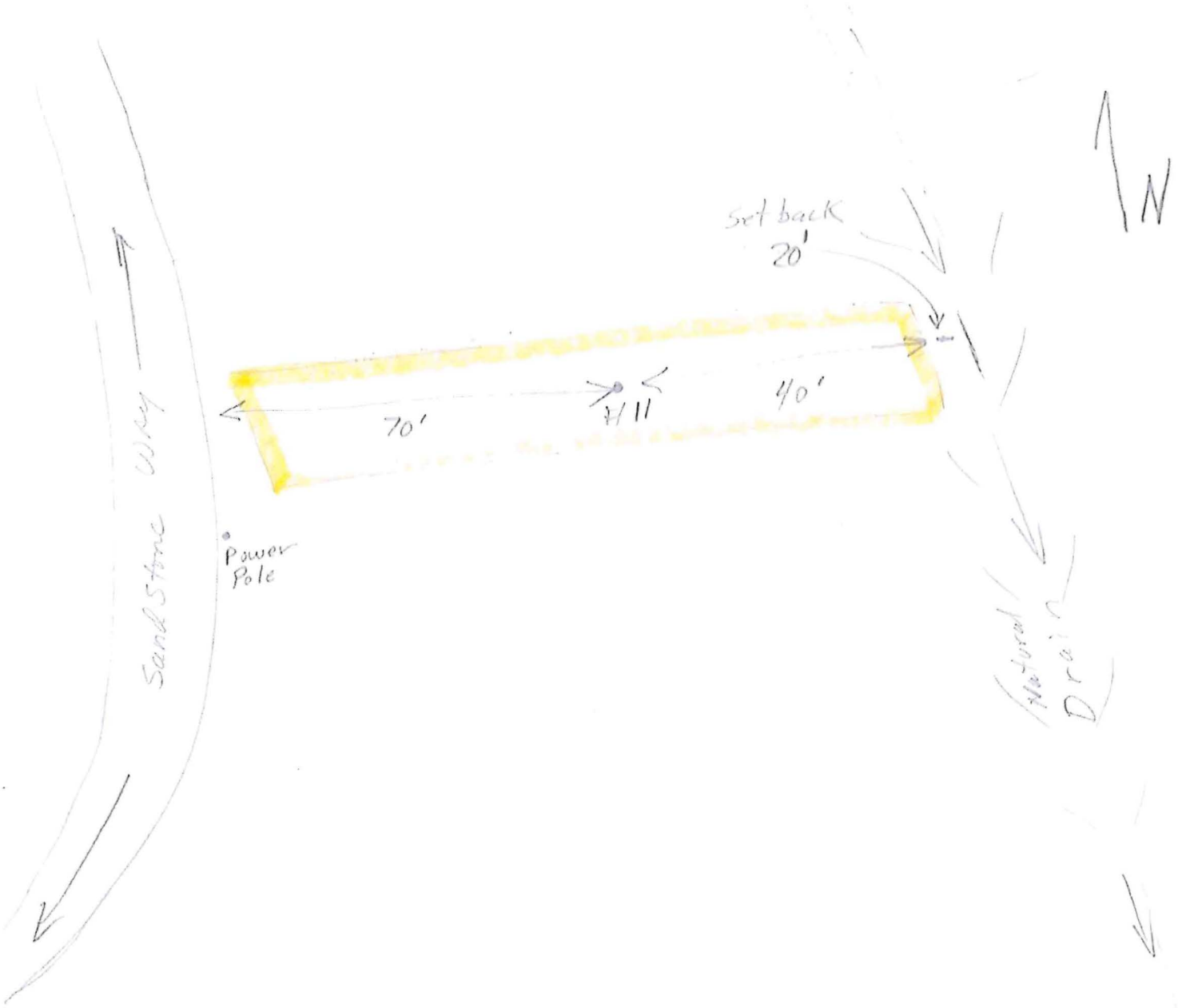
Suitable for ~~standard~~ ATT - Serial w/ hydrosplitter. drain field system. Minimum 1000 gal. septic tank, _____ feet of drain field required for up to a 4 bedroom residence. Soil consists of Sandy Clay Loam & Fine Sandy loam to 34 inches. Slope is 4 % in drain field area. Special conditions: _____

If this back-up area is used for Lot 2, ati will be part of engineering study on hydraulic loading on this location.

Lewis Moller

IN 13E 5AD

9/28/17



Back-up area for Lot #2

NORTH CENTRAL PUBLIC HEALTH DISTRICT
419 East Seventh Street
The Dalles, OR 97058
(541) 506-2600

Permit Number: _____
Date Issued: _____

Application for: **County:** **Date Pd:** Eval _____

Evaluation X Wasco ☒ Sherman ☐ Gilliam ☐ Permit _____
Repair _____
New Installation: Standard System _____
Alternative System X
Other _____

Lot 5

Marzies Meadow LLC
(Name of Property Owner)

27631 West Bluff DR
(Mailing Address)

West Linn OR 97068
(City) (State) (ZIP)

(Telephone) 503-319-8896
(Email) Lewis@LKMRealestate.com

Township 1N Range 13E Section 4

Tax Lot # _____

Site Address: _____

Proposed use:
Residential ☐ Commercial ☐
Other (explain) _____

Water Supply: **Private:** Well _____ Spring _____
Community Chenowith

DIRECTIONS TO PROPERTY: (Please be specific.)

Cherry Heights to Sandstone Way – Sandstone Way to Hermits

Property Zone Residential Size of lot or parcel 1.5 AC

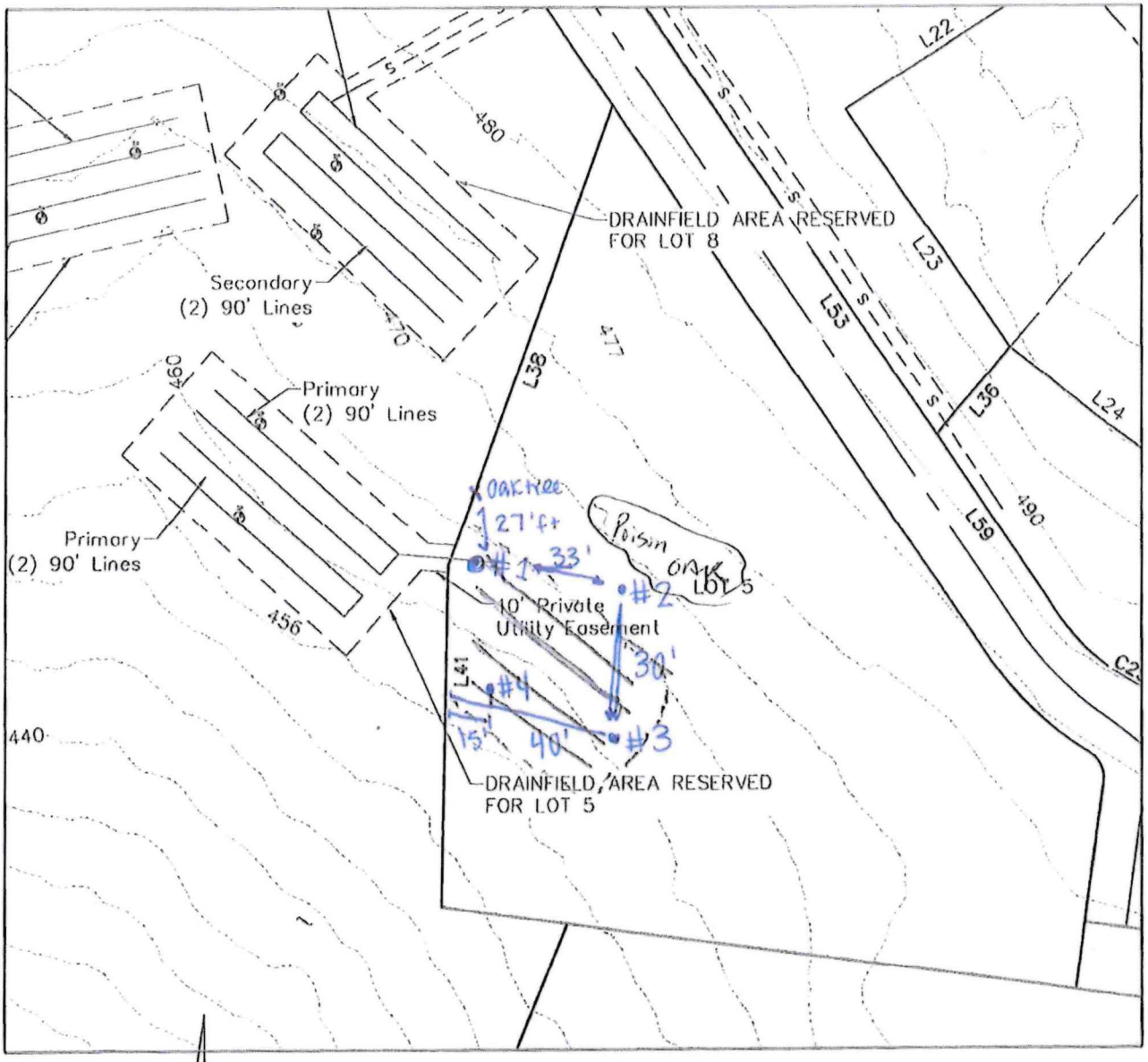
Test Holes [X] have been prepared [ ] will be prepared (date) _____

Lewis Rimble
(Signature Owner/Installer)

1/29/18
(Date)

IMPORTANT: ATTACH A MAP OF PROPERTY INCLUDING LOCATION OF WELL, ANY WELLS ON ADJACENT PROPERTY, AND TEST HOLES. ON LOTS LESS THAN 20 ACRES, APPROXIMATE PROPERTY CORNER SHOULD BE VISIBLY MARKED.

EXHIBIT LOT 5



NOTE: DIMENSIONS ARE ROUNDED TO THE NEAREST WHOLE NUMBER

PRELIMINARY

PLOTTED: 12/6/2017
SAVED: 12/6/2017

-30 0 30 60

SCALE – FEET
1" = 60

LOT 5 EXHIBIT
MARIE'S MEADOW
THE DALLES, OREGON

Klein & Associates, Inc.

PROJECT: 17-01-65
FILE No: Test_Pits.dwg
FILE PATH:
LAYOUT: Layout Name
SURVEYED: Initials
DESIGNED: Initials
DRAFT: Initials

Lot 5

SITE EVALUATION FIELD WORKSHEET

Township: 7N Range: 13E Section: 4 Tax Lot#: _____ Tax Reference: _____ Parcel Size: 1.5Ac

Owner/Applicant: Lewis Miller Evaluator: John Zalewski

Inspection Date(s): 1/29/18 Application Number: _____

	DEPTH	TEXTURE	SOIL MATRIX COLOR AND CONDITIONS ASSOCIATED WITH SATURATION, Color	Structure	Pores	Roots	Redox	Descriptive Features
Pit 1	0-16"	Loam	10YR3/2	SUB-blocky	many large	many very fine	None	Granular
	16-24"	Clay Loam	10YR3/2	"	"	many very fine	None	
	24-50"	Loam	10YR4/2	"	"	Few fine	Small amount	Little sandy
Pit 2	0-16"	"	" same as hole #1					
	16"-29"	"	"					
	29"-	Gravel Sandy Loam						
Pit 3	0-16"	Loam	10YR3/2	"	"	"	"	
	16-39"	Clay Loam	10YR4/2	"	"	"	"	tumbled rock 30%
Pit 4	0-20"	Loam	10YR3/2	SUB-block	"	"	"	mottle
	20-31"	Clay Loam	10YR4/2	"	"	"	"	
	31-48"	sandy loam	10YR4/3		Few fine			modeling 36" / cemented

Landscape Notes: Standard system?

Slope: 10% E Aspect: _____ Groundwater Type: _____

Other Site Notes: _____

SYSTEM SPECIFICATIONS

Design Flow: 450 gpd

Initial System: ATT meeting treatment standard 1 **ATT Treatment Standard:** 1

Disposal Facility: 150 linear feet/square feet Maximum Depth: 36 inches Minimum Depth: 24 inches

Replacement System: ATT **ATT Treatment Standard:** 1

Disposal Facility: 75 linear feet/square feet Maximum Depth: 36 inches Minimum Depth: 24 inches

Special Conditions: —

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY

REPORT OF EVALUATION FOR ONE LOT
ON-SITE SEWAGE SYSTEMS

(Technical Report – Not a Permit)

For Office Use Only
Lewis Moller

Township 1N Range 13E Section 4 Tax Lot No. 100 County: Wasco

Subdivision Name _____ Lot No. # 5 Block No. _____ Lot Size _____

The entire property ☐ Has ☒ Has Not been evaluated.

PLOT PLAN OF APPROVABLE AREA:

SEE ATTACHED SKETCH

Any alteration of the natural conditions in the area approved for the on-site system or replacement area may void this approval. This approval is given on the basis that the lot or parcel described above will not be further partitioned or subdivided and that conditions on subject or adjacent properties have not been altered in any manner which would prohibit issuance of a permit in accordance with O.R.S. 454.605 through 454.755 and Administrative Rules of the Environmental Quality Commission. Any such subdivision, partitioning or alteration may void this report.

The site has been found suitable for installation of the following kinds of on-site sewage disposal systems, with the limitations and additional requirements indicated:

Suitable for an ATT meeting treatment standard 1 effluent and a standard seriall drain field system: Minimum 1000 gallon septic tank, 150 feet of drain field required for up to a 4-bedroom residence. Soil consists of loam and clay loam to 48 inches. Slope is 10% in drain field area. Special conditions: A equal drainfield may be used if the effluent is distributed through a hydrosplitter.

Warning: This document is a technical report for on-site sewage disposal only. It may be converted to a permit only if, at the time of application, the parcel has been found to be compatible with applicable LCDC-acknowledged local comprehensive land use plans and implementing measures of the Statewide Planning Goals. The Statement of Compatibility may be made on the attached form or its equivalent. Authorized Agent approval is required before a construction permit can be issued.

This report is valid until an on-site sewage system is installed pursuant to a construction permit obtained from North Central Public Health District, or until earlier cancellation, pursuant to Commission rules, with written notice thereof by the Department of Environmental Quality to the owners according to Department records of the County tax records. Subject to the foregoing, this report runs with the land and will automatically benefit subsequent owners.

John Zalagnik	REHS	2-1-18	NCPHD
(Signature of Authorized Agent)	(Title)	(Date)	(Office)

Lewis Moller
1N 13E 4 100

2-1-18
Lot 5



* Note – ATT Meeting treatment standard 1

Lot 4

SITE EVALUATION FIELD WORKSHEET

Township: 1N Range: 13E Section 5AD Tax Lot _____ Evaluator John Zalazník - NCPHD

Applicant Lewis Moller Date 9/28/17 Parcel Size _____

Soil matrix color and redox features, roots coarse fragments, structure, layer limiting effective soil depth, etc.

Evaluation holes were not on this property

Depth	Texture	
TP 7		
0-13	Silt loam	Dry, Many Very fine, Subangular blocky 7.5YR 3/2
13-25	Silt Loam	Dry, Many fine, Subangular blocky 7.5YR 4/4
25-30	Decomposed Sandstone	Dry, Few Very fine roots, Angular blocky 7.5YR 4/4
TP 6		
0-14	Fine Sandy Loam	Dry, Many Very fine Angular blocky 10YR 3/2
14-30	Fine Sandy Loam	Dry, Many fine Angular blocky 7.5YR 3/3
30-34	Decomposed Sandstone	Dry Redox @ 31"

Landscapes Notes _____

Slope _____ Aspect _____ Groundwater Type _____

Other Site Notes Steep above uneven terrain - Road will act as curtain drain if constructed properly & piping surface seasonal drainage.

SYSTEM SPECIFICATIONS

Type System: Design Flow 450 gpd. Disposal Field Size 135'

Initial ATT-Capping Fill System Sizing 45 /150 g. Max Depth Absorption Facility (in.) 20 ~~40~~"

Replacement ATT-Capping Fill System Sizing 45 /150g. Max Depth Absorption Facility (in.) 20

Possibly @ hydrosplitted effluent

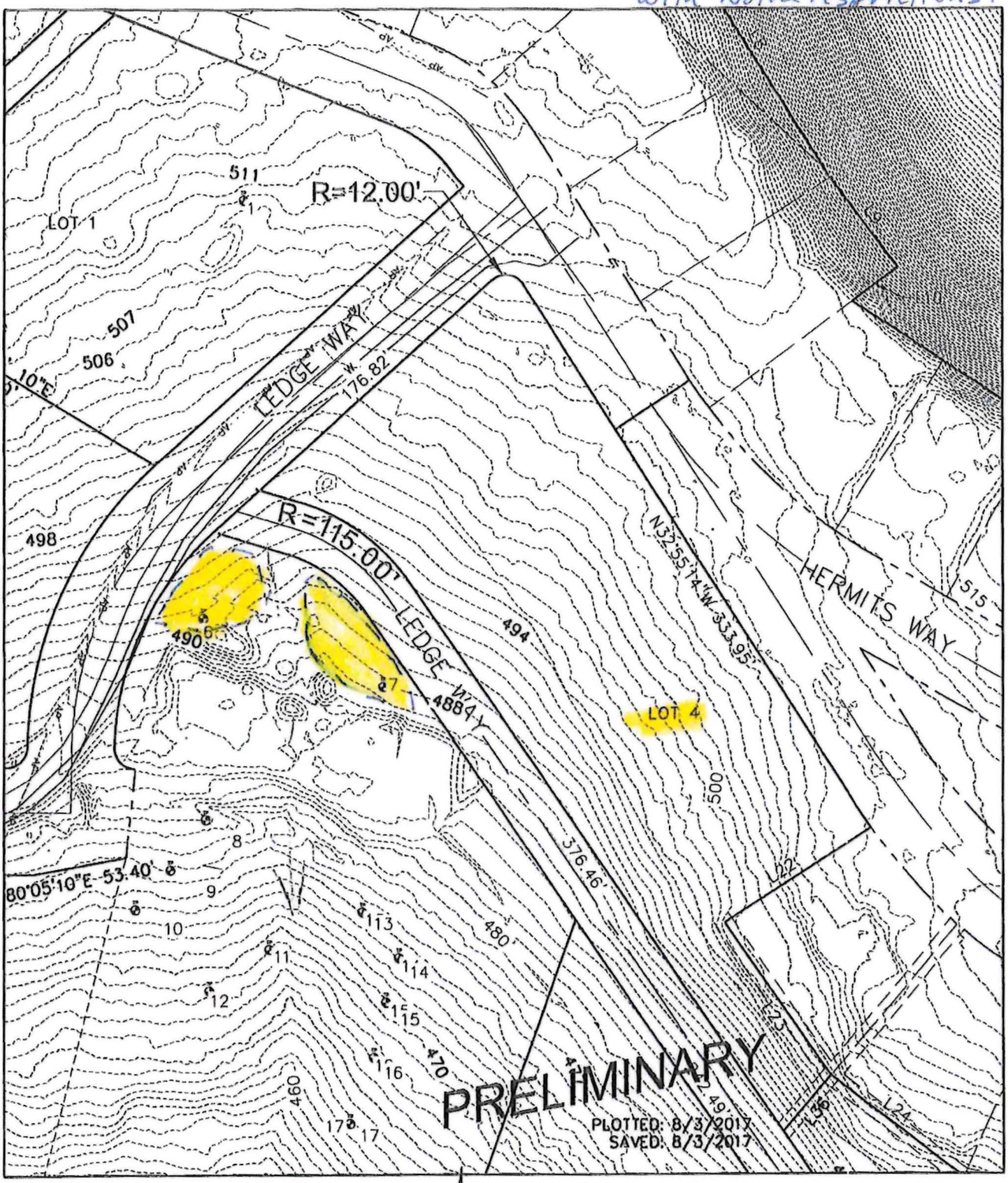
Suitable for standard ATT-Capping fill drain field system. Minimum 1000 gal. septic tank, 135 feet of drain field required for up to a 4 bedroom residence. Soil consists of Fine Sandy loam to 30 inches. Slope is 4-8 % in drain field area. Special conditions: →

Minimum 6" Cap will be required - in areas of uneven terrain more cap may be necessary. * The lot accepting Lots 4 effluent will need an engineering study for hydraulic loading.

Both initial and replacement drain fields will need to be layed out to grade to assure space is available.

EXHIBIT LOT 4

Highlighted areas are approved for initial & replacement drain fields with Natal restrictions.



NOTES: DIMENSIONS ARE ROUNDED TO THE NEAREST WHOLE NUMBER

TEST PITS 6, 7, AND 9–11 ARE PROPOSED FOR THIS APPROVAL AREA

40 0 40 80

SCALE – FEET

1" = 80'

LOT 4 EXHIBIT
MARIE'S MEADOW
THE DALLES, OREGON

Klein & Associates, Inc.
ENGINEERING • SURVEYING • PLANNING
1411 13th Street • Hood River, OR 97031
TEL: 541-386-3322 • FAX: 541-386-2515

PROJECT:	17-01-05
FILE No:	Test_Pits.dwg
FILE PATH	
	C:\Users\...\Desktop
LAYOUT:	Layout Name
SURVEYED:	Initials
DESIGN:	Initials
DRAFT:	Initials
APPROVE:	Initials
DATE:	JULY 2017
SHEET	XX OF XX SHEETS

Lot 5

SITE EVALUATION FIELD WORKSHEET

Township: 1N Range: 13E Section 5AD Tax Lot _____ Evaluator John Zalaznik, NCPHD

Applicant Lewis Moller Date 9/28/17 Parcel Size _____

Soil matrix color and redox features, roots coarse fragments, structure, layer limiting effective soil depth, etc.

