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WASCO COUNTY PLANNING COMMISSION AGENDA PACKET

FOR

Hearing Date: August 1, 2023

Hearing Time: 3:00 pm

Hearing Location: **Wasco County Public Works Conference Room**
2705 E. 2nd Street
The Dalles, OR 97058
Electronically via Zoom
Meeting ID: 894 6593 2862

HEARING 1 DETAILS: Appeal of an administrative approval of a Scenic Area Review to Permit Existing Non-Permitted Accessory Structures/Addition

HEARING 2 DETAILS: Scenic Area Review for a Replat of existing subdivision lots within the Columbia Crest Addition Subdivision to make them more conforming with current zoning

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Date: July 25, 2023
To: Wasco County Planning Commission
From: Wasco County Planning Office
Subject: Submittal for Hearing Dated August 1, 2023
Re: Appeal of Director's approval of #921-22-000104-PLNG
Review of #921-23-000023-PLNG

HEARING 1

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HEARING 2

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SUMMARY OF INFORMATION

Prepared for the Wasco County Planning Commission

FILE #: 921-22-000104-PLNG

APPEAL HEARING DATE: August 1, 2023
NEWSPAPER PUBLISHING DATE: July 12, 2023

REQUEST: Scenic Area Review to construct the following:

- 336 Square Foot (SF), 21'L x 16'W x 12'H Accessory Structure (Front Shop)
- 143 SF, 13'L x 11'W x 12'H Accessory Structure (Back Stall)
- 110 SF, 10'L x 11'W x 10'H Accessory Structure (Goat/Hay/Quad)
- 99 SF, 9'L x 11'W x 10'H Accessory Structure (Lean-To)
- 80 SF, 10'L x 8'W x 8'H Accessory Structure (Back Tool Shed)
- 210 SF, 15'L x 14'W x 12'H Addition to Dwelling (Original Size of 704 SF, previous unpermitted addition increased the size to the current 914 SF).

APPLICANT/OWNER INFORMATION:

APPLICANT/ OWNER: Tania Valencia Tostado, 4750 Simonelli Road, The Dalles, OR 97058

PROPERTY INFORMATION:

LOCATION: The subject property is located on the south side of Simonelli Road, approximately 0.3 miles southwest of the intersection of US HWY-30 and Simonelli Road, approximately 1.5 miles northwest of the City of The Dalles; more specifically described as:

Map/Tax Lot	Acct. #	Acres
2N 13E 17 BD 1100	1333	0.46

ZONING: "R-R" Rural Residential Zone (GMA & SMA), GMA R-2 of the Columbia River Gorge National Scenic Area

Staff Reviewer: Sean Bailey, Associate Planner

Attachments:

Attachment A	**PC Appeal Staff Report**
Attachment B	**Appeal Application**
Attachment C	**Outdoor Lighting Standards**
Attachment D	**Public Comments**
Attachment E	**Original Notice of Decision & Attachments**
Attachment F	**Original Staff Report**
Attachment G	**Maps**
Attachment H	**Public Notification (Administrative)**
Attachment I	**Public Notification (PC Hearing)**
Attachment J	**Original 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 August 1, 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 overall request, the recommended conditions of approval, and the Planning Commission's options and staff's recommendation.

RECCOMENDED CONDITIONS OF APPROVAL

A. National Scenic Area Conditions

1. 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 owners shall notify the Wasco County Planning Department and Gorge Commission within 24 hours of the discovery. If the cultural resources are prehistoric or associated with Native Americans, the owners shall also notify the Confederated Tribes of Warm Springs, Confederated Tribes of Umatilla, Perce Nez, and Yakama Indian Nation within 24 hours of discovery.

2. If human remains are discovered, all work on the parcel shall cease and the owners shall immediately notify the Wasco County Sheriff's Office, the Wasco County Planning Department, the Gorge Commission, and the four Indian tribal governments.

3. All on-site trees shall be retained. *Any of these trees 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

a. All trees shall be at least 4 feet tall at planting, well branched, and formed.

b. 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.

c. The trees must be irrigated until they are well established.

d. Trees that die or are damaged shall be replaced with trees that meet the planting requirements above.

4. Colors:
   a. All exterior surfaces to have a flat, matte finish.
   b. The following materials and colors have been reviewed for all development:

FRONT SHOP	Material	Color	Consistent with requirements?
Siding	Pre-weathered Metal	Dark Brown	Yes
Roof	Pre-weathered Metal	Dark Brown	Yes
Doors	Plastic	Dark Brown	Yes
Garage Door	Metal	Dark Brown	Yes

BACK STALL and LEAN-TO	Material	Color	Consistent with requirements?
Siding	Wood	Dark Brown	Yes
Roof	Pre-weathered Metal	Dark Brown	Yes
Doors	Wood	Dark Brown	Yes

GOAT SHED	Material	Color	Consistent with requirements?
Siding	Wood	Dark Brown	Yes
Roof	Pre-weathered Metal	Dark Brown	Yes
Doors	Wood	Dark Brown	Yes

BACK TOOL SHED	Material	Color	Consistent with requirements?
Siding	Wood	Dark Brown	Yes
Roof	Composite Shingles	Dark Brown	Yes
Doors	Wood	Dark Brown	Yes

DWELLING ADDITION	Material	Color	Consistent with requirements?
Siding	Wood/Hardie Board	Brown	Yes
Roof	Composite Shingle	Reddish Brown	Yes
Doors Frame	Plastic	Tan	Yes
Window Frame	Vinyl	Tan	Yes
Door/Window Glass	366-I89 Low E & low reflectivity glass. 11% exterior reflection		

B. Fire Safety Conditions:

1. Improvements and requirements listed in Chapter 10 of the WC-LUDO and the signed and completed Fire Safety Standard Self-Certification shall be achieved within one year of the date of final approval and maintained through the life of the development. This certification commits all future property owners to the same requirements. A copy of this self-certification form is available for inspection at the Wasco County Planning Department under File 921-22-0000104-PLNG.

2. The applicant or future owner(s) shall provide and maintain a fire fuel in accordance with the *Chapter 10 – Fire Safety Standards, Defensible Space* criteria.

3. The grass, weeds, and other lighter vegetation shall be trimmed down to ground level in the space between the accessory structure referred to as the "front shop," and the western property line. This vegetation management should be maintained throughout the growing and fire seasons.

4. The proposed buildings shall meet the criteria outlined in *Chapter 10 – Fire Safety Standards, Construction Standards for Dwellings and Structures*, and the final structural designs shall meet all applicable building code standards.

5. The driveway shall continue to meet criteria outlined in Chapter 11 – Fire Safety Standards, Access Standards.

C. Miscellaneous Conditions:

1. Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. Shielding and hooding materials shall be composed of nonreflective, opaque material.

2. Ground disturbance shall be minimized to the greatest extent possible. All ground disturbances resulting from construction of the new development must 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 the replacement of such vegetation that does not survive.

SUMMARY OF INFORMATION – PLANNING COMMISSION OPTIONS & STAFF RECOMMENDATION

PLANNING COMMISSIONERS OPTIONS

A. Approve the request as submitted by the applicant with original conditions of approval

B. Approve the request, with amended Conditions and Findings; or

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

Staff recommends Option B: Approve the request, with amended Conditions and Findings.

ATTACHMENT A

File Number: 921-22-000104-PLNG

Request: Scenic Area Review to Permit Existing Non-Permitted Accessory Structures/Addition:

- 336 Square Foot(SF), 21'L x 16'W x 12'H Accessory Structure(Front Shop)
- 143 SF, 13'L x 11'W x 12'H Accessory Structure (Back Stall)
- 110 SF, 10'L x 11'W x 10'H Accessory Structure (Goat/Hay/Quad)
- 99 SF, 9'L x 11'W x 10'H Accessory Structure (Lean-To)
- 80 SF, 10'L x 8'W x 8'H Accessory Structure (Back Tool Shed)
- 210 SF, 15'L x 14'W x 12'H Addition to Dwelling (Original Size of 704 SF, previous unpermitted addition increased the size to the current 914 SF)

Prepared By: Sean Bailey, Associate Planner

Prepared For: Wasco County Planning Commission

Procedure Type: Quasi-Judicial Hearing: Appeal of a March 2, 2023 Administrative Decision

Appellant/Applicant: Richard Wolfe

Owner: Tania Valencia Tostado

Staff Recommendation: **Approve** the request, with amended Conditions and Findings

Planning Commission Hearing Date: August 1, 2023

Location: The subject property is located on the south side of Simonelli Road, approximately 0.3 miles southwest of the intersection of US HWY-30 and Simonelli Road, approximately 1.5 miles northwest of the City of The Dalles; more specifically described as:

Tax Lot	Acct#	Acres
2N 13E 17 BD 1100	1333	0.46

Zoning: "R-R" Rural Residential Zone (GMA & SMA), GMA R-2 of the Columbia River Gorge National Scenic Area

Past Actions: LOC-82-BP (Replacement Dwelling, Existing Dwelling)

Attachments:

Attachment B	Appeal Application
Attachment C	Outdoor Lighting Standards
Attachment D	Public Comments
Attachment E	Original Notice of Decision & Attachments
Attachment F	Original Staff Report
Attachment G	Maps
Attachment H	Public Notification (Administrative)
Attachment I	Public Notification (PC Hearing)
Attachment J	Original Application

APPLICABLE STANDARDS

A. Wasco County National Scenic Area Land Use & Development Ordinance (NSA LUDO)

Chapter 2 – Development Approval Procedures

Section 2.150 Appeals from the Decision of the Director

Addressed in Original Staff Report (Attachment E):

A. Chapter 3 – Basic Provisions

Section 3.160	"R-R" Rural Residential Zone (GMA)
Section 3.160.D.3	Uses Permitted Subject to Review – Accessory Buildings
Section 3.160.D.8	Uses Permitted Subject to Review – Additions
Section 3.160.G	Property Development Standards

B. Chapter 4 – Supplemental Provisions

Section 4.040	Off-Street Parking

C. 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

D. 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

I. BACKGROUND

A. Appeal: On March 15, 2023 an Appeal of a Land Use Decision was submitted by the appellant Richard Wolfe, regarding the Wasco County Planning Application # 921-22-000104-PLNG, to which the appellant is the adjacent western neighbor to the subject property. The Notice of Decision (Attachment E) approving the request with conditions was issued on March 2, 2023, for the following:

Scenic Area Review to Permit Existing Non-Permitted Accessory Structures/Addition:

- 336 Square Foot (SF), 21'L x 16'W x 12'H Accessory Structure (Front Shop)
- 143 SF, 13'L x 11'W x 12'H Accessory Structure (Back Stall)
- 110 SF, 10'L x 11'W x 10'H Accessory Structure (Goat/Hay/Quad)
- 99 SF, 9'L x 11'W x 10'H Accessory Structure (Lean-To)
- 80 SF, 10'L x 8'W x 8'H Accessory Structure (Back Tool Shed)
- 210 SF, 15'L x 14'W x 12'H Addition to Dwelling (Original Size of 704 SF, previous unpermitted addition increased the size to the current 914 SF).

The submitted appeal, follow-up phone call for clarification & corresponding email with the appellant, provides that the appeal is oriented towards the findings & approval of the 336 SF Accessory Structure (Front Shop). The appeal is focused on two issues:

1. The western structural setback requirement in Section 3.160.G.2, and
2. The defensible space & fire fuel break requirements in Section 11.120.

The appellant found no issue with the findings & approval of the other four structures and addition.

For the reasons described above, the following Staff Report will provide the findings and recommended conditions found in the original Staff Report (Attachment F), apart from the substitution of Section 2.150 for Section 2.050, and the updated findings in Sections 3.160.G.2 & 11.120. Since those sections contain new information, the section headers will be highlighted and <u>underlined</u> for the reader.

B. Legal Parcel: Pursuant to the National Scenic Area Land Use and Development Ordinance (NSA-LUDO) Section 1.200, the definition of a legal parcel is the following:

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 major or minor land partition; or

c. By deed or land sales contract prior to September 4, 1974.

The subject parcel was created as Lot # 9 in Block B in the Terrace Trailer Homes Subdivision, recorded with the Wasco County Clerk on August 14, 1963. Section 1.200 Definitions, in the Wasco County National Scenic Area Land Use and Development Ordinance (NSA-LUDO) includes the following as a definition of (Legal) Parcel: "a. A lot in an existing, duly recorded subdivision…" Because the parcel was created by subdivision, it complies with this definition and is a legal parcel.

C. Site Description: The subject parcel is located 0.5 miles south of Interstate 84, 0.1 miles west of US HWY 30W in a rural residential area 1.5 miles north of The Dalles and two miles east of Rowena. The slope and general parcel data were identified through Wasco County GIS (Slope and Imagery Data Layers) analysis. The slope descends to the east toward US Highway 30W, with some variation in the steepness from 10-30%. The land is terraced with flat spots, a rise, and another flat spot. There are several coniferous trees (mostly Ponderosa Pine) on the subject property, and a few bushes. The property contains the dwelling and five accessory structures discussed in this report.

D. Surrounding Land Use: All adjacent properties to the north, east, and west are also within the "R-R" Rural Residential Zone (GMA), extending approximately 0.3 miles to the north. They are similar in size and developed with residential uses similar to the subject parcel - dwellings (single wide trailers as well as small stick built structures) and scattered accessory structures. Parcels to the south are in the "A-2" Small Scale Agriculture Zone and are significantly larger. Slopes on properties in the residential area to the north of the subject parcel are similar, whereas slopes immediately south of the property become extremely steep, forming rocky cliffs. They are not used for agriculture however due to steep slopes and because the lands above that cliff are recreational in nature as part of the Crates Point area and the Mt. Ulka Preserve. The Dalles Country Club is located 0.3 miles to the southeast. Meyer State Park is located roughly 0.5 miles north of the subject parcel and is zoned Special Management Area (SMA) Public Recreation.

E. Public Comments: On June 29, 2023, 33-days prior to the Planning Commission hearing, a hearing notice was sent to all property owners within 750 feet of the subject parcel, and interested public agencies. Public notice of this hearing appeared in the Columbia Gorge News on July 12, 2023. Wasco County received comments from:

1. Comments from Jay Wood on May 31, 2023:
   Mid-Columbia Fire and Rescue recommends that the grass, weeds, and other lighter vegetation be trimmed down to ground level in the space between the Valencia structure and the home with deck. This includes on both sides of the supposed property line. This vegetation management should be maintained throughout the growing and fire seasons. This will help slow or stop the spread of fire between the structures should a fire ignite.

II. FINDINGS:

A. Wasco County National Scenic Area Land Use & Development Ordinance (NSA LUDO)

Section 2.150 Appeal from Decision of the Director

A. Any action taken by the Director or the Director's designee in the interpretation, administration or enforcement of this ordinance shall be subject to review by the Planning Commission.

FINDING: The decision under appeal, 921-22-000104 was initially reviewed and approved by the Director's designee. This appeal is brought before the Planning Commission for review on August 1, 2023. Staff finds that Section 2.150.A has been met.

B. Any party may appeal a decision of the Director relative to an Administrative Action. In the conduct of a hearing, the Approving Authority shall establish the appellant as a party or the appeal shall not be heard and the contested decision shall become final. For expedited reviews, party status shall be given to any person.

FINDING: The appellant submitted appeal during the full scenic area review and is presenting the case before the Planning Commission.

The Planning Commission may **approve or deny** the appellant as a party.

C. *The Approving Authority may review the action of the Director upon receipt of a Notice of Appeal as prescribed in this section. For the purpose of this section, an appeal shall be filed with the Director no later than twelve (12) days for an expedited review and fifteen (15) days for all other reviews following the date of the decision or action of the Director. The decision of the Director may also be reviewed by the County Governing Body upon its own motion passed within twelve (12) days for an expedited review and (15) fifteen days for all other reviews following the date of the written decision sought to be reviewed if no appeal is filed. County Governing Body review shall be conducted pursuant to Section 2.170.*

FINDING: The appeal deadline for the Administrative Decision was March 17, 2023. The appeal was properly received and filed on March 15, 2023. Staff finds that Section 2.150.C has been met.

D. Every Notice of Appeal shall contain:

1. A reference to the application sought to be appealed.

2. A statement as to how the petitioner qualifies as a party.

3. The specific grounds relied upon in the petition request for review.

4. The date of the final decision of the action.

5. The required fee, unless waived pursuant to Section 2.090.

FINDING: The appeal was properly submitted on March 15, 2023, with the following: required fee, specific grounds relied upon in the petition request for review, a statement as to how the petitioner qualifies as a party, reference to the application being appealed, and the date of the final decision of the action. This was provided on the application materials as well as follow-up email from March 21, 2023, is attached to the Planning Commission Packet as Attachment B.

The submitted appeal, follow-up phone call for clarification & corresponding email with the appellant concluded the Specific grounds for appeal are as follows:

1. The existing 336 SF Accessory Structure (Front Shop) seeking a permit, was constructed to close to the western property line to meet the required 15' setback.

2. The appellant disagreed with staff findings regarding defensible space & fire fuel break requirements in Section 11.120 for the 336 SF Accessory Structure (Front Shop) seeking a permit, and whether they could be met.

(***)

E. Appeal of an administrative decision to the Planning Commission shall be "de novo"; i.e., conducted as a new hearing before the public.

FINDING: Although the appellant did not indicate on the appeal application a request for a de novo hearing, based on the requirement listed in the criterion above, staff has treated the appeal as de novo, advised

both the applicant and the appellant that the hearing would be de novo, and explained the impact of a de novo hearing. Staff finds that Section 2.150.F has been met.

(***)

B. Chapter 3 - Basic Provisions

Section 3.160, "R-R" Rural Residential Zone (GMA)

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.

(***)

RESIDENTIAL USE

3. Accessory building(s) larger than 200 square feet in area or taller than 10 feet in height for a dwelling on any legal parcel are subject to the following additional standards: (GMA & SMA)

a. The combined footprints of all accessory buildings on a single parcel shall not exceed 1,500 square feet in area. This combined size limit refers to all accessory buildings on a parcel, including buildings allowed without review, existing buildings and proposed buildings.

b. The height of any individual accessory building shall not exceed 24 feet.

FINDING: The application includes the request to retroactively approve the unlawful construction of five accessory structures on the subject property: a shop, a stall, a goat/hay/quad, a lean-to, and a tool shed. These buildings are 336 Square Foot (SF), 143 SF, 110 SF, 99 SF, and 80 SF respectively for a total of 768 SF. An expedited review process is available if the proposal is for one accessory structure between 60 and 200 SF. Because there are more than one being proposed, all of them are being examined in the full Scenic Area Review Process, even though some are individually less than 200 SF or 10' in height.

The Subject Parcel was legally created by the Terrace Trailer Homes Subdivision in 1963, and contains a lawfully established dwelling (the proposed addition is addressed below in 3.160.D.15.). The proposed total square footage of all proposed accessory structures is 768 SF, which is less than 1,500 SF. No other accessory buildings exist on the subject property. The proposed heights range between 8' and 12', all of which are less than 24' in height.

Section G. is addressed below. Chapter 11 is addressed below in D. Chapter 14 is addressed below in E. Staff finds that the request complies with Criterion 3.160.D.3.

(***)

8. Additions to existing buildings greater than 200 square feet in area or greater than the height of the existing building. (GMA & SMA).

FINDING: The request includes a 210 SF addition of one bedroom on to an existing lawfully established dwelling, going from 704 SF to 914 SF in area. The proposed height of 12' is the same height as the existing dwelling. Staff finds that the request complies with Criterion 3.160.D.8.

(***)

G. *Property Development Standards*

1. *Property Size*

FINDING: The request does not include a land division. Staff finds that Criterion 3.160.G. is not applicable to the request.

(***)

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	*25'*
Rear Yard	*40'*

FINDING: The appellant provided the following statement regarding structure setbacks:

"To close to property line," and that a setback variance per chapter 6 would be require.

In a follow-up phone call, Staff asked for clarification on which of the structures he was referring too, or if he meant all of them, and the appellant responded via email:

"Hi Sean, this email is in follow-up to your request for specification of the location and building I was referencing to; I was referring to the non-permitted 336 sq ft, 21 ft long x 16 ft wide x 12 ft high, accessory structure (Front Shop)."

The request is for retroactive approval of five accessory structures and one addition to the existing dwelling. Sitemap indicates, as proposed, all construction complies with all required setbacks. Proposed setbacks to property lines are:

Required Setback	Existing Setback	Consistent?
Front Yard – 25' (North)	25'	Yes
Side Yard – 15' (east)	15'	Yes
Side Yard – 15' (west)	15'	Yes
Rear Yard – 40' (South)	100'	Yes

Following the appeal, staff conducted a site visit with the owner on May 16, 2023. Staff had difficulty identifying the exact location of the western property line due to a number of factors:

- Age of subdivision (created in 1963) and lack of monumentation of the lot
- Age of existing construction on properties in question, the owners dwelling was constructed in 1982, and the appellants was constructed approximately in 1974.
- General slope and topography of the general area.
- Structure in question was constructed in approximately 2014-2016.

A small fence is constructed on the hillside between the properties, and the owner believes this clearly marks the property line. During the site visit, the owner provided that she believes the fence is the demarcation of the property line because of the vegetation maintenance has historically been managed on both side of the fence line by the respective owners of each lot.

While measuring the setback staff noticed that the fence does not appear to follow a straight line on the hillside, and the posts were leaning in various directions. A measuring tape was used, but the fence and terrain made measuring difficult, and are a rough estimate. By Staffs measurements, the Accessory Structure (Front Shop) has a western setback of 13’6” when measuring from the northwest corner on the front side, and 14’6” when measuring from the southwest corner on the back; however, due to many factors which include:

1. Exact property has not been determined;
2. Fence used as property line for staff measurement was not in a straight line, and posts leaned;

3. Measurements were not exact;
4. Structure was constructed by the previous owners, circa 2014-2016;
5. Chief Wood noted no health/safety/welfare hazards, including Fire Fuel Break

For the factors listed above, Staff still believes there is substantial evidence to show the request meets the criteria described in Section 3.160.G.2.

> ***<u>Substantial Evidence</u>***
> *Substantial evidence is evidence a reasonable person would rely on in reaching a decision.*
> *Brandt v. Marion County, 23 Or LUBA 316 (1992).*
>
> *Where a reasonable person would not conclude, based on the evidence cited in the record, that the proposed use will comply with an applicable approval standard, the local government's determination of compliance with that approval standard is not supported by substantial evidence.*
> *Reynolds v. Clackamas County, 24 Or LUBA 14 (1992).*

Staff finds the request complies with Section 3.160.G.2.

3. *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:*

   (***)

<u>FINDING:</u> All of the adjacent properties located to the north, east, and west are within the "R-R" Rural Residential Zone (GMA R-2). The property to the south is zoned "A-2" Small Scale Agriculture Zone (GMA A-2 (40)). The Wasco County GIS soil layer shows that the land immediately south of the subject property is Soil Class 8, which is considered unsuitable for agricultural use. Aerial imagery confirm that it is a rocky steep slope. Staff finds that Criterion 3.160.G.3 is not applicable to this request.

4. *<u>Floodplain</u>: 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.*

<u>FINDING:</u> 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. According to the Wasco County GIS Flood Hazard Overlay (EPD-1) data layer, the subject parcel is not within a delineated floodplain. Staff finds that Section 3.160.G.4. is not applicable to this request.

5. *<u>Height</u> - Maximum height for all structures shall be thirty-five feet (35') unless further restricted in accordance with Chapter 14 - Scenic Area Review.*

<u>FINDING:</u> None of the proposed structures are taller than 12', which is less than 35'. Staff finds that the request complies with Section 3.160.G.5.

6. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

FINDING: The subject parcel is not a corner property. Staff finds that Section 3.160.G.6. is not applicable to this request.

7. Parking - Off street parking shall be provided in accordance with Chapter 4.

FINDING: This Section deals with requirements for parking. The requirements for off-street parking are addressed in Section 4.040 of this report where the request is found to comply with off-street parking requirements. Staff finds the request complies with Section 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, offstreet 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 offstreet 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 offstreet parking unless specified otherwise:

A. *Residential*

1. *Single family dwelling: One (1) space per dwelling unit.*

FINDING: The request is to construct accessory structures and an addition to an existing single family dwelling, which will require a minimum of one off-street parking space. A typical parking space is 20'x10', or 200 Square feet. The subject parcel has a driveway that is approximately 25' long and 15' wide, or 375 SF, exceeding the typical parking lot size. There is also an existing parking area, indicated in the site plan and measured on Wasco County GIS as approximately 600 Square Feet, enough for approximately three parking spaces, which exceeds the requirement of one. Staff finds that the request complies with Section 4.040.A.1.

D. Chapter 11 – Fire Safety Standards

FINDING: The request is for the retroactive review of five accessory structures and an addition to a lawfully established structure. 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-

22-00104-PLNG. A Staff recommends a **condition** of approval stating this is included in the Notice of Decision.

Section 11.110 Siting Standards – Locating Structures for Good Defensibility

FINDING: The submitted site plan (See site plan in Attachment C), Wasco County GIS (Slope & Imagery Data), confirm that the proposed development sites avoid slopes steeper than 40%, and are set back from the top of slopes greater than 30% by at least 50 feet. Staff finds that the request complies with Section 11.110.

Section 11.120 Defensible Space – Clearing and Maintaining a Fire Fuel Break

FINDING: The request is to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. Despite being preexisting development, by signing the self-certification form, the owners have acknowledged that they understand these standards and commit to achieving compliance for all requested structures.