No test pits were located on Lot 5

TP # 12

Depth	Texture	
0-14	Silt Loam	Dry Many Very fine, Subangular blocky 10YR 3/2
14-27	Loam	Dry, Many Very fine, Subangular blocky 10YR 3/2
27-40	Loam	Dry Common Fine, " " 10YR 4/3

TP # 15

0-15	Silt Loam	Dry, Many Very Fine, Subangular blocky 10YR 3/3
15-25	Loam	Dry, many Fine, Subangular blocky 10YR 3/2
25-40	Loam	Dry, many Fine, Subangular blocky 10YR 4/3

Landscapes Notes _____

Slope _____ Aspect S S-E Groundwater Type _____

Other Site Notes # 12 is ≅ 100' from access road

SYSTEM SPECIFICATIONS

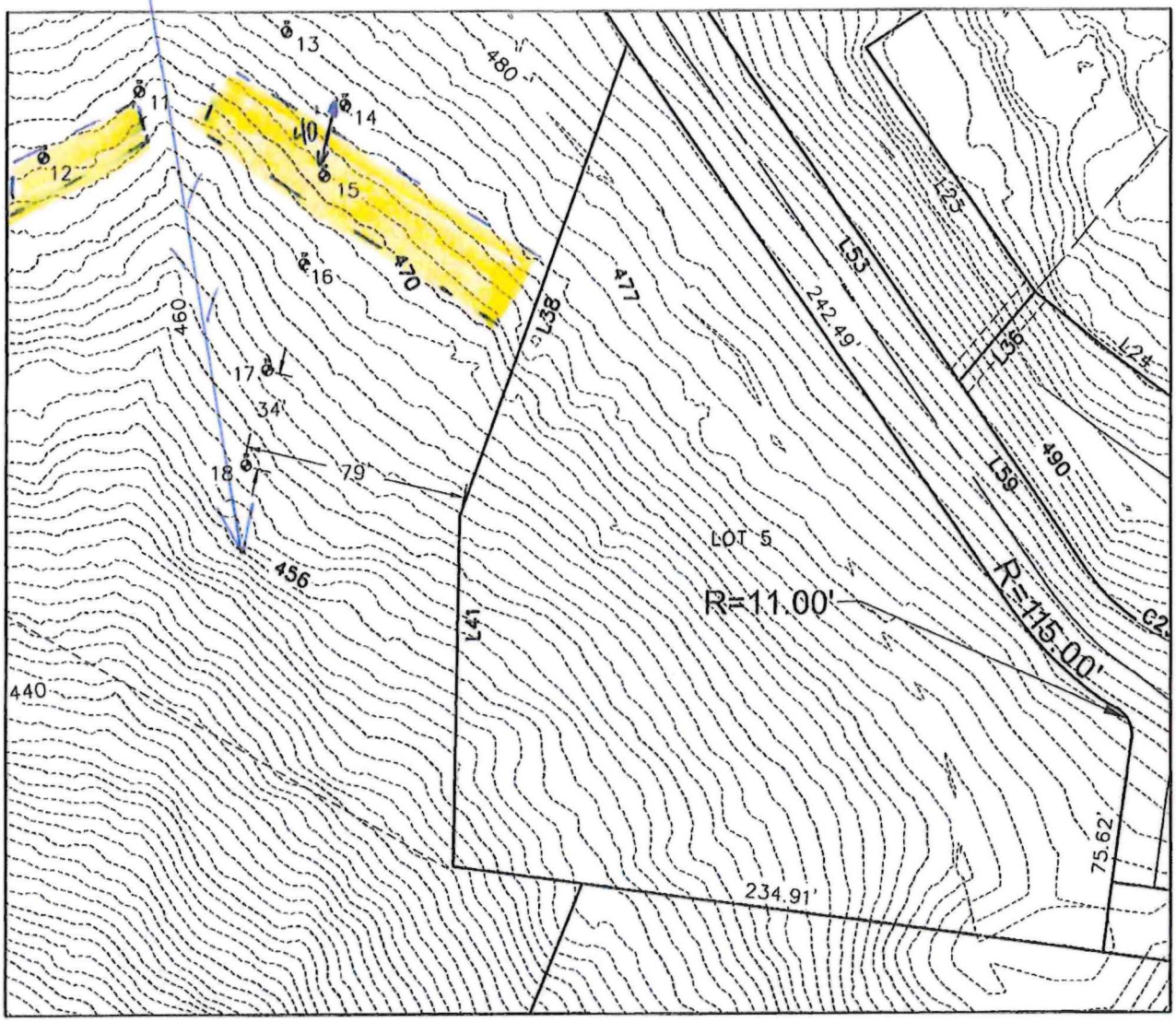
Type System: Design Flow 450 gpd. Disposal Field Size 135'

Initial ATT System Sizing 45 /150 g. Max Depth Absorption Facility (In.) 30 18" min

Replacement ATT System Sizing 45 /150g. Max Depth Absorption Facility (in.) 30

Suitable for standard ATT Serial w/ hydrosplitter drain field system. Minimum 1000 gal. septic tank, 135 feet of drain field required for up to a 4 bedroom residence. Soil consists of Silt Loam & Loam to 40 inches. Slope is 10-12 % in drain field area. Special conditions: No evaluation holes are located on lot 5. The drain field will have to be described in an easement and this area will need an hydrolic engineering study prior to full approval. Both initial & replacement drain fields need to be staked to grade to assure sufficient space is available.

EXHIBIT LOT 5



NOTES: DIMENSIONS ARE ROUNDED TO THE NEAREST WHOLE NUMBER

TEST PITS 13–15 ARE PROPOSED FOR THIS APPROVAL AREA

PRELIMINARY

PLOTTED: 8/3/2017
SAVED: 8/3/2017

-30 0 30 60

SCALE – FEET
1" = 60

LOT 5 EXHIBIT
MARIE'S MEADOW
THE DALLES, OREGON

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DATE:	JULY 2017
SHEET	XX OF XX SHEETS

NORTH CENTRAL PUBLIC HEALTH DISTRICT
419 East Seventh Street
The Dalles, OR 97058
(541) 506-2600

Permit Number: _____
Date Issued: _____

Application for: **County:** **Date Pd:** Eval _____

Evaluation X Wasco ☒ Sherman ☐ Gilliam ☐ Permit _____
Repair _____
New Installation: Standard System _____
Alternative System X
Other _____

Lot 5

Mazies Meadow LLC
(Name of Property Owner)

Township 1N Range 13E Section 4

Tax Lot # _____

27631 West Bluff DR
(Mailing Address)

Site Address: _____

West Linn OR 97068
(City) (State) (ZIP)

Proposed use:

(Telephone) 503-319-8896
(Email) Lewis@LKMRealestate.com

Residential ☐ Commercial ☐
Other (explain) _____

Water Supply: **Private:** Well _____ Spring _____
Community Chenowith

DIRECTIONS TO PROPERTY: (Please be specific.)

Cherry Heights to Sandstone Way – Sandstone Way to Hermits

Property Zone Residential Size of lot or parcel 1.5 AC

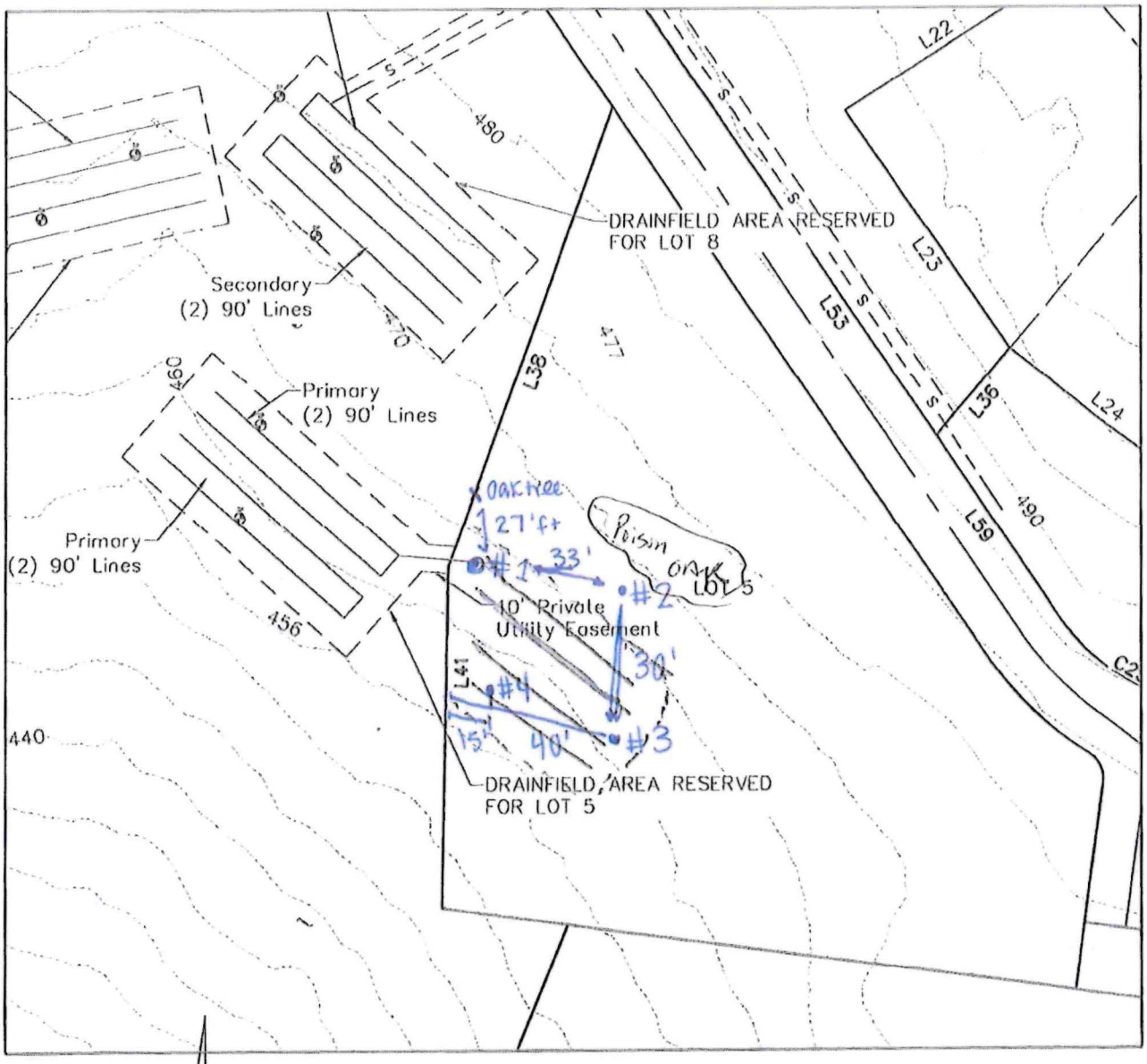
Test Holes [X] have been prepared [ ] will be prepared (date) _____

Lewis Kimble
(Signature Owner/Installer)

1/29/18
(Date)

IMPORTANT: ATTACH A MAP OF PROPERTY INCLUDING LOCATION OF WELL, ANY WELLS ON ADJACENT PROPERTY, AND TEST HOLES. ON LOTS LESS THAN 20 ACRES, APPROXIMATE PROPERTY CORNER SHOULD BE VISIBLY MARKED.

EXHIBIT LOT 5



NOTE: DIMENSIONS ARE ROUNDED TO THE NEAREST WHOLE NUMBER

PRELIMINARY

PLOTTED: 12/6/2017
SAVED: 12/6/2017

-30 0 30 60

SCALE – FEET
1" = 60

LOT 5 EXHIBIT
MARIE'S MEADOW
THE DALLES, OREGON

Klein & Associates, Inc.

PROJECT: 17-01-05
FILE No: Test_Pits.dwg
FILE PATH:
LAYOUT: Layout Name
SURVEYED: Initials
DESIGNED: Initials
DRAFT: Initials

Lot 5

SITE EVALUATION FIELD WORKSHEET

Township: 1N Range: 13E Section: 4 Tax Lot#: _____ Tax Reference: _____ Parcel Size: 1.5Ac

Owner/Applicant: Lewis Miller Evaluator: John Zalewski

Inspection Date(s): 1/29/18 Application Number: _____

	DEPTH	TEXTURE	SOIL MATRIX COLOR AND CONDITIONS ASSOCIATED WITH SATURATION, Color	Structure	Pores	Roots	Redox	Descriptive Features
Pit 1	0-16"	Loam	10YR3/2	SUB-blocky	many large	many very fine	None	Granular
	16-24"	Clay Loam	10YR3/2	"	"	many very fine	None	
	24"-50"	Loam	10YR4/2	"	"	Few fine	Small amount	Little sandy
Pit 2	0-16"	"	" same as hole #1	"	"	"	"	
	16"-29"	"	"	"	"	"	"	
	29"-	~~Gravel~~ Sandy Loam						
Pit 3	0-16"	Loam	10YR3/2	"	"	"	"	
	16-39"	ClayLoam	10YR4/2	"	"	"	"	tumbled rock 30%
								1
Pit 4	0-20"	Loam	10YR3/2	SUB-block	"	"	"	mottle
	20-31"	Clay Loam	10YR4/2	"	"	"	"	
	31"-48"	sandy loam	10YR4/3		Few fine			modeling 36" / cemented

Landscape Notes: Standard system?

Slope: 10% E Aspect: _____ Groundwater Type: _____

Other Site Notes: _____

SYSTEM SPECIFICATIONS

Design Flow: 450 gpd

Initial System: ATT meeting treatment standard 1 ATT Treatment Standard: 1

Disposal Facility: 150 linear feet/square feet Maximum Depth: 36 inches Minimum Depth: 24 inches

Replacement System: ATT ATT Treatment Standard: 1

Disposal Facility: 75 linear feet/square feet Maximum Depth: 36 inches Minimum Depth: 24 inches

Special Conditions: —

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY

REPORT OF EVALUATION FOR ONE LOT
ON-SITE SEWAGE SYSTEMS

(Technical Report – Not a Permit)

For Office Use Only
Lewis Moller

Township 1N Range 13E Section 4 Tax Lot No. 100 County: Wasco

Subdivision Name _____ Lot No. # 5 Block No. _____ Lot Size _____

The entire property ☐ Has ☒ Has Not been evaluated.

PLOT PLAN OF APPROVABLE AREA:

SEE ATTACHED SKETCH

Any alteration of the natural conditions in the area approved for the on-site system or replacement area may void this approval. This approval is given on the basis that the lot or parcel described above will not be further partitioned or subdivided and that conditions on subject or adjacent properties have not been altered in any manner which would prohibit issuance of a permit in accordance with O.R.S. 454.605 through 454.755 and Administrative Rules of the Environmental Quality Commission. Any such subdivision, partitioning or alteration may void this report.

The site has been found suitable for installation of the following kinds of on-site sewage disposal systems, with the limitations and additional requirements indicated:

Suitable for an ATT meeting treatment standard 1 effluent and a standard seriall drain field system: Minimum 1000 gallon septic tank, 150 feet of drain field required for up to a 4-bedroom residence. Soil consists of loam and clay loam to 48 inches. Slope is 10% in drain field area. Special conditions: A equal drainfield may be used if the effluent is distributed through a hydrosplitter.

Warning: This document is a technical report for on-site sewage disposal only. It may be converted to a permit only if, at the time of application, the parcel has been found to be compatible with applicable LCDC-acknowledged local comprehensive land use plans and implementing measures of the Statewide Planning Goals. The Statement of Compatibility may be made on the attached form or its equivalent. Authorized Agent approval is required before a construction permit can be issued.

This report is valid until an on-site sewage system is installed pursuant to a construction permit obtained from North Central Public Health District, or until earlier cancellation, pursuant to Commission rules, with written notice thereof by the Department of Environmental Quality to the owners according to Department records of the County tax records. Subject to the foregoing, this report runs with the land and will automatically benefit subsequent owners.

John Zelaznik	REHS	2-1-18	NCPHD
(Signature of Authorized Agent)	(Title)	(Date)	(Office)

Lewis Moller
1N 13E 4 100

2-1-18
Lot 5



* Note – ATT Meeting treatment standard 1

Lot 6
Primary

SITE EVALUATION FIELD WORKSHEET

Township: 1N Range: 13E Section 5AD Tax Lot _____ Evaluator John Zalaznik, NCPHD

Applicant Lewis Moller Date 9/28/17 Parcel Size _____

Soil matrix color and redox features, roots coarse fragments, structure, layer limiting effective soil depth, etc.

No test pits were located on Lot 6

Pit 17

Depth	Texture	
0-11	Silt Loam	Dry, Many Very fine, Subangular blocky 10YR 3/2
11-28	Loam	Dry, many fine " 10YR 3/2
28-38	Loam	Dry, Many fine " 10YR 4/3 Redox showing @ 36"

Pit 18

0-14	Silt Loam	Dry, many fine Subangular blocky 10YR 3/2
14-27	Loam	Dry, Many fine " 10YR 3/2
27-40	Silt Loam	Dry, many fine " 10YR 4/3 Temp perched water @ ≅ 36"

Landscapes Notes _____

Slope _____ Aspect _____ Groundwater Type _____

Other Site Notes Cereal Rye

SYSTEM SPECIFICATIONS

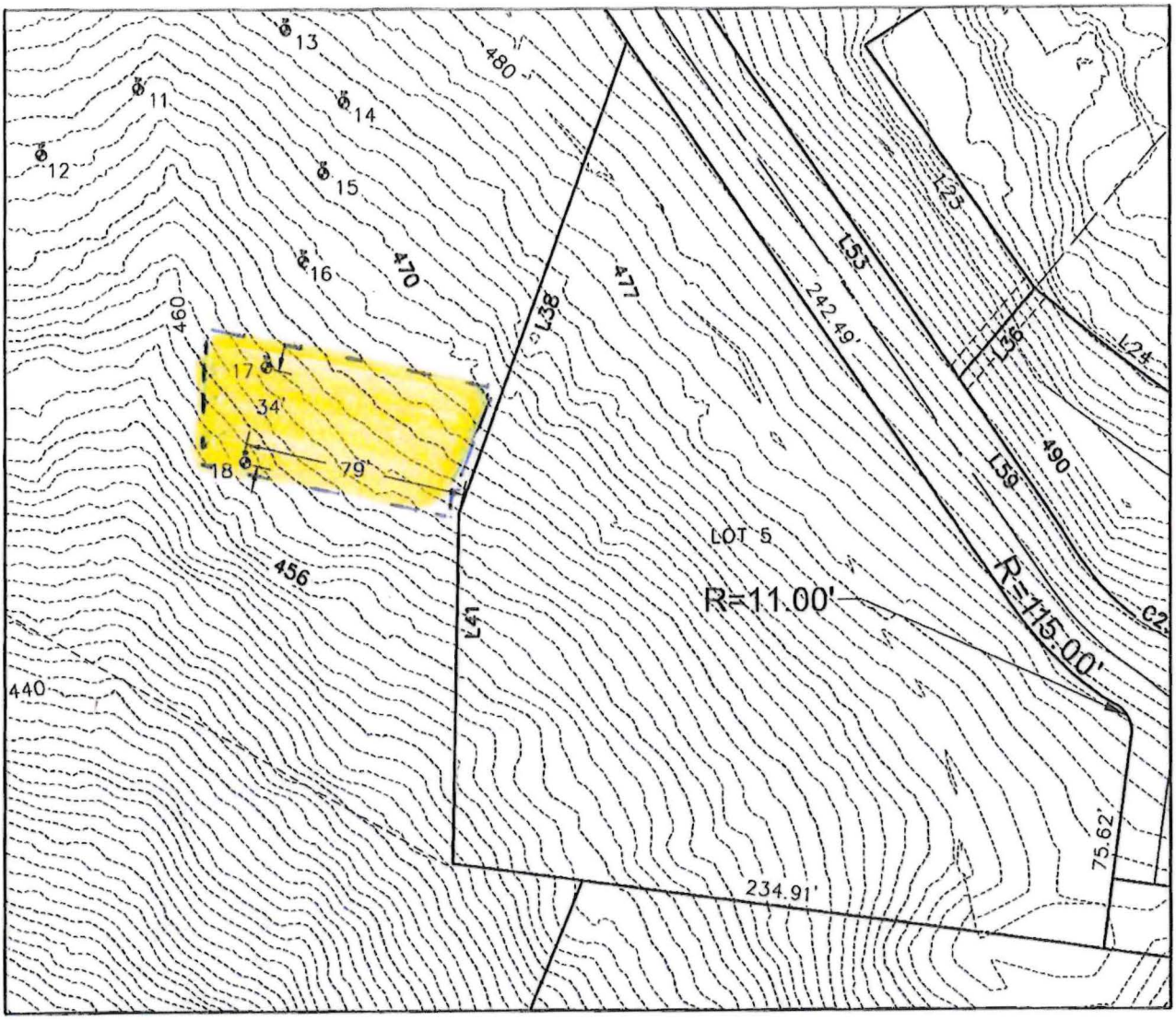
Type System: Design Flow 450 gpd. Disposal Field Size 135'

Initial ATT System Sizing 45 /150 g. Max Depth Absorption Facility (in.) 32" MIN 18"

Replacement ATT System Sizing 45 /150g. Max Depth Absorption Facility (in.) 32"

Suitable for ~~standard~~ ATT-Serial w/Hydrosplitter drain field system. Minimum 1000 gal. septic tank, 135' feet of drain field required for up to a 4 bedroom residence. Soil consists of Loam & silt loam to 38" inches. Slope is 12-14% % in drain field area. Special conditions: Both initial drain fields will have to be staked to grade prior to full approval. This lot will also have to be part of the hydrolic study to take in account total volumes to be disposed on this "Lot".

EXHIBIT LOT 5



NOTES: DIMENSIONS ARE ROUNDED TO THE NEAREST WHOLE NUMBER

TEST PITS 13–15 ARE PROPOSED FOR THIS APPROVAL AREA

PRELIMINARY

PLOTTED: 8/3/2017
SAVED: 8/3/2017

-30 0 30 60

SCALE – FEET
1" = 60

LOT 5 EXHIBIT
MARIE'S MEADOW
THE DALLES, OREGON

Klein & Associates, Inc.
ENGINEERING • SURVEYING • PLANNING
1111 13th Street • Hood River, OR 97031
TEL: 541-386-3322 • FAX: 541-386-2515

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SHEET	XX OF XX SHEETS

Lot 6
Secondary

SITE EVALUATION FIELD WORKSHEET

Township: 1N Range: 13E Section SAD Tax Lot _____ Evaluator John Zalazgik, NCPHD

Applicant Lewis Moller Date 9/28/17 Parcel Size _____

Soil matrix color and redox features, roots coarse fragments, structure, layer limiting effective soil depth, etc.

Evaluation holes are not located on lot 6

Pit 20

Depth	Texture	
0-12	Fine Sandy Loam	Dry, Many Very fine, Subangular blocky 10YR 3/2
12-28	Loam	Dry, Many fine, Subangular blocky 10YR 4/3
29/↓	Decomposed Sandstone	

Pit 26

0-12	Silt Loam	Dry, Many Very fine, Subangular blocky, 10YR 3/2
12-24	Silty Clay Loam	Dry, Many fine, Subangular blocky, 10YR 4/3
24-34	Silty Clay Loam	Dry, Common Fine, Subangular blocky 10YR 4/3

Landscapes Notes _____

Slope 16-18% Aspect E Groundwater Type _____

Other Site Notes _____

SYSTEM SPECIFICATIONS

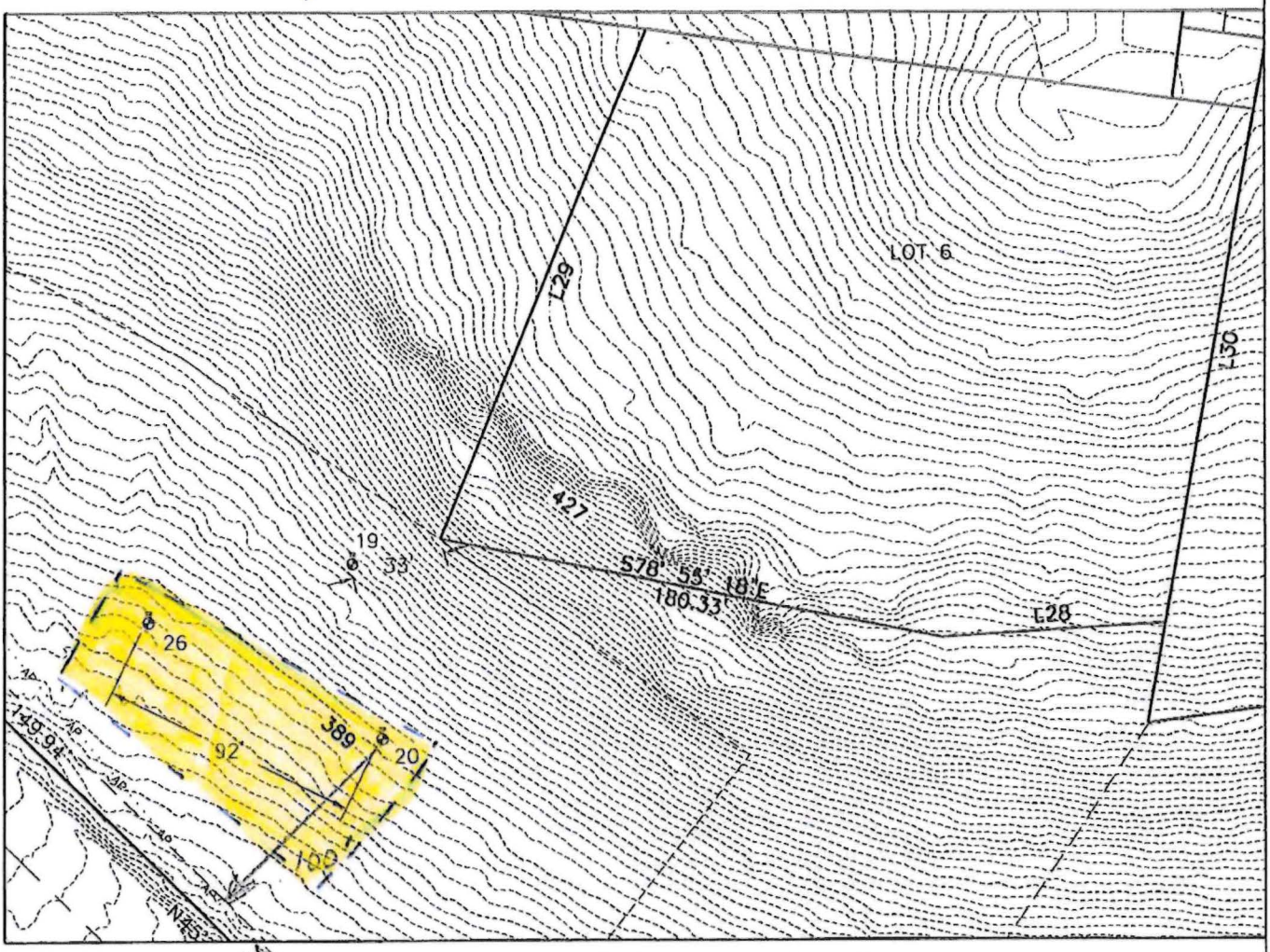
Type System: Design Flow 450 gpd. Disposal Field Size 150 min

Initial ATT System Sizing 50 /150 g. Max Depth Absorption Facility (in.) 24 20" (20")

Replacement ATT System Sizing 50 /150g. Max Depth Absorption Facility (in.) 24

Suitable for standard ATT - Serial Equal w hydrosplitter drain field system. Minimum 1000 gal. septic tank, 150 feet of drain field required for up to a 4 bedroom residence. Soil consists of Loam - Silty Clay Loam to 30 inches. Slope is 16-18 % in drain field area. Special conditions: Replacement area for Lot #6. Easement needed

Secondary System Area for Lot 6



NOTES: DIMENSIONS ARE ROUNDED TO THE NEAREST WHOLE NUMBER

TEST PITS 19, 20, AND 26 ARE PROPOSED FOR THIS APPROVAL AREA

Road Cut

PRELIMINARY

PLOTTED: 8/3/2017
SAVED: 8/3/2017

Easement Down to 11

-30 0 30 60

SCALE – FEET
1" = 60'

LOT 6 EXHIBIT
MARIE'S MEADOW
THE DALLES, OREGON

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DATE:	JULY 2017
SHEET	XX OF XX SHEETS

Lot 7

SITE EVALUATION FIELD WORKSHEET

Township: 1N Range: 13E Section 5AD Tax Lot _____ Evaluator John Zalazmik, NCPHD

Applicant Lewis Moller Date 9/28/17 Parcel Size _____

Soil matrix color and redox features, roots coarse fragments, structure, layer limiting effective soil depth, etc.

Evaluation pits were not on Lot 7.

Pit 23

Depth	Texture	
0-12	Silty Clay Loam	Dry, Many Very Fine, Subangular blocky 10YR 3/2
12-24	Silty Clay Loam	Dry, Few Fine, Angular blocky 10YR 4/2
26-33	Decomposed Sandstone	Dry Some Redoxymorphic Features @ 26-27"

Pit 25

0-16	Silty Clay Loam	Dry, Many Very Fine, Subangular blocky 7.5YR 4/3
16-32	Silty Clay Loam	Dry, Few Fine, ~~Subangular~~ Angular blocky 7.5YR 6/3

Landscapes Notes Cereal Rye

Slope 8-12 % Aspect S-SE Groundwater Type _____

Other Site Notes _____

SYSTEM SPECIFICATIONS

Type System: Design Flow 450 gpd. Disposal Field Size 150

Initial ATT System Sizing 50 /150 g. Max Depth Absorption Facility (in.) 28 18" min

Replacement ATT System Sizing 50 /150g. Max Depth Absorption Facility (in.) 28

Suitable for ~~standard~~ ATT - Serial Equal - w/hydrosplitter drain field system. Minimum 1000 gal. septic tank, 150 feet of drain field required for up to a 4 bedroom residence. Soil consists of Silty Clay Loam to 32 inches. Slope is 8-12 % in drain field area. Special conditions: Easements need to be recorded since these perc holes are not on Lot 7.

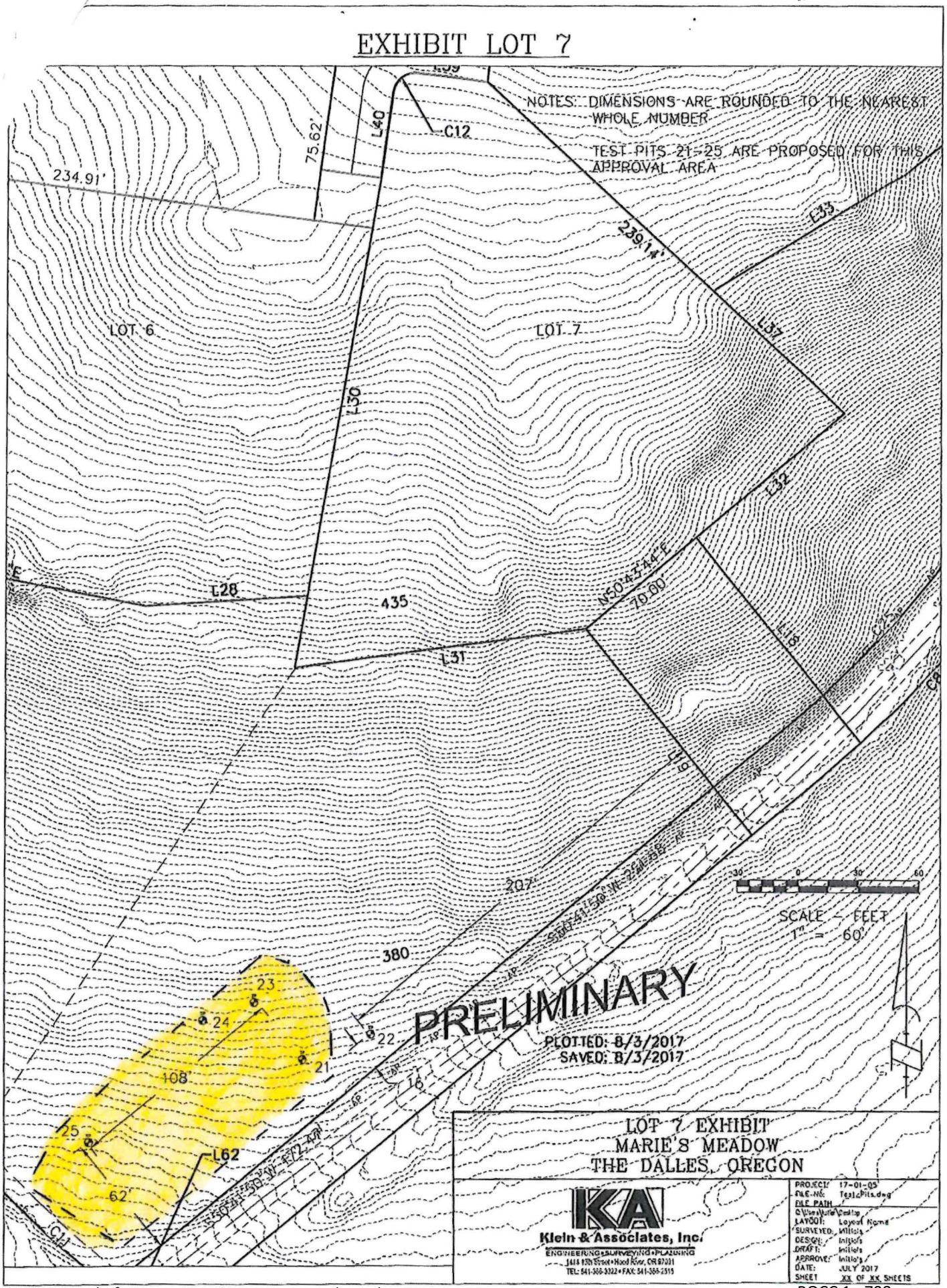
EXHIBIT LOT 7
NOTES: DIMENSIONS ARE ROUNDED TO THE NEAREST WHOLE NUMBER
TEST PITS 21-25 ARE PROPOSED FOR THIS APPROVAL AREA
LOT 6
LOT 7
234.91'
75.62'
L40
C12
239.14'
L33
L34
L30
L32
L28
435
N50°45'44"E
70.00'
L31
L29
C8
207'
380
S50°45'44"W 324.38'
108'
62'
L62
S50°45'44"W 62.40'
C11
21
22
23
24
25
PRELIMINARY
PLOTTED: 8/3/2017
SAVED: 8/3/2017
SCALE 1" = 60' FEET
30 0 30 60
LOT 7 EXHIBIT
MARIE'S MEADOW
THE DALLES, OREGON
KA
Klein & Associates, Inc.
ENGINEERING • SURVEYING • PLANNING
1448 13th Street • Hood River, OR 97031
TEL: 541-386-3322 • FAX: 541-386-3515
PROJECT: 17-01-03
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LAYOUT: Layout Name
SURVEYED: Initials
DESIGN: Initials
DRAFT: Initials
APPROVED: Initials
DATE: JULY 2017
SHEET XX OF XX SHEETS

Lot 8

SITE EVALUATION FIELD WORKSHEET

Township: 1N Range: 13E Section SAD Tax Lot _____ Evaluator John Zalaznik, NCPHD

Applicant Lewis Moller Date 9/28/17 Parcel Size _____

Soil matrix color and redox features, roots coarse fragments, structure, layer limiting effective soil depth, etc.

Site evaluation holes were not located on Lot 8 —

TP 13

Depth	Texture	
0-16	Silt loam	Dry, Many Very fine, Subangular blocky, 10YR 3/3
16-26	Silt Loam	Dry, Many Very fine, Subangular blocky 10YR 3/3
26-41	Sandy Clay loam	Dry, Many Very fine, Subangular blocky 10YR 4/3

TP 14

0-11	Silt Loam	Dry, Many Very fine, Subangular blocky 10 3/2
11-25	Loam	Dry, Many Very Fine, " " 10YR 3/2
25-36	Loam	Dry, Few fine, " " 10YR 4/3

Landscapes Notes _____

Slope 8-10 Aspect S-SE Groundwater Type _____

Other Site Notes Cereal Rye

SYSTEM SPECIFICATIONS

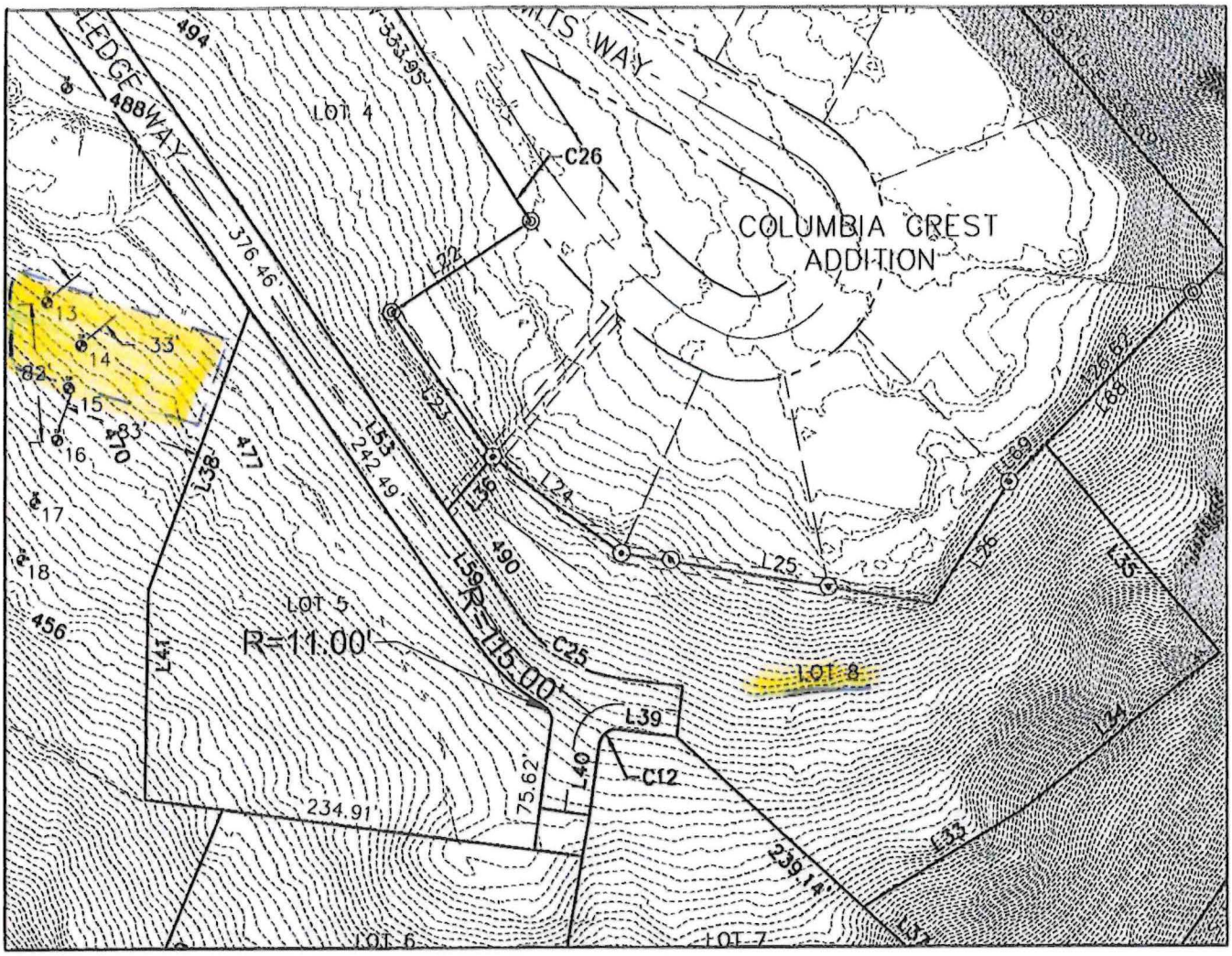
Type System: Design Flow 450 gpd. Disposal Field Size 135

Initial ATT System Sizing 45 /150 g. Max Depth Absorption Facility (in.) 30 (9" min

Replacement ATT System Sizing 45 /150g. Max Depth Absorption Facility (in.) 30

Suitable for standard ATT- Serial Equal w/ hydrosplitter drain field system. Minimum 1000 gal. septic tank, 135 feet of drain field required for up to a 4 bedroom residence. Soil consists of Silt Loam - Loam to 36 inches. Slope is 8-10 % in drain field area. Special conditions: EASEMENT-Needed

EXHIBIT LOT 8



NOTES: DIMENSIONS ARE ROUNDED TO THE NEAREST WHOLE NUMBER

TEST PITS 17 AND 18 ARE PROPOSED FOR THIS APPROVAL AREA

PRELIMINARY

PLOTTED: 8/3/2017
SAVED: 8/3/2017

-50 0 50 100

SCALE – FEET
1" = 100'

LOT 8 EXHIBIT
MARIE'S MEADOW
THE DALLES, OREGON

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SHEET	XX OF XX SHEETS

AQUARESOURCE SEPTIC REPORT

AQUA resource design & consulting

Aqua Resource Design and Consulting, LLC
3439 NE Sandy Blvd. #165 , Portland, OR 97232
503-922-2149 (OR) 360-326-8489 (WA)

April 12, 2017

Lewis K. Moller
22631 West Bluff Dr.
West Linn, OR 97068

RE: Preliminary Feasibility Study Results for:
Columbia Crest
T 1N, R 13E, Sec. 05AD, Tax Lots 300, 400, 500, 700, 1000, 1100, & 1200

Dear Mr. Moller,

As requested, we have completed a Preliminary Feasibility Study of your proposed 7-8 lot re-plat for the development of as many single family residences, with regard to Onsite Wastewater Treatment Systems that would serve said parcels. On April 5, 2017, we mobilized to the properties as described above, and reviewed twenty five (25) test pits that you had prepared. What follows are findings with regard to my cursory site and soils review, as well as recommendations for proceeding with county applications for new Site Evaluations.

A 'Test Pit Monitoring Map', as prepared by Cascade GIS is enclosed with this letter, which indicates the locations of the test pits that were reviewed while on site. Of the 31 test pits depicted, we did not review Test Pits numbers 2, 5, 19, 25, 30, or 31, either due to their having been filled in, we were unable to locate them, and/or they had not yet been excavated during our time on site. The following is a brief summary of the test pits we did review:

- Test Pits 1 & 4 were in a relatively gently-sloped area with slopes between 5-7%. These pits were comprised of a Loam that was approximately 24-30" deep, which was typically underlain by a Clay loam roughly 6" thick. Below that horizon was a Cemented Sandy Clay Hardpan, which constitutes the limit of Effective Soil Depth (ESD). Free water (H20) was observed to either be non-existent, or as high as 34" below ground surface (bgs). Test Pit 3 was dug in a depression, and demonstrated high groundwater in that location.
- Test Pits 6 & 7 were in a gently sloped area between 4-8%, with ESD's noted at 36" & 29", respectively. H20 was observed at 34 and 27", whereas Redoximorphic Features (RMF) were observed at 29 & 22".
- Test Pit 8 was located in a pit that exposed an existing water line and was located in a depression. This pit and depression should be avoided if possible.
- Test Pits 9-12 were located along a finger ridge located West of a seasonally, and likely ephemerally wet swale. Slopes were approximately 10-12%. H20 was observed at 28, 24, 30, and 34", in these pits, respectively.
- Test Pits 13-18 were located East of the previously-referenced swale, ranging between 35-75' from the feature. Slopes were generally 9-12% in this area. ESD's ranged from 33-48". H20 was observed only in Pit #18, at a depth of 46". RMF's were noted between 28-38".

- Test Pits 20 and 26 were in an area of slopes of roughly 11%. A Sandy Loam texture predominated between ground surface and approximately 23" bgs. Hardpan was present below that depth. H20 was observed at 27".
- Test Pits 21-24 were located in the extreme South corner of the subject property. Slopes were measured at 12%. Loam and Clay Loams predominated the profiles to a depth of about 32-48", with hardpan beneath. RMFs were noted at 26-31". No H20 was observed in any of these pits.
- Test Pits 27-29 were in moderately sloped areas of 9%, and exhibited approvable soil conditions. However, Test Pits 27 & 28 were located 29 & 37' to a downslope road cut, which would necessitate a 50' setback. Also, Test Pit 29 was located 35' from a seasonal pond, which would also necessitate a 50' setback (with Treatment Standard 1, otherwise a 100' setback would apply).

The timing of our site visit followed a period of heavy precipitation and an abnormally wet Fall and Winter. It is my assumption that groundwater levels, where observed, are likely generally about as high as they could be. That being stated, with the few exceptions noted above due to a couple of pits being dug in depressions and/or not meeting setback requirements, every other test pit dug would easily meet approval criteria for a drainfield that would follow a Treatment Standard 1 system. Some locations would support Standard System approvals, but available area could be a limiting factor.

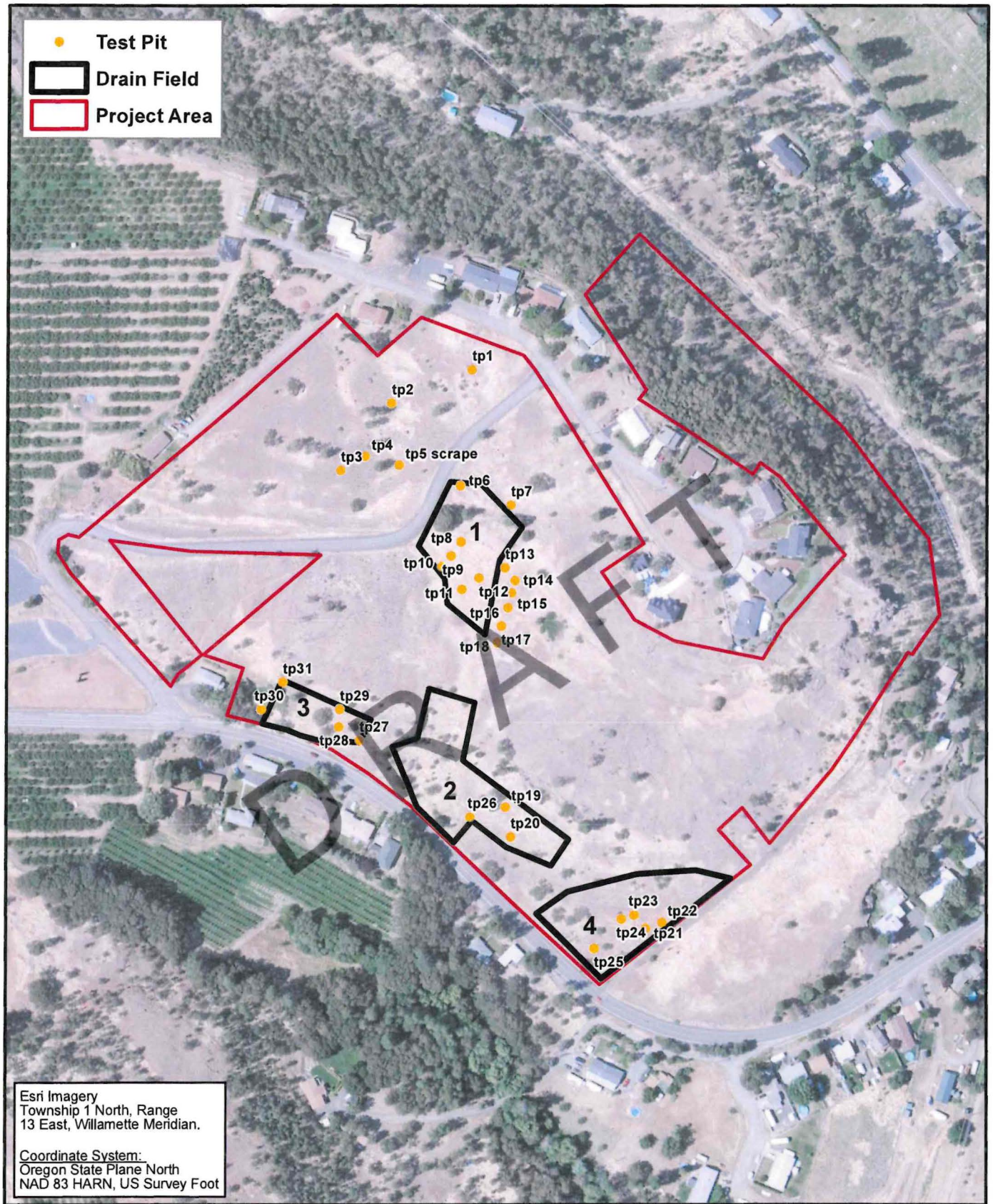
You have indicated that you will likely be pursuing a combination of on-lot drainfields, with some parcels to be served by drainfield easements. Prior to submitting the Site Evaluation applications to North Central Public Health for the 7-8 parcels, you will need to determine and depict your proposed lot and easement configurations for each proposed lot prior to submittal. These are not required to be, nor should they be, recorded or platted prior to submitting the applications. That step would occur later, prior to individual system permitting. Based on the topography and potential configurations, some creativity may be necessary to demonstrate the required primary and replacement drainfield areas to serve each lot. As discussed, I'd be happy to review and/or coordinate with you on the lot configurations and applications prior to your submitting them.