The appellant discussed that in his opinion, an appropriate Fire Fuel Break would not be achievable for the Accessory Structure described as the "Front Shop," due to its proximity to the western property line. On a May 16, 2023 site visit, staff was accompanied by members of the Mid-Columbia Fire & Rescue, which included Division Chief Jay Wood, and the property owner. Chief Wood gave no indication that an acceptable fire fuel break couldn't be maintained, and provided in a May 31, 2023 email:

> "Mid-Columbia Fire and Rescue recommends that the grass, weeds, and other lighter vegetation be trimmed down to ground level in the space between the Valencia structure and the home with deck (Wolfe's). This includes on both sides of the supposed property line. This vegetation management should be maintained throughout the growing and fire seasons. This will help slow or stop the spread of fire between the structures should a fire ignite."

The Owner who was also present for the site visit, agreed to manage the vegetation to the standards recommended by Chief Wood. Staff recommends a **condition** of approval be included in the Notice of Decision that the approved fire fuel break shall be provided and maintained in accordance with the Chapter 11 – Fire Safety Standards, Defensible Space criteria. Based on Chief Wood's commentary, staff recommends an additional **condition** of approval be included in the Notice of Decision that the grass, weeds, and other lighter vegetation shall be trimmed down to ground level in the space between the accessory structure referred to as the "front shop," and the western property line. This vegetation management should be maintained throughout the growing and fire seasons. With these recommended conditions of approval, Staff finds the request complies with Section 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 to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. Despite being preexisting development, staff recommends a **condition** of approval is included in the Notice of Decision that the proposed development meet criteria outlined in Chapter 11 – Fire Safety Standards, Construction Standards for Dwellings and Structures, and that the final structural design shall meet all applicable building code standards. With the condition of approval, staff finds the request complies with Section 11.130.

Section 11.140 Access Standards – Providing Safe Access to and Escape From Your Home

FINDING: The development is accessed by a short driveway (approximately 25' long) and parking area. Staff recommends a **condition** of approval is included in the Notice of Decision that the proposal will continue to meet criteria outlined in Chapter 11 – Fire Safety Standards, *Access Standards – Providing Safe Access to and Escape From Your Home*. With the conditions of approval found throughout this report, staff finds the request complies with Section 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 subject parcel is located within the Mid-Columbia Fire and Rescue structural protection district and the Oregon Department of Forestry wildfire protection district. The dwelling with addition is smaller than 3,500 SF (all structures together total 1,682 SF) and the property is located within a fire protection district. No onsite water storage will be required. Staff finds that the request complies with Section 11.150.

With these recommended **conditions** of approval, staff finds that the request complies with Chapter 11 – Fire Safety Standards.

E. Chapter 14 – Scenic Area Review

Section 14.020 Complete Application Submittal Requirements for a Scenic Area Review

FINDING: The applicant provided the required information and the application was declared complete. The applicant submitted the required forms, a site plan, appropriate material samples, a landscaping plan, and an elevation drawing. 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 (KVA), 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 to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. The development area contains east-facing slopes of approximately 10-20%. No grading was conducted to establish the accessory structures or the addition. The topography surrounding the development site was not altered. Staff finds that the proposed development complies with Section 14.100.B.

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 to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. Staff evaluated development on 15 surrounding and adjacent properties out to 200' from the subject parcel. The evaluation found that dwelling size ranges from 325 SF to 1,632 SF, with heights consistent with single story dwellings. They have from 0-3 accessory structures on them, ranging in size from 24 SF to 2,400 SF. The requested dwelling addition on the subject parcel will bring the total size of the dwelling to 914 SF with a height of 12'. Accessory structures on the subject parcel range in size from 80 SF to 336 SF with heights ranging from 8' to 12'. The proposed additions are compatible with the general scale of existing nearby buildings as they are smaller than the largest structures in the area (2,400 SF), and similar in height. Staff finds that the request complies with Section 14.100.C.

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 development site is topographically visible from Key Viewing Areas (KVAs). Section 14.100.D. is not applicable to this request.

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 earthtone 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 to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. The addition was 210 SF on to a 704 SF structure, thus it is permitted to be the same color as the existing structure, reddish brown roof, brown siding, and tan framing for window and door. Staff finds that the request complies with Section 14.100.E.

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: No outdoor lighting is specifically proposed for this development. In the event future lighting is installed on the structure, staff recommends a **condition** of approval is included in the Notice of Decision requiring outdoor lighting to 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. With the recommended condition, staff finds that the request complies with Section 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 to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. All ground disturbances resulting from construction of the new development was revegetated no later than the next planting season (Oct-April) with native species. Staff recommends a **condition** of approval is included stating that the 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 request complies with Section 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 subject parcel contains several mature trees. No trees were removed for construction of the addition or accessory structures. Staff recommends a **condition** of approval is included in the Notice of Decision requiring all on-site trees to be retained. Any trees 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. Replacement trees shall comply with 1-4 above.

With the proposed condition of approval Staff finds that the request complies with Section 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. siting (location of development on the subject property, building orientation, and other elements);
   b. design (color, reflectivity, size, shape, height, architectural and design details and other elements); and
   c. new landscaping.

FINDING: The request is to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling.

The development site is topographically visible from four Key Viewing Areas (KVA): Interstate 84 (Middle-ground), Washington State Route (SR) 14 (Middle-ground), Columbia River (Middle-ground) , and the Historic Columbia River Highway (HWY 30) (Foreground) and (Middle-ground). Background is defined as >3 miles from the subject lot. Middle-ground is defined as >1/2-3 miles. Foreground is defined as = 0-1/2 miles.

Development sites on the subject parcel are located at roughly 280' Above Sea Level (ASL). The primary factors in analyzing the visibility of the dwelling include the distance from the KVA, the use of dark earthtone colors and nonreflective materials on the exterior of the home, and the degree of existing vegetation providing screening.

The land use designation (GMA, Residential) and landscape setting (Rural-Residential) in the project area require a scenic standard of visual subordinance.

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…"

Interstate 84: The visible portion of this KVA is situated between Mile Marker 79 and Mile Marker 80 on Interstate 84 (Source: Oregon.Gov, Milepost Map), approximately 0.3 miles north of the development site, at an elevation of approximately 120' ASL. This stretch of the KVA is approximately 0.7 miles long. The KVA is at an elevation of approximately 140' lower than the development site (280' ASL). The subject parcel is topographically visible from the KVA; however, existing vegetation includes numerous coniferous trees exceeding 25' in height located on the northern portion of the subject parcel and adjacent parcels. Significant vegetative back screening exists on the south side of the proposed dwelling in the form of a steep rocky cliff leading up to the Mt Ulka Preserve, a recreational area owned by Friends of the Gorge Land Trust. All of the pre-existing screening vegetation on the property will remain. Considering the proposed development site's existing vegetation, intervening adjacent vegetation, topography of the area, and the recommended **conditions** in Section 14.200.I, J, and K regarding colors, reflectivity, and new landscaping, the proposed dwelling will be visually subordinate from this KVA.

Historic Columbia River Highway (HWY 30): The visible portion of this KVA is situated between Mile Marker 85 and 86 on HWY 30 (Source: Oregon.Gov, Milepost Map), as the subject parcel is located off of the Highway, on the south side. The elevation of the KVA along the visible stretch is roughly 200' ASL on average, which is 80' ASL lower than the proposed development site. This stretch of KVA is approximately 0.1 mile long. The subject parcel is topographically visible from the KVA according to Wasco GIS; however, in reality, the development is not visible from Highway 30. There is a steep rise right off the highway where one can see neighboring development, but this feature, plsu intervening vegetation makes identifying the development from the KVA impossible. Significant vegetative back screening exists on the south side of the proposed dwelling in the form of the cliff behind the subject property. Considering the proposed development site's existing vegetation, intervening topography, and the recommended **conditions** in Section 14.200.I, J, and K regarding colors, reflectivity, and new landscaping, the proposed dwelling will not be visible from this KVA.

Columbia River: The visible portion of this KVA is situated between Mile Marker 79 and 80 beginning approximately 0.5 miles north of the development site at average elevation of 40' ASL which significantly screens the proposed development. This stretch of KVA is approximately one mile long. The KVA is elevated approximately 240' below the subject parcel and development site. The subject parcel is topographically visible from the KVA; however, existing vegetation includes numerous trees exceeding 25' in height located on the subject parcel. Significant vegetative back screening exists on the south side of the proposed dwelling. Many mature trees are situated between the proposed development site and the Columbia River. All of the parcel's pre-existing screening vegetation will remain. Considering the proposed development site's existing vegetation, intervening topography, distance, and the recommended **conditions** in Section 14.200.I, J, and K regarding colors, reflectivity, and new landscaping, the proposed dwelling will not be visible from this KVA.

Washington State Route (SR) 14: The visible portion of this KVA is situated between Mile Marker 80 and 81 (Washington State Department of Transportation, Milepost Values), approximately 1.1 miles northeast of the subject parcel and development site at an elevation of approximately 2000' ASL. This stretch of KVA is approximately one mile in length. The KVA is elevated approximately 80' below the development site of the subject parcel. The subject parcel is topographically visible from the KVA; however, existing vegetation includes numerous trees exceeding 25' in height located on the subject parcel creates a vegetative screening for the proposed dwelling. The casual driver may notice a few of the existing structures in this community, but picking out the specific development site from that

distance is extremely difficult without binoculars. Many mature trees and other development sites are situated between the proposed development site and the highway. All of the pre-existing screening vegetation will remain. Considering the proposed development site's existing vegetation, intervening topography, and distance and the recommended **conditions** in Section 14.200.I, J, and K regarding colors, reflectivity, and new landscaping, the proposed dwelling will not be visible from this KVA.

Based on distance, intervening topography, and the recommended **conditions** in Section 14.200.I, J, and K regarding the use of dark and non-reflective materials, the requested development will be visually subordinate as seen from all KVAs. Staff finds that the request complies with Section 14.200.A.

SITING

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: There are no buffers on the subject parcel for protection of wetlands, riparian corridors, endemic and listed plants, sensitive wildlife sites nor does the request conflict with standards to protect cultural resources. With recommended **conditions** of approval throughout this report, the proposed development will be visually subordinate from all KVAs therefore staff finds that the request complies with Section 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: The proposed siting of the dwelling achieves visual subordinance through preexisting topography of the greater Rowena area and subject parcel. There are no unique topographic features on the subject property itself, but the surrounding steep slopes help shield it visible from some KVAs. There is no site on the property that would be topographically shielded from I-84, the Columbia River, or SR 14, but topography to the west achieves shielding from nearby Highway 30. The development is successfully vegetatively screened from all KVAs. Upon visiting each KVA that could topographically see the subject property, no evidence of the development was visible. Topography includes, but is not limited to the shape of neighboring parcels, surrounding vegetation, and slopes. The siting of the proposed dwelling will achieve visual subordinance through preexisting topography, and the use of dark and non-reflective materials. Staff finds that the request complies with Section 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 subject property has one 25'L driveway and a parking area large enough for three vehicles. These were pre-existing and not created as part of this proposal. No new cut banks or fill slopes were necessary or proposed. Staff finds that Criterion 14.200.D. is not applicable to this request.

E. *The silhouette of new buildings shall remain below the skyline of a bluff, cliff or ridge as seen from Key Viewing Areas. A variance in the General Management Area may be granted according to Chapter 6 if application of the guidelines would leave the owner without a*

reasonable economic use. The variance shall be the minimum necessary to allow the use and may be applied only after all reasonable efforts to modify the design, building height and site to comply with the criteria have been made.

FINDING: The request is to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. The development site is topographically visible from four Key Viewing Areas (KVA): Interstate 84 (Middle-ground), Washington State Route (SR) 14 (Middle-ground), Columbia River (Middle-ground) , and the Historic Columbia River Highway (HWY 30) (Foreground) and (Middle-ground). Immediately south of the subject parcel, a steep slope begins acting as an effective backdrop for the development. The slope continues gently uphill to the west as well before getting significantly steeper towards Tom McCall Point. These features ensure that no development on the subject parcel is above a skyline of a bluff, a cliff, or ridge as seen from KVAs. As proposed, Staff finds that the request complies with Section 14.200.E.

F. *An alteration to a building built prior to November 17, 1986, which already protrudes above the skyline of a bluff, cliff or ridge as seen from a Key Viewing Area, may itself protrude above the skyline if:*

1. *The altered building, through use of color, landscaping and/or other mitigation measures, contrasts less with its setting than before the alteration; and*

2. *There is no practicable alternative means of altering the building without increasing the protrusion.*

FINDING: The request is to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. The existing dwelling that had the addition did not protrude above the skyline of a bluff, cliff, or ridge as seen from KVAs, and neither does the addition, or any of the accessory structures. Staff finds that the request complies with Section 14.200.F.

G. *Except for water-dependent development and for water-related recreation development, development shall be set back 100 feet from the ordinary high water mark of the Columbia River below Bonneville Dam, and 100 feet from the normal pool elevation of the Columbia River above Bonneville Dam, unless the setback would render a property unbuildable. In such cases, variances to this guideline may be authorized according to Chapter 6 of this Ordinance. In the SMA the setbacks described above shall be 200 feet.*

FINDING: The proposed development is not water dependent and is located approximately 0.5 miles' south of the Columbia River, which exceeds the 100 foot minimum listed above. Staff finds that the request complies with Section 14.200.G.

H. *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 site shall be utilized.*

FINDING: The request is to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. The submitted site plan (See site plan in Attachment C), Wasco County GIS (Slope & Imagery Data), show that the proposed development area contains natural slopes of approximately 10-20%, While the subject parcel does contain slopes on in excess of 30%, the

existing structures were placed to avoid such slopes. As proposed, staff finds that the request complies with Section 14.200.H.

I. *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 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 to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. The development site is topographically visible from four Key Viewing Areas (KVA): Interstate 84 (Middle-ground), Washington State Route (SR) 14 (Middle-ground), Columbia River (Middle-ground), and the Historic Columbia River Highway (HWY 30) (Foreground) and (Middle-ground). All exterior colors must be dark earthtone colors that blend with the surrounding landscape. The owner submitted plans to stain the structures as follows:

FRONT SHOP	Color	Consistent with requirements?
Siding	Dark Brown	Yes
Roof	Dark Brown	Yes
Doors	Dark Brown	Yes
Garage Door	Dark Brown	Yes
BACK STALL and LEAN-TO	Color	Consistent with requirements?
Siding	Dark Brown	Yes
Roof	Dark Brown	Yes
Doors	Dark Brown	Yes
GOAT SHED	Color	Consistent with requirements?
Siding	Dark Brown	Yes
Roof	Dark Brown	Yes
Doors	Dark Brown	Yes
BACK TOOL SHED	Color	Consistent with requirements?
Siding	Dark Brown	Yes
Roof	Dark Brown	Yes
Doors	Dark Brown	Yes

DWELLING ADDITION	Color	Consistent with requirements?
Siding	Brown	Yes
Roof	Reddish Brown	Yes
Trim/Door/Window Frame	Tan	Yes

Colors proposed for the roof, doors, and windows in the above chart are all approved for the exterior of all new development. Staff recommends a **condition** of approval is included in the Notice of Decision requiring all exterior surfaces to have a flat, matte finish. Staff recommends a **condition** of approval is included in the Notice of Decision listing the approved colors and materials. With these conditions, staff finds that the request complies with Section 14.200.I.

J. *The exterior of buildings in the GMA and structures in the SMA on lands seen from Key Viewing Areas shall be composed of nonreflective materials or materials with low reflectivity, unless the structure would be fully screened from all key viewing areas by existing topographic features. The Scenic Resources Implementation Handbook will include a list of recommended exterior materials. These recommended materials and other materials may be deemed consistent with this criterion, including those where the specific application meets recommended thresholds in the "Visibility and Reflectivity Matrices" in the Implementation Handbook (once they are created). Continuous surfaces of glass unscreened from Key Viewing Areas shall be limited to ensure visual subordinance. Recommended square footage limitations for such surfaces will be provided for guidance in the Implementation Handbook.*

FINDING: The request is to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. The following materials were used:

FRONT SHOP	Material	Consistent with requirements?
Siding	Pre-weathered Metal	Yes
Roof	Pre-weathered Metal	Yes
Doors	Plastic	Yes
Garage Door	Metal	Yes
BACK STALL and LEAN-TO	Material	Consistent with requirements?
Siding	Wood	Yes
Roof	Pre-weathered Metal	Yes
Doors	Wood	Yes

GOAT SHED	Material	Consistent with requirements?
Siding	Wood	Yes
Roof	Pre-weathered Metal	Yes
Doors	Wood	Yes
BACK TOOL SHED	Material	Consistent with requirements?
Siding	Wood	Yes
Roof	Composite Shingles	Yes
Doors	Wood	Yes
DWELLING ADDITION	Material	Consistent with requirements?
Siding	Wood/Hardie Board	Yes
Roof	Composite Shingle	Yes
Doors Frame	Plastic	Yes
Windows Frame	Vinyl	Yes
Door/Window Glass	366-I89 Low E & low reflectivity glass. 11% exterior reflection	

Exterior siding and trim for all structures except the front shop are wood or hardie board which are non-reflective. The roof of the addition and one of the accessory structures are composition shingles which are non-reflective. Doors on the house are made of wood and painted a dark, earthtone color with a matte finish. The Garage door, siding, and roofing constructed of a metal material, will be painted a textured matte dark brown to minimize reflectivity and maintain visual subordinance.

Colors and building materials proposed for the proposed development are approved. Staff recommends a **condition** of approval is included in the Notice of Decision listing the approved colors and materials. If alternative materials are proposed, they shall be submitted to and approved by the Planning Department prior to their application on the building. Considering proposed materials and colors, and with the condition, staff finds that the request complies with Section 14.200.J.

K. *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 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.*

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: Existing vegetation includes mature coniferous trees as well as deciduous shrubs located on the northern portion of the subject parcel and adjacent north, west, and east parcels. Staff recommends a **condition** of approval is included in the Notice of Decision requiring the maintenance of existing tree screening on the property which are adequate to achieve visual subordinance from all KVAs. Findings throughout Chapter 14 find that the proposed development will be visually subordinate from KVAs. Staff finds that the request complies with Section 14.200.K.

L. *Determination of potential visual effects and compliance with visual subordinance policies shall include consideration of the cumulative effects of proposed developments.*

FINDING: The subject parcel and development area are within Rural Residential Zone (GMA & SMA). The requested use matches the purpose of the zone. The scale and size of the requested development, the location, colors and materials, and proposed vegetative screening will ensure visual subordinance. Staff finds that the request complies with Section 14.200.L.

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: The proposed development site is located approximately 0.3 miles south of Interstate 84, and is 0.1 miles (528 feet) west of Highway 30W. As proposed no new development will occur within 100' from the edge of pavement of any Scenic Travel Corridor. Staff finds that the request complies with Section 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*

GMA Only

1. *In portions of this setting visible from Key Viewing Areas, and not exempt from visual subordinance standards (see 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.*

b. *At least half of any trees planted for screening purposes shall be coniferous to provide winter screening.*

FINDING: The subject parcel is not exempt from visual subordinance standards. It is located in the Rural Residential Landscape Setting in the GMA. The request is to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. As discussed in Section 14.200.A. the subject parcel contains mature coniferous trees on the northern portion of the parcel that provide screening. These trees and surrounding topography achieve visual subordinance for the development. Staff finds that the request complies with Section 14.400.E

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: The request is to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. A Cultural Resources Survey Determination was submitted on August 15, 2022, 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 because the proposed 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.

A complete copy of the Cultural Resources Survey Determination dated August 15, 2022, is available at the Wasco County Planning Department under file number 921-22-00104-PLNG, and is also provided in Attachment F of this report.

Staff finds that the request complies with Section 14.500.B.1.

> 2. *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 was submitted on August 15, 2022, 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 Section 14.500.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; or

(2) cultural resources that are prehistoric or otherwise associated with Native Americans exist in the project area.

b. Notices sent to Indian tribal governments shall include a site plan as stipulated in Section 14.040.

c. Indian tribal governments shall have 20 calendar days from the date a notice is mailed to submit written comments to the County Planning Office.

(1) Written comments should describe the nature and extent of any cultural resources that exist in the project area and identify individuals with specific knowledge about them.

(2) The County shall send a copy of all comments to the Gorge Commission.

FINDING: A Notice of Administrative Action was sent to all affected Indian tribal governments and the Gorge Commission on January 19, 2023.

No comments were received from the Gorge Commission or Tribal Governments identifying any cultural resources in the area or identifying concerns with the project. Staff finds that Section 14.500.C.1 is not applicable to this request.

(***)

4. Conclusion of the Cultural Resource Protection Process

a. The County Planning Office will make a final decision on whether the proposed use would be consistent with the cultural resource goals, policies, guidelines, and standards.

b. If the final decision contradicts the comments submitted by the State Historic Preservation Office, the County must justify how it reached an opposing conclusion.

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: According to Chris Donnermeyer, Heritage Program Resources Program Manager, Columbia River Gorge National Scenic Area (August 15, 2022), 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 (January 19, 2023) of the pre-notice to Indian tribal governments or the State Historic Preservation Office (SHPO). Staff finds that the request complies with Section 14.500.C.4.c.(1).

(***)

G. Cultural Resources Discovered After Construction Begins:

The following procedures shall be effected when cultural resources are discovered during construction activities. All survey and evaluation reports and mitigation plans shall be submitted to the local government and the SHPO. Indian tribal governments shall also receive a copy of all reports and plans if the cultural resources are prehistoric or otherwise associated with Native Americans.

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).*

   a. *The Commission will gather enough information to evaluate the significance of the cultural resources.*

   b. *The survey and evaluation will be documented in a report that generally follows the criteria in the "Reconnaissance Survey Reports--Large Scale Uses" and "Evaluation of Significance, Evaluation Criteria and Information Needs" of this chapter.*

   c. *Based on the survey and evaluation report and any written comments, the County will make a final decision on whether the resources are significant.*

   d. *Construction activities may recommence if the cultural resources are not significant.*

   e. *A mitigation plan will be prepared by the Gorge Commission if the affected cultural resources are significant.*

4. *Mitigation Plan: Mitigation plans shall be prepared according to the information, consultation, and report guidelines contained in F above, Mitigation Plans.*

5. *All survey and evaluation reports and mitigation plans shall be submitted to the County Planning Office and the State Historic Preservation Office.*

6. *Indian tribal governments also shall receive a copy of all reports and plans if the cultural resources are prehistoric or otherwise associated with Native Americans.*

7. *Construction activities may recommence when the conditions in the mitigation plan have been executed.*

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. Recommended **Conditions** of approval are included in the Notice of Decision requiring compliance with these requirements. With these conditions, staff finds that the request complies with Section 14.500.G.

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.

1. *Halt Activities: All survey, excavation, and construction activities shall cease. The human remains shall not be disturbed any further.*

2. *Notification: Local law enforcement officials, the County Planning Office, the Gorge Commission, and the Indian tribal governments shall be contacted immediately.*

3. *Inspection: The county coroner, or appropriate official, shall inspect the remains at the project site and determine if they are prehistoric/historic or modern. Representatives from the Indian tribal governments shall have an opportunity to monitor the inspection.*

4. *Jurisdiction: If the remains are modern, the appropriate law enforcement officials will assume jurisdiction and the cultural resource protection process may conclude.*

5. *Treatment: Prehistoric/historic remains of Native Americans shall generally be treated in accordance with the procedures set forth in ORS 97.740 to 97.760.*

6. *If the human remains will be reinterred or preserved in their original position, a mitigation plan shall be prepared in accordance with the consultation and report requirements specified in F above, Mitigation Plans.*

   a. *The mitigation plan shall accommodate the cultural and religious concerns of Native Americans.*

   b. *The cultural resource protection process may conclude when the conditions set forth in F above, Mitigation Plans, are met and the mitigation plan is executed.*

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 immediately notify local law enforcement officials, the County Planning Office, the Gorge Commission, and the four Indian tribal governments. Recommended **Conditions** of approval are included requiring the owner to comply with the requirements in Section 14.500.H. With these conditions, staff finds that the request complies with Section 14.500.H.

Section 14.600, Natural Resources – GMA

A. Wetlands

FINDING: The purpose of this section is to ensure there is no overall net loss of wetlands acreage and functions, and to increase the quantity and quality of wetlands. According to the National Wetland Inventory (NWI) maps and digital data from the Gorge Commission, there are no wetlands on the subject parcel. Staff submitted notice of the request to the Oregon Department of State Lands on January 19, 2023. No response was received during the 15 day comment period.

Additionally, the National Scenic Area Land Use and Development Ordinance define "Wetlands" as:

"*Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence or vegetation typically adapted for life in saturated soil conditions. This does not include riparian areas, rivers, streams, and lakes.*"

Tooley Lake is the closest identified waterbody (approximately 0.4 miles to the northwest); however, rivers, streams, and lakes are not identified as wetlands, and as such, Staff finds that Section 14.600.A. is not applicable to this request.

B. Streams, Ponds, Lakes, and Riparian Areas

(***)

2. *Stream, Pond, and Lake Buffer Zones*

a. *Buffer zones shall generally be measured landward from the ordinary high water-mark on a horizontal scale that is perpendicular to the ordinary high water-mark. On the main stem of the Columbia River above Bonneville Dam, buffer zones shall be measured landward from the normal pool elevation of the Columbia River. The following buffer widths shall be required:*

(1) *Streams used by anadromous or resident fish (tributary fish habitat), special streams, intermittent streams that include year-round pools, and perennial streams: 100 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 to enhance aquatic and riparian areas. No streams, ponds, or lakes exist on or adjacent to the subject parcel. According to the National Wetland Inventory (NWI) maps and digital data from the Gorge Commission, the Columbia River is a fish bearing river. The development area is located approximately 0.5 miles west of the waterline of the Columbia River and 0.4 miles from Tooley Lake, the closest waterbody. The proposed buffer between the proposed development and these water bodies exceeds the 100' requirement. Staff finds that the request complies with Section 14.600.B.