Thank you for the opportunity to complete our field visit and to prepare this report for your use. Please feel welcome to contact me with any questions or if I can assist you further.

Sincerely,

Brannon Lamp, REHS
Registered Environmental Health Specialist
Aqua Resource Design & Consulting, LLC

enc: Figure 2: Test Pit Monitoring Map—Prepared by Cascade GIS



Columbia Crest Re-Plat Project
Test Pit Monitoring Map

Scale: 1: 3,200
Date: 4/5/2017

0 250 500 Feet

N

Figure 2

Prepared By: E McCormick, Cascade GIS | Approved By: Lewis Moller | Prepared For: LKM Real Estate

EMS SEPTIC HYDROLOGY REPORT

ENVIRONMENTAL
MANAGEMENT
SYSTEMS, INC.

OR: 503-353-9691
FAX: 503-353-9695
WA: 360-735-1109
www.envmgtsys.com
4080 SE International Way
Suite B-112
Milwaukie, OR 97222

Engineering Hydrologic Study

Job: 22-0073 **Date:** 12 December 2022

Client & Property Owner:
Mona Miller

Phone : 503-539-6266 **Email :** Mona@pacificgemlab.net

Project Location:
Prince Heights Subdivision
Cherry Heights Road
The Dalles, OR

Legal Description : T:1N, R:13E, SEC:05AD Prince Heights Subdivision

Project Description

The above listed client ("Client") requested Environmental Management Systems, Inc. ("EMS") to perform the following designated services:

Project Description: The client's goal is to develop the subject property, to be served by on-site wastewater (septic) systems. The North Central Public Health District (NCPHD), acting as the Oregon Department of Environmental Quality (DEQ) Agent, requires an "Engineering Study for Hydraulic Loading." EMS has prepared the following report working in concert with Klein & Associates to prepare the "Engineering Study for Hydraulic Loading" as requested by the NCPHD. EMS contacted Eric Grendel, REHS of NCPHD to review concerns and desired evaluation.

EMS provides the following project tasks:

- Conduct a hydrologic study for the easement areas in Tract A for initial and reserve drainfields to serve several homesites.

METHODOLOGY.

- Factors relating to instability of a site. The primary factors on this site suggesting a need for careful consideration of the installation of a drainfield in

the common area: distribution of moisture and weight as it compares with the current conditions.

- EMS Evaluated the site and found that the site does have some factors indicating the need for a careful approach. The site is located in an easement area with approximately 10-12 Percent Slope.

- We considered options and found that the installation of a traditional gravel trench would be heavier and potentially destabilizing to the site.

- Soil currently in place that would be removed to install drainfield materials.
  - Materials used that add weight to the soil.
  - Distribution patterns of materials and water over the receiving landscape and their potential for de-stabilizing the site.

- Develop a Design Specifically Intended to Accommodate Site Limitations.

- Compare Proposed Design with Existing Conditions and Typical Design Impacts.
  - Weight
  - Moisture Content
  - Soil Reaction to weight and moisture regime.
  - Distribution of materials to minimize impacts.

EXISTING CONDITIONS & POTENTIAL IMPACTS

- Site Conditions did not present obvious active indicators of erosion or soil movement, but the County Feasibility Evaluator, John Zalaznik, REHS expressed concerns about site stability and required an Engineering Study of the Hydrologic impact of installation of drainfields on the common area to be used for drainfields.

- Potential Impacts with Proposed Changes to the site.
- Weight Comparison (Refer to the attached Tables)
- Soil that would be removed for installation of a typical 2-foot-wide trench
- Soil that would be removed for installation of a or a 1-foot-wide trench.
- Gravel to be placed in a 2 ft wide trench
- Polystyrene materials used in an EZFlow trench
- Saturated Soil found under a typical Gravel Trench
- Unsaturated soil found under a pressurized trench.

FINDINGS:

- Use of traditional gravity trenches was not considered because of limited space and because gravity dispersal would result in localized saturated flow, with potential for destabilizing the site. Void spaces would be larger with gravity piping, but since this is not being considered, is moot.

- Use of traditional Gravel trenches would add significant weight that could be destabilizing to the site.

- Use of EZFlow Polystyrene Gravel Substitute would result in significantly less weight on the sloped site than gravel, so actually be considered to stabilize the site.

- Use of pressurized piping reduces uneven distribution of effluent thereby avoiding instability caused by localized saturation. 1 inch diameter PVC piping would be used in either gravel or EZFlow configurations, and present negligible weigh on the site.

- Erosion Control Measures should be implemented to prevent destabilization.

EMS performed the following project tasks to support this project:

- Designed & Staked the Initial and Reserve Drainfield lines to serve Alternative Treatment Technology (ATT) systems located in each respective lot and which will pump treated effluent to their respective easement areas located in Tract A.

- Prepared septic designs modified as needed based on hydrologic evaluation and County requirements.

- Consulted with the manufacturer of EZFlow Polystyrene Gravel Substitute for concurrence with the proposed use of their products.

- Prepared this report and design for review by the project engineer and County DEQ Agent.

EMS designed the drainfield components to receive highly treated effluent from the ATT System located at each of the 4 sites. The design has the following mitigating factors to further reduce instability:

1. Use of lightweight EZ Flow Polystyrene Substitute Drain Media instead of gravel.

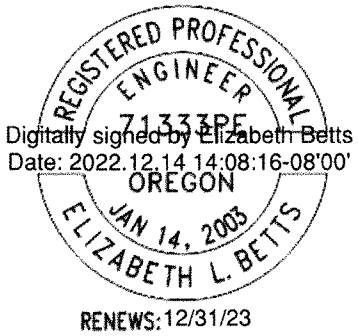
2. Pressure Distribution to equalize the effluent flow over each active drainfield trench.

3. Spacing of >= 20 feet between installed drainfield lines, spreading effluent out across the site. Reserve lines are designated for future installation planned, but not installed. If ever used, these lines would replace the initially installed lines.

4. Removal of Excess Soil would also slightly reduce the amount of weight on the overall drainfield area. This step is considered optional to provide additional stability. If kept on the drainfield site, excess soil must be spread out over the total initial and reserve area.

5. Site gravel substitute to be covered in the trench excavation, and seeded for stability, immediately following approved inspection by EMS and authorized NCPHD Personnel.

Please address any questions to: Steven Greenslate, Certified Maintenance Provider / Erosion Control Specialist; Robert Sweeney, MS, REHS; or Elizabeth Betts, PE.



Digitally signed by Elizabeth Betts
Date: 2022.12.14 14:08:16-08'00'

Designed By:
Robert F. Sweeney, MS, REHS
President, EMS Inc.
503-353-9691

Reviewed By:
Elizabeth Betts, PE
Klein & Associates, Inc.,
541-386-3322

ENVIRONMENTAL MANAGEMENT SYSTEMS, INC.

ENCLOSURES:
CALCULATIONS
SITE LAYOUTS & CROSS SECTIONS

COPIES:
KLEIN & ASSOCIATES, INC. ENGINEERING
CLIENT, MONA MILLER

Klein & Associates, Inc.

Hood River, OR
1411 13TH ST. 97031
(541)386-3322

Camas, WA
2517 252ND AVE, 98607
(360) 687-0500

Wasco County Planning Department
2705 E 2nd Street
The Dalles, OR 97058

December 8, 2022

Re: Grading Plan Narrative

Property Information

Project Location: Sandstone Way, Wasco County, OR

Assessors Map: 1N-13E05AD: lots 300, 1000, 1100, and 1200; 1N-13E-04BC: lot 2600

Lot size(webmap): 14.97 acres (total)

Zoning: GMA R-R-5

Owner: Smilekel Group/Mona Miller

Applicant: Elizabeth Betts, PE, Klein & Associates, Inc

Introduction

This memo serves as the grading narrative required for projects in the Columbia Gorge National Scenic Area. This grading narrative is limited in scope; onsite investigation was not performed such as may be required for more specific Geotechnical recommendations (if needed at time of excavation and road construction).

The project site is located off Sandstone Way and Cherry Heights Road, near the crest of the hill outside of the Urban Growth Boundary. It is zoned Scenic Area General Management Rural Residential. The site currently has no structures and consists of approximately 15 acres of vacant grassy land. There are sparse mature Oregon white oak and Ponderosa pine trees, mostly clustered on the site in a few areas that will be primarily protected within open space and outside of building envelopes. The site is hilly with steeper slopes across the southern end. Parcels to the north contain single family homes on small lots, to the west is GMA Agriculture, with an orchard west of vacant lots.

The proposed scope of work involves construction of a local access road with a culdesac for emergency turnaround. The project is a replat of 66 existing non-conforming lots into 6 larger more conforming lots. Average lot size before replat is about 7,000 sf. Average lot size after replat is 112,748 sf (2.59 acres). The access road and culdesac will require cutting and filling to create a level enough area for the access. Cuts will be along the north side of the access road, so will not be visible from KVA's (hidden by the bluff and homes on the bluff). Fill slopes will primarily be along the south side of the access road, so will also be screened from view since the KVA's are only visible along the east end of the site. At the east end of the culdesac, the cut and fill are minimized to reduce visibility from the KVA's.

The future homesites on Lots 1-4 are not visible from KVA's, and building envelopes have been provided for Lots 5 and 6 to minimize visibility. Homes on lots 5 and 6 should be reviewed at the time of building permit to ensure that they are properly screened, which may require careful siting and additional vegetation for screening. Lots 1 and 2 may require vegetation or berms to reduce agricultural setbacks, depending on when neighboring lots under the developer's ownership are built on. See the Residential Evaluation memorandum for further information on berming for setbacks. Berms for Lots 1 and 2 will not be visible from KVA's.

Existing Soil Conditions

According to the NRCS Soil survey, soils on and around the building sites are composed of loam to cobbly loam and are classified within the hydrologic soil groups C and D. These soils are underlain by bedrock around 12 to 44 inches below the surface. The upper portion of the site consists of Wamic Skyline Complex, a loamy to cobbly soil over bedrock. The steeper southern portion of the site is Hesslan Skyline Complex, a thin layer of cobbly loam over weathered bedrock. The NRCS websoil map and descriptions for soils are below.



51D—Wamic-Skyline complex, 2 to 20 percent slopes

Map Unit Setting

- *Elevation:* 1,000 to 3,600 feet
- *Mean annual precipitation:* 14 to 20 inches

Map Unit Composition

- *Wamic and similar soils:* 60 percent
- *Skyline and similar soils:* 20 percent

Description of Wamic

Setting

- *Landform:* Hillslopes
- *Parent material:* Volcanic ash and loess over alluvium or colluvium derived from basalt or andesite

Typical profile

- *H1 - 0 to 7 inches:* loam
- *H2 - 7 to 28 inches:* loam
- *H3 - 28 to 44 inches:* loam
- *H4 - 44 to 54 inches:* unweathered bedrock

Properties and qualities

- *Slope:* 2 to 20 percent
- *Depth to restrictive feature:* 40 to 60 inches to lithic bedrock
- *Drainage class:* Well drained
- *Capacity of the most limiting layer to transmit water (Ksat):* Moderately high (0.20 to 0.57 in/hr)
- *Depth to water table:* More than 80 inches
- *Frequency of flooding:* None
- *Frequency of ponding:* None
- *Available water supply, 0 to 60 inches:* Moderate (about 7.1 inches)

Interpretive groups

- *Hydrologic Soil Group:* C
- *Hydric soil rating:* No

Description of Skyline

Setting

- *Landform:* Hillslopes
- *Parent material:* Loess, volcanic ash, and colluvium

Typical profile

- *H1 - 0 to 2 inches:* very cobbly loam
- *H2 - 2 to 9 inches:* cobbly loam
- *H3 - 9 to 14 inches:* gravelly loam
- *H4 - 14 to 24 inches:* weathered bedrock

Properties and qualities

- *Slope:* 2 to 20 percent
- *Depth to restrictive feature:* 12 to 20 inches to paralithic bedrock
- *Drainage class:* Well drained
- *Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.57 to 1.98 in/hr)
- *Depth to water table:* More than 80 inches
- *Frequency of flooding:* None
- *Frequency of ponding:* None
- *Available water supply, 0 to 60 inches:* Very low (about 1.8 inches)

Interpretive groups

- *Hydrologic Soil Group:* D
- *Hydric soil rating:* No

28E—Hesslan-Skyline complex, 5 to 40 percent slopes

Map Unit Setting

- *National map unit symbol:* 23jc
- *Elevation:* 500 to 3,500 feet
- *Mean annual precipitation:* 14 to 20 inches

Map Unit Composition

- *Hesslan and similar soils:* 45 percent
- *Skyline and similar soils:* 35 percent

Description of Hesslan

Setting

- *Landform:* Hillslopes
- *Parent material:* Loess, volcanic ash, and colluvium derived from sandstone

Typical profile

- *H1 - 0 to 9 inches:* stony loam
- *H2 - 9 to 18 inches:* loam
- *H3 - 18 to 23 inches:* cobbly loam
- *H4 - 23 to 33 inches:* weathered bedrock

Properties and qualities

- *Slope:* 5 to 40 percent
- *Depth to restrictive feature:* 20 to 40 inches to paralithic bedrock
- *Drainage class:* Well drained
- *Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.57 to 1.98 in/hr)
- *Depth to water table:* More than 80 inches
- *Frequency of flooding:* None
- *Frequency of ponding:* None
- *Available water supply, 0 to 60 inches:* Low (about 3.1 inches)

Interpretive groups

- *Hydrologic Soil Group:* C
- *Hydric soil rating:* No

Description of Skyline

Setting

- *Landform:* Hillslopes
- *Parent material:* Loess, volcanic ash, and colluvium

Typical profile

- *H1 - 0 to 2 inches:* very cobbly loam
- *H2 - 2 to 9 inches:* cobbly loam
- *H3 - 9 to 14 inches:* gravelly loam
- *H4 - 14 to 24 inches:* weathered bedrock

Properties and qualities

- *Slope:* 5 to 40 percent
- *Depth to restrictive feature:* 12 to 20 inches to paralithic bedrock
- *Drainage class:* Well drained
- *Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.57 to 1.98 in/hr)
- *Depth to water table:* More than 80 inches
- *Frequency of flooding:* None
- *Frequency of ponding:* None
- *Available water supply, 0 to 60 inches:* Very low (about 1.8 inches)

Interpretive groups

- *Hydrologic Soil Group:* D
- *Hydric soil rating:* No

Furthermore, the soils on the site have a relatively low to medium susceptibility to erosion when exposed to water runoff. The NRCS Soil Survey indicates the site soils have a soil erosion factor, K of 0.20 to 0.28 on a scale of 0.02 to 0.69. The lower K value indicates soils with lower susceptibility to sheet and rill erosion by water.

Proposed Soil Conditions

The proposed project will require approximately 1650 CY of cut and 1200 CY of fill for the access road improvements. Grading for the access with cause minimal disturbance, and will be stabilized by structural fill, the gravel surfacing material and paving. Any cut/fill slopes shall have permanent seeding applied in the spring or fall. Future grading for each home shall provide a building pad along with parking and access. Unless otherwise directed by a Geotechnical Engineer, grading shall be done per Chapter 18 of the Oregon Structural Specialty Code, and as follows:

- Cut/fill slopes to not exceed 2:1
- Fill on existing slopes shall be constructed with benching
- The ground adjacent to the foundation shall be sloped away from the building at a minimum of 5% slope for a minimum distance of 10 feet from the foundation wall. Impervious surfaces may be sloped a minimum of 2% away from the building and may be less than 2% at a door or landing for ADA access.
- Onsite soil is unlikely to be suitable for structural fill under buildings due to the gradation variability and expected cobbles, though it may be used if approved by a Geotechnical Engineer or other qualified inspector. Structural fill shall be placed in horizontal lifts on subgrade that has been cleared of all organic material. The structural fill shall consist of well-graded angular material placed in compacted lifts at 95% of the maximum dry density as follows:
    - For fill 2" or less diameter, lifts shall have a compacted maximum depth of 6"
    - For fill 2"to 6" diameter, lifts shall have a compacted maximum depth of 8"
- The new road shall be constructed to serve as a fire access road, with a minimum paved width of 22 feet. Cut slopes shall have a ditch, a minimum of 1 foot deep. Side slopes of the road shall have a maximum slope of 3:1

Proposed Stormwater Management

Grading on the site shall be minimized to only that necessary for the building pads and vehicle-related areas such as driveways, parking areas, and turnarounds. By minimizing ground disturbance and vegetation removal, stormwater runoff will be confined to the disturbed areas. On large parcels, roof and foundation drains may be released at least 10' from the foundation onto rock dispersion pads or into rain gardens. Hard surfacing and driveways will utilize sheet flow dispersion through at least 20' of vegetation. No concentrated flows shall be released on or within 30' of the top of slopes exceeding 20% unless approved by a Geotechnical Engineer. Additionally, care shall be taken to not introduce runoff uphill of the septic drainfields. Drainage should be diverted around drainfields using ditches, berms, or french drains if needed to divert runoff around the drainfield.

Erosion Control Measures and General Site Maintenance

Proper inspection and maintenance of erosion controls shall be conducted on a regular basis. The contractor shall be responsible for the following procedures for all earthwork activities on the site.

- The contractor shall install erosion control measures prior to ground disturbance.
- The contractor shall inspect and maintain all erosion control measures on a weekly basis and after all storms with a precipitation amount greater than or equal to one inch.
- The contractor shall remove and properly dispose of sediments when they have accumulated to a depth approximately equal to one-half of the height of the erosion control barrier.
- The contractor shall prevent runoff, trash and construction debris from leaving the site.

- The contractor shall properly stabilize all disturbed areas prior to rainfall events and at the end of construction.

Proposed Landscaping

The disturbed areas shall be revegetated with native grasses such as Koeleria macrantha (Prairie Junegrass) by seed. Seeding in non-irrigated areas (roadside slopes) shall be done during spring or fall, when they will be irrigated by rain. Berms installed to reduce Agricultural setbacks will be planted with firewise/low water plantings such as red osier dogwood and vine maple. Irrigation shall be provided by the owner to ensure growth of plants for any areas planted during dry weather and through dry seasons until established.

Sincerely,

Digitally signed by Elizabeth Betts
Date: 2022.12.15 12:57:53-08'00'

Elizabeth Betts, PE
Klein & Associates, Inc.
(541)386-3322
elizabeth@kleinassocinc.com

PLANNING DEPARTMENT

2705 East Second Street • The Dalles, OR 97058
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Pioneering pathways to prosperity.

FIRE SAFETY STANDARDS
SELF CERTIFICATION FORM

This checklist certifies that Applicant/Owner has reviewed, understands, and commits to maintain compliance with Wasco County Fire Safety Standards. The information contained in this form shall be recorded with the Wasco County Clerk.

Fire standards are listed in their entirety, with illustrations, in **Chapter 10** of the Wasco County Land Use & Development Ordinance (WC LUDO) and **Chapter 11** of the Wasco County National Scenic Area Land Use & Development Ordinance (NSA LUDO). Please confirm compliance by marking the appropriate box and providing written comment if necessary. If compliance with applicable standards cannot be certified by Applicant, please contact the Planning Department to request a modification to Fire Safety Standards.

File Number: _____

PROJECT DESCRIPTION:

Replat of existing subdivision lots to make them more conforming with current zoning (66 lots replatted to 6 lots). ~~Vacation of unused ROW and easements plus dedication of ROW to place existing Sandstone Way centered in~~ ROW (was constructed outside of ROW in original development).

APPLICANT INFORMATION		OWNER INFORMATION	
Name:	Elizabeth Betts, PE (Klein & Associates	**Name:**	Smilekel Group (Mona Miller)
Address:	1411 13th Street	**Address:**	1309 SE 195th Ave
City/State/Zip:	Hood River, OR 97031	**City/State/Zip:**	Camas, WA 98607
Phone:	541-386-3322	**Phone:**	503-274-7022
Email:	elizabeth@kleinassocinc.com	**Email:**	mona@pacificgemlab.net

PROPERTY INFORMATION

Township/Range/Section/Tax Lot(s)	Acct #	Acres	Zoning
1N-13E05AD: lots 300, 1000, 1100, and 1200		10.7	GMA R-R-5
1N-13E-04BC: lot 2600		4.27	GMA R-R-5

Property address (or location): Sandstone Way

***SITING* 10.110/11.110** – *Please show approximate areas of steep slopes and proposed building locations relative to the slopes on the site plan. Information shall be sufficient to demonstrate the following:*
NOTE: Select either B(1) or B(2).

A. You have identified site(s) for your building(s) that are not steeper than 40%.
■ Yes – Comment _____ ☐ No, See Attached Fire Safety Plan

B(1). If your property is located in a Resource (A-1, F-1 or F-2) or Large Lot Residential Zone please show, on the site plan, that you have identified site(s) for your building(s) that are at least 50 feet back from the top of any slopes steeper than 30%;
■ Yes – Comment _____ ☐ No, See Attached Fire Safety Plan

B(2). If your property is located in a Resource or Large Lot Residential Zone please show you have identified site(s) for your building(s) that are at least 30 feet back from the top of any slopes steeper than 30% on the site plan and certify that you will be implementing the structural techniques for increasing fire resistance discussed in **10.110(B)(2)/11.110(B)(2)** of the ordinance.
■ Yes – Comment _____ ☐ No, See Attached Fire Safety Plan

***DEFENSIBLE SPACE* 10.120/11.120** – *Please show building location(s) including a boundary for the 50 foot fire fuel break boundary on the site plan. Information shall be sufficient to demonstrate the following:*
NOTE: Select either A or B.