C. *Wildlife Habitat*

FINDING: The purpose of this section is to ensure that new uses do not adversely affect sensitive wildlife areas and sites. The land use designation is Residential, and the subject parcel is zoned R-R (2), Rural Residential in the General Management Area of the Columbia River Gorge National Scenic Area. NSA-LUDO Section 14.600.C.3, requires the County to submit any request for new development within 1,000' of a Sensitive Wildlife Area or Site to the Oregon Department of Fish & Wildlife (ODFW). General notice of the request was provided to ODFW on January 19, 2023. No comments or concerns were received from ODFW staff pertaining to the proposal. Staff finds that the request complies with Section 14.600.C.

D. *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. According to digital data from the Gorge Commission, there are no identified rare plants on the subject tract or within 1,000' of the tract. Staff finds that the request complies with Section 14.600.

Section 14.700, Recreation Resources – GMA

FINDING: The subject tract does not contain any recreational site nor are any proposed. The property lies approximately 0.5 miles west of the Columbia River, a recreation resource in the Columbia River

Gorge. The request for a dwelling will not intrude into the river or change the current use of the property which is residential. Staff finds that the request complies with Section 14.700.

Section 14.800, Indian Tribal Treaty Rights and Consultation - GMA

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 emailed to the four tribal governments on January 19, 2023, and a 20-day comment period was provided. No comments were received during the comment period. A secondary email of Notice was sent on February 15, 2023. No comments were received.

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 provide access to the Columbia River, however the requested roof mounted solar array will not change access to or fishing rights of any Indian tribal government. No public recreation uses are proposed and no potential conflicts have been identified by any Indian tribal government. 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 Section 14.800.D.

1

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: 921-22-000104-PLNG

FEE: $250.00

APPEAL OF LAND USE DECISION

ORIGINAL PLANNING DEPARTMENT FILE NUMBER: 921-22-000104-PLNG

Date Received: **Planner Initials:** **Date Complete:** **Planner Initials:**

APPELLANT INFORMATION

Name: Richard L Wolfe

Mailing Address: 4752 Simonelli Rd.

City/State/Zip: The Dalles Ore. 97058

Phone: 360-910-1976 **Email:** MrdoRight1234@Gmail.

APPEAL INFORMATION

1. Appeal Type

   ☒ Administrative Decision to the Planning Commission: Fee = $250

   ☐ Planning Commission Decision to the Board of County Commissioners: Fee = $_____

   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: MAR/17/2023

   Date Submitted: WED/MAR/15/2023

   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:

   I AM The Next Door Neighbor To-4750 SIMONELLI

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.

SEE ATTACHED:
(1) VARIANCES From Building, Height, Slope, Setbacks, Buffe.
(2) FIRE SAFETY STANDARDS
(3) NOT permit 1st. To Close To Property Line - WAS CARPORT NOW SHOP (4) No side ACCESS/Fire SAFETY

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:

N.A.

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 request for a De Novo hearing for appeal of a quasi-judicial plan amendment shall be decided by the Board of Commissioners as a nonpublic hearing item, except that the Board may make such provision for notice to the parties and may take such testimony as it deems necessary to fully and fairly address significant procedural or substantive issues raised. The Board of Commissioners shall grant the request only upon findings that:

- A De Novo hearing is necessary to fully and properly evaluate a significant issue relevant to the proposed development action;
- The substantial rights of the parties will not be significantly prejudiced; and
- The request is not necessitated by improper or unreasonable conduct of the requesting party or by a failure to present evidence that was available at the time of the previous review.

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

Richard Wolfe owner MAR/15/2023

Name, Title Date

Richard L Wolfe Neibor

Name, Title Date

Additional petitioner(s):

Name	Address
Name	Address
Name	Address
Name	Address

P:\Development Applications\Appeal_Decision._fillable_01.18.22 Last updated 1/18/2022

APPEAL OF LAND USE DECISION

4

Appeal Date 3/15/2023

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(3.) Wasco County Fire Safety Standards Defensible Space

Sean Bailey <seanb@co.wasco.or.us>

4750 Simonelli Rd. Front Shop Complaint

Richard Wolfe <mrdoright1234@gmail.com> Tue, Mar 21, 2023 at 9:38 AM
To: seanb@co.wasco.or.us

Hi Sean, this email is in follow-up to your request for specification of the location and building I was referencing to;
I was referring to the non-permitted 336 sq ft, 21 ft long x 16 ft wide x 12 ft high, accessory structure (Front Shop).

Good Neighbor OUTDOOR LIGHTING

PRESENTED BY THE NEW ENGLAND LIGHT POLLUTION ADVISORY GROUP (NELPAG) AND SKY PUBLISHING CORP.

What is good lighting?

Good outdoor lights improve visibility, safety, and a sense of security, while minimizing energy use, operating costs, and ugly, dazzling glare.

Why should we be concerned?

Many outdoor lights are poorly designed or improperly aimed. Such lights are costly, wasteful, and distractingly glary. They harm the nighttime environment and neighbors' property values.

Glare Here's the basic rule of thumb: If you can see the bright bulb from a distance, it's a bad light. With a good light, you see lit ground instead of the dazzling bulb. "Glare" is light that beams directly from a bulb into your eye. It hampers the vision of pedestrians, cyclists, and drivers.

Light Trespass Poor outdoor lighting shines onto neighbors' properties and into bedroom windows, reducing privacy, hindering sleep, and giving the area an unattractive, trashy look.

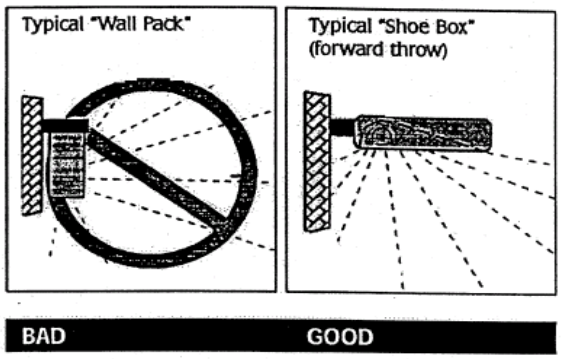
Energy Waste Many outdoor lights waste energy by spilling much of their light where it is not needed, such as up into the sky. This waste results in high operating costs. We waste over a billion dollars a year in the United States needlessly lighting the night sky.

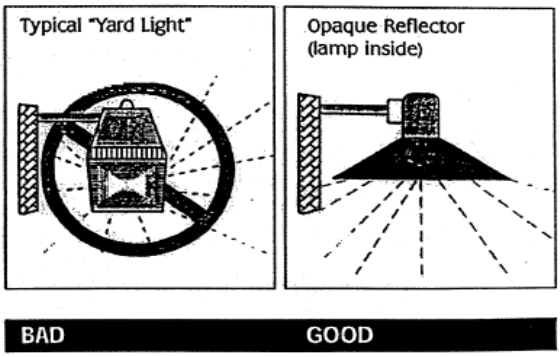
Sky Glow Rays that beam uselessly above the horizon create murky skyglow – the "light pollution" that washes out our view of the stars.

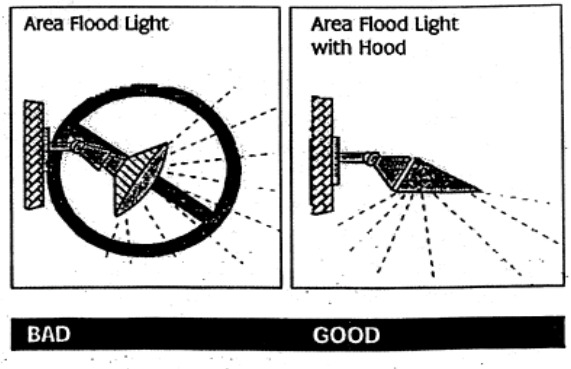
How do I switch to good lighting?

1 Provide only enough light for the task at hand; don't over-light, and don't spill light off your property. Specifying enough light for a job is sometimes hard to do on paper. Remember that a full Moon can make an area quite bright. Some lighting systems illuminate areas 100 times more brightly than the

Some Good and Bad Light Fixtures







full Moon! More importantly, by choosing properly shielded lights, you can meet your needs without bothering neighbors or polluting the sky.

2 Aim lights down. Choose "full-cutoff shielded" fixtures that keep light from going uselessly up or sideways. Such fixtures produce minimum glare. They create a pleasant-looking environment. They increase safety because you see illuminated people, cars, and terrain, not dazzling bulbs.

3 Install fixtures carefully to maximize their effectiveness on the targeted area and minimize their impact elsewhere. Proper aiming of fixtures is crucial. Most are aimed too high. Try to install them at night, when you can see where all the rays actually go.

Properly aimed and shielded lights may cost more initially, but they save you far more in the long run. They can illuminate your target with a low-wattage bulb just as brightly as a wasteful light does with a high-wattage bulb.

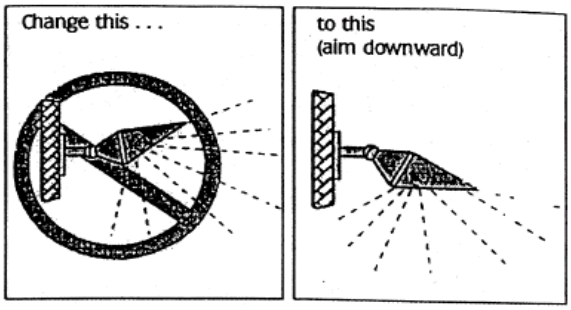
4 Choose energy-efficient low-pressure sodium (LPS) or high-pressure sodium (HPS) lamps wherever yellowish light will do the job. Use less efficient white lights only where ideal color rendition is important.

5 Where feasible, put lights on timers to turn them off each night after they are no longer needed. Put home security lights on a motion-detector switch, which turns them on only when someone enters the area; this provides a great deterrent effect!

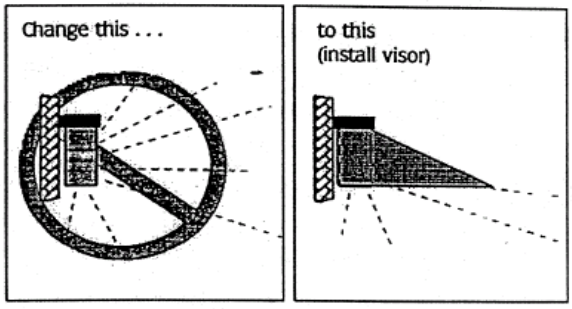
Replace bad lights with good lights.

You'll save energy and money. You'll be a good neighbor. And you'll help preserve our view of the stars.

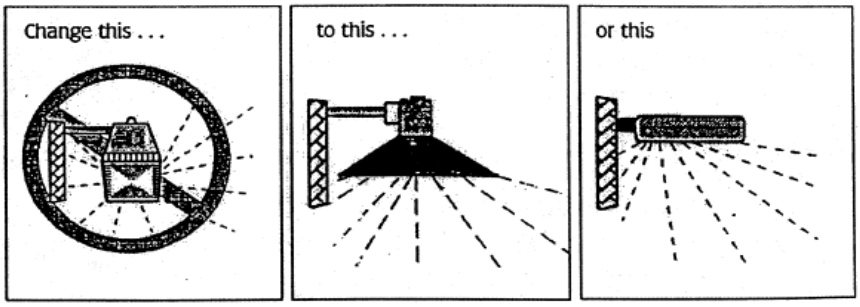
What You Can Do To Modify Existing Fixtures



FLOOD LIGHT



WALL PACK



YARD LIGHT OPAQUE REFLECTOR SHOE BOX

Presented by the
New England Light Pollution Advisory Group (NELPAG) (http://cfa-www.harvard.edu/cfa/ps/nelpag.html) and
Sky Publishing Corp. (http://www.skypub.com/).
NELPAG and Sky Publishing Corp. support the
International Dark-Sky Association (IDA) (http://www.darksky.org/).
We urge all individuals and groups interested in the problems of light pollution and obtrusive lighting to support the IDA and subscribe to its newsletter. IDA membership costs $30 per year; send your check to IDA, 3225 N. First Avenue, Tucson, AZ 85719, U.S.A.

SKY & TELESCOPE®

Sky Publishing Corp.
49 Bay State Road
Cambridge, MA 02138

Sean Bailey <seanb@co.wasco.or.us>

Valencia Site Visit - 4750 Simonelli Rd

Jay Wood <jwood@mcfr.org> Wed, May 31, 2023 at 12:26 PM
To: Sean Bailey <seanb@co.wasco.or.us>

Sean,

My apologies for the delay.

Mid-Columbia Fire and Rescue recommends that the grass, weeds, and other lighter vegetation be trimmed down to ground level in the space between the Valencia structure and the home with deck. This includes on both sides of the supposed property line. This vegetation management should be maintained throughout the growing and fire seasons. This will help slow or stop the spread of fire between the structures should a fire ignite.

[Quoted text hidden]

PLANNING DEPARTMENT

2705 East Second Street • The Dalles, OR 97058
p: [541] 506-2560 • **f:** [541] 506-2561
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Pioneering pathways to prosperity.

NOTICE OF DECISION

FILE #: 921-22-000104-PLNG

DECISION DATE: March 2, 2023
APPEAL DEADLINE: March 17, 2023

REQUEST: Scenic Area Review to Permit Existing Non-Permitted Accessory Structures/Addition:

- 336 Square Foot(SF), 21'L x 16'W x 12'H Accessory Structure(Front Shop)
- 143 SF, 13'L x 11'W x 12'H Accessory Structure (Back Stall)
- 110 SF, 10'L x 11'W x 10'H Accessory Structure (Goat/Hay/Quad)
- 99 SF, 9'L x 11'W x 10'H Accessory Structure (Lean-To)
- 80 SF, 10'L x 8'W x 8'H Accessory Structure (Back Tool Shed)
- 210 SF, 15'L x 14'W x 12'H Addition to Dwelling (Original Size of 704 SF, previous unpermitted addition increased the size to the current 914 SF)

DECISION: Approved with **Conditions**

APPLICANT/OWNER: Tania Valencia Tostado, 4750 Simonelli Road, The Dalles, OR 97058

PROPERTY INFORMATION:

LOCATION: The subject property is located on the south side of Simonelli Road, approximately 0.3 miles southwest of the intersection of US HWY-30 and Simonelli Road, approximately 1.5 miles northwest of the City of The Dalles; more specifically described as:

Map/Tax Lot	Acct. #	Acres
2N 13E 17 BD 1100	1333	0.46

ZONING: "R-R" Rural Residential Zone (GMA & SMA): GMA R-2

Attachments:

A. Conditions of Approval
B. Time Limits & Appeal Information
C. Maps
D. Staff Report
E. Lighting Standards
F. Comments

Staff Reviewer: Will Smith, Planner
Sean Bailey, Associate Planner

After recording, please return to:
Wasco County Planning Department

ATTACHMENT A – CONDITIONS OF APPROVAL

Pursuant to Wasco County National Scenic Area Land Use Development Ordinance, Chapter 2 – Development Approval Procedures, Section 2.120.A., Notice of a Decision by the Director, the following shall be recorded as conditions of approval and binding upon the owners, developers or assigns.

A. Failure to fulfill any conditions of approval within the time limitations imposed may be grounds for initiation of Administrative Action or revocation of approval by the Director.

B. National Scenic Area Conditions

1. 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 owners shall notify the Wasco County Planning Department and Gorge Commission within 24 hours of the discovery. If the cultural resources are prehistoric or associated with Native Americans, the owners shall also notify the Confederated Tribes of Warm Springs, Confederated Tribes of Umatilla, Perce Nez, and Yakama Indian Nation within 24 hours of discovery.

2. If human remains are discovered, all work on the parcel shall cease and the owners shall immediately notify the Wasco County Sheriff's Office, the Wasco County Planning Department, the Gorge Commission, and the four Indian tribal governments.

3. All on-site trees shall be retained. *Any of these trees 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

a. All trees shall be at least 4 feet tall at planting, well branched, and formed.

b. 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.

c. The trees must be irrigated until they are well established.

d. Trees that die or are damaged shall be replaced with trees that meet the planting requirements above.

4. Colors:

a. All exterior surfaces to have a flat, matte finish.

b. The following materials and colors have been reviewed for all development:

FRONT SHOP	Material	Color	Consistent with requirements?
Siding	Pre-weathered Metal	Dark Brown	Yes
Roof	Pre-weathered Metal	Dark Brown	Yes
Doors	Plastic	Dark Brown	Yes
Garage Door	Metal	Dark Brown	Yes

BACK STALL and LEAN-TO	Material	Color	Consistent with requirements?
Siding	Wood	Dark Brown	Yes
Roof	Pre-weathered Metal	Dark Brown	Yes
Doors	Wood	Dark Brown	Yes

GOAT SHED	Material	Color	Consistent with requirements?
Siding	Wood	Dark Brown	Yes
Roof	Pre-weathered Metal	Dark Brown	Yes
Doors	Wood	Dark Brown	Yes

BACK TOOL SHED	Material	Color	Consistent with requirements?
Siding	Wood	Dark Brown	Yes
Roof	Composite Shingles	Dark Brown	Yes
Doors	Wood	Dark Brown	Yes

DWELLING ADDITION	Material	Color	Consistent with requirements?
Siding	Wood/Hardie Board	Brown	Yes
Roof	Composite Shingle	Reddish Brown	Yes
Doors Frame	Plastic	Tan	Yes
Window Frame	Vinyl	Tan	Yes
Door/Window Glass	366-I89 Low E & low reflectivity glass. 11% exterior reflection		

B. Fire Safety Conditions:

1. Improvements and requirements listed in Chapter 10 of the WC-LUDO and the signed and completed Fire Safety Standard Self-Certification shall be achieved within one year of the date of final approval and maintained through the life of the development. This certification commits all future property owners to the same requirements. A copy of this self-certification form is available for inspection at the Wasco County Planning Department under File 921-22-0000104-PLNG.

2. The applicant or future owner(s) shall provide and maintain a 50 foot fire fuel in accordance with the *Chapter 10 – Fire Safety Standards, Defensible Space* criteria.

3. The proposed buildings shall meet the criteria outlined in *Chapter 10 – Fire Safety Standards, Construction Standards for Dwellings and Structures*, and the final structural designs shall meet all applicable building code standards.

4. The driveway shall continue to meet criteria outlined in Chapter 11 – Fire Safety Standards, Access Standards.

C. Miscellaneous Conditions:

1. Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. Shielding and hooding materials shall be composed of nonreflective, opaque material.

2. Ground disturbance shall be minimized to the greatest extent possible. All ground disturbances resulting from construction of the new development must 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 the replacement of such vegetation that does not survive.

SIGNED THIS 2nd day of March, 2023, at The Dalles, Oregon.

Sean Bailey, Associate Planner
Wasco County Planning Department

ATTACHMENT B – TIME LIMITS AND 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.

Proposed development shall not commence until the appeal period has expired, and conditions of approval are adhered to.

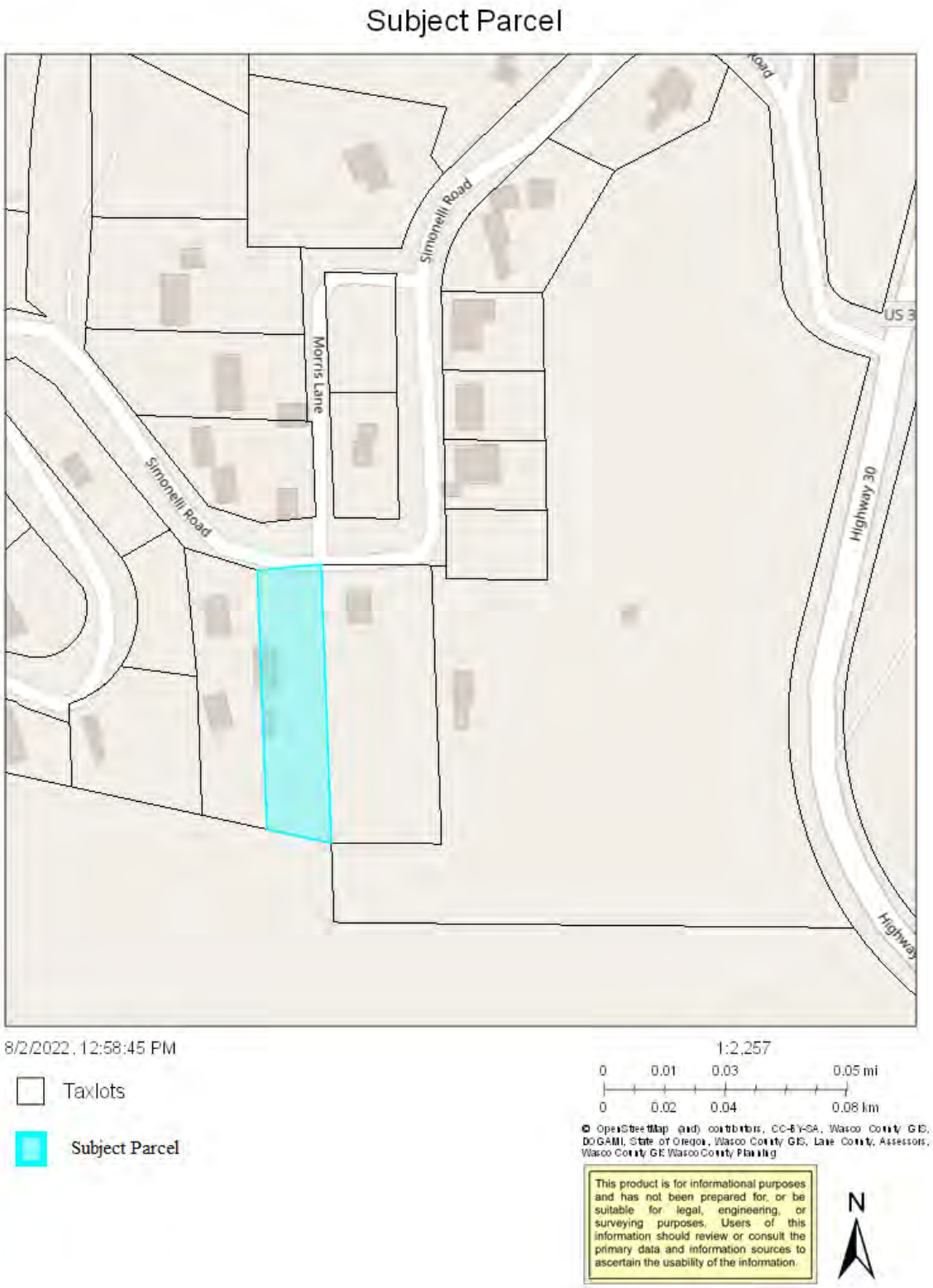
Section 2.240 of the Wasco County National Scenic Area Land Use and Development Ordinance, this approval shall expire: (1) when construction has not commenced within two years of the date the land use approval was granted, or (2) when the structure has not been completed within two years of the date of commencement of construction. **The expiration date for the validity of a land use approval is from the date of expiration of the appeal period and not the date the decision was issued.**

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, March 2, 2023.** The decision of the Director 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, March 17, 2023 at 4:00 p.m.,** or unless the Planning Commission or 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 $250.00. 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:
http://co.wasco.or.us/departments/planning/index.php. Click the drop-down arrow to the right of Zoning Permits, 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.

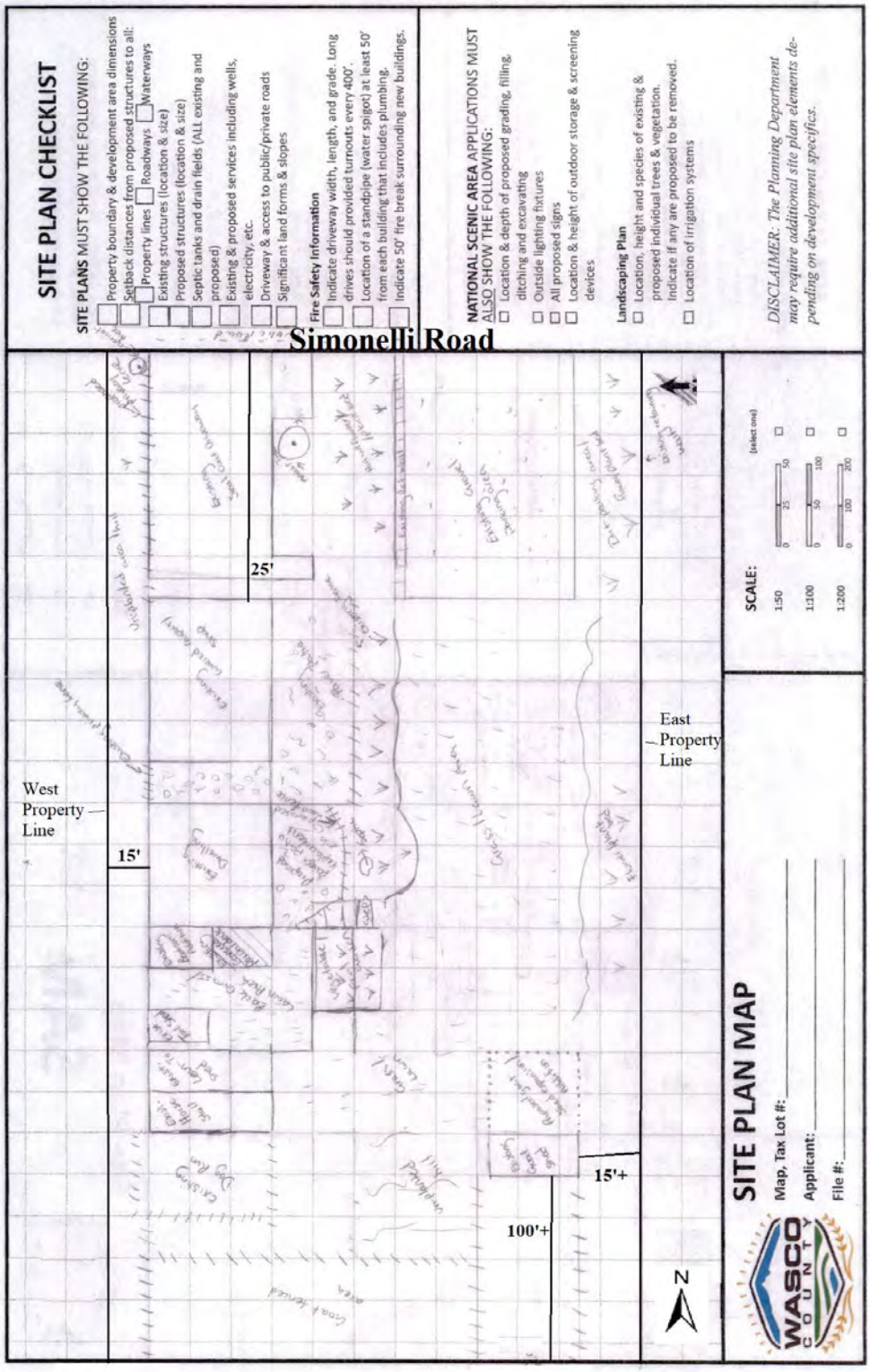
ATTACHMENT C – MAPS
Applicant/Owner: Tania Valencia Tostado
Subject Parcel: 2N 13E 17 BD 1100



ATTACHMENT C – MAPS

Applicant/Owner: Tania Valencia Tostado

Subject Parcel: 2N 13E 17 BD 1100



ATTACHMENT D –STAFF REPORT

File Number: 921-22-000104-PLNG

Applicant/Owner: Tania Valencia Tostado

Request: Scenic Area Review to Permit Existing Non-Permitted Accessory Structures/Addition:

- 336 Square Foot(SF), 21'L x 16'W x 12'H Accessory Structure(Front Shop)
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- 99 SF, 9'L x 11'W x 10'H Accessory Structure (Lean-To)
- 80 SF, 10'L x 8'W x 8'H Accessory Structure (Back Tool Shed)
- 210 SF, 15'L x 14'W x 12'H Addition to Dwelling (Original Size of 704 SF, previous unpermitted addition increased the size to the current 914 SF)

Decision: Approved, with **conditions**

Decision Date: March 2, 2023

Appeal Deadline: March 17, 2023

Location: The subject property is located on the south side of Simonelli Road, approximately 0.3 miles southwest of the intersection of US HWY-30 and Simonelli Road, approximately 1.5 miles northwest of the City of The Dalles; more specifically described as:

Map/Tax Lot	Acct. #	Acres
2N 13E 17 BD 1100	1333	0.46

Zoning: "R-R" Rural Residential Zone (GMA & SMA), GMA R-2

Past Actions: LOC-82-BP (Replacement Dwelling, Existing Dwelling)

Procedure Type: Administrative

Prepared By: Will Smith, 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.A.1 Basic Provisions (Chapter 3)
Section 2.050.A.8 Scenic Area Reviews (Chapter 14)

B. Chapter 3 – Basic Provisions

Section 3.160 "R-R" Rural Residential Zone (GMA)
Section 3.160.D.3. Uses Permitted Subject to Review – Accessory Buildings
Section 3.160.D.8. Uses Permitted Subject to Review – Additions to Existing Buildings
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 14.020 Complete Application Submittal Requirements for a 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

II. BACKGROUND

A. Legal Parcel: In accordance with the Wasco County National Scenic Area Land Use and Development Ordinance, a legal parcel is defined in Section 1.200 - Definitions as:

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.*

The subject parcel was created as Lot # 9 in Block B in the Terrace Trailer Homes Subdivision, recorded with the Wasco County Clerk on August 14, 1963. Section 1.200 Definitions, in the Wasco County National Scenic Area Land Use and Development Ordinance (NSA-LUDO) includes the following as a definition of (Legal) Parcel: *"a. A lot in an existing, duly recorded subdivision*…" Because the parcel was created by subdivision, it complies with this definition and is a legal parcel.

B. Site Description: The subject parcel is located 0.5 miles south of Interstate 84, 0.1 miles west of US HWY 30W in a rural residential area 1.5 miles north of The Dalles and two miles east of Rowena. The slope and general parcel data were identified through Wasco County GIS (Slope and Imagery Data Layers) analysis. The slope descends to the east toward US Highway 30W, with some variation in the steepness from 10-30%. The land is terraced with flat spots, a rise, and another flat spot. There are several coniferous trees (mostly Ponderosa Pine) on the subject property, and a few bushes. The property contains the dwelling and five accessory structures discussed in this report.

C. Surrounding Land Use: All adjacent properties to the north, east, and west are also within the "R-R" Rural Residential Zone (GMA), extending approximately 0.3 miles to the north. They are similar in size and developed with residential uses similar to the subject parcel - dwellings (single wide trailers as well as small stick built structures) and scattered accessory structures. Parcels to the south are in the "A-2" Small Scale Agriculture Zone and are significantly larger. Slopes on properties in the residential area to the north of the subject parcel are similar, whereas slopes immediately south of the property become extremely steep, forming rocky cliffs. They are not used for agriculture however due to steep slopes and because the lands above that cliff are recreational in nature as part of the Crates Point area and the Mt. Ulka Preserve. The Dalles Country Club is located 0.3 miles to the southeast. Meyer State Park is located roughly 0.5 miles north of the subject parcel and is zoned Special Management Area (SMA) Public Recreation.

D. Public Comment: Notice of Administrative Action was first mailed on August 9, 2022. Following the initial comment period, additional notices were sent to set, postpone, and ultimately cancel the public hearing for the original Conditional Use. All initial comments received from neighbors were in regards to code compliance complaint, and the CUP portion of the application. The applicant revised their application to the current request; the pre-notice was revised and reissued on January 19, 2023, to all owners of property within 200' of the subject tract, 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. This notice provided a 15-day pre-notice for public comment (the revised pre-notice comment period ended February 3, 2023). Only one comment was received in this comment period, regarding fire fuel breaks. See Attachment F at the end of this report for the comments received from both comment periods.

III. FINDINGS

Wasco County National Scenic Area Land Use & Development Ordinance (NSALUDO)

A. *Chapter 2 – 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.

1. Basic Provisions (Chapter 3)

FINDING: The requested uses are provided for in Section 3.160 "R-R" Rural Residential Zone (GMA & SMA). Specifically, the uses are outlined under subsection 3.160.D.3 “Accessory Structures” and Section 3.160.D.8. “Additions to Existing Buildings”. A complete copy of the application is available at the Wasco County Planning Office under file 921-22-000104-PLNG. Pertinent criteria are addressed in subsections III.B-E of this report. In accordance with Section 2.050, the Director has the authority to review the requested use and issue a decision. Staff finds that the request complies with Section 2.050.A.1.

(***)

8. Scenic Area Reviews (Chapter 14)

FINDING: The requested use is not provided for in Section 3.100 Uses Permitted Without Review or Section 3.110 Uses Permitted Subject to Expedited Review (Note: One single accessory structure between 60 and 200 SF, and one addition less than 200 SF are subject to expedited review, but with five accessory structures and a 210 SF addition, those provisions do not apply and it is a full review). The requested use is outlined in Section 3.160 "R-R" Rural Residential Zone (GMA & SMA), and requires a Scenic Area Review. A complete copy of the application is available at the Wasco County Planning Office under file 921-22-00104-PLNG. Pertinent criteria are addressed in subsections III.B-E of this report. In accordance with Section 2.050, the Director has the authority to review the requested use and issue a decision. Staff finds that the request complies with Section 2.050.A.8.

B. Chapter 3 - Basic Provisions

Section 3.160, "R-R” Rural Residential Zone (GMA)

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.*

(***)

RESIDENTIAL USE

3. Accessory building(s) larger than 200 square feet in area or taller than 10 feet in height for a dwelling on any legal parcel are subject to the following additional standards: (GMA & SMA)

a. The combined footprints of all accessory buildings on a single parcel shall not exceed 1,500 square feet in area. This combined size limit refers to all accessory buildings on a parcel, including buildings allowed without review, existing buildings and proposed buildings.

b. The height of any individual accessory building shall not exceed 24 feet.

FINDING: The application includes the request to retroactively approve the unlawful construction of five accessory structures on the subject property: a shop, a stall, a goat/hay/quad, a lean-to, and a tool shed. These buildings are 336 Square Foot (SF), 143 SF, 110 SF, 99 SF, and 80 SF respectively for a total of 768 SF. An expedited review process is available if the proposal is for one accessory structure between 60 and 200 SF. Because there are more than one being proposed, all of them are being examined in the full Scenic Area Review Process, even though some are individually less than 200 SF or 10' in height.

The Subject Parcel was legally created by the Terrace Trailer Homes Subdivision in 1963, and contains a lawfully established dwelling (the proposed addition is addressed below in 3.160.D.15.). The proposed total square footage of all proposed accessory structures is 768 SF, which is less than 1,500 SF. No other accessory buildings exist on the subject property. The proposed heights range between 8' and 12', all of which are less than 24' in height.

Section G. is addressed below. Chapter 11 is addressed below in D. Chapter 14 is addressed below in E. Staff finds that the request complies with Criterion 3.160.D.3.

(***)

8. Additions to existing buildings greater than 200 square feet in area or greater than the height of the existing building. (GMA & SMA).

FINDING: The request includes a 210 SF addition of one bedroom on to an existing lawfully established dwelling, going from 704 SF to 914 SF in area. The proposed height of 12' is the same height as the existing dwelling. Staff finds that the request complies with Criterion 3.160.D.8.

(***)

G. *Property Development Standards*

1. Property Size

FINDING: The request does not include a land division. Staff finds that Criterion 3.160.G. is not applicable to the request.

(***)

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	*25'*
Rear Yard	*40'*

FINDING: The request is for retroactive approval of five accessory structures and one addition to the existing dwelling. Proposed setbacks to property lines are:

Required Setback	Existing Setback	Consistent?
Front Yard – 25' (North)	25'	Yes
Side Yard – 15' (east)	15'	Yes
Side Yard – 15' (west)	15'	Yes
Rear Yard – 40' (South)	100'	Yes

Sitemap indicates, as proposed, all construction complies with all required setbacks. Staff finds that the request complies with Section 3.160.G.2.

3. *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:*

   (***)

FINDING: All of the adjacent properties located to the north, east, and west are within the "R-R" Rural Residential Zone (GMA R-2). The property to the south is zoned "A-2" Small Scale Agriculture Zone (GMA A-2 (40)). The Wasco County GIS soil layer shows that the land immediately south of the subject property is Soil Class 8, which is considered unsuitable for agricultural use. Aerial imagery confirm that it is a rocky steep slope. Staff finds that Criterion 3.160.G.3. is not applicable to this request.

4. *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. According to the Wasco County GIS Flood Hazard Overlay (EPD-1) data layer, the subject parcel is not within a delineated floodplain. Staff finds that Section 3.160.G.4. is not applicable to this request.

5. *Height - Maximum height for all structures shall be thirty-five feet (35') unless further restricted in accordance with Chapter 14 - Scenic Area Review.*

FINDING: None of the proposed structures are taller than 12', which is less than 35'. Staff finds that the request complies with Section 3.160.G.5.

6. *Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.*

FINDING: The subject parcel is not a corner property. Staff finds that Section 3.160.G.6. is not applicable to this request.

7. <u>Parking</u> - Off street parking shall be provided in accordance with Chapter 4.

<u>FINDING:</u> This Section deals with requirements for parking. The requirements for off-street parking are addressed in Section 4.040 of this report where the request is found to comply with off-street parking requirements. Staff finds the request complies with Section 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, offstreet 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 offstreet 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 offstreet parking unless specified otherwise:

A. *<u>Residential</u>*

1. *Single family dwelling: One (1) space per dwelling unit.*

<u>FINDING:</u> The request is to construct accessory structures and an addition to an existing single family dwelling, which will require a minimum of one off-street parking space. A typical parking space is 20'x10', or 200 Square feet. The subject parcel has a driveway that is approximately 25' long and 15' wide, or 375 SF, exceeding the typical parking lot size. There is also an existing parking area, indicated in the site plan and measured on Wasco County GIS as approximately 600 Square Feet, enough for approximately three parking spaces, which exceeds the requirement of one. Staff finds that the request complies with Section 4.040.A.1.

D. Chapter 11 – Fire Safety Standards

<u>FINDING:</u> The request is for the retroactive review of five accessory structures and an addition to a lawfully established structure. 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 921-22-00104-PLNG. A **condition** of approval stating this is included in the Notice of Decision.

Section 11.110 Siting Standards – Locating Structures for Good Defensibility

FINDING: The submitted site plan (See site plan in Attachment C), Wasco County GIS (Slope & Imagery Data), confirm that the proposed development sites avoid slopes steeper than 40%, and are set back from the top of slopes greater than 30% by at least 50 feet. Staff finds that the request complies with Section 11.110.

Section 11.120 Defensible Space – Clearing and Maintaining a Fire Fuel Break

FINDING: The attached site plan illustrates the location of a 50' fire fuel break for the proposed dwelling. A **condition** of approval is included in the Notice of Decision that the approved fire fuel break shall be provided and maintained in accordance with the Chapter 11 – Fire Safety Standards, Defensible Space criteria. With the condition of approval, Staff finds the request complies with Section 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 to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. Despite being preexisting development, a **condition** of approval is included in the Notice of Decision that the proposed development meet criteria outlined in Chapter 11 – Fire Safety Standards, Construction Standards for Dwellings and Structures, and that the final structural design shall meet all applicable building code standards. With the condition of approval, staff finds the request complies with Section 11.130.

Section 11.140 Access Standards – Providing Safe Access to and Escape From Your Home

FINDING: The development is accessed by a short driveway (approximately 25' long) and parking area. A **condition** of approval is included in the Notice of Decision that the proposal will continue to meet criteria outlined in Chapter 11 – Fire Safety Standards, *Access Standards – Providing Safe Access to and Escape From Your Home*. With the conditions of approval found throughout this report, staff finds the request complies with Section 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 subject parcel is located within the Mid-Columbia Fire and Rescue structural protection district and the Oregon Department of Forestry wildfire protection district. The dwelling with addition is smaller than 3,500 SF (all structures together total 1,682 SF) and the property is located within a fire protection district. No onsite water storage will be required. Staff finds that the request complies with Section 11.150.

With these **conditions** of approval, staff finds that the request complies with Chapter 11 – Fire Safety Standards.

E. Chapter 14 – Scenic Area Review

Section 14.020 Complete Application Submittal Requirements for a Scenic Area Review

FINDING: The applicant provided the required information and the application was declared complete. The applicant submitted the required forms, a site plan, appropriate material samples, a landscaping plan, and an elevation drawing.

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 (KVA), 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 to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. The development area contains east-facing slopes of approximately 10-20%. No grading was conducted to establish the accessory structures or the addition. The topography surrounding the development site was not altered. Staff finds that the proposed development complies with Section 14.100.B.

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 to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. Staff evaluated development on 15 surrounding and adjacent properties out to 200' from the subject parcel. The evaluation found that dwelling size ranges from 325 SF to 1,632 SF, with heights consistent with single story dwellings. They have from 0-3 accessory structures on them, ranging in size from 24 SF to 2,400 SF. The requested dwelling addition on the subject parcel will bring the total size of the dwelling to 914 SF with a height of 12'. Accessory structures on the subject parcel range in size from 80 SF to 336 SF with heights ranging from 8' to 12'. The proposed additions are compatible with the general scale of existing nearby buildings as they are smaller than the largest structures in the area (2,400 SF), and similar in height. Staff finds that the request complies with Section 14.100.C.

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 development site is topographically visible from Key Viewing Areas (KVAs). Section 14.100.D. is not applicable to this request.

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 earthtone 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 to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. The addition was 210 SF on to a 704 SF structure, thus it is permitted to be the same color as the existing structure, reddish brown roof, brown siding, and tan framing for window and door. Staff finds that the request complies with Section 14.100.E.

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: No outdoor lighting is specifically proposed for this development. In the event future lighting is installed on the structure, a **condition** of approval is included in the Notice of Decision requiring outdoor lighting to 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. With the proposed condition, staff finds that the request complies with Section 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 to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. All ground disturbances resulting from construction of the new development was revegetated no later than the next planting season (Oct-April) with native species. A **condition** of approval is included stating that the 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 request complies with Section 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 subject parcel contains several mature trees. No trees were removed for construction of the addition or accessory structures. A **condition** of approval is included in the Notice of Decision requiring all on-site trees to be retained. Any trees 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. Replacement trees shall comply with 1-4 above.

With the proposed condition of approval Staff finds that the request complies with Section 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. siting (location of development on the subject property, building orientation, and other elements);
    b. design (color, reflectivity, size, shape, height, architectural and design details and other elements); and
    c. new landscaping.

FINDING: The request is to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling.

The development site is topographically visible from four Key Viewing Areas (KVA): Interstate 84 (Middle-ground), Washington State Route (SR) 14 (Middle-ground), Columbia River (Middle-ground) , and the Historic Columbia River Highway (HWY 30) (Foreground) and (Middle-ground). Background is defined as >3 miles from the subject lot. Middle-ground is defined as >1/2-3 miles. Foreground is defined as = 0-1/2 miles.

Development sites on the subject parcel are located at roughly 280' Above Sea Level (ASL). The primary factors in analyzing the visibility of the dwelling include the distance from the KVA, the use of dark

earthtone colors and nonreflective materials on the exterior of the home, and the degree of existing vegetation providing screening.

The land use designation (GMA, Residential) and landscape setting (Rural-Residential) in the project area require a scenic standard of visual subordinance.

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…"

Interstate 84: The visible portion of this KVA is situated between Mile Marker 79 and Mile Marker 80 on Interstate 84 (Source: Oregon.Gov, Milepost Map), approximately 0.3 miles north of the development site, at an elevation of approximately 120' ASL. This stretch of the KVA is approximately 0.7 miles long. The KVA is at an elevation of approximately 140' lower than the development site (280' ASL). The subject parcel is topographically visible from the KVA; however, existing vegetation includes numerous coniferous trees exceeding 25' in height located on the northern portion of the subject parcel and adjacent parcels. Significant vegetative back screening exists on the south side of the proposed dwelling in the form of a steep rocky cliff leading up to the Mt Ulka Preserve, a recreational area owned by Friends of the Gorge Land Trust. All of the pre-existing screening vegetation on the property will remain. Considering the proposed development site's existing vegetation, intervening adjacent vegetation, topography of the area, and the proposed **conditions** in Section 14.200.I, J, and K regarding colors, reflectivity, and new landscaping, the proposed dwelling will be visually subordinate from this KVA.

Historic Columbia River Highway (HWY 30): The visible portion of this KVA is situated between Mile Marker 85 and 86 on HWY 30 (Source: Oregon.Gov, Milepost Map), as the subject parcel is located off of the Highway, on the south side. The elevation of the KVA along the visible stretch is roughly 200' ASL on average, which is 80' ASL lower than the proposed development site. This stretch of KVA is approximately 0.1 mile long. The subject parcel is topographically visible from the KVA according to Wasco GIS; however, in reality, the development is not visible from Highway 30. There is a steep rise right off the highway where one can see neighboring development, but this feature, plsu intervening vegetation makes identifying the development from the KVA impossible. Significant vegetative back screening exists on the south side of the proposed dwelling in the form of the cliff behind the subject property. Considering the proposed development site's existing vegetation, intervening topography, and the proposed **conditions** in Section 14.200.I, J, and K regarding colors, reflectivity, and new landscaping, the proposed dwelling will not be visible from this KVA.

Columbia River: The visible portion of this KVA is situated between Mile Marker 79 and 80 beginning approximately 0.5 miles north of the development site at average elevation of 40' ASL which significantly screens the proposed development. This stretch of KVA is approximately one mile long. The KVA is elevated approximately 240' below the subject parcel and development site. The subject parcel is topographically visible from the KVA; however, existing vegetation includes numerous trees exceeding 25' in height located on the subject parcel. Significant vegetative back screening exists on the south side of the proposed dwelling. Many mature trees are situated between the proposed development site and the Columbia River. All of the parcel's pre-existing screening vegetation will remain. Considering the proposed development site's existing vegetation, intervening topography, distance, and the proposed **conditions** in Section 14.200.I, J, and K regarding colors, reflectivity, and new landscaping, the proposed dwelling will not be visible from this KVA.

Washington State Route (SR) 14: The visible portion of this KVA is situated between Mile Marker 80 and 81 (Washington State Department of Transportation, Milepost Values), approximately 1.1 miles northeast of the subject parcel and development site at an elevation of approximately 2000' ASL. This stretch of KVA is approximately one mile in length. The KVA is elevated approximately 80' below the development site of the subject parcel. The subject parcel is topographically visible from the KVA; however, existing vegetation includes numerous trees exceeding 25' in height located on the subject parcel creates a vegetative screening for the proposed dwelling. The casual driver may notice a few of the existing structures in this community, but picking out the specific development site from that distance is extremely difficult without binoculars. Many mature trees and other development sites are situated between the proposed development site and the highway. All of the pre-existing screening vegetation will remain. Considering the proposed development site's existing vegetation, intervening topography, and distance and the proposed **conditions** in Section 14.200.I, J, and K regarding colors, reflectivity, and new landscaping, the proposed dwelling will not be visible from this KVA.

Based on distance, intervening topography, and the proposed **conditions** in Section 14.200.I, J, and K regarding the use of dark and non-reflective materials, the requested development will be visually subordinate as seen from all KVAs. Staff finds that the request complies with Section 14.200.A.

SITING

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: There are no buffers on the subject parcel for protection of wetlands, riparian corridors, endemic and listed plants, sensitive wildlife sites nor does the request conflict with standards to protect cultural resources. With **conditions** of approval throughout this report, the proposed development will be visually subordinate from all KVAs therefore staff finds that the request complies with Section 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: The proposed siting of the dwelling achieves visual subordinance through preexisting topography of the greater Rowena area and subject parcel. There are no unique topographic features on the subject property itself, but the surrounding steep slopes help shield it visible from some KVAs. There is no site on the property that would be topographically shielded from I-84, the Columbia River, or SR 14, but topography to the west achieves shielding from nearby Highway 30. The development is successfully vegetatively screened from all KVAs. Upon visiting each KVA that could topographically see the subject property, no evidence of the development was visible. Topography includes, but is not limited to the shape of neighboring parcels, surrounding vegetation, and slopes. The siting of the proposed dwelling will achieve visual subordinance through preexisting topography, and the use of dark and non-reflective materials. Staff finds that the request complies with Section 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 subject property has one 25'L driveway and a parking area large enough for three vehicles. These were pre-existing and not created as part of this proposal. No new cut banks or fill slopes were necessary or proposed. Staff finds that Criterion 14.200.D. is not applicable to this request.

E. *The silhouette of new buildings shall remain below the skyline of a bluff, cliff or ridge as seen from Key Viewing Areas. A variance in the General Management Area may be granted according to Chapter 6 if application of the guidelines would leave the owner without a reasonable economic use. The variance shall be the minimum necessary to allow the use and may be applied only after all reasonable efforts to modify the design, building height and site to comply with the criteria have been made.*

FINDING: The request is to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. The development site is topographically visible from four Key Viewing Areas (KVA): Interstate 84 (Middle-ground), Washington State Route (SR) 14 (Middle-ground), Columbia River (Middle-ground) , and the Historic Columbia River Highway (HWY 30) (Foreground) and (Middle-ground). Immediately south of the subject parcel, a steep slope begins acting as an effective backdrop for the development. The slope continues gently uphill to the west as well before getting significantly steeper towards Tom McCall Point. These features ensure that no development on the subject parcel is above a skyline of a bluff, a cliff, or ridge as seen from KVAs. As proposed, Staff finds that the request complies with Section 14.200.E.

F. *An alteration to a building built prior to November 17, 1986, which already protrudes above the skyline of a bluff, cliff or ridge as seen from a Key Viewing Area, may itself protrude above the skyline if:*

1. *The altered building, through use of color, landscaping and/or other mitigation measures, contrasts less with its setting than before the alteration; and*

2. *There is no practicable alternative means of altering the building without increasing the protrusion.*

FINDING: The request is to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. The existing dwelling that had the addition did not protrude above the skyline of a bluff, cliff, or ridge as seen from KVAs, and neither does the addition, or any of the accessory structures. Staff finds that the request complies with Section 14.200.F.

G. *Except for water-dependent development and for water-related recreation development, development shall be set back 100 feet from the ordinary high water mark of the Columbia River below Bonneville Dam, and 100 feet from the normal pool elevation of the Columbia River above Bonneville Dam, unless the setback would render a property unbuildable. In such cases, variances to this guideline may be authorized according to Chapter 6 of this Ordinance. In the SMA the setbacks described above shall be 200 feet.*

FINDING: The proposed development is not water dependent and is located approximately 0.5 miles' south of the Columbia River, which exceeds the 100 foot minimum listed above. Staff finds that the request complies with Section 14.200.G.