A. You have identified site(s) for the proposed building(s) that allow for a full 50 foot fire fuel break either on the parcel or by easement over the necessary portion of an adjoining parcel;
☐ Yes – Comment _____ ■ No, See Attached Fire Safety Plan

B. Your property is located in an exception area or smaller lot residential zone and building(s) are located to accommodate a 30 foot fire fuel break where a full 50 foot fire fuel break cannot be provided for.
■ Yes – Comment _____ ☐ No, See Attached Fire Safety Plan

***CONSTRUCTION STANDARDS* 10.130/11.130** – *Please provide the following information about construction details you will implement to increase the fire resistance of your proposed building(s):*

A(1). Fire resistant roofing will be installed to the manufacturers' specifications. Please confirm the type of roofing and that the rating of the roof material by Underwriter's Laboratory Classification system is Class A, B, or its equivalent.
☐ Yes – Comment To be reviewed at time of home building permits

A(2). Please verify that all spark arrestors will be installed to cap all chimneys and stove pipes. (The spark arrestors must meet NFPA standards)
☐ Yes – Comment To be reviewed at time of home building permits

B(1). Please verify the following for all decks:

Decks will be kept clear of fire wood, flammable building material, dry leaves and needles, and other flammable chemicals.

☐ Yes – Comment To be reviewed at time of home building permits

Decks less than three feet above ground will be screened with noncombustible corrosion resistant mesh screening material with openings ¼" or less in size.

☐ Yes – Comment To be reviewed at time of home building permits

When required by standard **10.110(B)(2)/11.110(B)(2)** decks will be built of fire resistant material.

☐ Yes – Comment To be reviewed at time of home building permits

All flammables will be removed from the area immediately surrounding the structure to be stored 20' from the structure or enclosed in a separate structure during fire season.

☐ Yes – Comment To be reviewed at time of home building permits

B(2). Please confirm that all openings into and under the exterior of the building including vents and louvers, will be screened with noncombustible corrosion resistant mesh screening material with openings of ¼" or less.

☐ Yes – Comment To be reviewed at time of home building permits

B(3). Please acknowledge that you will limb up all trees overhanging the building to 8' above the ground, as required by fire fuel break requirements, that vegetation will be trimmed back 10 feet away from any chimney or stove pipe, and that trees overhanging the building will be maintained free of all dead material.

☐ Yes – Comment To be reviewed at time of home building permits

B(4). Please verify that the utilities will:

Be kept clear along their route if your private utility service lines are not underground

☐ Yes – Comment To be reviewed at time of home building permits

Have a single point of access to the building if service is not provided underground.

☐ Yes – Comment To be reviewed at time of home building permits

Include a clearly marked main power disconnect switch at the pole or off grid power source for all electrical service to new buildings and structures. This has been located on the site plan.

☐ Yes – Comment To be reviewed at time of home building permits

B(5). Please confirm that a stand pipe will be provided 50 feet from the dwelling and any structure served by a plumbed water system. This has been located on the site plan.

☐ Yes – Comment To be reviewed at time of home building permits

ACCESS 10.140/11.140 *– Please confirm that access onto and through your property meets the following standards (Note: please show route, width, and alignment of access drives on the site plan):*

A(1). New or improved driveways will be built and maintained to all weather design standards. (2-3" of ¾ minus over 6-8" of pitrun base rock OR capable of supporting 75,000 lbs GVW)
■ Yes – Comment To be reviewed at time of home building permits ☐ No, See Attached Fire Safety Plan

A(2). Minimum widths – 12' to 16', depending on number and severity of curves – will be maintained.
■ Yes – Comment To be reviewed at time of home building permits ☐ No, See Attached Fire Safety Plan

B(1). Corners will meet the minimum curve radius (20' or 48') required for large vehicles.
■ Yes – Comment To be reviewed at time of home building permits ☐ No, See Attached Fire Safety Plan

B(2). Average grade or slope will be 10% or less. Short sections, 100' or less, may reach 12%.
■ Yes – Comment To be reviewed at time of home building permits ☐ No, See Attached Fire Safety Plan

B(3). Turnouts 40' long by 20' wide will be provided at least every 400'.
■ Yes – Comment no driveway will be over 400', road is 22' wide ☐ No, See Attached Fire Safety Plan

C(1). Minimum clearance of 13' vertical and 14' horizontal will be maintained for emergency vehicles.
■ Yes – Comment To be reviewed at time of home building permits ☐ No, See Attached Fire Safety Plan

C(2). Fire fuel break extending 10' both sides of driveway center line will be maintained.
■ Yes – Comment To be reviewed at time of home building permits ☐ No, See Attached Fire Safety Plan

D. Driveways longer than 150' will end with a 95' diameter turnaround (or 120' hammerhead).
■ Yes – Comment road has culdesac, review driveways with bldg ☐ No, See Attached Fire Safety Plan

E. Bridges and culverts will support 75,000 lbs gross vehicle weight.
■ Yes – Comment culvert is dual wall HDPE with adequate cover ☐ No, See Attached Fire Safety Plan

F. Gates will provide minimum clearance width of 14' and will be operable by emergency responders in accordance with access standards.
☐ Yes – Comment no gates proposed

G. Legible signs will be installed to identify parking limitations, fire lanes, on site water source, electrical service shut off, and any necessary posted weight limits. Signs will be maintained in accordance with requirements.
☐ Yes – Comment To be reviewed at time of home building permits

H. Roads leading to the property will allow emergency response at a reasonable rate of speed with little risk of damage to equipment or roads themselves;
■ Yes – Comment 22' wide paved road with culdesac is proposed ☐ No, See Attached Fire Safety Plan

OR..... The following improvements to public and private roads have been determined to be necessary:

_____

_____

All necessary improvements will be made and maintained to ensure basic access to the property.
■ Yes – Comment _____ ☐ No, See Attached Fire Safety Plan

***ON-SITE WATER* 10.150/11.150** – *On site water requirements will be met in the following way:*
NOTE: Select either A or B. Previous requirements to install NFPA sprinkler systems have been found to conflict with State Building Codes.

A. The proposed dwelling is 3,500 SF or smaller and will be located within a fire protection district.
■ Yes – Comment home size not known, in MCFR District ☐ No, See Attached Fire Safety Plan

B. The proposed dwelling is in excess of 3,500 SF and will be located outside a fire protection district, and will provide at least 4,000 gallons of water on site for fire protection.
☐ Yes – Comment home size not known, in MCFR District ☐ No, See Attached Fire Safety Plan

---

I/we acknowledge receipt of the full **WC LUDO Chapter 10/NSA LUDO Chapter 11 – Fire Safety Standards** text and illustrations applicable to the land use or building permit request at the time of application. I/we have reviewed and certify that the standards have been reviewed and understood. I/we further certify that all responses to the above questions and improvement designs and locations shown on the site plan are true and accurate, and that all planned future compliance will be achieved within one year and maintained in perpetuity.

Owner Signature _____ Date Dec 9 2022

Owner Signature _____ Date _____

Last Updated 3/21/2022

Wasco County Planning Department

Office: Not Applicable
2705 East 2nd Street
The Dalles, OR 97058
541-506-2560
Fax: 541-506-2651
wcplanning@co.wasco.or.us

Transaction Receipt

Record ID: 921-23-000023-PLNG

IVR Number: 921015814073

Receipt Number: 70438

Receipt Date: 2/7/23

www.co.wasco.or.us/departments/planning/index.php

Parcel: 1N 13E 5 AD 300

Fees Paid

Transaction date	Units	Description	Account code	Fee amount	Paid amount
2/7/23	1.00 Ea	Clerk Recording fees - general	10181413	$116.00	$116.00
2/7/23	1.00 Ea	Type III - Planning Coms - Subdivision, prelim plat review	10181413	$4,460.00	$4,460.00
2/7/23	1.00 Ea	Type III - Planning Coms - Assessor fee - partition/replat/subdiv/pud	10110413	$606.04	$606.04
2/7/23	6.00 Lots	Type III - Planning Coms - Assessor Subdivision Final, per lot - enter # of lots	10110413	$333.54	$333.54

Payment Method: Credit card authorization: 09325I

Payer: Mona Miller

Payment Amount: $5,515.58

Cashier: Dustin Williams

Receipt Total: **$5,515.58**

INFORMATION SERVICES

511 Washington St., Ste. 101 • The Dalles, OR 97058
p: [541] 506-2550 • **f:** [541] 506-2551 • www.co.wasco.or.us

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Date: November 28 2023

Subject: Wasco County Adaptive Security Appliance Upgrade

Background

Wasco County uses a primary security device to protect its network against cyber threats. This appliance is called a Cisco Adaptive Security Appliance model 5525-X with Firepower Threat Defense. The 5525-x was used to upgrade an older device and maintained many of the older configurations, which made sense at the time. Further, the security appliance is working as a single device all network traffic traverses through. This means if the device fails, Wasco County IS must work to fix the single device or order a new device if hardware fails on it. The older configurations are now making management of the device more complicated than is necessary.

Additionally, Cisco, the manufacturer of the appliance has announced the device to be end of sale and life, and no further software maintenance releases will be performed. Cisco will also be ending service contract renewals in November 2024. It is time to upgrade the device to meet the following objectives:

- enhance connection to meet the throughput capabilities of our newly installed network infrastructure (from 1Gbps to 20Gbps)
- remove older, unnecessary configurations from the new installation and streamline the overall design for ease of management
- build in high-availability by installing two appliances that can negotiate connection in the event either one fails at any given time
- remain secure with updated hardware and software that is supported by the vendor

Last, Wasco County set aside ARPA funds amounting to $300,000 for Network Infrastructure Upgrades. Wasco County IS has completed the implementation of the main portion of the network infrastructure which totaled $193,071.68; the security appliance remains as the final component to be upgraded. This leaves $106,928 available ARPA funds for the security appliance project.

Product and Quote Analysis

Wasco County IS evaluated multiple products, capabilities, and approaches from three vendors, Cisco, Palo Alto, and Fortigate. These vendors are all proven in delivering capable, modern network security appliances. The hardware models evaluated were Cisco's 3130 NGFW, Palo Alto's PA-3430, and Fortigate's F401. All are comparable devices; however, in terms of capability and cost, the Cisco product demonstrated to fit our needs most closely.

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The CIsco 3130 device demonstrated greater capabilities in throughput, software ease of use and management, stability, and proven industry practices while being a similar price. Additionally, CIsco is a known name in the industry, staff are familiar with the configuration and vendors supporting Cisco products are very common.

The following is a cost comparison and capability table:

Vendor	**Product**	**Total**	**Hardware / License**	**Labor**	**Avg Throughput**
Palo Alto	PA-3430	$106,556.50	$86,556.50	$20,000	15.15Gbps
Cisco	3130 NGFW	$101,111.87	$82,971.87	$18,140	26.73Gbps
Fortigate	F401	$101,439.38	$71,935.38	$29,504	7.9Gbps

Request

Wasco County Information Services, after determining it is necessary to move forward with an upgrade to its current network security appliance requests approval to purchase two Cisco 3130 NGFW devices at $82,971 and the labor to implement the devices for $18,140 from Cerium Networks for a total of $101,111.87 using the remaining $106,928 ARPA funds set aside for the Network Infrastructure Upgrade.

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SPOKANE | SEATTLE | BILLINGS | HELENA | BEAVERTON | BOISE | PHILLIPINES

Orders@CeriumNetworks.com
877.4.CERIUM | 877.423.7486
ceriumnetworks.com

DATE: 9/13/2023
CERQ: CERQ100915
CONTACT: Emma Gilley
(503) 941-4461
egilley@ceriumnetworks.com

PREPARED FOR:

Wasco County

SHIP TO:

Andrew Burke
Wasco County
511 Washington St, Suite 101
The Dalles, OR 97058
United States

QUOTE DESCRIPTION:

Ln #	Qty	Description	Unit Price	Extended Price
1	1	Cisco Systems:Cisco Firepower Management Center, (VMWare) for 2 devices	$235.74	$235.74
2	1	Cisco Systems:SWSS UPGRADES Cisco Firepower Management Center, (VMWa	$283.89	$283.89
3				
4				
5		**Cisco Secure Firewall 3110**		
6	1	Cisco Systems:Cisco Secure Firewall 3K Threat Defense	$0.00	$0.00
7	2	Cisco Systems:Cisco Secure Firewall 3110 NGFW Appliance, 1U	$15,970.08	$31,940.16
8	2	Cisco Systems:SNTC-8X5XNBD Cisco Secure Firewall 3110 NGFW Applianc	$9,551.25	$19,102.50
9	2	Cisco Systems:Cisco Secure Firewall 3K Series 400W AC Power Supply	$0.00	$0.00
10	2	Cisco Systems:Cisco Secure Firewall 3K Series 400W AC Power Supply	$1,044.26	$2,088.52
11	4	Cisco Systems:AC Power Cord (North America), C13, NEMA 5-15P, 2.1m	$0.00	$0.00
12	2	Cisco Systems:Cisco Firepower Threat Defense software	$0.00	$0.00
13	2	Cisco Systems:Cisco Secure Firewall 3K Series 900GB	$0.00	$0.00
14	2	Cisco Systems:Cisco Secure Firewall 3100 Slide Rail Kit	$0.00	$0.00
15	2	Cisco Systems:Cisco Secure Firewall 3110 Base Lic	$0.00	$0.00
16	4	Cisco Systems:Cisco Secure Firewall 3K Series Fan Tray	$0.00	$0.00
17	2	Cisco Systems:Cisco Secure Firewall 3100 Series SSD Blank Slot Cover	$0.00	$0.00
18	2	Cisco Systems:Cisco Secure Firewall 3100 Network Module Blank Slot Cover	$0.00	$0.00
19	2	Cisco Systems:Cisco Secure Firewall 3110 TD, AMP & URL Filtering License	$0.00	$0.00
20	2	Cisco Systems:Cisco Secure Firewall FPR3110 TP, AMP &URL Filtering 3Y Subs	$14,660.53	$29,321.06
21		SubTotal		$82,971.87
22				
23				
24				
25	1	CERIUM PROFESSIONAL SERVICES	$18,140.00	$18,140.00

Ln #	Qty	Description	Unit Price	Extended Price
26		PM - PROJECT COORDINATION		
27		TRAVEL CHARGES - BILLED AS ACTUAL		
28		CSEC - FIREPOWER MANAGEMENT CENTER - CONFIGURATION AND DEPLOYMENT		
29		CSEC - FIREPOWER SECURITY APPLIANCE - STANDARD DISCOVERY & DATA COLLECTION		
30		CSEC - FIREPOWER SECURITY APPLIANCE - ADVANCED CONFIGURATION		
31		CSEC - FIREPOWER SECURITY APPLIANCE - HIGH AVAILABILITY CONFIGURATION		
32		(2) CSEC - FIREPOWER SECURITY APPLIANCE - PHYSICAL INSTALLATION		
33		CSEC - FIREPOWER SECURITY APPLIANCE - DEPLOYMENT & TEST-PLAN EXECUTION		
34		CSEC - FIREPOWER SECURITY APPLIANCE - POST-CUT SUPPORT		
35		CSEC - FIREPOWER SECURITY APPLIANCE - PROJECT DOCUMENTATION		
36		CSEC - FIREPOWER SECURITY APPLIANCE - SYSTEM ADMINISTRATION TRAINING		
37		CSEC - CERIUM ASSURE		

Applicable taxes and/or freight & handling to be billed upon final invoicing

Subtotal **$101,111.87**

TERMS: **Net 30**

For order inquiries, including shipping estimates and tracking, please email orders@ceriumnetworks.com.

Quote is valid for 30 days from the above date. Cerium reserves the right to cancel quotes and/or orders in the event of pricing changes. Taxes and/or shipping fees are estimated, and final costs will be billed upon final invoicing. Additional handling and/or other fees may apply. Expedited shipping is subject to an additional charge. Subscription fees are non-refundable and payment obligations are non-cancelable and non-negotiable, except where prohibited by law.

By signing below, I acknowledge that I am permitted to authorize Cerium Networks to order products and/or perform services for the items listed above.

Authorized Signature	Printed Name:	Date:

Thank you for your business!

Connecting your workforce to its potential.

CERQ100915

Statement of Work

Wasco County

Firewall Replacement

Implementation Services Statement of Work (SOW) for Wasco County

Date:

11/29/2023

Services Performed By:

Cerium Networks, Inc.
6600 SW 105th Ave. Suite 170
Beaverton, OR 97008

Services Performed For:

Wasco County
511 Washington St, Suite 101
The Dalles, OR 97058

Cerium Quote Number:

CERQ100915

Cerium Account Executive:

Emma Gilley
(503) 941-4661

Client Contact:

Andrew Burke
5415062550

Project ID Number (PID):

00056623

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1.0 Introduction

This Statement of Work (SOW) is an attachment to Order No. CERQ100915 ("Order") and is entered by and between Cerium Networks, (hereinafter referred to as Cerium) and Wasco County (hereinafter referred to as Client). This SOW, when executed by both undersigned parties, together with the other documents, annexes or exhibits attached hereto or incorporated herein by reference, constitutes the complete contractual agreement between the undersigned parties with respect to the deliverables and/or services described herein.

1.1 Modifications

No verbal statements by Cerium or any other party shall constitute a modification of this SOW or representation that additional or different services will be performed. **Services not written within this SOW are not assumed and will not be performed unless defined within this document.** See Section – Engagement Standards – Change Management for more details.

In the event of a conflict between the Order, this SOW and any other Attachments, the following order of precedence shall apply: i) Order, ii) this SOW, and then iii) the Attachments (if any).

1.2 Contract Return Date

Cerium recognizes project completion timelines are important to Client. Project timelines will be established during project kick- off based on fully executed Contract Package return dates. A fully executed Contract Package must be received before any resources are assigned to the work identified in this SOW. The Contract Package includes the Cerium Sales Order, Client Purchase Order, Advance Payment, Signed SOW, and Signed Support Agreement (if applicable).

This SOW will become invalid if not accepted within 60 days from the SOW date documented in the previous section.

2.0 Scope

2.1 Solution

Wasco County has engaged Cerium to deploy a virtual Firepower Management Center and configure two new Cisco Firepower 3110 Next Generation Firewall appliances in an Active/Standby High Availability configuration to provide secure connectivity and segmentation for multiple internal networks as well as several third-party networks for which they provide Internet connectivity.

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2.1.1 Hardware and Software

Cerium will provide only the hardware and software, including quantities, specifically listed within the Sales Order(s). Any hardware or software not expressly listed within the Sales Order is not included as a part of the project.

In the event the manufacturer recommends an amended or "patched" version of its software to resolve problematic feature/functionality, Cerium can perform this work at current time and material rates.

2.1.2 Current Client Environment

The following is a description of the Client's current environment, background, and goals provided by the Client.

Environment

Wasco County currently relies on a Cisco ASA 5525x appliance with a firepower server to manage of "east west" communications between network segments and "north south" communications between network segments and the internet.

For some segments, the ASA acts as the root of the segment; this applies to segments covered by security requirements - for example, our Sheriff segment must meet CJIS (Criminal Justice Information Systems) requirements, and Youth must meet JJIS (Juvenile justice Information Services) requirements.

For less restrictive segments, the Aruba network switches act as root for the segments, however traffic between segments and to the internet is monitored.

For some segments, the ASA simply acts as an edge device, performing security filtering and providing a NAT of an internet IP address over to the public network interface for another agency.

The ASA 5525x appliance also acts as our VPN appliance.

Logging from the ASA is managed via eStreamer into our Splunk instance. This allows for threat detection and analysis, as well as event correlation.

Background

The ASA 5525x was deployed in 2018, prior to that Wasco County relied on a Cisco ASA 5520.

The deployment involved bringing the configuration from the 5520 over to the 5525x; in some cases, this means that rather than updating the configuration to take full advantage of the additional hardware capabilities of the 5525x, some "clever solutions" required on the less robust 5520 remain in the configuration.

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We would like to further segment our network, separating printers and other static IP devices out of the DHCP ranges. This will allow printers to receive print jobs only from print servers and prevent WiFi-enabled printers from becoming uncontrolled network "hot spots".

The 5525x maximum throughput is adequate to our current usage, however between the explosion of VPN usage by hybrid and remote workers that has continued post-COVID, the increase in cloud-based services, and the desire to increase segmentation and traffic monitoring, we expect to reach the limits of the device soon.

We are wrapping up a network upgrade; our Aruba switches are capable of up to 25gb/sec throughput over fiber; currently most traffic between switches is at 10gb/sec.

Goals

We are hardware agnostic. While we like Cisco hardware for its reliability, we recognize it's wise to look at other vendors' offerings to ensure we are making the right choices for the future.

We would like for the design to use the current configuration as a starting point; there is lots of room for improvement!

We believe the requirements for throughput volume are only going to increase.

We are looking at a 7-10 year life cycle for the next device.

2.1.3 Proposed Solution

The following is a description of the project design based on planning sessions completed by Cerium and Client.

Cerium will deploy and configure a virtual Firepower Management Center (FMCv) appliance onto the Client's VMware infrastructure. The FMCv will be utilized to deploy two Firepower 3110 Next Generation Firewalls in an Active/Standby High Availability configuration using the collected information from engineering discovery and the existing Cisco ASA 5525-X configuration for reference.

Relevant configuration from the ASA will be migrated to the new Firepower 3110 pair including Site-to-site VPNs and Remote Access VPN profiles. Cleanup of existing configuration and potential improvements to segmentation will be discussed during discovery with the Cerium Engineer.

High Availability configuration of the new firewalls will require either dual Ethernet handoff from the Internet Service Provider or a client-provided Layer 2 "dirty" switch for connectivity of the firewalls' Outside interfaces. Connectivity to the Client's stacked Aruba core switch will consist of a 10Gbps fiber link from each firewall to each core switch stack member. It is understood that those links will connect to a passive optical TAP with the output transmitting data to an Albert sensor for network monitoring.

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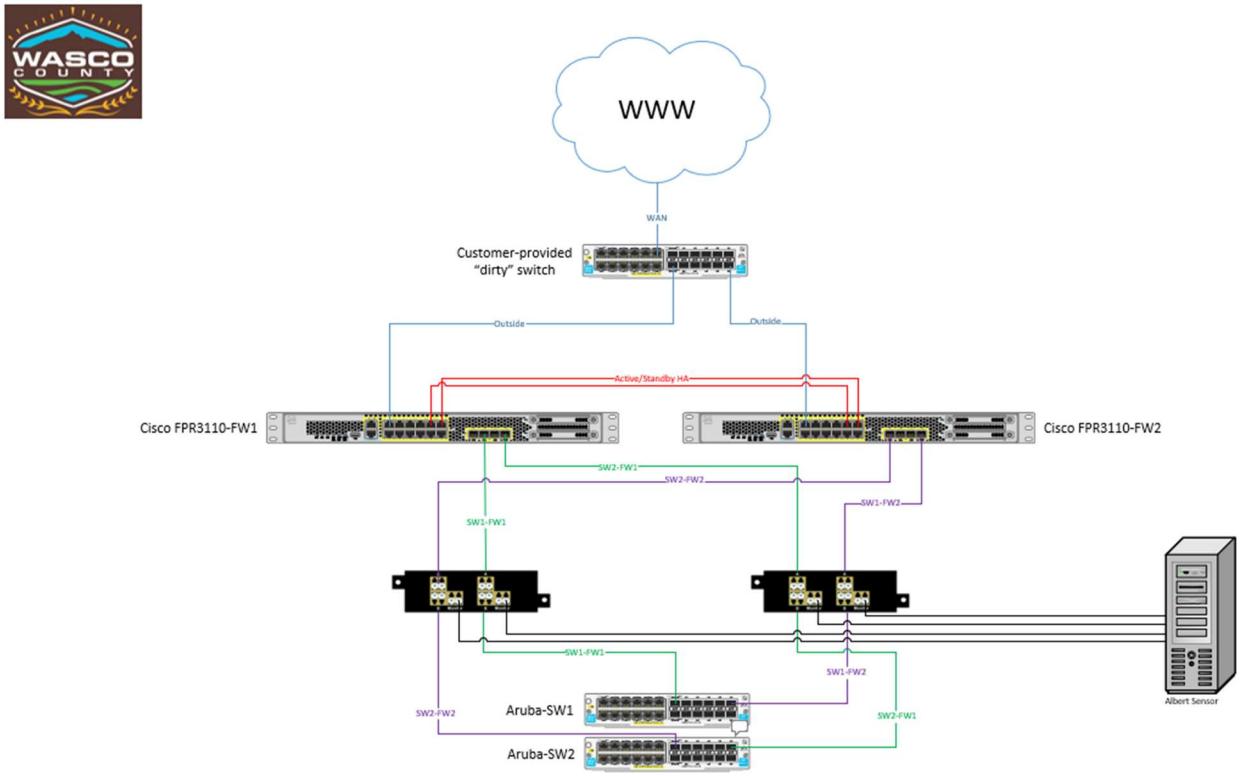
2.1.4 Solution Diagram

The following diagram provides a high-level depiction of the project architecture based on planning sessions completed by Cerium and Client.