H. *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 site shall be utilized.*

FINDING: The request is to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. The submitted site plan (See site plan in Attachment C), Wasco County GIS (Slope & Imagery Data), show that the proposed development area contains natural slopes of approximately 10-20%, While the subject parcel does contain slopes on in excess of 30%, the existing structures were placed to avoid such slopes. As proposed, staff finds that the request complies with Section 14.200.H.

I. *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 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 to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. The development site is topographically visible from four Key Viewing Areas (KVA): Interstate 84 (Middle-ground), Washington State Route (SR) 14 (Middle-ground), Columbia River (Middle-ground) , and the Historic Columbia River Highway (HWY 30) (Foreground) and (Middle-ground). All exterior colors must be dark earthtone colors that blend with the surrounding landscape. The owner submitted plans to stain the structures as follows:

FRONT SHOP	Color	Consistent with requirements?
Siding	Dark Brown	Yes
Roof	Dark Brown	Yes
Doors	Dark Brown	Yes
Garage Door	Dark Brown	Yes
BACK STALL and LEAN-TO	Color	Consistent with requirements?
Siding	Dark Brown	Yes
Roof	Dark Brown	Yes
Doors	Dark Brown	Yes
GOAT SHED	Color	Consistent with requirements?

Siding	Dark Brown	Yes
Roof	Dark Brown	Yes
Doors	Dark Brown	Yes
BACK TOOL SHED	Color	Consistent with requirements?
Siding	Dark Brown	Yes
Roof	Dark Brown	Yes
Doors	Dark Brown	Yes
DWELLING ADDITION	Color	Consistent with requirements?
Siding	Brown	Yes
Roof	Reddish Brown	Yes
Trim/Door/Window Frame	Tan	Yes

Colors proposed for the roof, doors, and windows in the above chart are all approved for the exterior of all new development. A **condition** of approval is included in the Notice of Decision requiring all exterior surfaces to have a flat, matte finish. A **condition** of approval is included in the Notice of Decision listing the approved colors and materials. With these conditions, staff finds that the request complies with Section 14.200.I.

J. *The exterior of buildings in the GMA and structures in the SMA on lands seen from Key Viewing Areas shall be composed of nonreflective materials or materials with low reflectivity, unless the structure would be fully screened from all key viewing areas by existing topographic features. The Scenic Resources Implementation Handbook will include a list of recommended exterior materials. These recommended materials and other materials may be deemed consistent with this criterion, including those where the specific application meets recommended thresholds in the "Visibility and Reflectivity Matrices" in the Implementation Handbook (once they are created). Continuous surfaces of glass unscreened from Key Viewing Areas shall be limited to ensure visual subordinance. Recommended square footage limitations for such surfaces will be provided for guidance in the Implementation Handbook.*

FINDING: The request is to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. The following materials were used:

FRONT SHOP	Material	Consistent with requirements?
Siding	Pre-weathered Metal	Yes
Roof	Pre-weathered	Yes

	Metal	
Doors	Plastic	Yes
Garage Door	Metal	Yes
BACK STALL and LEAN-TO	Material	Consistent with requirements?
Siding	Wood	Yes
Roof	Pre-weathered Metal	Yes
Doors	Wood	Yes
GOAT SHED	Material	Consistent with requirements?
Siding	Wood	Yes
Roof	Pre-weathered Metal	Yes
Doors	Wood	Yes
BACK TOOL SHED	Material	Consistent with requirements?
Siding	Wood	Yes
Roof	Composite Shingles	Yes
Doors	Wood	Yes
DWELLING ADDITION	Material	Consistent with requirements?
Siding	Wood/Hardie Board	Yes
Roof	Composite Shingle	Yes
Doors Frame	Plastic	Yes
Windows Frame	Vinyl	Yes
Door/Window Glass	366-I89 Low E & low reflectivity glass. 11% exterior reflection	

Exterior siding and trim for all structures except the front shop are wood or hardie board which are non-reflective. The roof of the addition and one of the accessory structures are composition shingles which are non-reflective. Doors on the house are made of wood and painted a dark, earthtone color with a

matte finish. The Garage door, siding, and roofing constructed of a metal material, will be painted a textured matte dark brown to minimize reflectivity and maintain visual subordinance.

Colors and building materials proposed for the proposed development are approved. A **condition** of approval is included in the Notice of Decision listing the approved colors and materials. If alternative materials are proposed, they shall be submitted to and approved by the Planning Department prior to their application on the building. Considering proposed materials and colors, and with the condition, staff finds that the request complies with Section 14.200.J.

K. *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 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.*

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: Existing vegetation includes mature coniferous trees as well as deciduous shrubs located on the northern portion of the subject parcel and adjacent north, west, and east parcels. A **condition** of approval is included in the Notice of Decision requiring the maintenance of existing tree screening on the property which are adequate to achieve visual subordinance from all KVAs. Findings throughout Chapter 14 find that the proposed development will be visually subordinate from KVAs. Staff finds that the request complies with Section 14.200.K.

L. *Determination of potential visual effects and compliance with visual subordinance policies shall include consideration of the cumulative effects of proposed developments.*

FINDING: The subject parcel and development area are within Rural Residential Zone (GMA & SMA). The requested use matches the purpose of the zone. The scale and size of the requested development, the location, colors and materials, and proposed vegetative screening will ensure visual subordinance. Staff finds that the request complies with Section 14.200.L.

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: The proposed development site is located approximately 0.3 miles south of Interstate 84, and is 0.1 miles (528 feet) west of Highway 30W. As proposed no new development will occur within 100' from the edge of pavement of any Scenic Travel Corridor. Staff finds that the request complies with Section 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*

GMA Only

1. *In portions of this setting visible from Key Viewing Areas, and not exempt from visual subordinance standards (see 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.*

b. *At least half of any trees planted for screening purposes shall be coniferous to provide winter screening.*

FINDING: The subject parcel is not exempt from visual subordinance standards. It is located in the Rural Residential Landscape Setting in the GMA. The request is to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. As discussed in Section 14.200.A. the subject parcel contains mature coniferous trees on the northern portion of the parcel that provide screening. These trees and surrounding topography achieve visual subordinance for the development. Staff finds that the request complies with Section 14.400.E

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: The request is to retroactively review the construction of five accessory structures and an addition to a lawfully established dwelling. A Cultural Resources Survey Determination was submitted on August 15, 2022, 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 because the proposed 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.

A complete copy of the Cultural Resources Survey Determination dated August 15, 2022, is available at the Wasco County Planning Department under file number 921-22-00104-PLNG, and is also provided in Attachment F of this report.

Staff finds that the request complies with Section 14.500.B.1.

2. *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 was submitted on August 15, 2022, 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 Section 14.500.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; or

(2) cultural resources that are prehistoric or otherwise associated with Native Americans

exist in the project area.

b. Notices sent to Indian tribal governments shall include a site plan as stipulated in Section 14.040.

c. Indian tribal governments shall have 20 calendar days from the date a notice is mailed to submit written comments to the County Planning Office.

(1) Written comments should describe the nature and extent of any cultural resources that exist in the project area and identify individuals with specific knowledge about them.

(2) The County shall send a copy of all comments to the Gorge Commission.

FINDING: A Notice of Administrative Action was sent to all affected Indian tribal governments and the Gorge Commission on January 19, 2023.

No comments were received from the Gorge Commission or Tribal Governments identifying any cultural resources in the area or identifying concerns with the project. Staff finds that Section 14.500.C.1 is not applicable to this request.

(***)

4. Conclusion of the Cultural Resource Protection Process

a. The County Planning Office will make a final decision on whether the proposed use would be consistent with the cultural resource goals, policies, guidelines, and standards.

b. If the final decision contradicts the comments submitted by the State Historic Preservation Office, the County must justify how it reached an opposing conclusion.

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: According to Chris Donnermeyer, Heritage Program Resources Program Manager, Columbia River Gorge National Scenic Area (August 15, 2022), 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 (January 19, 2023) of the pre-notice to Indian tribal governments or the State Historic Preservation Office (SHPO). Staff finds that the request complies with Section 14.500.C.4.c.(1).

(***)

G. *Cultural Resources Discovered After Construction Begins:*

The following procedures shall be effected when cultural resources are discovered during construction activities. All survey and evaluation reports and mitigation plans shall be submitted to the local government and the SHPO. Indian tribal governments shall also receive a copy of all reports and plans if the cultural resources are prehistoric or otherwise associated with Native Americans.

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).*

   a. *The Commission will gather enough information to evaluate the significance of the cultural resources.*

   b. *The survey and evaluation will be documented in a report that generally follows the criteria in the "Reconnaissance Survey Reports--Large Scale Uses" and "Evaluation of Significance, Evaluation Criteria and Information Needs" of this chapter.*

   c. *Based on the survey and evaluation report and any written comments, the County will make a final decision on whether the resources are significant.*

   d. *Construction activities may recommence if the cultural resources are not significant.*

   e. *A mitigation plan will be prepared by the Gorge Commission if the affected cultural resources are significant.*

4. *Mitigation Plan: Mitigation plans shall be prepared according to the information, consultation, and report guidelines contained in F above, Mitigation Plans.*

5. *All survey and evaluation reports and mitigation plans shall be submitted to the County Planning Office and the State Historic Preservation Office.*

6. *Indian tribal governments also shall receive a copy of all reports and plans if the cultural resources are prehistoric or otherwise associated with Native Americans.*

7. *Construction activities may recommence when the conditions in the mitigation plan have been executed.*

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 included in the Notice of Decision requiring compliance with these requirements. With these conditions, staff finds that the request complies with Section 14.500.G.

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.

1. *Halt Activities: All survey, excavation, and construction activities shall cease. The human remains shall not be disturbed any further.*

2. *Notification: Local law enforcement officials, the County Planning Office, the Gorge Commission, and the Indian tribal governments shall be contacted immediately.*

3. *Inspection: The county coroner, or appropriate official, shall inspect the remains at the project site and determine if they are prehistoric/historic or modern. Representatives from the Indian tribal governments shall have an opportunity to monitor the inspection.*

4. *Jurisdiction: If the remains are modern, the appropriate law enforcement officials will assume jurisdiction and the cultural resource protection process may conclude.*

5. *Treatment: Prehistoric/historic remains of Native Americans shall generally be treated in accordance with the procedures set forth in ORS 97.740 to 97.760.*

6. *If the human remains will be reinterred or preserved in their original position, a mitigation plan shall be prepared in accordance with the consultation and report requirements specified in F above, Mitigation Plans.*

    a. *The mitigation plan shall accommodate the cultural and religious concerns of Native Americans.*

    b. *The cultural resource protection process may conclude when the conditions set forth in F above, Mitigation Plans, are met and the mitigation plan is executed.*

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 immediately notify local law enforcement officials, the County Planning Office, the Gorge Commission, and the four Indian tribal governments. **Conditions** of approval are included requiring the owner to comply with the requirements in Section 14.500.H. With these conditions, staff finds that the request complies with Section 14.500.H.

Section 14.600, Natural Resources – GMA

A. Wetlands

FINDING: The purpose of this section is to ensure there is no overall net loss of wetlands acreage and functions, and to increase the quantity and quality of wetlands. According to the National Wetland Inventory (NWI) maps and digital data from the Gorge Commission, there are no wetlands on the subject parcel. Staff submitted notice of the request to the Oregon Department of State Lands on January 19, 2023. No response was received during the 15 day comment period.

Additionally, the National Scenic Area Land Use and Development Ordinance define "Wetlands" as:

"*Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence or vegetation typically adapted for life in saturated soil conditions. This does not include riparian areas, rivers, streams, and lakes.*"

Tooley Lake is the closest identified waterbody (approximately 0.4 miles to the northwest); however, rivers, streams, and lakes are not identified as wetlands, and as such, Staff finds that Section 14.600.A. is not applicable to this request.

B. Streams, Ponds, Lakes, and Riparian Areas

(***)

2. *Stream, Pond, and Lake Buffer Zones*

a. *Buffer zones shall generally be measured landward from the ordinary high water-mark on a horizontal scale that is perpendicular to the ordinary high water-mark. On the main stem of the Columbia River above Bonneville Dam, buffer zones shall be measured landward from the normal pool elevation of the Columbia River. The following buffer widths shall be required:*

(1) *Streams used by anadromous or resident fish (tributary fish habitat), special streams, intermittent streams that include year-round pools, and perennial streams: 100 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 to enhance aquatic and riparian areas. No streams, ponds, or lakes exist on or adjacent to the subject parcel. According to the National Wetland Inventory (NWI) maps and digital data from the Gorge Commission, the Columbia River is a fish bearing river. The development area is located approximately 0.5 miles west of the waterline of the Columbia River and 0.4 miles from Tooley Lake, the closest waterbody. The proposed buffer between the proposed development and these water bodies exceeds the 100' requirement. Staff finds that the request complies with Section 14.600.B.

C. *Wildlife Habitat*

FINDING: The purpose of this section is to ensure that new uses do not adversely affect sensitive wildlife areas and sites. The land use designation is Residential, and the subject parcel is zoned R-R (2),

Rural Residential in the General Management Area of the Columbia River Gorge National Scenic Area. NSA-LUDO Section 14.600.C.3, requires the County to submit any request for new development within 1,000' of a Sensitive Wildlife Area or Site to the Oregon Department of Fish & Wildlife (ODFW). General notice of the request was provided to ODFW on January 19, 2023. No comments or concerns were received from ODFW staff pertaining to the proposal. Staff finds that the request complies with Section 14.600.C.

D. *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. According to digital data from the Gorge Commission, there are no identified rare plants on the subject tract or within 1,000' of the tract. Staff finds that the request complies with Section 14.600.

Section 14.700, Recreation Resources – GMA

FINDING: The subject tract does not contain any recreational site nor are any proposed. The property lies approximately 0.5 miles west of the Columbia River, a recreation resource in the Columbia River Gorge. The request for a dwelling will not intrude into the river or change the current use of the property which is residential. Staff finds that the request complies with Section 14.700.

Section 14.800, Indian Tribal Treaty Rights and Consultation - GMA

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 emailed to the four tribal governments on January 19, 2023, and a 20-day comment period was provided. No comments were received during the comment period. A secondary email of Notice was sent on February 15, 2023. No comments were received.

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 provide access to the Columbia River, however the requested roof mounted solar array will not change access to or fishing rights of any Indian tribal government. No public recreation uses are proposed and no potential conflicts have been identified by any Indian tribal government. 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 Section 14.800.D.

Good Neighbor OUTDOOR LIGHTING

PRESENTED BY THE NEW ENGLAND LIGHT POLLUTION ADVISORY GROUP (NELPAG) AND *SKY & TELESCOPE*.

What is good lighting?

Good outdoor lights improve visibility, safety, and a sense of security, while minimizing energy use, operating costs, and ugly, dazzling glare.

Why should we be concerned?

Many outdoor lights are poorly designed or improperly aimed. Such lights are costly, wasteful, and distractingly glary. They harm the nighttime environment and neighbors' property values. Light directed uselessly above the horizon creates murky skyglow — the "light pollution" that washes out our view of the stars.

Glare Here's the basic rule of thumb: If you can see the bright bulb from a distance, it's a bad light. With a good light, you see lit ground instead of the dazzling bulb. "Glare" is light that beams directly from a bulb into your eye. It hampers the vision of pedestrians, cyclists, and drivers.

Light Trespass Poor outdoor lighting shines onto neighbors' properties and into bedroom windows, reducing privacy, hindering sleep, and giving the area an unattractive, trashy look.

Energy Waste Many outdoor lights waste energy by spilling much of their light where it is not needed, such as up into the sky. This waste results in high operating costs. Each year we waste more than a billion dollars in the United States needlessly lighting the night sky.

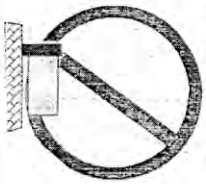
Excess Lighting Some homes and businesses are flooded with much stronger light than is necessary for safety or security.

How do I switch to good lighting?

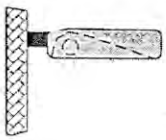
1 Provide only enough light for the task at hand; don't over-light, and don't spill light off your property. Specifying enough light for a job is sometimes hard to do on paper. Remember that a full Moon can make an area quite bright. Some lighting systems illuminate

Some Good and Bad Light Fixtures

Typical "Wall Pack"



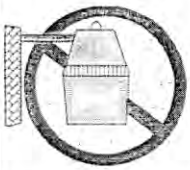
Typical "Shoe Box" (forward throw)



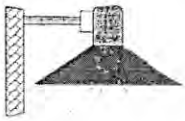
BAD — Waste light goes up and sideways

GOOD — Directs all light down

Typical "Yard Light"



Opaque Reflector (lamp inside)

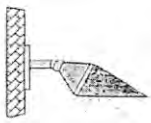


BAD — Waste light goes up and sideways

GOOD — Directs all light down

Area Flood Light

Area Flood Light with Hood



BAD — Waste light goes up and sideways

GOOD — Directs all light down

areas 100 times more brightly than the full Moon! More importantly, by choosing properly shielded lights, you can meet your needs without bothering neighbors or polluting the sky.

2 Aim lights down. Choose "full-cutoff shielded" fixtures that keep light from going uselessly up or sideways. Full-cutoff fixtures produce minimum glare. They create a pleasant-looking environment. They increase safety because you see illuminated people, cars, and terrain, not dazzling bulbs.

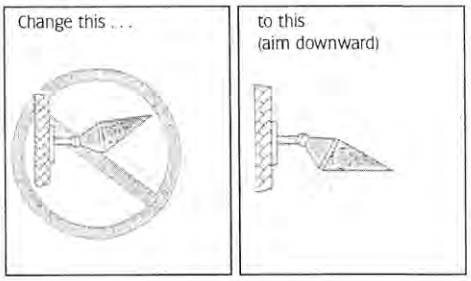
3 Install fixtures carefully to maximize their effectiveness on the targeted area and minimize their impact elsewhere. Proper aiming of fixtures is crucial. Most are aimed too high. Try to install them at night, when you can see where all the rays actually go. Properly aimed and shielded lights may cost more initially, but they save you far more in the long run. They can illuminate your target with a low-wattage bulb just as well as a wasteful light does with a high-wattage bulb.

4 If color discrimination is not important, choose energy-efficient fixtures utilizing yellowish high-pressure sodium (HPS) bulbs. If "white" light is needed, fixtures using compact flourescent or metal-halide (MH) bulbs are more energy-efficient than those using incandescent, halogen, or mercury-vapor bulbs.

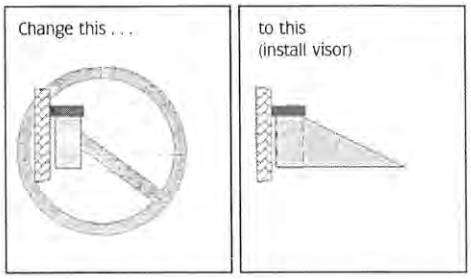
5 Where feasible, put lights on timers to turn them off each night after they are no longer needed. Put home security lights on a motion-detector switch, which turns them on only when someone enters the area; this provides a great deterrent effect!

Replace bad lights with good lights. You'll save energy and money. You'll be a good neighbor. And you'll help preserve our view of the stars.

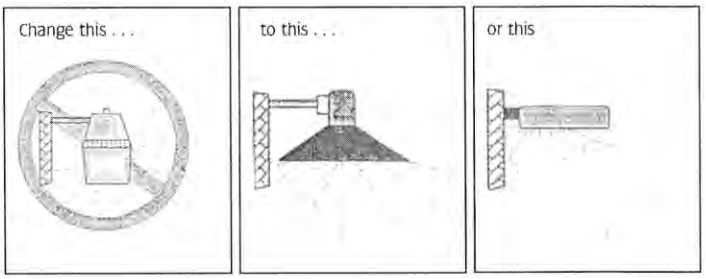
What You Can Do To Modify Existing Fixtures



FLOOD LIGHT



WALL PACK



YARD LIGHT **OPAQUE REFLECTOR** **SHOE BOX**

Presented by the **New England Light Pollution Advisory Group** (NELPAG) (http://cfa-www.harvard.edu/cfa/ps/nelpag.html)

and ***Sky & Telescope*** (http://SkyandTelescope.com/).

NELPAG and *Sky & Telescope* support the International Dark-Sky Association (IDA) (http://www.darksky.org/).

We urge all individuals and groups interested in the problems of light pollution and obtrusive lighting to support the IDA and subscribe to its newsletter. IDA membership costs $30 per year; send your check to IDA, 3225 N. First Avenue, Tucson, AZ 85719, U.S.A.

GNF01

SKY® & TELESCOPE

Sky Publishing Corp.
49 Bay State Road
Cambridge, MA 02138
SkyandTelescope.com

Sean Bailey <seanb@co.wasco.or.us>

Notice of Land Use Action - Tostado

Lane Magill <lanem@co.wasco.or.us> Thu, Aug 11, 2022 at 3:47 PM
To: Sean Bailey <seanb@co.wasco.or.us>
Cc: flathk@nwasco.k12.or.us, jwood@mcfr.org, steven-horzynek@nwascopud.org, Scott Williams <scottw@co.wasco.or.us>

No issues from 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

I Diana Johnson Property owner 4735 Simonelli Rd. Tania Valencia is more than welcome in our neighborhood & community I have NO Problems with them or housing dwellings located at 4750 Simonelli

Date: 8/16/2022 Name: Diana Johnson
Address: 4735 Simonelli Rd The Dalles OR 97058

Valencia is a very good neighbor and does not conduct his business at his home. Rick Wolfe intagates trouble with all his neighbors plus any where in the Dalles he can stir up trouble. Some of the structures listed were there when the Valencias purchase the home. They have only improved the home

Date: 8-16-22 Name: John J. Crampton
Address: 4729 Simonelli Rd., The Dalles, Or 97058

opportunity to respond to the issue precludes appeal to the Board based on that issue.

Valencia Lawn Care, is an asset To our neighborhood, they help neighbors who can'T afford yard care when needed. Also help maintain our road in bad weather by snowplowing our privatley own road (Tooley Rd. Assc.) Domestic Non-profit Organization Registry Number 068442-97 with State of Oregon. I have been maintaing road for 18 yrs.

Date: 9-19-22 Name: John J. Crompton

Address: 4729 Simonelli Rd., The Dalles, Or. 97058

Sean Bailey <seanb@co.wasco.or.us>

RE: FILE #921-22-000104-PLNG

1 message

nrichterem@aol.com <nrichterem@aol.com> Tue, Oct 11, 2022 at 8:58 AM
Reply-To: nrichterem@aol.com
To: "seanb@co.wasco.or.us" <seanb@co.wasco.or.us>

RE: Tania Valencia Tostado, 4750 Simonelli Rd., Tooley Terrace

Hello Sean-
We have read thru the revised application for all the variances requested, and do not see any reason to grant this application's requests.

Commercial business and farm animals in a residential neighborhood should not be allowed.
24 foot high fencing; cutting down every tree should not have happened; retaining walls on unknown property lines should not happen.

Valencia continues to operate trucks, trailers, workers vehicles and machinery in the neighborhood, putting wear and tear on our road.
The roosters, chickens and goats are disturbing.
There is no concern for their neighbors.

Thank you for your time, and we are hoping for a reasonable outcome. If all of this is allowed, a precedent for Tooley Terrace and other residential neighborhoods could be set. What a shame in the such a scenic place.

Ray Segale
208-727-7036
4537 Basalt St., Tooley Terrace

Nancy Richter
206-419-7052 (mobile)
nrichterem@aol.com

Sean Bailey <seanb@co.wasco.or.us>

Tanya Valencia Tostada Application 921-22-000104 PLNG

Larry Russ <gorgemusic@yahoo.com> Wed, Aug 17, 2022 at 5:27 PM
To: "seanb@co.wasco.or.us" <seanb@co.wasco.or.us>

Dear Mr. Baily,
Please see the attached PDF file for reference

I have no disagreement with the proposed new structures or approval of preexisting structures referenced in the application. It appears to me that proposing a privacy fence is a good faith measure and indicates their desire to reduce impact on adjoining property and neighbors.

Larry Russ
4540 Basalt St.
The Dalles, OR 97058
8-17-2022

912-22-000104 PLNG Tanya Valencia Tostado Applicant.pdf
714K

Sean Bailey <seanb@co.wasco.or.us>

File Number: 921-22-000104-PLNG

Lola Lulamay <lulamay740@gmail.com>
To: seanb@co.wasco.or.us

Sun, Aug 21, 2022 at 10:45 PM

File Number: 921-22-000104-PLNG

(Tania Valencia Tostado)

Attention Sean Bailey,

It troubles me deeply that my neighbor has been put into this situation. If it wasn't for racism, this whole situation would not even be taking place.

I was friends with the neighbor who issued these complaints long before Sergio even moved here.

I would often find him on the internet listening to illegal alien problems. I would try to turn his thinking but to no avail and his anger just grew. As it is, this is only his part-time home since he lives with his wife in Prineville, OR.

Sergio and his wife who is expecting have been a wonderful addition to our community and we have no problems with him growing his business here.

There are so many small companies like his who park their work vehicles at their residency.

I couldn't even believe this was a real issue. Throughout the scenic area, there are many who do the same thing.

In these hard economic times, it's close to impossible for them to rent the extra space needed to park their vehicles that are inexpensive and safe.

As for the other issues, many of what is listed as "non permitted structure additions" were already part of the property at time of purchase. Changes that were made by him were done simply out of lack of knowledge that a permit would be necessary.

Normally, if you have chickens you build a coop, If you have goats you build them a shelter. There others in the nearby vicinity who have had or still have chickens with chicken pens and goats with goat pens. If you moved into this area it would just seem as an acceptable practice. This is a wonderful couple who worked hard to get citizenship for Sergio. Worked hard to build a good and integral business and have been a blessing and help to our community.