2.2 Locations

All Cerium supplied hardware and software will be delivered to, and services will be performed at the following Client location(s):

Wasco County
511 Washington St, Suite 101
The Dalles, OR 97058

Note: Cerium Professional Services may be provided remotely to reduce travel expenses if agreed upon by both the Client and Cerium Engineer.

2.3 Assumptions and Considerations

The success of the project defined in this SOW is partially based on the assumptions and considerations outlined in this section. All changes to the outlined assumptions and considerations should be

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documented and agreed upon prior to the agreement of this SOW.

Assumptions and considerations identified for this project include:

The Client will provide the necessary optics and cables for connectivity of the new hardware as they already have standardized components through other vendors. Cerium will provide alternatives if needed or desired.

2.4 Exclusions

The below listed components of the proposed solution are out of scope and therefore will not be implemented as part of this SOW. Any functionality listed as an exclusion that is desired or required for this project should be addressed prior to agreement to this SOW.

Out of scope items identified for this project include:

Procurement, installation, and configuration of the Aruba switching environment, passive optical TAPs and the Albert server are considered third-party, out-of-scope items, and will be the responsibility of the Client. Cerium will support these items in a best-effort fashion as they relate to the implementation of the scoped solution.

3.0 Cerium Services

3.1 Engineering Services

The following is a list of services to be performed by the Cerium engineer:

CSEC - FIREPOWER MANAGEMENT CENTER - CONFIGURATION AND DEPLOYMENT

This activity installs and baselines a Firepower Management Center (FMC) control server (physical or virtual). To provide this service, Cerium Engineering will:

- Perform equipment staging and appliance firmware updates for the FMC security appliance (if physical server is purchased).
- Validate, prepare for the installation, and deploy the virtual instance of FMCv in the client's supported virtual server environment (if virtual appliance is purchased).
- Provide any iterative upgrades/updates to the FMC installation (physical/virtual). Cerium will deploy the current recommended by Cisco TAC FMC software image or the known/tested version.
- Configure Realm/AD integration for identity and the integration of Cisco ISE/ISE-PIC for identity services if applicable.
- Configure the appropriate interfaces and IP address information of the new physical/virtual FMC appliance.
- Apply the appropriate licensing of the FMC instance and the number of management nodes via the Client's Cisco Smart Account.

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- Bind up to four Firepower Security Appliances to the newly deployed Firepower Management Center
- Configure external authentication for secure administrative access including SSH and HTTPS access lists.
- Configure and test the logging, reporting, and scheduled backups (local to FMC) as appropriate.

CSEC - FIREPOWER SECURITY APPLIANCE - STANDARD DISCOVERY & DATA COLLECTION

Cerium Engineering will facilitate one or more interviews with the Client's technical stakeholders for the project to understand the existing environment and the proposed technical outcomes (win criteria). The pre-deployment discovery service includes:

- A review of the Client's business and technical outcomes to be achieved.
- Agreement of the defined project success and project completion milestones.
- A review of the Client's deployment environment including rack space, power generation, low-voltage wiring, and cooling.
- Consultation with the Client regarding their existing network documentation, such as current network drawings, existing network configuration files, and device output data.
- Interface analysis and review including external interfaces to be inspected and secured, internal network interfaces to be trusted, and DMZ interfaces with a range of network services allowed by Client security policy.
- Feature enablement consultation to optimize the security and performance of the solution being deployed.
- Solution service level agreement (SLA) review including active, active-standby, redundant ISP, multiple ISP, and any relevant traffic engineering considered to be within project scope.
- A review of the project's change management, change control, and change freeze procedures.
- A summary of the project's constraints, risks, and remediation measures to ensure on-time delivery of the project.
- All findings and results of the pre-deployment discovery will be documented as project workpapers and used by Cerium Engineering for the successful delivery of the solution.

CSEC - FIREPOWER SECURITY APPLIANCE - ADVANCED CONFIGURATION

Cerium Engineering will provision a single Firepower Security Appliance using the collected information from engineering discovery. The Firepower Security Appliance will be provisioned as a non-redundant, single instance. This service includes new location deployment or the migration from non-Cisco security firewalls. The Firepower configuration service includes:

- Licensing the system using the Client's Cisco Smart Account.
- Enable device monitoring for logging, system dashboards, and for viewing events.
- Migration of the existing Cisco ASA or FTD security appliance to the new Firepower security appliance.
- General network parameters including IP, DHCP, Mask, NTP, DNS, Hostname, and Domain criteria.
- Configuration of up to 5 or more security zones/interfaces for traffic inspection (up to the physical limitation of the firewall).
- Migration of all existing access control lists (ACLs) if applicable. Best-practices configuration for IPS/Malware/URL/Security Intelligence rules. Configuration includes up to 25 new rules for hosted

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(inbound) services.
- Up to 25 new network address translation NAT rules. Does not include any previous NAT rules carried over via Cisco's migration tool.
- Up to 15 site-to-site virtual private network VPNs.
- Up to 6 remote access VPN configuration profiles and 6 remote access VPN group policies. The configured remote access profiles will utilize LDAP, Cisco ISE, or RADIUS for authentication and authorization.
- Static routing, OSPF, EIGRP, and complex BGP routing will be configured appropriately.

CSEC - FIREPOWER SECURITY APPLIANCE - HIGH AVAILABILITY CONFIGURATION

The Cerium Firepower Security Appliance High Availability service includes the configuration of the interfaces for the failover link, the active/standby IP addressing and MAC addressing schema, and the necessary configuration services for stateful failover.
Configuring high availability, also called failover, requires two identical Firepower security appliances connected to each other through a dedicated failover link. Firepower Security Appliances support Active/Standby failover, where one unit is the active unit and passes traffic. The standby unit does not actively pass traffic but synchronizes configuration and other state information from the active unit. When a failover occurs, the active unit fails over to the standby unit, which then becomes active. Firepower High Availability requires that the security appliances be the same model, have the same number and types of interfaces, are running the same major/minor/maintenance version of software, and must have the same licenses.

CSEC - FIREPOWER SECURITY APPLIANCE - PHYSICAL INSTALLATION

Cerium Engineering will physically install, connect, and energize up to two (2) Firepower Security Appliances of any shipping model.

CSEC - FIREPOWER SECURITY APPLIANCE - DEPLOYMENT & TEST-PLAN EXECUTION

Cerium Engineering will perform the initial system and services provisioning, turn-up, and testing associated with a new Firepower Security Appliance deployment.
The turn-up and testing services involved include:
- Initiating and insertion of the new Firepower system(s) into a network production status.
- Verification of connectivity with all upstream and downstream connected devices, systems, and service providers.
- Execution and documentation of the client approved solution deployment test plan. The test plan includes Cerium's best practices for Firepower deployment testing as well as any testing explicitly requested by the client prior to the execution of this service.
- If solution testing failure occurs, troubleshooting, remediation, and documentation of the next steps will be performed.

CSEC - FIREPOWER SECURITY APPLIANCE - POST-CUT SUPPORT

Cerium Engineering will provide "Day 1" technical support following a successful deployment, upgrade, or migration event. These services may be provided remotely or on premises as per the travel

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accommodations outlined in the Cerium Statement of Work and CERQ documents. The services provided consist of dedicated technical support for the duration of the post-deployment support period and will be limited to the network elements directly installed and configured by Cerium.

CSEC - FIREPOWER SECURITY APPLIANCE - PROJECT DOCUMENTATION

Cerium Engineering will compile and provide to Client Technical Stakeholders a digital "As-Deployed" visualization of the components deployed into the network. Cerium Engineering will also provide an Excel spreadsheet outlining access information and credentials, an Excel spreadsheet of the completed test-plan from the deployment, and a digital copy of the configuration(s), as available, for client archival purposes.

CSEC - FIREPOWER SECURITY APPLIANCE - SYSTEM ADMINISTRATION TRAINING

Cerium Engineering will provide to Client Technical Stakeholders an orientation session on the newly installed technology elements provided within the scope of the project. A single 4-hour system administration training session or two 2-hour training sessions will be performed. The Cisco Firepower System Administration training will include:

- Review of the Firepower Device Manger interface (FDM)
- Review of the Firepower Management Center interface if applicable (FMC)
- Review of the Cisco Defense Orchestrator interface if applicable (CDO)
- Overview of major administration points including access controls, NAT rules, VPN, routing, and Firepower Threat Defense policies
- Common Firepower workflows including working with reports, logging, and alerting.

This orientation session may be delivered remotely or with Cerium Engineers on-site as per the travel accommodations outlined in the project or SOW.

CSEC - CERIUM ASSURE

This service includes the following components (not to exceed the listed values):

- Number of solutions to review: 1
- Number of reviews to conduct per year: 4

During this part of the service, Cerium will:

- Perform a discovery session to identify any changes in the environment since deployment or last Cerium Assure check-in.
- Utilize proprietary and partner-accessible tools to gather information on the solution
- Add and/or configure Cerium as a trusted 3rd-party contact within the client's solution dashboard, management tools and/or manufacturer customer support portals if desired.
- Evaluate software and firmware version levels and provide recommendations
- Review existing system and network configurations of solution components
- Analyze performance and resource capacity with trends as available
- Address environment alerts and alerting configurations
- Review support cases previously created with Cerium or the Manufacturer

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- Analyze technical and security advisories for the solutions and provide recommendations
- Provide overall recommendations on how to implement best practices and optimize solution
- Highlight and provide guidance on options for leveraging additional features, detection engines and functions for client specific environment requirements
- Review product dashboard/management portal with client, demonstrate best practices for use and educate on additional functionality
- Review existing licensing and provide recommendations for upgrades when applicable
- Generate and review report with client to document findings and recommendations

Out of Scope:
- Perform any solution changes, upgrades, or modifications as part of this engagement
- Additional consulting can be performed to optimize and improve environment as needed at standard labor rates.
- Review of integration with 3rd-party applications will be performed at best effort and cannot be guaranteed

Client Responsibilities:
- Provide reasonable access to Client functional, technical, and business staff as necessary to perform the Services.
- Provision service account(s) with appropriate permissions required to execute jobs as needed.
- Provide access to support information for all application and third parties as needed.
- Provide Cerium engineer with remote VPN access and/or a local machine with direct remote access to perform data collection and review environment efficiently.
    - Please note, when limited access is granted, data collection and solution review can only be conducted at best effort and may not be as expansive.
- While no changes to the environment will be made, please ensure that all client data has been backed-up prior to commencement of the Services. Cerium assumes no responsibility or liability for any loss of, loss of access to, or unrecoverable data in connection with the services.

3.2 Adoption Services

3.2.1 End User Adoption Services

End User Adoption Services are not in scope for this engagement. Please contact your Account Executive if you would like to discuss available Adoption Services.

3.2.2 System Admin Adoption Services

System Administration training is not in scope for this engagement. Please contact your Account Executive is you would like to discuss available Administration Adoption Services.

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4.0 Client Responsibilities

Timely delivery of our services depends upon the prompt and effective completion of the responsibilities identified herein, among other things. Any delay in performance of Client responsibilities may result in additional charges and/or delays completing the project.

4.1 Client Responsibilities

To ensure the success of this project, Client agrees to:

- Participate in all aspects and phases of the project.

4.2 Client Environment Readiness

Proper network and infrastructure planning are essential for ensuring timely completion of the Project. Client responsibilities for ensuring environment readiness include:

- Ensuring all network requirements communicated by Cerium are met or exceeded.
- Ensuring all hardware and software related to this engagement are at current or supported maintenance levels.

Cerium anticipates a successful outcome for this project; however, despite our best efforts, occasionally we encounter unforeseen issues that are outside of our control within the Client's environment that impact the project. Cerium can support you and resolve issues on a time and material basis.

4.3 Client Point of Contact

Prior to the project kickoff, Client will designate a Client Point of Contact to whom all communication relative to the project will be addressed. Client Point of Contact responsibilities include:

- To serve as the interface between Cerium and all Client personnel participating in or affected by the project.
- To work with Cerium Project Manager to manage project plans, schedules, etc.
- To attend and actively participate in all mutually scheduled required project meetings.
- To assist Cerium Project Manager with scheduling and coordinating Client resources.
- To coordinate Client vendors, subcontractors, and local exchange carrier interactions.
- To provide Cerium with information or documentation required to complete the projects
- To provide access to the systems required to complete the project.
- To help resolve or escalate issues encountered during the project.

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5.0 Project Management

5.1 Project Coordination

Project Coordination is the entry level offer for Cerium Project Management services. It is designed for small implementations where simple coordination of resources and equipment is needed or for Clients who choose to manage their own projects internally. It is not intended to offer full project management but add assistance in coordinating the implementation along with the Client.

After the Client has signed the Cerium Networks Sales Order and Statement of Work, the project moves to the implementation phase. For the implementation phase, the Cerium Networks Project Coordinator will become the primary point of contact for all issues related to the solution deployment.

5.1.1 Project Implementation

The Project Coordinator will perform the following tasks as part of the project implementation:

- Review and understand the SOW and the business goals of the Client
- Make preliminary contact with the Client and review next steps
- Create a high-level project schedule
- Conduct a remote project kickoff call with the Client and Cerium implementation teams
- Place equipment order
- Schedule Cerium resources
- Manage any change orders incorporated into the project
- Confirm equipment delivery schedule
- Hold up to one (1) remote Go/No Go call with the Client and Cerium implementation team to confirm cut readiness
- Transition project to Cerium support
- Conduct up to one (1) remote project closure meeting

5.1.2 Cerium Deliverables for Project Coordination

The following are the Cerium deliverables for Project Coordination:

- Make preliminary contact with the Client to review next steps
- Provide technical requirements and data collection forms
- Provide a project contact list
- Provide a high-level project schedule
- Hold a remote project kickoff call with the Client and Cerium Project Coordinator
- Communicate any project changes that affect critical milestones
- Provide the Client with Cerium and/or manufacturer support documentation

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5.1.3 Client Responsibilities for Project Coordination

The following are the Client's responsibilities for Project Coordination:

- Manage the collection of data using Cerium provided data collection forms
- Coordinate and ensure compliance with Cerium provided technical requirements
- Manage and ensure compliance with the Client Change Management policies
- Schedule and coordinate Client resources
- Provide any Cerium requested documentation or information
- Coordinate and provide any necessary access to Client systems
- Attend and actively participate in all mutually scheduled required project meetings
- Comply with mutually agreed upon project schedule
- Coordinate all Client vendors, subcontractors and LEC/carrier interactions

5.1.4 Project Kickoff

The Project Coordinator will be responsible for planning, coordinating and facilitating the project kickoff meeting.

The project kickoff meeting will include the following agenda items:

- Review Cerium and Client roles and responsibilities
- Review the project objectives with the client and the Cerium Project Coordinator
- Review and update the project contact list
- Review the Cerium Project Change Management process
- Review data collection forms
- Review and update the project schedule

5.1.5 Project Schedule

The Project Coordinator will develop a project schedule. The project schedule is not intended to be a detailed project plan. It will define the major milestones, responsibility for completing milestones, and the project timeline. The project schedule will consist of but is not necessarily limited to; ordering of equipment, completion of data collection, facility readiness, installation, cutover, and first day of business support. The preliminary project schedule will be reviewed, and any changes will be mutually agreed to during the project kickoff meeting.

5.1.6 Project Timeline

The following is an example of a proposed Project Timeline with dates to be adjusted based variables listed below.

- Project start date is based off the receipt of the signed agreement.
- HW procurement can be estimated but will be dependent on actual delivery times.

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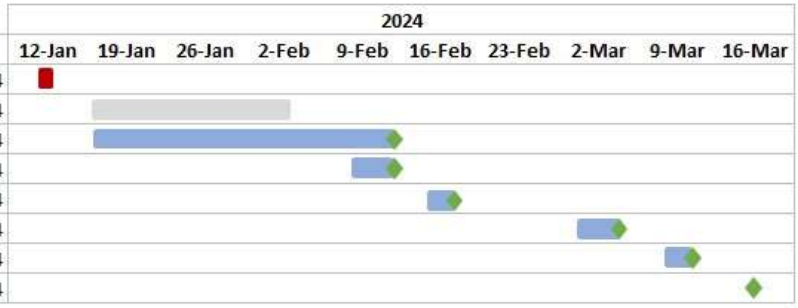
- The deployment of the new firewalls and cutover is dependent on third-party resources managed by Wasco County to install optical TAPs between the new firewalls and their core switches.
- Site-to-site VPN connectivity may delay the FW replacement milestone if the party responsible for managing the remote side of the VPN connection is unable to adhere to the proposed schedule.
- Space has been left in the schedule to accommodate travel if on-site services are desired for placement or cutover.

Project start date	01/08/24
Project finish date	03/14/24

Name	Start	Finish
Contracting	01/08/24	01/12/24
Resourcing	01/15/24	02/02/24
HW procurement	01/15/24	02/09/24
Discovery	02/05/24	02/09/24
Virtual FMC	02/12/24	02/16/24
FW replacement	02/26/24	03/02/24
Training	03/05/24	03/09/24
Hand Off/Close Out	03/14/24	03/14/24



6.0 Engagement Standards

6.1 Change Management

Cerium is committed to meeting and exceeding our Client's expectations delivering the contracted services defined within this fixed price SOW. If any of the following conditions are discovered during the project, a time and materials change order will be required to remedy the situation:

- Additional work efforts to support an expanded scope such as, but not limited to, additional locations and/or end users, additional solution feature activation, and/or overall solutions
- Unexpected Client environment constraints or issues
- The Client's WAN and LAN network environment having issues discovered during deployment that require troubleshooting.
- Extended timelines, project delays, design changes, extra desired work, or other unforeseen circumstances that cause a project to exceed its original scope.

The Cerium Project Manager will work with the appropriate resources to scope the change requirements and provide a change order for your review and execution. Time and material change orders will include work effort estimates. Cerium will make every effort to continue the current project to mitigate the impact of the project schedule while any change order is in process.

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6.2 Service Hours

Standard hours of operations are 8:00 AM to 5:00 PM Pacific Standard Time Monday through Friday. It is understood that due to the nature of the industry and work performed, after hours and weekend availability is often required. In the event Cerium resources are required to perform work outside of the standard hours of operation, agreed-upon work windows will be discussed and subsequently documented via email. It is also required that Client project stakeholder or a technical contact be either on location or on call during the agreed-upon weekend/after-hours work window(s).

6.3 Travel and Living Expenses

Should travel be required, travel expenses will be billed as actual for services performed onsite. Travel includes all that apply to airfare, hotel, meal per diem, car rental, mileage, and parking.

6.4 Rescheduling, Cancelling and Delay of Services

This project outlined in this Statement of Work duration will be outlined in the project plan delivered at project kickoff. Should the duration of the project exceed this original estimate, whether due to Client requirements, third party delay or facilities readiness, Cerium reserves the right to adjust the services scope and fees to account for the expanded duration of the project.

While Cerium understands that at times rescheduling a project because of unforeseen delays with other vendors, materials, facilities, etc. is unavoidable, it does represent an increased cost to Cerium. For that reason, each Client requested delay without written notice to Cerium at least 2 weeks prior to the scheduled work, may result in a change order to the project equaling the greater of the two options below:

- A change order equal to 50% of the scheduled resource hours assigned to the project that are being rescheduled due to Client request
- A change order of $1800

Multiple or recurring requests for rescheduling, with or without notice to Cerium, will result in a change order to the project equaling the greater of the two options above.

6.5 Project Closure and Solution Acceptance

Cerium will seek acceptance from the Client for the implementation and document any remaining action items to be completed via the Project Closure Form. The Project Closure Form will be submitted within one business day after system cutover or production go-live of the solution. The Client will have up to 2 business days to review and respond to the Project Closure Form, and if written acceptance or dispute of acceptance is not received, Cerium will deem the implementation as “accepted” without exception.

The Solution Acceptance Criteria include:

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- The equipment, servers or devices to be implemented as parts of the solution or system have been installed, tested, and have passed the basic system or solution functionality tests as defined in the Test Plan
- Solution functions are available at cutover with minimal impact to the users and without major issues
- "Major issues" are defined as the following:
    - Issues affecting business-critical features or functionality of the solution, which preclude the Client from conducting regular business use of the system
    - Issues affecting more than 25% of the end user population
- The solution or system is put into production use by the Client for two consecutive business days

6.6 Project Invoicing

Unless specifically stated otherwise in the Client signed terms and conditions, milestone invoicing may be initiated by completion of any of the following conditions:

- Receipt of equipment, licenses, software or other material
- Completion of any major milestones as defined in the project plan
- Completion of any other milestone as agreed upon by the Client and documented in the Cerium project plan

7.0 Post-Implementation

7.1 Warranty

Cisco hardware and software products are generally covered by the manufacturer, Cisco, from the time when the product is shipped. These warranty times may vary. Please refer to Cisco's manufacturer warranty policy for more specific information. All Cerium Networks Services provided in this statement of work to implement Cisco solutions are warranted for a period of 30 days from the in-service date of each location.

7.2 Cerium Support Center

Client may contact Cerium in a variety of ways for emergency support, such as:

a) Calling Cerium at 1-800-217-0933
b) Email: csc@ceriumnetworks.com
c) Web Site www.ceriumnetworks.com

Within 2 hours a response is sent to the Client via phone or email containing a case ID #, and contact information for the Cerium associate responsible to resolve your request. **Please note that Cerium**

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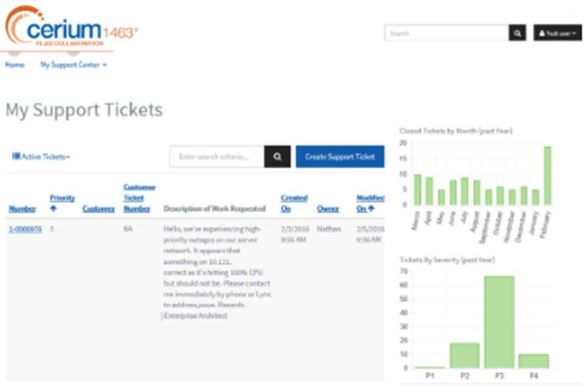
Support Center work will be charged to the Client, at a rate determined by the CSC.