August 21, 2022
David Nelson
4736 Simonelli Road
The Dalles, Oregon 97058

Sean Bailey <seanb@co.wasco.or.us>

File # 921-22-000104-PLNG

David Hecht <hechtdavid@hotmail.com> Tue, Aug 23, 2022 at 9:31 AM
To: "seanb@co.wasco.or.us" <seanb@co.wasco.or.us>

TO WHOM IT MAY CONCERN:

I am writing in regard to the notice of the National Scenic Area application and public hearing referencing the property located at 4750 Simonelli Road, in The Dalles, OR. I own a property a few houses away, at 4731 Simonelli Rd. I urge you to approve the application and all requests made by the applicant, Tania Valencia Tostado. They have been good neighbors and care for their property in a respectful manner.

Kind Regards,

David Hecht

From: Doc Doolittle
Sent: Thursday, August 25, 2022 9:51 AM
To: seanb@co.wasco.or.us
Subject:

Sent from Mail for Windows
To whom this may concern:

This comment is in regards to file # 921-22-000104-PLNG

As a landowner in Tooley Terrace since 1985 I have seen steady compliance with regards to property improvements. From the repaving of the road to building of houses, those of us on "the hill" have worked to protect our investments by ensuring that we go by the book. I feel that allowing those who ignore our covenants and county building laws can lead to a decline in our strength as a community as well as property values. It also de-incentifys residences who go through proper channels before construction and actually punishes those who go through preconstruction approval.

I believe that a number of requested structures on this application violate our community CCRs and opens up the applicant as well as the planning department to litigation if the approval is challenged.

Please consider these points before you make your decision.

Thank you.

William and Gloria Doolittle
4585 Basalt St. W. The Dalles, OR. 97058

FRIENDS OF THE COLUMBIA GORGE

HOOD RIVER | PORTLAND | WASHOUGAL

GORGEFRIENDS.ORG

August 31, 2022

Sean Bailey, Associate Planner
Wasco County Planning Department
2705 East Second Street
The Dalles, Oregon 97058
via email

Re: Tania Tostado's application # 921-22-000104 for a home occupation and associated development, after-the-fact permitting for 978 square feet of structures, 1680 square feet of additional structural development, and various fences and retaining walls

Dear Mr. Bailey:

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 5,000 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.

Requests for after-the-fact approval must be reviewed as if the development has not taken place. Otherwise, landowners have no incentive to properly apply for permits and permittees have an incentive to violate the terms of their permits since relief will be available afterwards. As such, after-the-fact approval must be based upon the conditions on the ground prior to development even in instances of honest mistake. Throughout these comments, all unapproved development is referred to as "proposed" development since it must be reviewed as if it had not yet occurred.

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.

Material Samples
All applications must contain material samples for all exterior surfaces of proposed structures, including but not limited to the main portion of each structure; trim or secondary portions; roof; window frames, windowsills, window sashes; doors (including garage doors); and hooding for exterior lighting. NSA-LUDO § 14.020.C.

Elevation Drawings
Pursuant to NSA-LUDO § 14.020.E, applications proposing structures must provide elevation drawings drawn to scale and showing:

- the appearance of all sides of proposed structures, including both natural and finished grade, and
- the geometric exterior of the length and width of structures from a horizontal view.

Grading Plan
For structural development that meets either or both of the following conditions, the application must include a grading plan containing the elements specified by NSA-LUDO § 14.020.F.3:

- More than 100 cubic yards of grading on slopes exceeding 10 percent. NSA-LUDO § 14.020.F.1.
- More than 200 cubic yards of grading on a site visible from key viewing areas. NSA-LUDO § 14.020.F.2.

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.

Allowed Uses

Existing Uses and Structures
NSA-LUDO § 13.020 regulates existing uses and structures and allows a **legally established** use or structure to continue so long as it has been operated lawfully, it has not been discontinued for more than a year, and it is used in the same manner and for the same purpose as the original. "Legally

established" means that all applicable land use and building permits were obtained and that the use or structure has been operated or constructed in compliance with all applicable land use regulations and other laws. NSA-LUDO § 1.200 (definition of "existing use or structure"). The burden is on the applicant(s) to prove that each use or structure qualifies as an existing use or structure. NSA-LUDO § 2.120.A.1.

Accessory Buildings and Structures
Buildings and structures accessory to a dwelling must be incidental and subordinate to the dwelling and located on the same parcel as the dwelling. NSA-LUDO § 1.200 (definition of "accessory structure/building"). All accessory buildings and structures with a footprint of at least 60 square feet, with a height of at least 10 feet, or located within the buffer zone of a riparian area must be reviewed under all applicable rules at NSA-LUDO Chapter 14 (scenic, cultural, natural, and recreational resources). NSA-LUDO § 3.100.E.

The height of any individual accessory building must not exceed 24 feet. The combined footprints of all accessory buildings on a parcel must not exceed 1,500 square feet. The combined limit refers to all accessory buildings on a parcel, including buildings allowed without review, existing buildings, and proposed buildings. **Given the sheer amount of permitted, unpermitted, and proposed development on this parcel, care must be taken to ensure that the 1,500 square foot threshold is not breached.**

Additions
The applicant must show that the structure to which the proposed addition would be added is a legally existing use. A proposed addition must not violate any prior conditions of approval. Additions to existing buildings greater than 200 square feet in area or greater than the height of the existing building must undergo full scenic area review.

Home Occupations and Cottage Industries
Home occupations and cottage industries associated with residential use and located in an existing residence or accessory structure may be allowed in specified land use designations subject to NSA-LUDO § 20.100 and the provisions protecting and enhancing the scenic, cultural, recreation, and natural resources of the National Scenic Area. **In residential zones, they must also undergo Conditional Use Review and review for Fire Safety Standards. NSA-LUDO § 3.160.E.** Under NSA-LUDO § 20.100, home occupations and cottage industries must be consistent with the following:

- A home occupation may employ only residents of the home and a cottage industry may employ up to three outside employees. **The application proposes to violate this criterion by employing six outside employees.**
- There must be no interference with existing uses on nearby land or with other uses permitted in the zone in which the property is located. **The proposed use appears to violate this criterion. As discussed in the application narrative, this already appears to be happening.**
- There will be an annual review by the Approving Authority. The approval shall continue if the home occupation or cottage industry continues to comply with the requirements of NSA-LUDO § 20.100 and all conditions of approval.

- No more than twenty-five percent of the total actual living space of the dwelling may be utilized for the home occupation or cottage industry.
- No more than 500 square feet of an accessory structure may be utilized for a home occupation or cottage industry. **The proposed use appears to violate this criterion given that the carport and the stall would be used for storage of equipment.**
- There must be no outside, visible evidence of the home occupation or cottage industry, including outside storage. **The proposed use appears to violate this criterion given that the "larger equipment" would be stored out in the open.**
- Exterior structural alterations to the residence for the home occupation or cottage industry must not be permitted. New structures must not be constructed for the primary purpose of housing a home occupation or cottage industry. **The proposed use appears to violate this criterion with the construction of a privacy fence and potentially other structural development to support the proposed use.**
- No retail sales may occur on the premises except incidental sales at lodging establishments authorized in this chapter.
- One small, non-animated, non-illuminated sign, not exceeding two square feet in area may be permitted on the subject structure or within the yard containing the home occupation or cottage industry.
- Parking not associated with residential use must be screened so it is not visible from Key Viewing Areas. **The proposed use appears to violate this criterion.**

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. One single-family dwelling is allowed per legally created parcel, and only if the development is consistent with all applicable rules protecting scenic, cultural, natural, and recreational resources. The applicant bears the burden of proving the legality of the parcel and the County has the responsibility of making a determination of the parcel's legality prior to a decision. If the subject parcel is adjacent to agricultural zones, all new buildings must meet the setback requirements listed in the ordinance. NSA-LUDO § 3.160.G.2.

Pursuant to NSA-LUDO § 3.160.D.10, construction, reconstruction, or modification of roads must be consistent with all applicable rules at NSA-LUDO Chapters 14 through 17.100 (scenic, cultural, natural, and recreational resources). Access drives must be constructed to a minimum of twelve feet in width and not exceed a grade of twelve percent with turnouts provided at a minimum of every five hundred feet. NSA-LUDO § 14.020.B.4.

Conditional Use Review

NSA-LUDO Chapter 5 contains the criteria for conditional use review. A conditional use is an activity which is similar to uses permitted in a particular zone but which may not be entirely compatible with the permitted uses. NSA-LUDO § 5.010. The decision-making authority must weigh either the proposal's appropriateness and desirability or the public convenience or the necessity to be served against all adverse conditions that would result from authorizing the particular development at the proposed location. NSA-LUDO § 5.020. To approve a conditional

use, the decision-making authority must find that the following criteria are either met, can be met by observance of conditions, or are not applicable:

- The proposal is consistent with the goals and objectives of the Management Plan for the Columbia River Gorge National Scenic Area, and consistent with the NSA-LUDO. **The proposed use appears to violate this criterion.**
- Taking into account location, size, design, and operational characteristics of the proposed use, the proposal is compatible with the surrounding area and outright permitted uses on abutting properties. **The proposed use appears to violate this criterion given that this provision appears to already be violated.**
- The proposed use will not exceed or significantly burden public facilities and services available to the area, including, but not limited to: roads, fire and police protection, sewer and water facilities, telephone and electrical service, and solid waste disposal facilities.
- The proposed use will not unduly impair traffic flow or safety in the area.
- For the protection of adjoining properties, the effects of noise, dust, and odor will be minimized during all phases of development and operation. **The proposed use appears to violate this criterion given that this provision appears to already be violated.**
- The proposed use will not significantly reduce or impair sensitive wildlife habitat, riparian vegetation along streambanks and will not subject areas to excessive soil erosion.
- The proposed use will not adversely affect the air, water, or land resource quality of the area.
- The location and design of the site and structures for the proposed use will not significantly detract from the visual character of the area. **The proposed use appears to violate this criterion given that this provision appears to already be violated.**
- The proposal will preserve areas of historic value, natural or cultural significance, including archaeological sites, or assets of particular interest to the community.

NSA-LUDO § 5.020.

Conditions that are necessary to ensure the compatibility of a conditional use to surrounding permitted uses or are necessary to fulfill the purposes of the NSA-LUDO may be imposed in approving an application. NSA-LUDO § 5.030. Conditions may include, but are not limited to:

- Limiting the manner in which the use is conducted including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare, and odor.
- Establishing a special yard or other open space or lot area or dimension.
- Limiting the height, size, or location of a building or other structure.
- Designating the size, number, location, and nature of vehicle access points.
- Increasing the amount of street dedication, roadway width or improvements within the street right-of-way.
- Limiting or otherwise designating the number, size, location, height and lighting of signs.
- Limiting the location and intensity of outdoor lighting and requiring its shielding.
- Requiring diking, screening, landscaping or another facility to protect adjacent or nearby property and designating standards for its installation and maintenance.
- Designating the size, height, location and materials for a fence.
- Protecting and preserving existing trees, vegetation, water resources, wildlife habitat or other significant natural, historic, or cultural resources.

- Other conditions to permit the development of the County in conformity with the intent and purpose of the conditional classification of uses.

NSA-LUDO § 5.030.

Resource Impact Review

Scenic Resource Protection

NSA-LUDO §§ 14.100 and 14.200 contain the scenic resource protection standards for the General Management Area. Whether or not the parcel is visible from key viewing areas (KVAs), new buildings and roads must be sited and designed to retain existing topography and to reduce grading to the maximum extent possible. NSA-LUDO § 14.100.B.

New buildings larger than 1,500 square feet and **expansion of existing development must be compatible with the general scale of existing nearby development.** NSA-LUDO § 14.100.C. Findings addressing NSA-LUDO § 14.100.C must at least include:

- Application of the landscape setting design guidelines, if applicable.
- 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.
- Individual evaluations of scale for each separate proposed building in the application and each separate building in the study area, including:
  - All finished above ground square footage;
  - Total area of covered decks and porches;
  - Attached garages;
  - Daylight basements;
  - Breezeways, if the breezeway shares a wall with an adjacent building; and
  - Dimensions, based on information from the application or in Assessor's records.

The findings must evaluate the compatibility of proposed development with surrounding existing development. NSA-LUDO § 14.100.C.4. 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 the evaluation. NSA-LUDO § 14.100.C.4.

Outdoor lighting must be directed downward and 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. NSA-LUDO 14.100.F. Shielding and hooding materials must be composed of non-reflective opaque materials. NSA-LUDO 14.100.F. There may not be visual pollution due to the siting or brilliance, nor may it constitute a hazard for traffic. NSA-LUDO 14.100.F.

All ground disturbance as a result of site development must be revegetated no later than the next planting season (October–April) with native species. NSA-LUDO 14.100.G. The property owners and their successors in interest are responsible for survival of planted vegetation, and replacement of planted vegetation that does not survive. NSA-LUDO 14.100.G. 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 must be retained in their natural condition. NSA-LUDO

14.100.H. Any of these trees, or other trees required to be planted as a condition of approval, that die for any reason must be replaced by the current property owner or successors in interest no later than the next planting season (October–April) after their death with trees of the same species or from the list in the landscape setting for the property. NSA-LUDO 14.100.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, must be retained. NSA-LUDO 14.100.H.

Key Viewing Areas
Unless expressly exempted by other provisions, colors of all exterior surfaces of structures, whether visible from Key Viewing Areas or not must be dark earth tones found at the specific site or in the surrounding landscape. NSA-LUDO §§ 14.200.G, 14.100.D. The specific colors approved by the reviewing agency must be included as a condition of approval. NSA-LUDO §§ 14.200.G, 14.100.D.

The subject parcel may be visible from Key Viewing Areas such as the the Historic Columbia River Highway (foreground and middleground), SR-14, I84, and the Columbia River. If so, then the following rules apply:

- New buildings and roads must be sited so that they are visually subordinate to their settings as seen from KVAs. NSA-LUDO 14.200.A. In determining the least visible site, existing topography and vegetation must be given priority over artificial means of screening. NSA-LUDO § 14.200.A.2. Conditions may include, and must be applied **in the following order of priority**:
    - Screening by existing topography.
    - Siting (location of development on the subject property, building orientation, and other elements).
    - Retention of existing vegetation on the applicant's property.
    - Design and building materials (color, reflectivity, size, shape, height, architectural and design details and other elements).
    - New landscaping on the applicant's property.
    - New berms or other recontouring on the applicant's property, where consistent with other applicable provisions.
- New buildings and roads must be sited and designed to minimize visibility of cut banks and fill slopes from KVAs. NSA-LUDO § 14.200.D.
- 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 Key Viewing Areas it is visible from;
    - 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);
    - The difference in elevation between the building site and Key Viewing Areas;
    - The nature and extent of topographic and vegetative back screening behind the building site as visible from Key Viewing Areas;
    - The amount of area of the building site exposed to Key Viewing Areas; 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.**
- New buildings are not allowed on sites with slopes greater than 30 percent. NSA-LUDO § 14.200.F.
- The silhouette of new buildings must remain below the skyline of a bluff, cliff, or ridge as visible from Key Viewing Areas. NSA-LUDO § 14.200.E.
- Unless the building site is fully screened from all key viewing areas by existing topography, building materials must be non-reflective or low-reflective. NSA-LUDO § 14.200.H.
- Additions smaller in total area than the existing building may be the same color as the existing building. Otherwise, the color depends upon the landscape setting. NSA-LUDO § 14.100.E.

New development must be <u>sited</u> 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. NSA-LUDO § 14.200.B. New development must be sited on the parcel in a location to achieve visual subordinance as seen from KVAs, using existing topography and vegetation for screening and any design changes that are necessary before requiring new screening measures. NSA-LUDO §§ 14.200.C, 14.200.A.2.

If the proposed development cannot be conditioned to ensure that the development will achieve visual subordinance, then the County must deny the application. This requirement was upheld by the Oregon Supreme Court in its decision in Friends of the Columbia Gorge v. Columbia River Gorge Comm'n*, 346 Or 366, 213 P3d 1164 (2009) ("If the applicant does not or cannot sufficiently alter the proposal to satisfy the [scenic resource protection guidelines], permission to carry out the proposed activity must be denied"). Consequently, if the project would reduce visibility "to the maximum extent practicable" but not achieve visual subordinance the application must be denied.*

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. In addition, the following buffer zones apply:

- The width of buffer zones for the following streams, identified by the Environmental Protection Agency in 2019 as priority cold water refuge fish habitat streams, including the Deschutes River, must be 200 feet. NSA-LUDO § 14.600.A.3.e.
- The width of buffer zones for streams used by anadromous or resident fish (tributary fish habitat), special streams, intermittent streams that include year-round pools, and perennial streams must be 100 feet. NSA-LUDO § 14.600.B.2.a.1.
- The width of buffer zones for intermittent streams, provided they are not used by anadromous or resident fish, must be 50 feet. NSA-LUDO § 14.600.B.2.a.2.
- The following buffer zone widths wetlands, lakes, and ponds are required by NSA-LUDO § 14.600.A.3.c:
  - Forest communities: 75 feet
  - Shrub communities: 100 feet
  - Herbaceous communities: 150 feet

Water resource buffer zones must be untouched and maintained in their natural condition. NSA-LUDO § 14.600.B.2.c.

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.

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. In addition, Oregon white oak may not be removed if practicable alternatives exist. NSA-LUDO § 14.500C.3.j. If no practicable alternative exists, a wildlife survey and mitigation plan are required unless the project is forest practices that are otherwise allowed and that do not violate conditions of approval for other approved uses. NSA-LUDO § 14.500C.3.j.

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.

Fences

This property appears to be located within deer and elk winter range. Pursuant to NSA-LUDO § 14.600.C.2 new fences in deer and elk winter range are allowed only where necessary to control livestock or pets, or to exclude wildlife from specific areas, such as gardens. Fenced areas must be the minimum necessary to meet the needs of the project applicant. If the proposed fence is in deer and elk winter range, the top wire must be no more than 42 inches high, the distance between the two top wires must be at least 10 inches apart, the bottom wire must be at least 16 inches above the ground and must consist of smooth wire, stays or braces must be placed between fence posts to create a more rigid fence, and woven wire may not be used as fencing material. Applicants must demonstrate a specific need for any variance from these rules.

The large proposed fence to shield the applicants proposed home occupation from the neighbor apparently does not comply with NSA-LUDO § 14.600.C.2. In addition, it is highly unlikely that the 2,000+ square foot proposed fence could be rendered visually subordinate by siting, screening, or any other means.

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.

All uses except the following require a reconnaissance survey:

- The modification, expansion, replacement, or reconstruction of existing buildings and structures;
- Proposed uses that would not disturb the ground;
- Proposed uses that involve minor ground disturbance, as defined by depth and extent;
- Proposed uses that occur on sites that have been disturbed by human activities, provided the proposed uses do not exceed depth and extent of existing ground disturbance;
- Proposed uses that would occur on sites that have been adequately surveyed in the past; and
- Proposed uses occurring in areas that have a low probability of containing cultural Resources.

NSA-LUDO § 14.500.B.1.b. If any use is proposed within 500 feet of a known cultural resource, the Gorge Commission is responsible for preparing a cultural resource reconnaissance survey and report. NSA-LUDO §§ 14.500.B.1.c, B.3. Reconnaissance surveys and reports must comply with the standards at NSA-LUDO § 14.500.C.

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

ATTACHMENT F - COMMENTS

Sean Bailey <seanb@co.wasco.or.us>

Notice of Revised Application and Public Hearing - Tostado

Lane Magill <lanem@co.wasco.or.us> Thu, Jan 19, 2023 at 11:54 AM
To: Sean Bailey <seanb@co.wasco.or.us>
Cc: flathk@nwasco.k12.or.us, Jay Wood <jwood@mcfr.org>, steven-horzynek@nwascopud.org, 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

Pioneering pathways to prosperity.

Sean Bailey <seanb@co.wasco.or.us>

New Copy of Notice

Richard Wolfe <mrdoright1234@gmail.com> Mon, Jan 30, 2023 at 3:56 PM
To: Sean Bailey <seanb@co.wasco.or.us>

The 336 sq. ft. carport was not permitted and does not allow a fire break set back. Later the carport was sided and turned into a shop for a landscape business, this was not inspected by a fire marshal either?

Please help us understand, is this shop, safe to be built so close to our bedroom windows? If not, when will this be resolved.

[Quoted text hidden]

I am greatful to have Valencia & their buisness here on the hillside with us. They are quiet, considerate, respectful, & helpfull neighbors to have. Their buisness has never caused anykind of disruption, or disturbance. And they have tremendously helped reduce the fire risk arround my home, adding to the safety of our community.

Date: 5/22/22 Name: Michel Hagerman & Edith Pontow

Address: 4727 Simonelli Rd The Dalles, OR 97058

ATTACHMENT F - COMMENTS

COLUMBIA RIVER GORGE NATIONAL SCENIC AREA

USDA Forest Service
Wasco County

Cultural Resources Survey Determination

Applicant(s): Tania Valencia Tostado
4750 Simonelli Rd.
The Dalles, OR 97058

File No: 921-22-000104

Property Owner(s): Same as applicant

Type of Undertaking: Numerous things: After the fact reviews of 5 accessory structures, and an addition to the existing dwelling. New proposals for more additions to the home and to some of the accessory structures, new fences, new retaining walls, and a new patio.

Location of Undertaking: Same as applicant

Section 17 BD T2N, R13E Tax Lot(s) 1100

Quadrangle: The Dalles North OR/WA, 7.5' series, 1994, WM.

I have reviewed the proposed undertaking and area of potential effect as stated on the development review application, against the National Scenic Area records and inventories. These inventories include the cultural resource site inventory maintained by the State Historic Preservation Office. Based upon the information provided in these inventories and the requirements of the Gorge Commission's Land Use Ordinances, it is recommended that:

A Cultural Resource Reconnaissance Survey is: **Not Required**

A Historic Survey is: **Not Required**

8/15/2022

Chris Donnermeyer **DATE**
Heritage Resources Program Manager
Columbia River Gorge National Scenic Area

Reconnaissance Survey Not Required

Commission Land Use Ordinances specify when a reconnaissance survey must be conducted before a proposed development can be approved. My evaluation and review indicates that a reconnaissance is not required. This determination complies with the ordinance because the proposed development:

- ☒ Proposed use would involve the modification, expansion, replacement, or reconstruction of existing buildings and structures.
- ☒ Would 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
- ☒ Does not occur within 500 feet of a known archaeological site.

Supporting Information:

- The Management Plan for the Columbia River Gorge National Scenic Area does not require a reconnaissance survey for projects that involve the modification, expansion, replacement, or reconstruction of existing buildings and structures (Chapter 2 – Cultural Resources, Section 6. A. (1).
- The Management Plan for the Columbia River Gorge National Scenic Area does not require a reconnaissance survey for projects that occur in areas that have a low probability of containing cultural resources as long as they do not occur within 500-feet of an archaeological site or within 100-feet of a high probability area (Chapter 2 – Cultural Resources, Section 6. A. (6)).

Historic Survey Not Required

The Commission's Land Use Ordinance guidelines specify when a historic survey must be conducted before a proposed development can be approved.

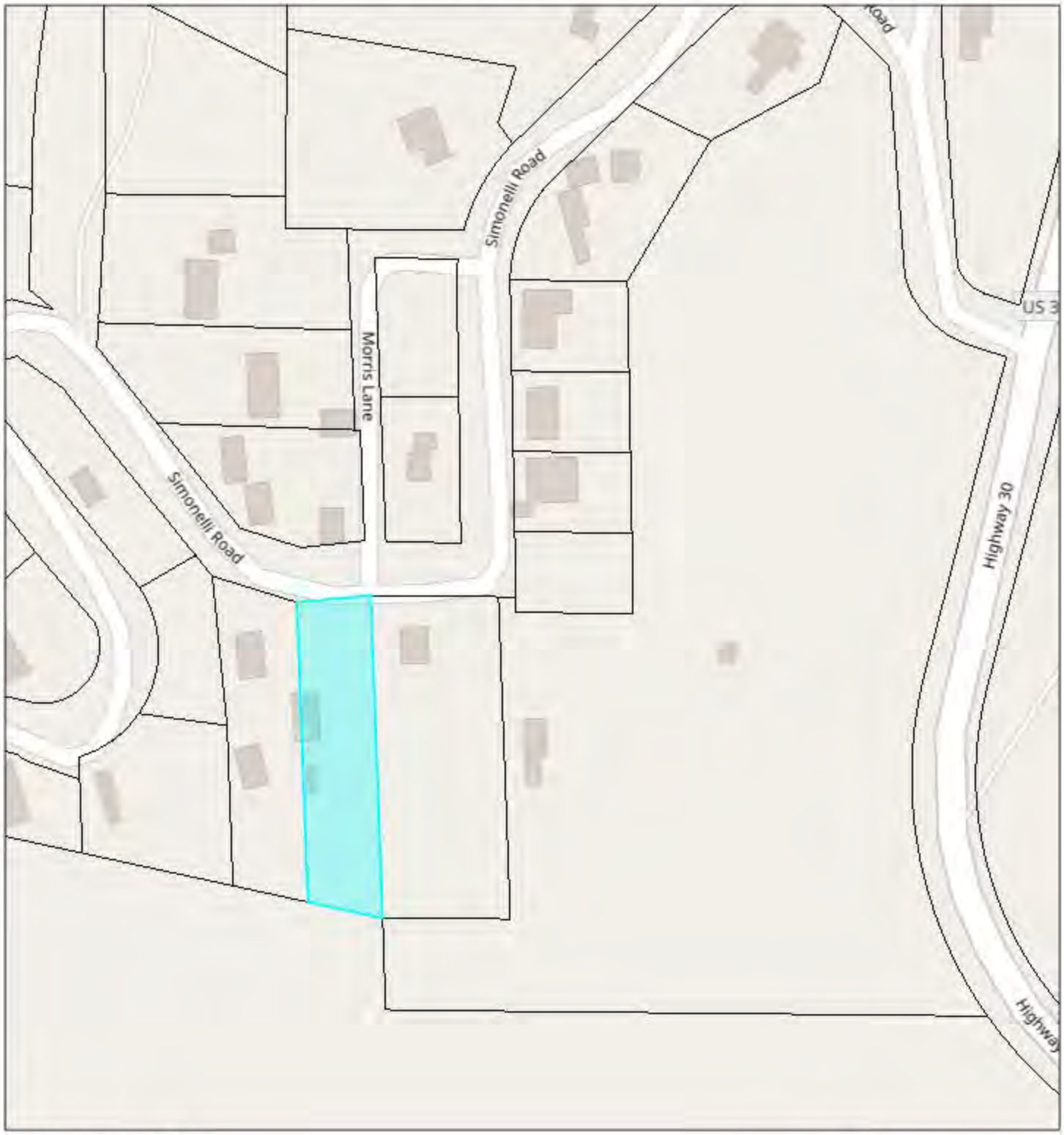
- ☒ Would not alter the exterior architectural appearance of significant buildings and structures that are 50 years old or older.
- ☒ Would not compromise features of the surrounding area that are important in defining the historic or architectural character of significant buildings or structures that are 50 years old or older.

Supporting Information:

As there is always the possibility that historic or pre-contact cultural materials may be discovered during activities associated with this undertaking, such discoveries are to be reported immediately. The applicant is required to cease work within the immediate vicinity of the discovery and immediately notify the Columbia River Gorge Commission as well as the Oregon State Historic Preservation Office. This condition is intended to protect newly discovered cultural resources.

New Discovery Telephone Numbers:
Columbia River Gorge Commission (509) 493-3323
Oregon State Historic Preservation Office (503) 986-0793

Subject Parcel



8/2/2022, 12:58:45 PM

1:2,257

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.08 km

Taxlots

Subject Parcel

© OpenStreetMap (and) contributors, CC-BY-SA, Wasco County GIS, DOGAMI, State of Oregon, Wasco County GIS, Lane County, Assessors, Wasco County GIS Wasco County Planning

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.

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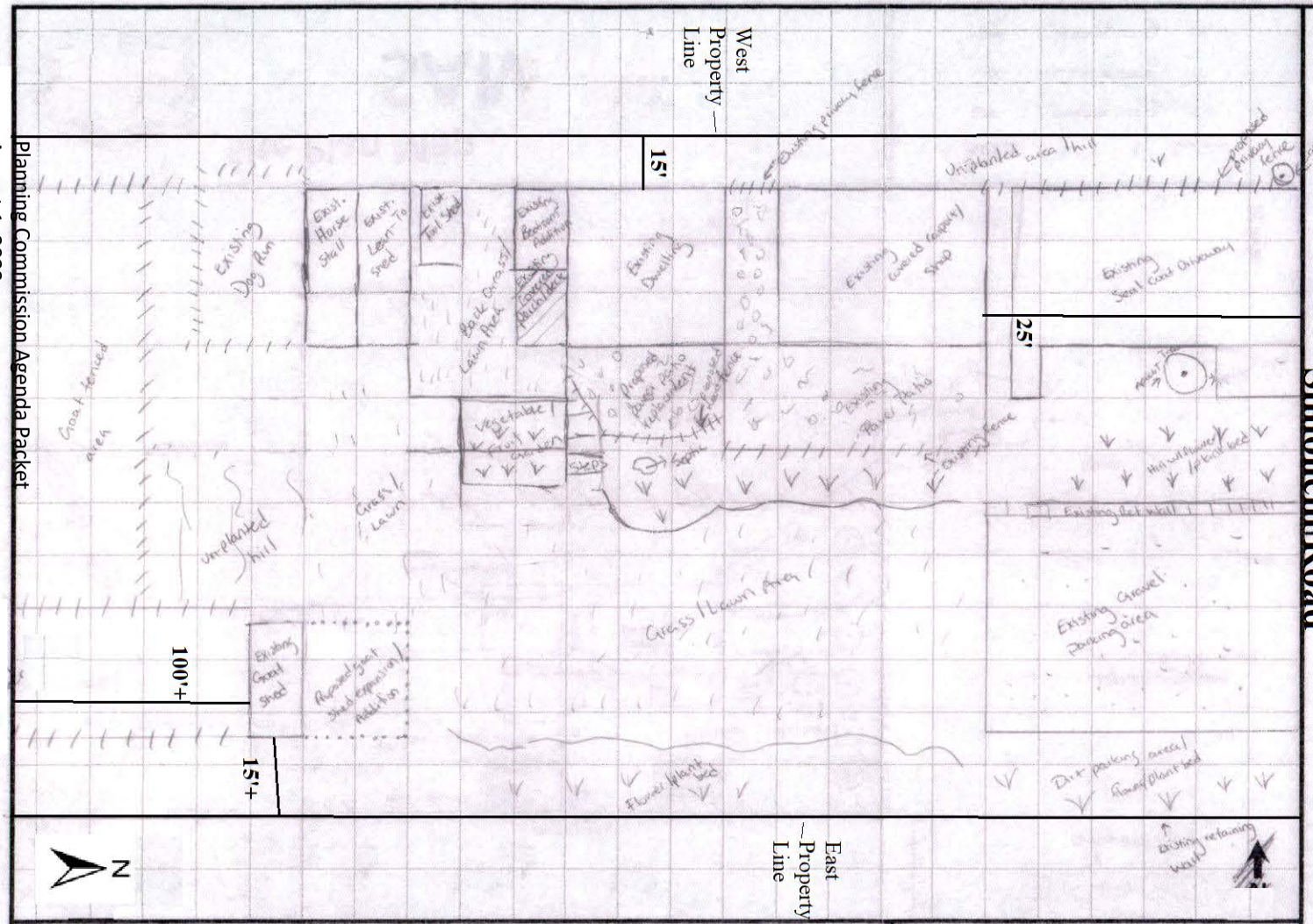

SITE PLAN MAP

Map, Tax Lot #: _____

Applicant: _____

File #: _____

SCALE: (select one)

1:50 (0 25 50) ☐

1:100 (0 50 100) ☐

1:200 (0 100 200) ☐

SITE PLAN CHECKLIST

SITE PLANS MUST SHOW THE FOLLOWING:

- ☐ Property boundary & development area dimensions
- ☐ Setback distances from proposed structures to all: ☐ Property lines ☐ Roadways ☐ Waterways
- ☐ Existing structures (location & size)
- ☐ Proposed structures (location & size)
- ☐ Septic tanks and drain fields (ALL existing and proposed)
- ☐ Existing & proposed services including wells, electricity, etc.
- ☐ Driveway & access to public/private roads
- ☐ Significant land forms & slopes

Fire Safety Information

- ☐ Indicate driveway width, length, and grade. Long drives should provided turnouts every 400'.
- ☐ Location of a standpipe (water spigot) at least 50' from each building that includes plumbing.
- ☐ Indicate 50' fire break surrounding new buildings.

NATIONAL SCENIC AREA APPLICATIONS MUST ALSO SHOW THE FOLLOWING:

- ☐ Location & depth of proposed grading, filling, ditching and excavating
- ☐ Outside lighting fixtures
- ☐ All proposed signs
- ☐ Location & height of outdoor storage & screening devices

Landscaping Plan

- ☐ Location, height and species of existing & proposed individual trees & vegetation. Indicate if any are proposed to be removed.
- ☐ Location of irrigation systems

DISCLAIMER: The Planning Department may require additional site plan elements depending on development specifics.

PLANNING DEPARTMENT

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January 19, 2023

Amended Notice of National Scenic Area Application and Cancelation of Public Hearing

Notice is hereby given that the Application for a Conditional Use within the National Scenic Area that had been submitted to the Wasco County Planning Department has been amended. The applicant has withdrawn the Conditional Use Permit Request, and therefore a Public Hearing will no longer be needed.

Notice is hereby given that an Administrative Decision will be made by the Wasco County Planning Director pertaining to the following amended request. You are entitled to comment for or against the proposal. Comments must address review criteria and may be submitted to the Wasco County Planning Department, 2705 East Second Street, The Dalles, OR 97058.

COMMENTS DUE: February 3, 2023

FILE NUMBER: 921-22-000104-PLNG

ORIGINAL REQUEST: Scenic Area Review for:

1. Conditional Use Permit for a Home Occupation (Valencia Lawn Care, LLC)
2. Permitting of Existing Non-Permitted Structures/Additions:
   - 336 Square Foot(SF) 21'L x 16'W x 12'H Accessory Structure(Front Shop)
   - 143 SF 13'L x 11'W x 12'H Accessory Structure (Back Stall)
   - 110 SF 10'L x 11'W x 10'H Accessory Structure (Goat/Hay/Quad)
   - 99 SF 9'L x 11'W x 10'H Accessory Structure (Lean-To)
   - 80 SF 10'L x 8'W x 8'H Accessory Structure (Back Tool Shed)
   - 210 SF 15'L x 14'W x 12'H Addition to Dwelling (Original Size of 704 SF, previous unpermitted addition increased the size to the current 914 SF)
3. 496 SF 16'L x 31'W Addition to Dwelling(Expanding Gable, Roof, Patio, Fence)
4. 140 SF 10'L x 14'W Addition to Dwelling (Back Porch with Roof)
5. 144 SF 12'L x 12'W x 10'H Addition to Accessory Structure (Goat/Hay/Quad)
6. 100 SF 10'L x 10'W x 8'H Addition to Accessory Structure (Back Tool Shed)
7. 800 SF 40'L x 20'W Concrete Patio
8. 20'L x 15'H Solid Privacy Fence (On south side of Patio)
9. 30'L x 4'H Fence (On north and west side of patio)
10. 26'L x 3'H Retaining Wall
11. 26'L x 3'H Retaining Wall
12. 52'L x 3'H Retaining Wall (Adjacent to driveway)
13. 54'L x 24'H Solid Privacy Fence (On south side of driveway)

AMENDED REQUEST: Permitting of Existing Non-Permitted Structures/Additions:

- 336 Square Foot(SF) 21'L x 16'W x 12'H Accessory Structure(Front Shop)
- 143 SF 13'L x 11'W x 12'H Accessory Structure (Back Stall)
- 110 SF 10'L x 11'W x 10'H Accessory Structure (Goat/Hay/Quad)
- 99 SF 9'L x 11'W x 10'H Accessory Structure (Lean-To)
- 80 SF 10'L x 8'W x 8'H Accessory Structure (Back Tool Shed)
- 210 SF 15'L x 14'W x 12'H Addition to Dwelling (Original Size of 704 SF, previous unpermitted addition increased the size to the current 914 SF)

APPLICANT: Tania Valencia Tostado, 4750 Simonelli Road, The Dalles, OR 97058

PROPERTY OWNERS: Same as Applicant

LOCATION: The subject property is located on the south side of Simonelli Road, approximately 0.25 miles southwest of the intersection of US HWY-30 and Simonelli Road, approximately 1.45 miles northwest of the City of The Dalles; more specifically described as:

Map/Tax Lot	Acct. #	Acres
2N 13E 17 BD 1100	1333	0.46

ZONING: "R-R" Rural Residential Zone (GMA & SMA), GMA R-2

REVIEW AUTHORITY: Section 2.050.A of the Wasco County National Scenic Area Land Use and Development Ordinance (NSA LUDO).

REVIEW CRITERIA: National Scenic Area Land Use & Development Ordinance (NSA LUDO) Chapter 3 – Basic Provisions, Section 3.160 "R-R" Rural Residential Zone (GMA & SMA); – Fire Safety Standards; Chapter 14 – Scenic Area Review; of the NSA LUDO

AVAILABLE INFORMATION: More information regarding this application is available on the Wasco County Planning Department website:
https://www.co.wasco.or.us/departments/planning/active_landuse_applications.php.
The table is sorted alphabetically by the name of the application. The information will be available until the end of the appeal period.

Copies of all review criteria and evidence relied upon by the applicant are available for free review or may be purchased at $0.25 per page at the Wasco County Planning Department.

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.

COMMENTS:

1. This form is for your convenience if you wish to comment. Comments may also be submitted via email to **seanb@co.wasco.or.us**. If you wish to comment, please provide sufficient detail to allow the Director to respond to the issue(s).
2. Comments received are a matter of public record and are made available to the applicant. Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Board based on that issue.

_____

_____

_____

_____

_____

_____

Date: _____ Name: _____

Address: _____

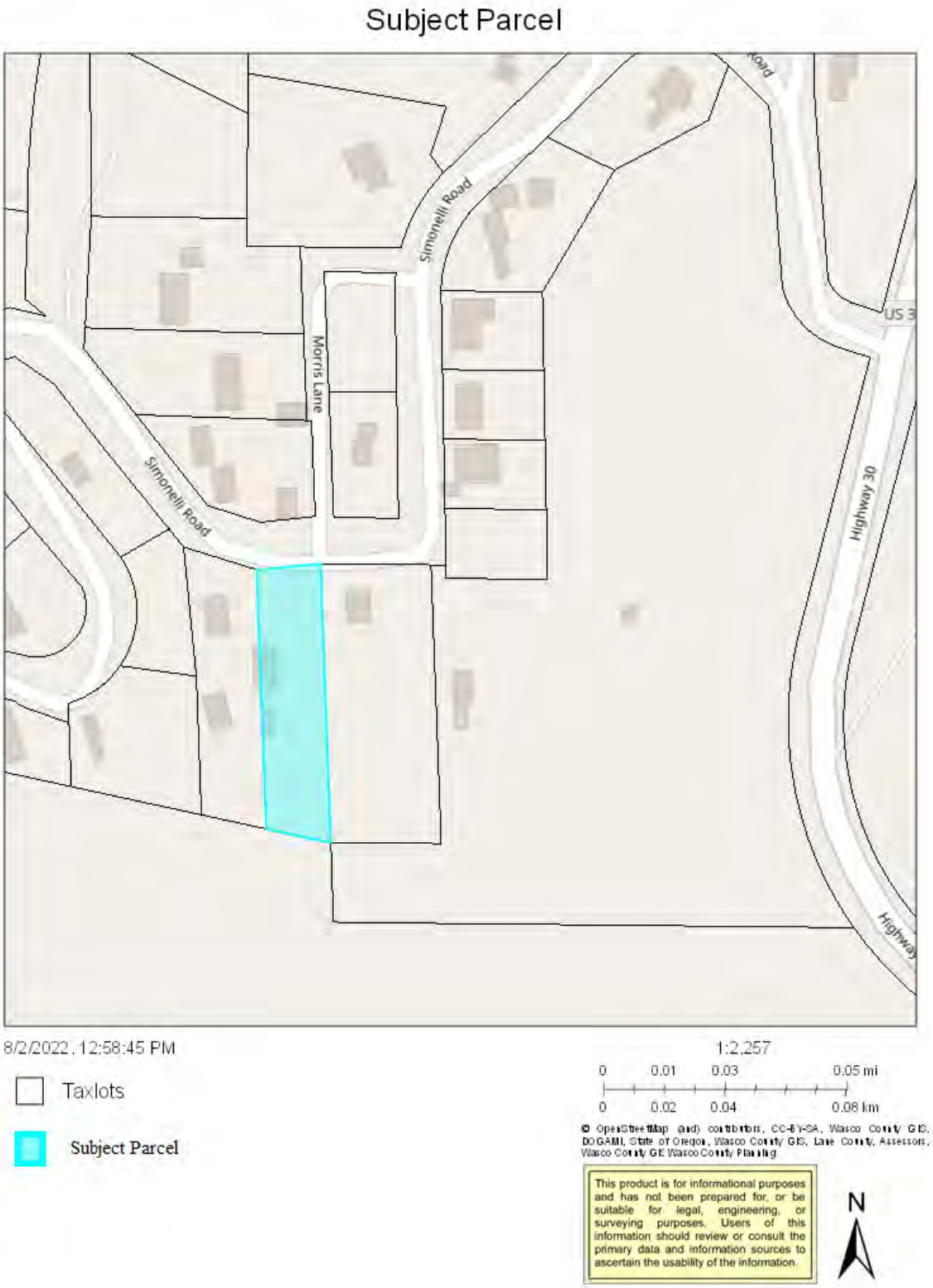
DECISION PROCESS:

1. An application is received and reviewed for completeness.
2. When deemed complete, the Public Notice of Administrative Action is mailed to affected public agencies, interested parties, and property owners within 200 or 500 feet of the subject property. Timely comments are weighed against the NSA LUDO criteria in a staff report.
3. A decision is reached by the Director based on findings in the staff report.
4. Parties of Record (affected agencies, property owners within 500 feet of the subject parcel, plus those other parties who comment) will receive a Notice of Decision.
5. Aggrieved parties may appeal a decision of the Director within 15 days of the decision date.

_____

Sean Bailey, Associate Planner

MAPS


Subject Parcel
Simonelli Road
Morris Lane
Simonelli Road
US 3
Highway 30
8/2/2022, 12:58:45 PM
1:2,257
0 0.01 0.03 0.05 mi
0 0.02 0.04 0.08 km
Taxlots
Subject Parcel
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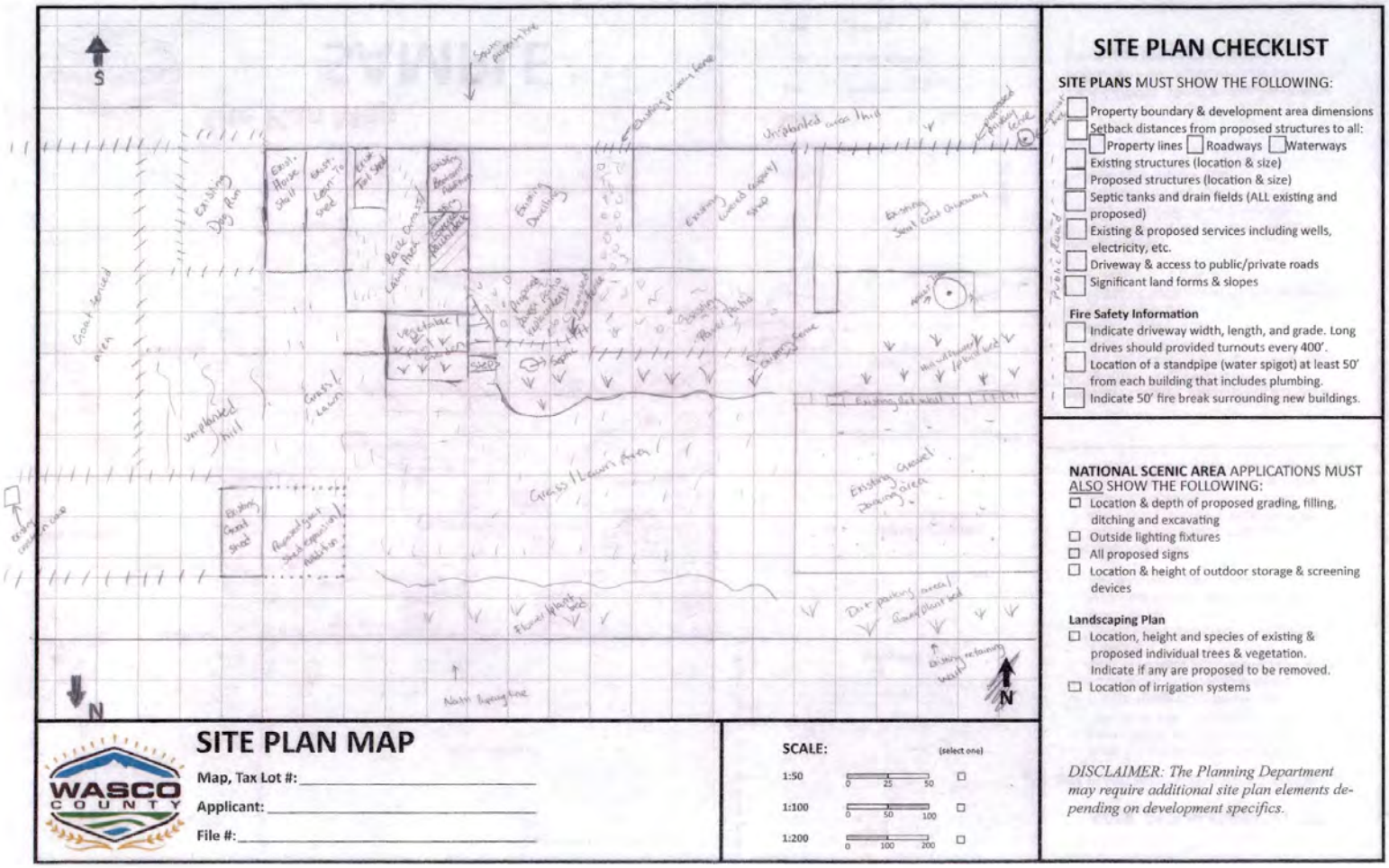
MAPS


S
N
SITE PLAN CHECKLIST
SITE PLANS MUST SHOW THE FOLLOWING:
Property boundary & development area dimensions
Setback distances from proposed structures to all:
Property lines Roadways Waterways
Existing structures (location & size)
Proposed structures (location & size)
Septic tanks and drain fields (ALL existing and proposed)
Existing & proposed services including wells, electricity, etc.
Driveway & access to public/private roads
Significant land forms & slopes
Fire Safety Information
Indicate driveway width, length, and grade. Long drives should provided turnouts every 400'.
Location of a standpipe (water spigot) at least 50' from each building that includes plumbing.
Indicate 50' fire break surrounding new buildings.
NATIONAL SCENIC AREA APPLICATIONS MUST ALSO SHOW THE FOLLOWING:
Location & depth of proposed grading, filling, ditching and excavating
Outside lighting fixtures
All proposed signs
Location & height of outdoor storage & screening devices
Landscaping Plan
Location, height and species of existing & proposed individual trees & vegetation. Indicate if any are proposed to be removed.
Location of irrigation systems
DISCLAIMER: The Planning Department may require additional site plan elements depending on development specifics.
SITE PLAN MAP
WASCO COUNTY
Map, Tax Lot #:
Applicant:
File #:
SCALE:
(select one)
1:50
1:100
1:200

PLANNING DEPARTMENT

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p: [541] 506-2560 • **f:** [541] 506-2561 • www.co.wasco.or.us

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NOTICE OF PUBLIC HEARING
WASCO COUNTY PLANNING COMMISSION

HEARING DATE & LOCATION INFORMATION: NOTICE IS HEREBY GIVEN that the WASCO COUNTY PLANNING COMMISSION will conduct a public meeting on Tuesday August 1, 2023, at 3:00PM. The hearing will be located in the Planning-Public Works Conference Room at 2705 E 2nd St, The Dalles, OR 97058. The meeting will also be held virtually. Information on how to attend from your telephone and/or computer will be available at least one week prior to the meeting on the Wasco County website: https://www.co.wasco.or.us/departments/planning/agendas_and_minutes.php. Language interpreters are available with one-week notice.

Hearings before the Wasco County Planning Commission are governed by ORS 197.797 and ORS 215.402 to 215.431, the Wasco County National Scenic Area Land Use and Development Ordinance Chapter 2, and the Rules of Procedure of the Wasco County Planning Commission. The meeting agenda includes the following public hearing:

August 1, 2023 HEARING DETAILS: File #921-22-000104-PLNG. Appeal of an administrative approval of a Scenic Area Review to Permit Existing Non-Permitted Accessory Structures/Addition:

- 336 Square Foot (SF), 21'L x 16'W x 12'H Accessory Structure (Front Shop)
- 143 SF, 13'L x 11'W x 12'H Accessory Structure (Back Stall)
- 110 SF, 10'L x 11'W x 10'H Accessory Structure (Goat/Hay/Quad)
- 99 SF, 9'L x 11'W x 10'H Accessory Structure (Lean-To)
- 80 SF, 10'L x 8'W x 8'H Accessory Structure (Back Tool Shed)
- 210 SF, 15'L x 14'W x 12'H Addition to Dwelling (Original Size of 704 SF, previous unpermitted addition increased the size to the current 914 SF).