Case ID information includes:

- (Company Name)
- (Contact) Name of Client contact calling with support issue
- Nature of request
- Status of request / SLA

7.3 Cerium Support Web Portal

Our current Cerium support Clients, when engaged with Cerium on an active case, may visit the Cerium support portal for real-time status updates and escalation contact information. After the case has been closed, return to the portal for historical and statistical information on all trouble tickets and service orders submitted.



The Cerium Support Web Portal is a self-service tool that is leveraged to provide another effective channel of communications with our active support Clients.

7.4 Post-Project Support

A Post-Installation Cerium support agreement has not been included with this proposal. To add Cerium support, please contact your Cerium Account Executive.

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8.0 Signature Authorization

YOUR SIGNATURE BELOW ACKNOWLEDGES THAT YOU HAVE READ, UNDERSTAND AND AGREE TO ALL SECTIONS OF THE STATEMENT OF WORK, INCLUDING DEPENDENCIES.

X	X
Client Signature	Cerium Networks Signature
Printed Name	Printed Name
Title	Title
Date	Date

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MASTER SERVICES AGREEMENT

This Agreement is made and entered into by and between Wasco County (hereinafter referred to as "Client") and **Cerium Networks, Inc.,** (hereinafter referred to as "Cerium"). Together sometimes referred to as the "Parties".

WHEREAS, the Client desires to have Cerium provide professional services and Cerium desires to provide said services as further described below.

AGREEMENT

NOW THEREFORE, both parties agree as follows:

1. Scope of Services: Cerium agrees to provide professional services to Client in accordance with the Statement of Work(s) ("SOW") attached hereto as **Exhibit A**. Together this Master Services Agreement and the attached Statement of Work(s) shall be referred to as the "Agreement" between the Parties.

2. Compensation and Payment Terms:

Compensation shall be paid to Cerium as shown on the applicable invoice and per the payment terms set forth in the applicable SOW. Correct undisputed invoices shall be paid by the Client within thirty (30) days of receipt of an invoice unless specified differently in the appropriate SOW.

3. Term and Termination. The initial term of this Agreement shall be one (1) year commencing upon both parties signing below and shall continue for one year. Thereafter, this Agreement shall automatically renew unless terminated as set forth below.

A. Terminate Without Cause: Either party may terminate this Agreement or any SOW at any time without cause by providing the other party with at least thirty (30) days' notice of its intent to terminate this Agreement. Client will pay for services performed up to the date of termination.

B. Termination With Cause: Either party may terminate this Agreement for cause as follows: (a) immediately if the breaching party fails to correct a breach of a material term or condition of this Agreement within fifteen (15) days of receiving written notice of the breach from the non-breaching party; or (b) either party is placed in receivership or bankruptcy.

4. Insurance: Cerium shall own and maintain appropriate industry standard liability insurance coverage for the duration of this agreement, with a carrier authorized to do business in Washington State, with such coverage renewed or purchase of an extended reporting endorsement. The insurance policy limits shall be a minimum of $1,000,000.00 each claim and $2,000,000.00 annual aggregate. Cerium's insurance shall be primary and not additional to or contributing to any other insurance carried by Client.

5. Relationship. Cerium shall perform all services under this Agreement as an independent contractor and shall not be considered an agent or employee of the Customer for any purpose under this Agreement. Cerium shall not be entitled to any employee benefits from the Customer of any kind, including worker's compensation, medical, death, or accident benefits. Cerium agrees to disclose its capacity as an independent contractor when dealing with others and shall have no power to bind the Customer in any manner.

6. Quality Standards. Cerium warrants that each of the technicians, agents and subcontractors assigned to perform Services shall have the proper licenses, certifications, skill, training, and experience to perform the Services, and that the Services will be performed in a competent and professional manner. Cerium will ensure that all personnel providing services to Client under this Agreement will operate only within the scope of their license or credentials.

7. Notices. Notices shall be made in writing and mailed by certified mail, return receipt requested. All correspondence and notices to the Client shall be directed to _____ _____. All correspondence and notices to the Cerium shall be directed to **Contracts, Cerium networks at 1636 W 1st Ave., Spokane, WA 99201.**

8. Entire Agreement/Amendment**.** This Agreement constitutes the entire agreement between the parties and supersedes any and all other prior agreements or understandings, either oral or written, relating in any way to the subject matter of this Agreement, and it may be amended only in writing.

9. Governing Law. This Agreement is governed by and must be construed under the internal laws of the State of Washington without regard to provisions thereof related to choice of laws or conflict of laws. The parties agree to be bound by all applicable state and federal laws and confidentiality laws, as they are currently drafted and as they may change from time to time.

10. Dispute Resolution. In the event of any dispute, controversy or claim arising out of or in connection with this Agreement, including any questions regarding its enforceability, interpretation or validity, the parties agree to meet and confer in good faith to attempt to resolve such dispute, controversy or claim without an adversarial proceeding. Should such attempts at resolution prove unsuccessful, any dispute, controversy, or claim arising under this Agreement shall be settled exclusively by arbitration with Judicial Dispute Resolution (JDR) organization, located in Seattle, Washington under their rules. The place of arbitration shall be Port Angeles, Washington, and the fees and expenses of the arbitration shall be borne equally by the parties, provided that in any litigation to enforce an arbitration award, the prevailing party in such action shall be entitled to recover from the other party its costs and reasonable attorney's fees in addition to any other relief granted.

11. Annual Evaluation. Cerium is hereby notified that Client will perform a formal written evaluation of the services performed by Cerium including: Cerium and individual performance, timeliness, quality of service, whether services are meeting Client standards, technical support as needed, acceptance of feedback from Client, and whether the contracted services align with Client's mission, vision and goals.

12. Compliance. Because Customer is a highly regulated healthcare organization with many legal and accreditation requirements, Company agrees to cooperate with Customer's pertinent requirements for Cerium performing work for Customer, as requested and communicated to Company by Customer's staff.

13. Confidential Information. By signing this Agreement, Parties agree not to give, sell, loan, communicate or otherwise disclose any confidential information of either Party to any persons, firms or corporations, except in the course of performing the services as provided for herein for the sole and exclusive benefit of the Agreement/SOW. This Confidentiality clause shall apply only to gaining access to having knowledge of information that the Party acquired under this Agreement.

13. Excluded Provider. To the best of Cerium's knowledge, neither Cerium nor any of its officers, U.S. employees, directors or subcontractors are (i) currently excluded, debarred or otherwise ineligible to participate in federal health care programs as defined in 42 USC Section 1320a-7b(f) (the "Federal Healthcare Programs"). Cerium will take prompt steps to correct any known non-compliance with any exclusion law or regulation and will notify Client if it becomes aware of any such exclusion that likely will impact Client's reimbursement from the federal government. If Cerium becomes excluded from participating in the Federal Healthcare Programs, this will be considered a material breach of this Agreement and cause for immediate termination by Client.

14. Travel Expense Reimbursement. If Cerium is going to request reimbursement for any Travel Expenses, Cerium agrees to follow Customer's Travel Expense Reimbursement Guide, attached to this Addendum as **Exhibit B.**

16. Assignment. Neither party may assign this Agreement or delegate any of its obligations or liability under this Agreement without the other party's written consent. Any prohibited assignment or delegation may constitute a material breach and default.

IN WITNESS THEREOF, the parties have executed this Master Services Agreement on the day and year specified below, to be effective as of the Commencement Date, as set forth above.

Client	Cerium Networks, Inc.:
Signature _____	Signature _____
Name: _____	Name: _____
Title: _____	Title: _____
Date: _____	Date: _____

Exhibit B

Client Travel Expense Reimbursement Guide

Client can only reimburse for travel expenses if specifically agreed to in the Agreement and the below procedures are followed:

1. Reimbursement requests must be submitted within sixty (60) days of incurring the expense, attach a detailed receipt indicating what was purchased, for what amount, and for whom (the latter should be handwritten onto the receipt).

2. Client is **not** allowed to reimburse expenses for alcohol, any undocumented expenses, and tips over 15% of the purchase price.

3. We are also required to determine if the expense is "reasonable" which means that the expenses must be necessary for business purposes and not extravagant.

4. If authorized in advance, Client considers coach airfare and a standard/intermediate rental car reasonable. If a higher level is utilized, Client will only reimburse for the cost of coach airfare and standard/intermediate rental car.

5. Client will reimburse up to $250.00 per night for lodging based on receipts.

If you have any questions regarding reimbursements for travel expenses, please feel free to contact Client Finance at_____.

MOTION

SUBJECT: **Information Services Purchase**

I move to approve the Cerium Network Master Service Agreement, the purchase of Cisco 3130 Next-Generation FireWall devices, and the Statement of Work for the implementation of said devices.

Wasco County Watershed Councils



Coordinating Board



The Coordinating Board had another successful year. With the end of the biennium coming to a close in June, the newest capacity grant was submitted in early Spring and the Wasco Councils were once again awarded full funding from OWEB. The board met quarterly to share updates from their individual councils, track progress on the watershed assessments project and brainstorm upcoming funding opportunities and project proposals. The Board also attended meetings with the County Commissioners.

The Dalles

The Dalles Watershed Council met four times, co-hosted one community cleanup event, and hosted one planting event on Chenoweth Creek. They received their regular E.coli, PSP and Fish monitoring updates, and also sought out additional help from DEQ in addressing elevated E.coli concentrations in Mill Creek.

Mosier

The Mosier Watershed Council met four times, with one meeting date also coinciding with their summer get together. Additionally, they also held one special meting to elect a new chair following the end of Kris and Bryce's tenure as co-chairs. They received updates on the groundwater projects the council has maintained focus on for years, but also looked towards new avenues to promote conservation by receiving updates on ODFW's western pond turtle monitoring program, as well as regular updates from the East Cascades Oak Partnership (ECOP).

Bakeoven/Buck Hollow

The Bakeoven / Buck Hollow Watershed Council met once, with the majority of that meeting focused on the rangeland restoration and improvement within the watershed. They used the meeting to create a strategy for implementing projects outlined within the Bakeoven Restoration Grant, and received an update from the NRCS on the rangeland CIS that was in development for the southern portion of Wasco County.

Fifteenmile

The Fifteenmile Watershed Council met three times, and received their first update on Fifteenmile Fish Tagging under the new monitoring grant from OWEB. They also received updates on the construction of the MUS as well as the planned OWRD water budget study.

White River

The White River Watershed Council met once, with the majority of that meeting including a diverse range of topics. They received an update from ODF on the fire risk map, as well as an update from USFS on forestry operations in the Barlow District. They also discussed the several water improvement projects happening in the White River watershed, as well as fire restoration efforts for the Miller Road and White River Crossing fires.

Watershed Assessments

Through ODA's Agricultural Water Quality Support Grant the SWCD and Watershed Councils were successful in securing funding to update all 5 watershed assessments, as well as start the process of updating the Action Plan. Watershed Professionals Network LLC, (WPN) was contracted to complete the assessments. A kickoff meeting was held on January 4th and several work sessions were conducted throughout the early spring with SWCD and Watershed Council staff to discuss watershed issues/projects that have emerged since the watershed assessments and action plans were created to explore and identify other available data sets and reports. WPN Watershed Ecologist, John Runyon, helped the Watershed Councils develop the original Action Plan in 2015; his knowledge of the area and watersheds was instrumental in completing the task of updating the assessments in the accelerated timeframe that we had. The updated assessments are a critical tool that we use for grant writing purposes as well as identifying areas of concern that need addressed and data gaps.

Along with the updated assessments WPN has built a data base online that will allow us to filter through all past restoration projects and the work that has been completed based on resource type, location, and several other factors. The new online tool will aslo list potential projects that were identified through this process.

Project Updates



Mosier Groundwater

After receiving an additional round of funding for commingling well repairs in the Mosier Watershed, OWRD, the SWCD, and the Watershed Council have been hard at work completing desktop and field assessments of wells in the next priority zone for repair/replacement. Additionally, the second deep well was completed, removing the second largest water user from the aquifer utilized by residential wells and placing them on a deeper aquifer.

Fifteenmile MUS

Construction and the initial round of pilot testing of the MUS was completed this year, although results determined an additional year of monitoring is needed. The initial design for the pilot facility was not reaching the infiltration rates that had been expected. After an attempt at fixing infiltration rates by aerating the basin, a redesign of 10% of the basin was completed by excavating it and filling it in with washed sand. The washed sand turned out to be problematic due to it having a significant effect on the pH of the water in the basin. The plan moving forward is to seek funding for another round of pilot testing next year.

The Dalles Water Quality Monitoring

The 2022 E. coli monitoring season returned some of the highest concentrations of E. coli in Mill Creek over the program's history. With that in mind, the council began working with DEQ to refine their sampling methods and begin tracing the source of the contamination.

Fish Tagging

The most major change to the fish tagging project this year was the elimination of the fyke traps in Chenoweth and Threemile creeks due to a low abundance of fish being caught within them. That being said, the Mill Creek and Fifteenmile screw traps were operated as normal. An abundance of water early in the season forced the Mill Creek trap to be removed from the stream for a week until flows returned to a more reasonable level.

Rangeland Enhancement

The Bakeoven Rangeland Enhancement grant was awarded funding by OWEB, and project implementation began winter of 2022-2023. Pre-implementation monitoring took place as landowners were gearing up to start their individual projects.

FAST

The 2022 FAST season had a total of 7 alert days spurred by a prolonged period of temperature in excess of 100 degrees. The new rule drafted in 2021 allowing an alert to be called no earlier than 3 days before temperature exceedances are expected was also put to the test again in 2022, and worked as intended. The acres enrolled in the FAST program for 2023 doubled thanks to a new water rights holder enrolling in the program taking our total acres from 700 to over 1,400.

Pesticide Stewardship Partnership

The 2022 PSP season had the lowest number of detections in the partnership's history, with 30 detections total. A majority of these detections were in Threemile Creek, with 16 detections and two benchmark exceedances. There were also 4 detections in Mill Creek, with three of those detections exceeding the aquatic life benchmark.



IN THE BOARD OF COMMISSIONERS

OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF THE PROPOSED VACATION OF APPROXIMATELY 1000 FOOT SECTION OF HOOD RIVER ROAD, BETWEEN THE HOOD RIVER WASCO COUNTY BOUNDARY LINE, LOCATED IN SECTION 10, T 2N, R11E, WASCO COUNTY, OREGON, WM	REPORT OF PUBLIC WORKS DIRECTOR

TO THE HONORABLE BOARD OF COMMISSIONERS OF WASCO COUNTY, OREGON:

In compliance with Order #23-046 of the Board of Commissioners dated June 21, 2023, I have investigated the County Road as follows:

HOOD RIVER COUNTY ROAD

LEGAL DESCRIPTION

An approximately 1,000 foot section of Hood River Road, between the Hood River and Wasco County boundary line, and the existing “East gate”, lying just westerly of the driveway entrance to Tax Lot 600, Section 10, Township 2 North, Range 11 East, Willamette Meridian; Wasco County, Oregon.

Attached hereto, and by this reference made a part hereof, is a map with photos marked as Exhibit “A” showing the location of the above described road.

Background

The petitioners, Lee and Donald Campbell, and Ronald Doughten and Dustin Posner, who own all the land North and South of the road right-of-way, wish to vacate because of several safety issues and nuisances including garbage thrown out along the road (appliances, tires, household trash), trespassing, theft, and illegal motor vehicle use. With the growing hazard of wildfires in the area, the petitioners are especially concerned about the increased risk with allowing public access to unimproved areas. The

petitioners included a narrative of concerns (included as an exhibit to this report) and listed nine specific areas where they believe it is in the public's interest to vacate this section of road.

If the road is vacated, the petitioners intend to grant easements for utility access, emergency response, and wildfire safety or fire suppression activities.

Historical notes: After researching the road records and investigating notes and memos from both Hood River and Wasco County surveyors, it appears that there were two county roads established along this general route. The first was in May of 1867 "Dalles City to Hood River" and the second was in September of 1867 "Dalles City to Horns Landing". The proximity of these two roads suggests that the May, 1867 road was never constructed, as the same person filed both road petitions, but the September 1867 road survey is more detailed and it states that this route was an "improvement". In October, 1868 the Wasco County Court awarded a contract to construct a bridge across the Hood River, "where the line of the road crosses Hood River, as laid out by law from Dalles City to Horns Landing." It appears that the Horns Landing route was built and later became the Hood River Road.

In June 1908, the passage of a statewide initiative established Hood River as the 34th county of the state. All county roads within that Hood River county boundary were accepted into their road system, including the majority of the Hood River Road route.

In the fall of 1993, the landowner at that time requested that a gate be placed across the Hood River Road, approximately 1,000 feet east of the Hood River / Wasco County boundary to prohibit motor vehicle use and illegal activities impacting the area. The landowner had multiple reports of trespassing, vandalism, theft, dumping, and 4x4 activities that occurred on his private property, and not within the dedicated public road right-of-way. The county road official at that time stated that they agreed, for safety purposes, that this road section should ultimately be closed to motorized use and the request for an unlocked gate was granted. This section of Hood River county road has been gated off since 1994.

In January of 2023, I received an inquiry about the status of this road section. Two individuals were interested in biking or hiking along this road. They stated that Hood River County allowed non-motorized use of their road section, but the gate on the Wasco County side, made the through route very difficult to travel. We met and discussed the many challenges of this road, the issues with trespassing, theft, etc. and the potential wildfire hazards. These individuals understood the concerns of the landowners and the county, but were still supportive of keeping a non-motorized route open to the general public.

In March of 2023, the adjoining landowners became aware of the increased attention around this section of Hood River Road and the existing gate. These landowners filed a petition to vacate this section of road on April 10, 2023.

Facts and Findings

The majority of the Wasco County section of the Hood River Road is a gravel surfaced, all-weather road and it receives regular maintenance by county crews. The 1,000 feet in question has been gated off since 1994 and has received no county maintenance over the past 30 years. The Hood River County road section is gated off, locked, and posted as "closed to motor propelled vehicles" on their end.

The petitioners own all the land around the proposed section of Hood River Road right-of-way, but not all of the adjoining property. I have no doubt that because of the secluded nature of this road, all of the negative actions described in the narrative occur regularly. These damaging, even dangerous activities can indeed create a hardship borne almost solely by the petitioners.

The adjacent landowner immediately to the West is Hood River County. The Hood River County road official stated that this road has not received any maintenance in many, many years, may not be passable in certain areas, and very likely is not located within the actual dedicated right-of-way. In his opinion, vacating the section of road in Wasco County would not negatively impact the public and he would generally support the vacation request.

PBS Land Company which is a private firm owns a large portion of land north of the road section. I spoke to one of the company's officers and he stated that while the road section proposed for vacation did not directly touch their property, they would support the vacation to help protect their land holdings, but would need easement agreements in place to ensure emergency access and fire protection.

I traveled (walked) much of the section of Hood River Road from Wasco County to Hood River County. The existing "road" is primitive; dirt surfaced, with some rock, and is in generally poor condition. It appears to have been rarely used over the past several years. In the wetter seasons, much of this road would be unpassable, even with 4x4.

There are several utility companies with transmission lines and poles located within the right-of-way. If the road vacation is granted then they would require an easement for access and maintenance of their facilities. The landowners have stated that they would be happy to work with these companies to facilitate any necessary agreements and/or easements.

Fiscal Impact

The right-of-way would revert to private ownership and onto the tax rolls. The County does not maintain this portion of the right-of-way now, so vacation would have no fiscal impact to the Public Works Department.

Recommendation

Per ORS 368.346, because less than 100% of the adjacent landowners have petitioned, notice must be given to owners of abutting land and a hearing must be held if the commissioners wish to move forward with considering the proposed vacation.

No hearing would be required if the commission only wanted to close this portion of road to motorized vehicle traffic, but leave the status of the road unchanged. The county would then need to work with the landowners to facilitate any public use, while also mitigating the nuisance issues.

It is my recommendation that the Board of Commissioners officially close this portion of Hood River Road to motorized vehicles. I do not recommend moving forward with the road vacation request.

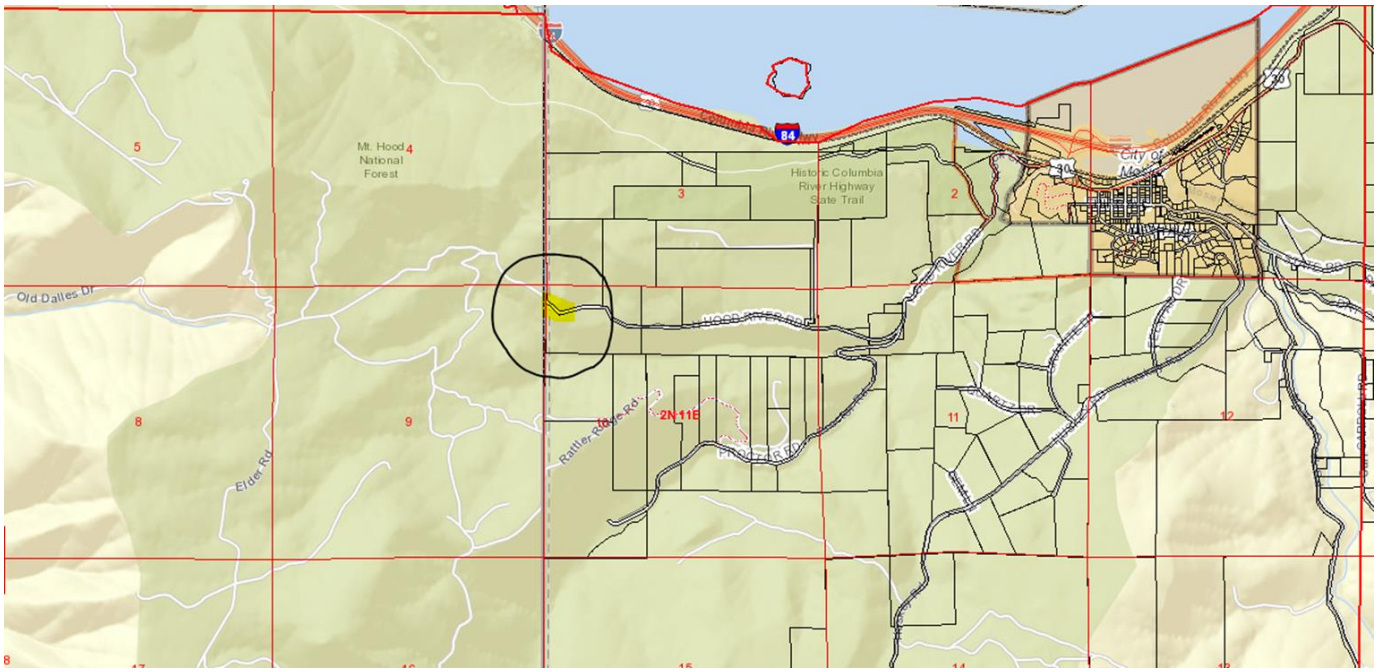
Dated this 6th day of December, 2023

Arthur Smith
Director, Wasco County Public Works

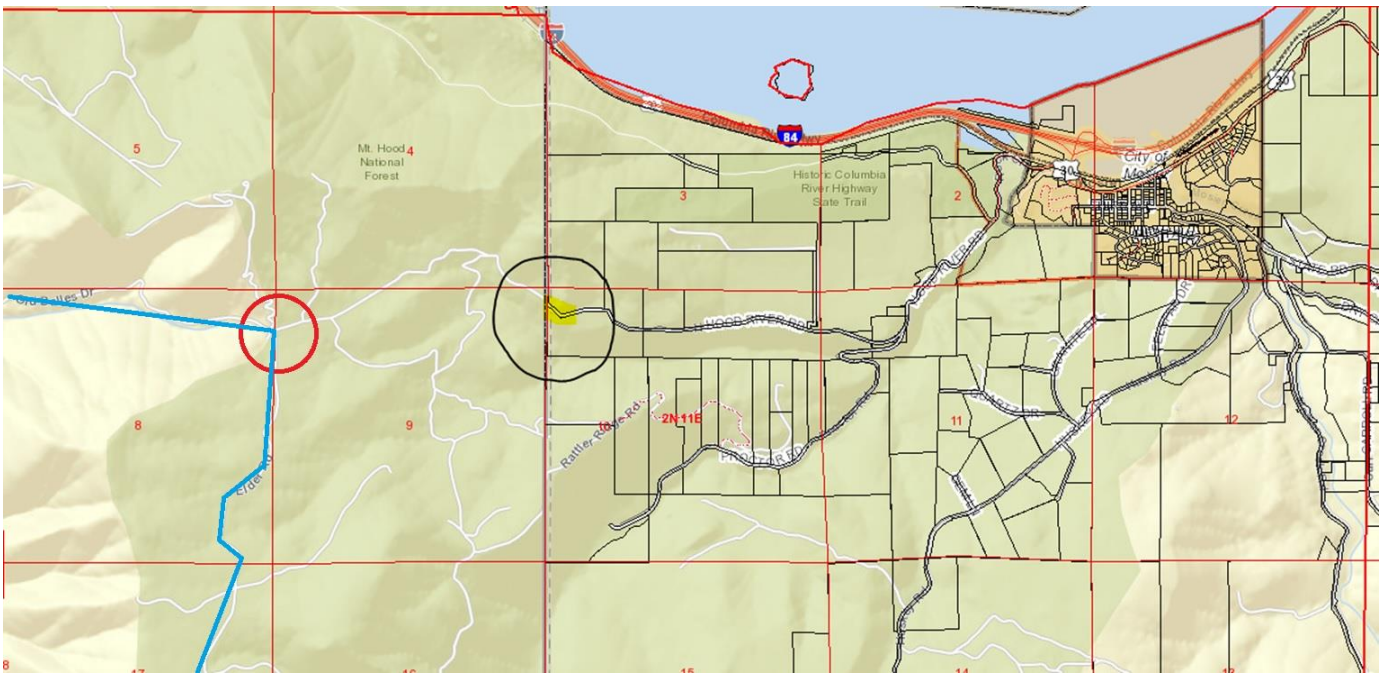
EXHIBIT A – photos

Portion of Hood River Road – proposed vacation

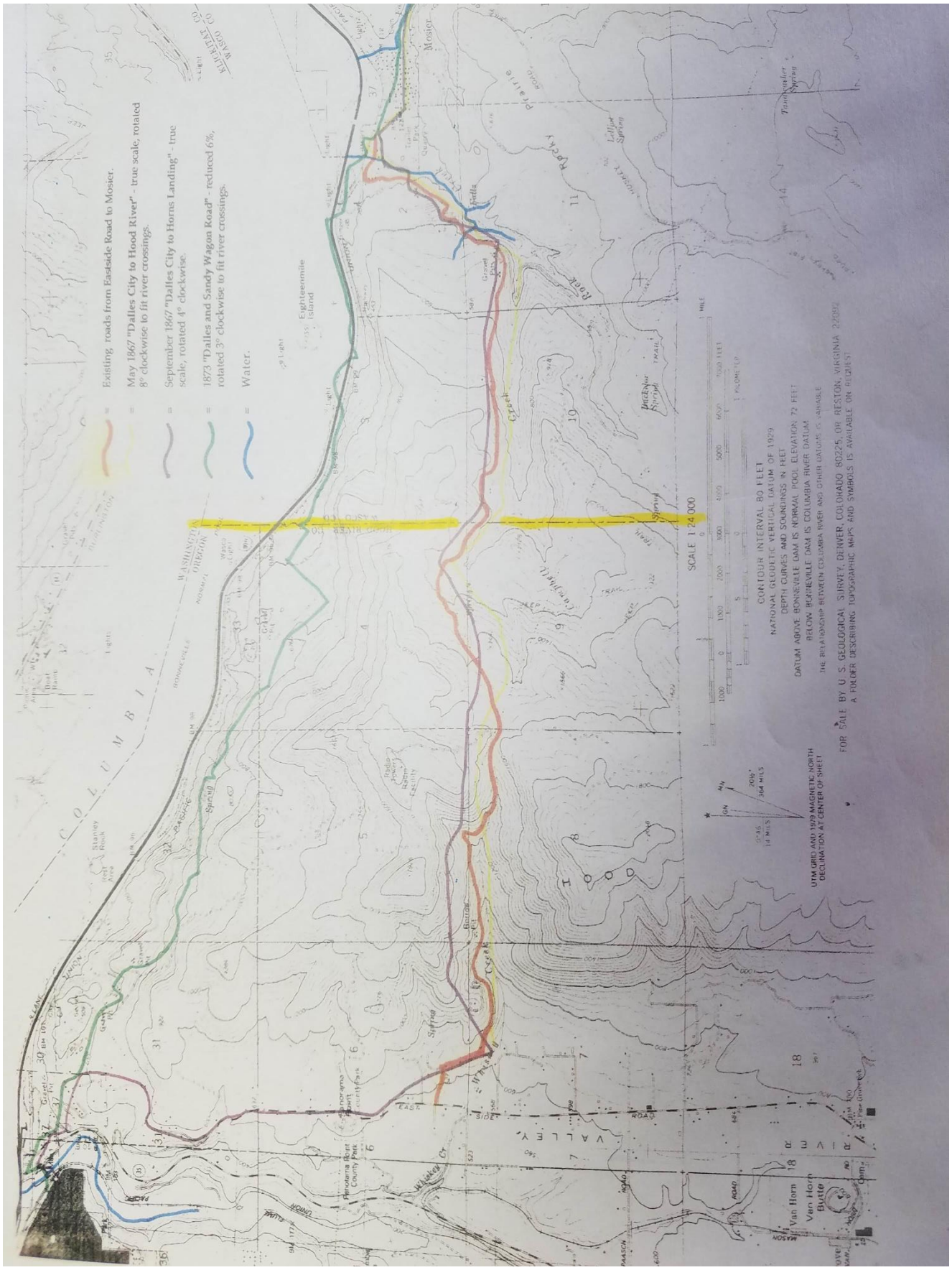
Wasco County side – circle and highlighted section is the last 1000’ of road before Hood River county boundary



Hood River side – red circle indicates the end of HR county maintenance - intersection of Elder Rd and Old Dalles Drive



Road between Wasco County and Hood River County – historical map



Hood River Road - Wasco County side at gate – looking West



Hood River Road just past the gate – looking West



Hood River Road at 500’ – looking West



Hood River Road at 750’ – looking West



Hood River Road at Wasco County boundary – looking West



Hood River Road at Elder Rd - Hood River side – looking East



Hood River Road - Hood River side at gate – looking East



Re: Hood River Road

Dear Wasco County Board of Commissioners,

The 44 Trails Association was established in 2002 to advocate for and steward non-motorized trails on the east side of the Mt. Hood National Forest and the surrounding area. We represent a diverse group of cyclists, trail runners, walkers and hikers in Wasco and Hood River Counties.

We are writing to express our concern regarding the petition to vacate the Hood River Road. This section of road is public and provides a unique link between Hood River and Mosier, especially for adventurous cyclists and runners connecting Hood River Road, Old Dalles Road and the Historic Columbia River Highway. Public access should be maintained.

The road is rideable by mountain and gravel bikes. It offers creative loop opportunities with the Old Dalles Road and the Historic Columbia River Highway, plus connectivity to mountain bike trails accessible from Old Dalles Road for Wasco County cyclists.

Use of the road has been thwarted by misleading Private Property / No Trespassing signage and the addition of barbed wire to the gate on the east end of the road. Given the road's long history and public status, the signage and intimidating gate are illegal and cause people to turn back when they have a right to use the road.

We strongly believe public access should be maintained. Thank you for your careful consideration of this request.

Best Regards,
--
Nate Kuder
44Trails Board President
Parkdale, OR

Response to the petition by adjacent landowners to vacate a section of Hood River Road (*June 21, 2023 - Doughton/Posner and Campbell*)

November 20, 2023

Esteemed County Commissioners:

We oppose transferring a segment of Hood River Road to private ownership, as currently proposed by the two adjacent landowners (Doughton/Posner and Campbell). This road, connecting Mosier and Hood River, has a long historical precedent of public use and access. Approval of the landowners' current proposal would end that connectivity, in perpetuity.



The route, labeled "Trail to Dalles", appears on the plat map drafted by the first government land surveyors, in 1859. Later identified as the historic "Dalles to Sandy Wagon Road" (also known as the "Old Military Wagon Road"), a road was built on this route in 1872, pre-dating the railroad. This was the first road in the Columbia Gorge to connect The

Dalles to the Willamette Valley, and its use by the public continued even after completion of the Columbia River Highway in 1920. During the subsequent century, its name evolved–"Mosier Road" to "Old Dalles Drive," to"Hood River Road"--but its alignment and county ownership remained unchanged.

Today, the road provides mountain bikers and hikers access to Hood River County lands and private lands just west of the Wasco County line. SDS (now Green Diamond) and Hood River County have a long history of allowing non-motorized use of their extensive landholdings in the area, and citizens using the lands have a long history of not abusing that privilege.



Since acquiring the property in 2017, the landowners south of the section of Hood River Road who are petitioning for vacation have exhibited antagonism toward citizens using this public road. They installed an unauthorized gate blocking access. They have posted gate signage reading *Private Property/No Trespassing.* They topped the gate with barbed wire to exclude public users, potentially injuring citizens exercising their right to public use of the road. Landowners at times have verbally harassed hikers and bikers on the road passing by

their driveway, although the buildings on their property are a hundred yards south of the road.





We’d like to address landowners' concerns about possible vandalism or disruption to their privacy in the following way. We propose an alternative to vacating the road. We—along with the greater community of hikers and bikers in the area—offer to work cooperatively with Wasco Public Works and the landowners to modify

the gates at the eastern and western ends of the road segment, and erect signage compelling compatible behavior.

Fence stiles, such as the example illustrated below, could be installed adjacent to the gates and would allow walkers and bikers to get over the fence, and prevent entry by motorized vehicles.



Signs installed at the gates could spell out that the road is bordered by private lands; that users must stay on the road, must not discharge firearms from the road, must not smoke, and that dogs must be kept leashed. A road sign east of their driveway (before the county road drops down towards their driveway) reading, “Dead End” would help deter people from driving to the gate and parking. Placed boulders and logs along the shoulder of the road near the gate could help discourage it from becoming a parking area.

Responsible users of the road will help be the eyes and ears for challenging or reporting behaviors of any who may ignore common courtesies.

We feel that continued public use of this historic road through the beautiful hills between Mosier and Hood River should continue as it has

for the last 150 years, and be passed on to the next generations. Once this route leaves public ownership, there is no going back.



Sincerely yours,

Chip Andrus

_____

Co-signers

Megan Ramey
Pat Cason
Nathan Kuder

HRATS
HOOD RIVER AREA TRAIL STEWARDS

November 15, 2023

Re: Hood River Road

Dear Wasco County Board of Commissioners,

Hood River Area Trail Stewards (HRATS) was established in 2012 by enthusiastic trail users. The mission of the organization is to create, enhance, and preserve positive trail experiences for trail users in the Columbia River Gorge. The vision of the organization is to build a connected trail system that offers riders of all ability levels with the opportunity to get outside, progress their skills, and become part of the trail community.

We are writing to express our concern regarding the petition to vacate the Hood River Road. This section of road is public. The road provides important access between communities in the gorge, especially cyclists traveling on Hood River Road and Old Dalles Road. Keeping this section of road in public ownership is important to the community. Public access should be maintained.

Thank you for your careful consideration of this request.

Sincerely,

Tim Mixon
President, Hood River Area Trail Stewards

To the Honorable Wasco County Commissioners: Steve Kramer, Scott Hege, and Phil Brady:

I wish to comment on the proposal to 'Vacate a Section of Hood River Road' dated 6/21/23. I am not in favor of granting the request to vacate a section of Hood River Road. It is my opinion that the existing public right-of-way should remain open for public access for non-motorized modes, including hiking, cycling, and equestrian. Additionally, this corridor ought to remain open for emergency responders.

The current landowners have imposed an informal closure of this more than century old right-of-way without due process. Now they wish to formalize their questionably legal occupation of a public right-of-way.

Their application included several arguments that are easily invalidated when examined. For example, they suggested that closure was necessary to prevent wildfire. Wildfires are increasing in severity in nearby areas with public access points as well.

They argue that the publics' safety will be increased by eliminating access. Restricting access will make it more difficult for first responders to access the area in the future, thus lowering the publics' safety.

They argue that parking conflicts will be created by allowing access. Parking conflicts are already mitigated by the existing public parking areas at both the eastern and western accesses to this primitive road. Well placed road signs may also mitigate conflicts if they arise. Additionally, perhaps these landowners near Hood River Road need reminding that they do not have exclusive access to publicly maintained roads.

They argue that infrastructure maintenance is a significant concern. This public right-of-way is currently best described as a primitive trail. It was originally constructed as part of The Dalles State Military Wagon Road between Portland and The Dalles (1888). It follows pre-existing routes created first by Native Americans and later by early pioneers. Future infrastructure maintenance is a choice; it may be user-maintained and still function as a public access point without incurring costs to local government or landowners.

They argue that unintentional access is a concern. Additionally, they have concerns regarding trash, etc. Regardless of whether this corridor is formally closed or not, people may choose to access the area anyway. By allowing public access, particularly in partnership with a responsible trail management organization (such as Hood River Trail Stewards - HRATS), legitimate users will help manage inappropriate access and potential trouble makers.

They raise concerns regarding livestock. Recreationists have coexisted with open range livestock in countless other areas, including adjacent SDS Lumber properties (Whooptee Trail System). Stating that an activity will require oversight and management is a weak argument and not worthy of formal consideration.

They argue that allowing access inspires mapping and information to be published. These events have already occured. Reaffirming public access will not cause new problems.

Their last concern is most puzzling. They suggest that interagency cooperation between Wasco and Hood River County is somehow a problem/concern. Land management is usually a multi-agency process. Both local governments frequently cooperate; this will be no different.

In conclusion, it is my belief that Wasco County ought not vacate a section of Hood River Road. Rather, Wasco County ought to reaffirm the publics' right to access this existing public right-of-way.

Reaffirming access will improve recreation resources in this area. Access allows for continuance of an existing and alternative route for travel between Pine Grove and Mosier. Keeping the primitive nature of this road will naturally limit access, and provide a more adventurous alternative to the Historic Highway trail, or Elder-Huskey road route. Lastly, preserving access will preserve an important element of Oregon's history: The Dalles Military Road (https://en.wikipedia.org/wiki/The_Dalles_Military_Road).

Thank you for your time considering my request.

Regards,

Ian Stromquist
[redacted], The Dalles, OR 97058

Dear County Commissioners,

I encourage you to reject this petition to privatize a section of Hood River Road. Furthermore, the signs and unsanctioned locked gate preventing access to this public road should be removed.

After reading the reasons why the petitioners wish to do this, I put together some responses for your consideration.

The petitioners speculate about the causes of past fires and the increased fire risk with greater use by the public. However, more people in the area could actually mitigate risk (i.e., a hiker sees a fire and pulls out their cell phone to call it in). Preserving the public right of way may also be valuable in the future as potential emergency wildfire evacuation route.

The description of cyclists turning around because of too much mud is not true for experienced riders. The muddy area they refer to is about 100 feet long, and near the west gate of their property. A bicyclist may want to walk that section. It is rocky there as well. A careful hiker could walk thru it without even getting their boots wet. The rest of the road can be ridden on a gravel bike as I have done many times and in all seasons, including winter.

The road safety concerns outlined in the motion suggests to me that the petitioners are not acknowledging rural driving conditions common to the area. Whether it's a deer, stray cow, boulder, rockslide, pedestrian, or bicyclist in the road, we all have to assume a licensed motorist knows how to operate their vehicle safely.

The parking issue would need to be addressed. It may require signs, and maybe even barriers like boulders along pullouts to discourage parking. An obvious "*Dead End*" sign at the fork of Proctor Road could be an effective deterrent.

The concerns they express about dumping, vandalism, camping, etc., are not happening elsewhere in the vicinity, such as along Elder Road. It makes no sense to infer it would happen near them. The remoteness of the area, lack of water or any amenities, and the prohibition of motor vehicles is likely why we don't see any camping or vagrancy in these lands.

Possible livestock confrontations are a legitimate concern. The bulls can be alarming, but they don't care if you got in from Elder or Hood River Road. Backcountry recreation always involves awareness and caution.

It is unlikely that a big increase in use of the area would ever materialize. The road on either side is a challenging walk or bike ride, and only for the most physically fit.

If this public road is given to private hands, the owners will forever have to police their quarter mile private road for trespassers, just as they are presently and unhappily doing. Online maps will continue to show the road as a through route, even if a gate icon is added. People will look at these maps and want to try it. On apps like *Ride with GPS*, heat map layers show that people have traveled through the gated road section, and that data will always be there.

The primary reason to reject this proposal is that it does not serve the public good. Preserving access to this right of way leaves options for future uses while respecting its historical significance.

Sincerely,
Drew Devereux
Hood River, OR

Travis Dray
The Dalles Sluggers Board Member
[redacted]
The Dalles, OR 97058
10-31-2023

Dear Wasco County Commissioners:

Phil Brady
Scott Hege
Steve Kramer

I apologize I was unable to attend last week's Kramer Field meeting and discussion in person, I was asked to give a strategic plan presentation to our physician advisory team that was at the same time as the County meeting.

I am writing to you on behalf of The Dalles Sluggers baseball program, who have been a user group of Kramer Field since the club was founded. I have been a board member and coach for the past five years – and have seen the positive impact our club has on the children that have participated. Providing them an opportunity to pursue the great game of baseball, create long lasting friendships, increase their self-esteem, and taking pride in representing our community in the out-of-town tournaments they play in. These players are the next Riverhawks, and we take considerable pride knowing that we are molding student athletes for The Dalles High School.

Over the past four years, The Dalles Sluggers have played two home games; both in 2022: one at Kramer Little League Field and one at Quinton Street Ballpark, it was the first time for this group of players and families to stay home and play a Sluggers baseball game. Our program is extremely fortunate The Dalles Little League takes the deteriorating field conditions, uneven playing surfaces, and worn-out amenities they inherit each year, and invests time, money, and resources and brings them to a playable – but below average field condition. The Dalles Little League deserves a public thank you.

At the same time, just beyond the fences of the coach pitch field - Butch Hert and whomever he can recruit, maintains the Babe Ruth field - as best a small group of volunteers can. The Babe Ruth field has deteriorated and is also in below average field condition.

It has been great to see the Riverhawks Junior Varsity team, play home games on the Babe Ruth field – but it is not in the condition it needs to be to serve as a high school teams home field.

Kramer Field needs renovations, a productive maintenance schedule, and shored up to be a safe place for kids to play. I kindly request Wasco County to collaborate or work out a plan with the North Wasco County Parks and Recreation that emphasizes a solution for the 2024 season(s)– to repair and maintain Kramer Field.

If the fields are playable, Sluggers could host teams to play in a small round robin tournament in the spring and fall. This past fall, teams from Vancouver, Crook County, Hermiston, Walla Walla, and Hood

[redacted]

River were willing to travel to The Dalles on five weekends to play doubleheaders. Sluggers could not find the field space in our community and had to cancel the Sluggers fall ball season.

By Investing in the current conditions, the County could attract tournament play from Sluggers, The Dalles High School, and Hustlers – creating immediate economic impact, which would be measured and utilized to forecast play for a future sports complex. In addition, this is a great message that both agencies value the current generation of kids and are supporting the organizations that are creating positive impacts in the physical and character development of our young athletes.

Appreciate you hosting and listening to the user groups.

Sincerely,

Travis Dray

The Dalles Sluggers Board Member

[ADVENTISTHEALTH:INTERNAL]

Steve, Scott, Phil and Kathy,

This is Davis Koester, the head of Peak Baseball summer camps in The Gorge. I have had the opportunity to talk to a couple of you in the past but I want to extend a quick thanks for allowing my coaches and I to work with your Little Leaguers for the past two summers. It has been a blast.

As far as improving Kramer Field I know my program would benefit greatly as I'm sure all of The Dalles youth baseball would. Last summer both of our camps in The Dalles were decently well attended. However, some kids from the Dalles were going to White Salmon or Hood River camps instead. This wasn't really the case with other camp locations—and many parents pointed to the fields at the Dalles at their main concern.

The first year we ran camps out in the Dalles (summer of '22) we had to use the slow pitch softball fields on the opposite side of the complex for the Little Leaguers because the Little League field dugouts were overrun by the homeless and trash was everywhere. While this worked, those fields had a few ground hornet nest in behind home plate and one of our campers got stung. This summer, we were able to use the Little League fields which was an upgrade, but we found ourselves spending all of our time before camps picking up dog poop and trash. We also had many homeless people around the facility during the camp day and this created a sense of unease for some parents who were dropping off their children.

All that being said, I am confident that with an increased budget and some additional attention to these fields that we will see more kids coming to our camps in The Dalles. (The best Little League fields in the area are in Hood River and we typically see 25-40 kids at those camps. The most we have ever had in The Dalles is 18 despite the much larger population.)

I have been playing semi-pro baseball in Puerto Rico this fall but will be returning to the Columbia Gorge December 12 and I'll be in the area through early January. I live in Trout Lake but if anyone needs me at a meeting regarding Kramer complex improvements I will be there (so long as road conditions allow!) If we see increases in our camp numbers due to the improved complex I would be happy to provide donations towards upkeep for the future of Kramer complex as well.

Looking forward to having safe and accessible fields in The Dalles for these kids to enjoy.

Thank you,
Davis Koester
Founder of Peak Baseball LLC
(509)637-0631
gorgepeakbaseball@gmail.com
Peak-baseball.com

Hi Tyler,

I contacted the Board Chair on this item and it seems the Board will not be discussing this again until December 18 at which time the Board may take a formal position. From their discussion at the last meeting, it would seem the Board does not favor vacating the road. The road provides access to County forest land and having two points of access into this area for emergencies is valuable. In addition, there seemed to be interest in keeping permanent access for non-motorized use.

Because of the County Forest Land in the area, it is unlikely the ROW on the Hood River County side would be vacated as it provides access for operations and management of the County's Forest. There has also been some public interest expressed to the HRC BOCC to keep the access open for recreational use.

I was asked to pass along these comments to you so they could be shared with the Wasco County Board of Commissioners if that would be appropriate.

Again, Thanks for the heads up.

Regards,

Jeff Hecksel

Hood River County Administrator