The subject property is located on the south side of Simonelli Road, approximately 0.3 miles southwest of the intersection of US HWY-30 and Simonelli Road, approximately 1.5 miles northwest of the City of The Dalles; more specifically described as:

Map/Tax Lot	Acct. #	Acres
2N 13E 17 BD 1100	1333	0.46

REVIEW AUTHORITY: Wasco County National Scenic Area Land Use and Development Ordinance Chapter 2 Section 2.050.B.1

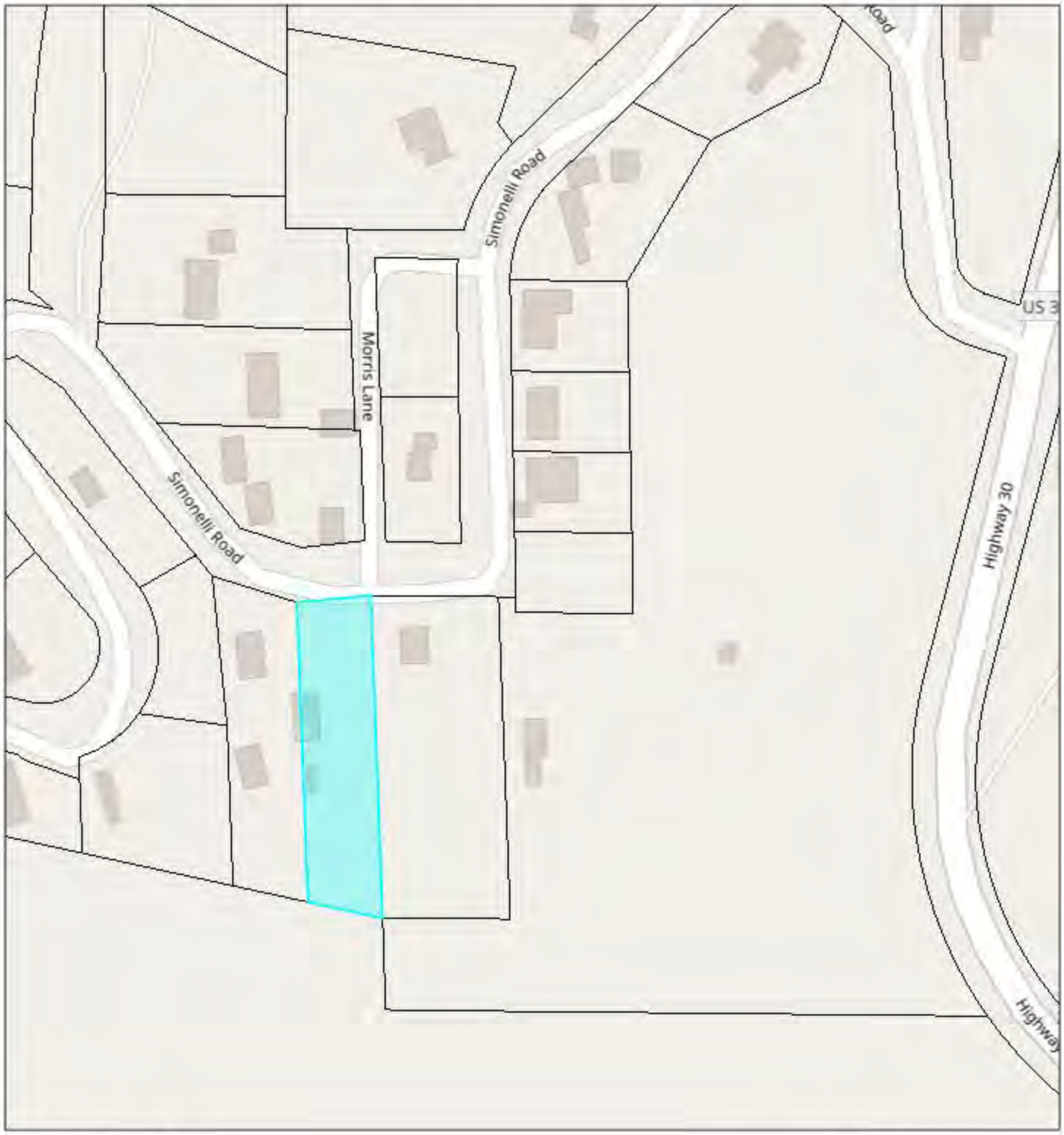
REVIEW CRITERIA: Wasco County National Scenic Area Land Use and Development Ordinance Chapter 3 3.160 "R-R" Rural Residential Zone (GMA & SMA); Chapter 11 – Fire Safety Standards; Chapter 14 – Scenic Area Review;

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 **seanb@co.wasco.or.us**, or in person at the hearing. Written comments should be submitted by **4:00 pm on July 20, 2023**, to be included in Planning Commission Hearing Packet. All other comments must be submitted by **12:00 pm on August 1, 2023, or at the hearing itself**. 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 request should be directed to: Sean Bailey, Associate Planner, at 541-506-2544 or **seanb@co.wasco.or.us**.

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. If additional documents or evidence are provided by any party, the local government may allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. 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 are available online at: https://www.co.wasco.or.us/departments/planning/agendas_and_minutes.php and at: https://www.co.wasco.or.us/departments/planning/active_landuse_applications.php.

APPEAL INFORMATION: Failure to raise an issue in the hearing, in person or by letter, accompanied by statements or evidence sufficient to afford the Planning Commission or other parties an opportunity to respond to the issue, precludes appeal to the Wasco County Court on such issue.

Subject Parcel



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Taxlots

Subject Parcel

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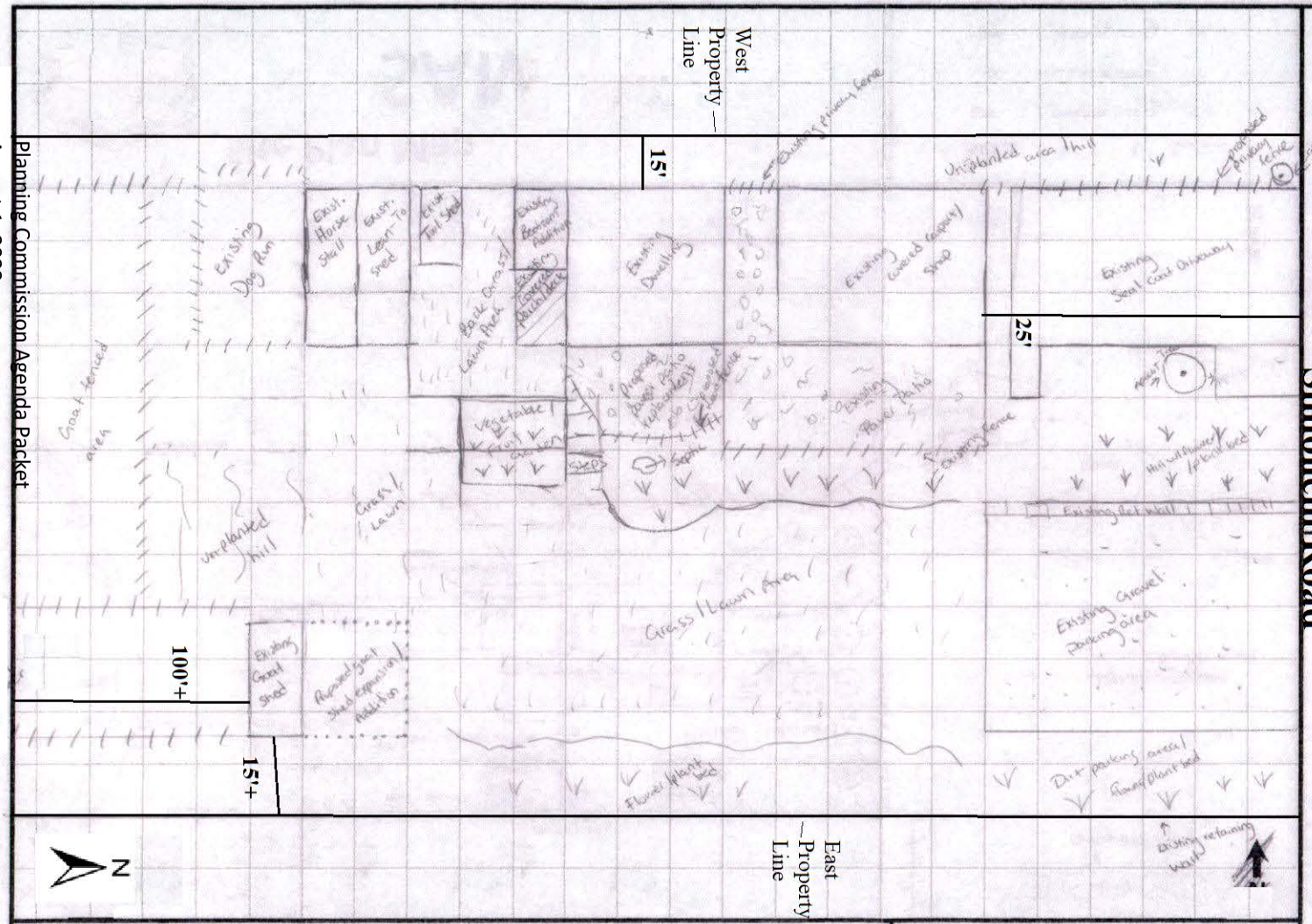

SITE PLAN CHECKLIST

SITE PLANS MUST SHOW THE FOLLOWING:

- ☐ Property boundary & development area dimensions
- ☐ Setback distances from proposed structures to all: ☐ Property lines ☐ Roadways ☐ Waterways
- ☐ Existing structures (location & size)
- ☐ Proposed structures (location & size)
- ☐ Septic tanks and drain fields (ALL existing and proposed)
- ☐ Existing & proposed services including wells, electricity, etc.
- ☐ Driveway & access to public/private roads
- ☐ Significant land forms & slopes

Fire Safety Information

- ☐ Indicate driveway width, length, and grade. Long drives should provided turnouts every 400'.
- ☐ Location of a standpipe (water spigot) at least 50' from each building that includes plumbing.
- ☐ Indicate 50' fire break surrounding new buildings.

NATIONAL SCENIC AREA APPLICATIONS MUST ALSO SHOW THE FOLLOWING:

- ☐ Location & depth of proposed grading, filling, ditching and excavating
- ☐ Outside lighting fixtures
- ☐ All proposed signs
- ☐ Location & height of outdoor storage & screening devices

Landscaping Plan

- ☐ Location, height and species of existing & proposed individual trees & vegetation. Indicate if any are proposed to be removed.
- ☐ Location of irrigation systems

DISCLAIMER: The Planning Department may require additional site plan elements depending on development specifics.

WASCO COUNTY

SITE PLAN MAP

Map, Tax Lot #: _____

Applicant: _____

File #: _____

SCALE: (select one)

1:50 (0 – 25 – 50) ☐

1:100 (0 – 50 – 100) ☐

1:200 (0 – 100 – 200) ☐

PLANNING DEPARTMENT

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PLANNING APPLICATION COVER PAGE
NATIONAL SCENIC AREA

SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT					
File #	921-22-000104-PLNG	Fee:	3638.50	Decision: ☐ Approved ☐ Denied	
Date Received:	7/12/2022	Received by: (Planner Initials)	SB	Decision Date:	
Date Complete:		Reviewed by: (Planner Initials)		Issued by: (Planner Initials)	

APPLICANT INFORMATION

Name: Tania Valencia Tostado

Address: 4750 Simonelli Road

City/State/Zip: The Dalles, OR 97058

Phone: 541-705-0674

Email: tania_t8@hotmail.com

OWNER INFORMATION

Name: Tania Valencia Tostado

Address: 4750 Simonelli Road

City/State/Zip: The Dalles, OR 970158

Phone: 541-705-0674

Email: valencialawncare@outlook.com

Primary Point of Contact for staff: Tania Valencia

PROPERTY INFORMATION

Physical Address / Location Information: 4750 Simonelli Rd, The Dalles, OR 97058

Township, Range, Section, Tax Lot(s)	Acct #	Acres	Zoning	Overlay Zone(s)
2N 13E 17 BD 1100	1333	GIS 0.46	GMA R-2	OZ-12 (Bird)
				USFS White Oak

SIGNATURES:

Applicant(s) Tania Valencia Tostado Date: 07/01/2022

Date:

Property Owner(s) Tania Valencia Tostado Date: 07/01/2022

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*): _____

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.)

Conditional Use Permit for a Home Occupation (Landscaping Business), and permits for pre-existing accessory structures constructed by prior owners, as well as other improvements.

Dimensions of PROPOSED Improvements				
Structure/Development*	Length	Width	Height (at peak)	Square Footage
Example: Dwelling	35 feet	40 feet	16 feet	1,400 SF
Accessory Bld: Front Shop	21	16	12	336 SF
Accessory Bld: Back Tool Shed	10	8	8	80 SF (Want to Expand)
Accessory Bld: Lean-To	9	11	10	99 SF
Accessory Bld: Back Stall	13	11	12	143 SF
Accessory Bld: Goat/Hay/Quad	10	11	10	110 SF (Want to Expand)
Home Addition: Bedroom	15	14	12	210 SF
Dimensions of EXISTING Development				
Home Addition: Back Porch	10	14		140 SF
(With Roof)				
Home Addition: Gable Expand	16	31		496 SF
(With Roof, Paver Patio, Fence)				

*Please list all structures, including dwellings, sheds, well/pump houses, barns, shops, loafing sheds, fencing, etc.

ADDITIONAL PROPERTY INFORMATION:

Water source: Tooley Water District Sewage disposal method: ☑ Septic ☐ Sewer ☐ None

Are there wetlands/waterways on your property? ☑ NO ☐ YES (description) _____

Name of road(s) providing access: Simonelli Road

Current use of property: ☐ Agricultural ☐ Forestry ☑ Residential ☐ Commercial ☐ Industrial ☐ Vacant ☐ Other _____

Do you own neighboring property? ☑ NO ☐ YES (description) _____

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): _____

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*): _____

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.)

_____

_____

Dimensions of PROPOSED Improvements				
Structure/Development*	Length	Width	Height (at peak)	Square Footage
Example: Dwelling	35 feet	40 feet	16 feet	1,400 SF
Improvement:Front (West Patio)	40	20		800 SF
With Solid Privacy Fence South	20		15	
With Normal Fence N and W	30		4	
Improvement: Retaining Wall L	26		3	
Dimensions of EXISTING Development				
New: Retaining Wall M	26		3	
New: Retaining Wall Driveway	52		3	
New: Solid Wood Priv. Fence	54		24 (or max allowed)	
(On South Side of Driveway)				

*Please list all structures, including dwellings, sheds, well/pump houses, barns, shops, loafing sheds, fencing, etc.

ADDITIONAL PROPERTY INFORMATION:

Water source: Tooley Water Sewage disposal method: ☑ Septic ☐ Sewer ☐ None

Are there wetlands/waterways on your property? ☑ NO ☐ YES (description) _____

Name of road(s) providing access: Simonelli Road

Current use of property: ☐ Agricultural ☐ Forestry ☑ Residential ☐ Commercial ☐ Industrial ☐ Vacant ☐ Other _____

Do you own neighboring property? ☑ NO ☐ YES (description) _____

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- ☐ 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: GMA R-2

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

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PLANNING DEPARTMENT

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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: Conditional Use Permit for a Home Occupation (Landscaping Business), and permits for pre-existing accessory structures constructed by prior owners.

APPLICANT INFORMATION

Name: Tania Tostado
Address: 4750 Simonelli Road
City/State/Zip: _____
Phone: 541-705-0674
Email: ValenciaLawnCare@outlook.com

OWNER INFORMATION

Name: Same as Applicant Tania Valencia Tostado
Address: 4750 Simonelli Road
City/State/Zip: The Dalles, OR 97058
Phone: 541-705-0674
Email: tania_tb@hotmail.com

PROPERTY INFORMATION

Township/Range/Section/Tax Lot(s)	Acct #	Acres	Zoning
2N 13E 17 BD 1100	1333	GIS 0.46	GMA R-2

Property address (or location): 4750 Simonelli Rd, The Dalles, OR 97058

***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.
[ ] Ye s – Comment _____

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 _____

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 _____

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 _____

When required by standard **10.110(B)(2)/11.110(B)(2)** decks will be built of fire resistant material.

☐ Yes – Comment _____

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 _____

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 _____

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 _____

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 _____

Have a single point of access to the building if service is not provided underground.

☐ Yes – Comment _____

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 _____

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 _____

***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 _____ [ ] 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 _____ [ ] No, See Attached Fire Safety Plan

B(1). Corners will meet the minimum curve radius (20' or 48') required for large vehicles.

[■] Yes – Comment _____ [ ] 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 _____ [ ] No, See Attached Fire Safety Plan

B(3). Turnouts 40' long by 20' wide will be provided at least every 400'.

[■] Yes – Comment _____ [ ] No, See Attached Fire Safety Plan

C(1). Minimum clearance of 13' vertical and 14' horizontal will be maintained for emergency vehicles.

[■] Yes – Comment _____ [ ] No, See Attached Fire Safety Plan

C(2). Fire fuel break extending 10' both sides of driveway center line will be maintained.

[■] Yes – Comment _____ [ ] No, See Attached Fire Safety Plan

D. Driveways longer than 150' will end with a 95' diameter turnaround (or 120' hammerhead).

[■] Yes – Comment _____ [ ] No, See Attached Fire Safety Plan

E. Bridges and culverts will support 75,000 lbs gross vehicle weight.

[■] Yes – Comment _____ [ ] 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 _____

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 _____

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 _____ [ ] 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 MC F&R [ ] 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 _____ [ ] 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.

Tania Valencia — 07/01/2022
Owner Signature — Date

_____
Owner Signature — Date

Last Updated 3/21/2022

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: _____

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	See Apendix "C"				
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 ~~Appox. 525 ft.~~

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):

Adjacent Southern Property is GMA A-2, but not active use.

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):

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.

- ☑ 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.

Tania Valencia Tostado
Valencia Lawn Care LLC
4750 Simonelli Road
The Dalles, OR 97058

July 1st, 2022

To whom it may concern,

I am writing this letter to provide some background information about my property/residence located at 4750 Simonelli Road in The Dalles, Oregon and to provide additional details on the application being submitted. I will also provide a detailed description of the business activities that take place here.

I bought my home in December of 2017 after graduating from Portland State University in June of 2017. At the time, I had only qualified for a $155,000 loan, so my options and choices were very limited. After looking at the market for several months, I found this home, which fit all my needs and was within my budget. In August of 2018, I got married, and in March of 2019, my husband and I saw a need for quality lawn maintenance services in our area, so we decided to start our landscaping business, Valencia Lawn Care LLC. For about a year, it was only my husband working the business, so he used his personal truck and trailer. Despite the pandemic, in 2020, our sales grew, and our customer base increased significantly thereafter. To keep up with the growth, we had to purchase more vehicles and equipment, and hire employees. Having driven through HWY 30 frequently since moving here, we had noticed over 5 businesses park their vehicles and equipment at their homes (See Appendix A below for examples), so we didn't think that we needed any special permits or that we needed to lease a shop or building exclusively for our business, especially since it wasn't being operated at our property.

Around November of 2021, we noticed our neighbor stopped asking us for help and even stopped talking to us. In February of this year, our neighbor started recording us and our employees in the morning and everyone else that visited our home throughout the day. We had always gotten along with him well, and had even done voluntary work for him, so we weren't sure what was going on, but we kept to ourselves, like we usually do. He would first call the sheriff every day, but the sheriffs said we were just working like everyone else and that there was no noise ordinance in this area (which we weren't making any loud noises). The equipment we had outside was less visible and covered less space than the equipment the complaining neighbor stores outside of his property (please see pictures in Appendix E, below for illustration). Around March of this year, we received an email from your department about a neighbor complaining about our "un-permitted" buildings, our dogs, and our business, and we immediately knew it was our neighbor at 4752 Simonelli Road. After we received your letter, we started reading more about the special zoning requirements and rules for this area, which we had never heard about before, so we immediately contacted your office.

When we started Valencia Lawn Care, LLC, we were expecting and hoping to grow, and then buy a bigger house/property with a shop or build a shop within 5 years. We weren't intending to change the purpose or zoning of our property from residential to commercial. Unfortunately, the pandemic caused many impacts in late 2019, which changed the real estate market. In 2020, homes prices more than doubled, there was a shortage supply of homes, people began bidding wars on properties, which drove the cost of properties and rent/leasing a lot higher. For a while now, we have tried placing offers on a

couple homes that have more space. For example, in 2021, we had a showing at 5960 Chenowith Creek Road. When we were about to put an offer, the owners had already sold the home. In May of this year, we put an offer in at Sandlin Road for $299,000. Though we were the first offer, within a day, there were 5 more offers, so we were advised to increase ours to $320,000 and, unfortunately, were outbid (please see Appendix B, below for our offer letters). Since 2020, we have also verbally inquired about commercial property leasing/availability, but the only spaces currently available are small office spaces, which are no use to us. Additionally, this year, 2022, mortgage interest rates have doubled, which has made it even harder to afford the purchase of property.

We are hoping the market stabilizes soon, and we are also hoping more properties become available for either purchase or lease. It is not our intention to permanently grow our business on our 0.47-acre property nor to try to convert it into a commercial property. Our goal has always been to grow our company bigger than the current space we have.

In the meantime, we would like to take steps to obtain a conditional use permit for a home occupation. We would also like to permit everything that was pre-existing and non-permitted prior to the purchase of our home, as well as make a couple improvements on our property (See Appendix C for list of Pre-Existing improvements we'd like to get permitted, as well as a list of potential improvements we'd like to make).

A typical week for the business would consist of 6 of our employees arriving between 6:00am and 7:30am Monday through Friday, and sometimes Saturdays. The first crew (3 of those 6 employees) would all arrive at the same time between those hours and the second crew (3 of 6 employees) would arrive between the same time, but at a different time from the first crew, so they wouldn't all 6 congregate at the same time. They would then clock in and load small equipment, such as weed-eaters, chainsaws, hedge trimmers, wheelbarrows, rakes, etc. (depending on what work would be done that day). The small equipment would mainly be stored in the pre-existing covered carport, which we mostly use for our personal power tools. Non-powered tools, such as wheelbarrows, rakes, hoes, etc. Would be stored in the back stall, where we also have our dogs. The larger equipment such as the mowers, would already be loaded on the trailers, but may occasionally have to also be loaded and unloaded. The only reason we would load and unload the smaller equipment, is to mitigate theft; otherwise, we would keep everything pre-loaded onto vehicles and trailers. Each crew would usually be here loading in the morning for about 15-30 minutes. Only 2 of our employees would park their vehicles at our property, the other 4 would park elsewhere or would be picked up by one of our employees who would take one of our business trucks to his home. After the equipment would be loaded and our employees would leave for work, there would usually be 1 trailer left (which we typically don't use), our personal vehicles, and 2 employee vehicles (See Appendix D for illustration). Depending on the weather, our employees would typically arrive again after 8-10 hours of work (between 3:00pm and 5:30pm), unload the smaller equipment that was loaded in the morning, then clock out. This would typically be a faster 15-20-minute process. After the workday would end, there would be 3 trailers and 1 company truck parked our property over the evening and night. Aside from power tools and equipment being stored in our pre-existing structures, pallets would occasionally be brought back from sod or wall installations done at our customer's properties. They would only be stored on our property for a few days until we return them to our supplier for credit.

The complaining neighbor has his property about 20ft above ours, so he would an advantage of being able to see our property and the activities taking place here. All other neighbors would only see from a street view (see Appendix D below for illustration). Most of our neighbors have already said they have no issues with the activities that take place here, and that if the planning department reviewed all properties in our community, we would all be non-compliant. We also do volunteer work for a couple neighbors who are disabled veterans, and if we were not allowed to have anything pertaining to our business in our residence, we would no longer be able to offer our free services to them.

In order to minimize/reduce visibility from the complaining neighbor's house, we would like to build a 24' tall fence on our driveway (the maximum fence height allowed in our zone) (see rough picture of fence in Appendix C, Driveway Privacy Fence), which is where he's able to see our employees walk with equipment. This fence would be solid and built with cedar pickets. It would be stained dark, earth-toned color. There would also have a 3-foot retaining wall below this fence to keep our neighbor's soil from eroding onto our property. We would also be planting arborvitaes or junipers in front of this fence to make it blend with the landscape and not have so much wood.

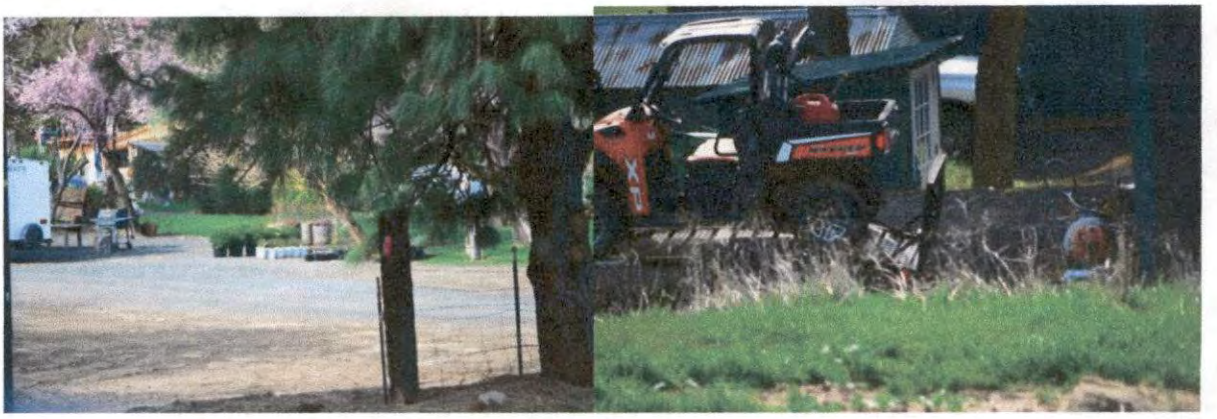
To conclude, our plan has never been to grow a business on our residential property, nor to convert it into a commercial property. As stated above, our goal has always been to grow and minimize business use at our residential property. We started Valencia Lawn Care LLC when we saw a need for quality landscaping services in our area. We strive to always improve and help our community members. We believe that we have made a positive impact to most of our community and community members. During the winter, we plow the roads in the area. We also work with the Tooley budget committee (which I am also a part of) to complete projects that are needed. We also provide volunteer labor to a couple retired, veteran neighbors. Unfortunately, we don't get to pick our neighbors, but we believe that one neighbor's opinion and opposition shouldn't impact the rest of the benefits and positive impacts we've made to the rest of our community members. Finally, I would recommend that the Wasco County Planning Department advises real estate agents to emphasize the rules and regulations that exist in this area for current and future buyers. I, unfortunately, was never advised about the specific zoning requirements and what they entailed.

Regards,

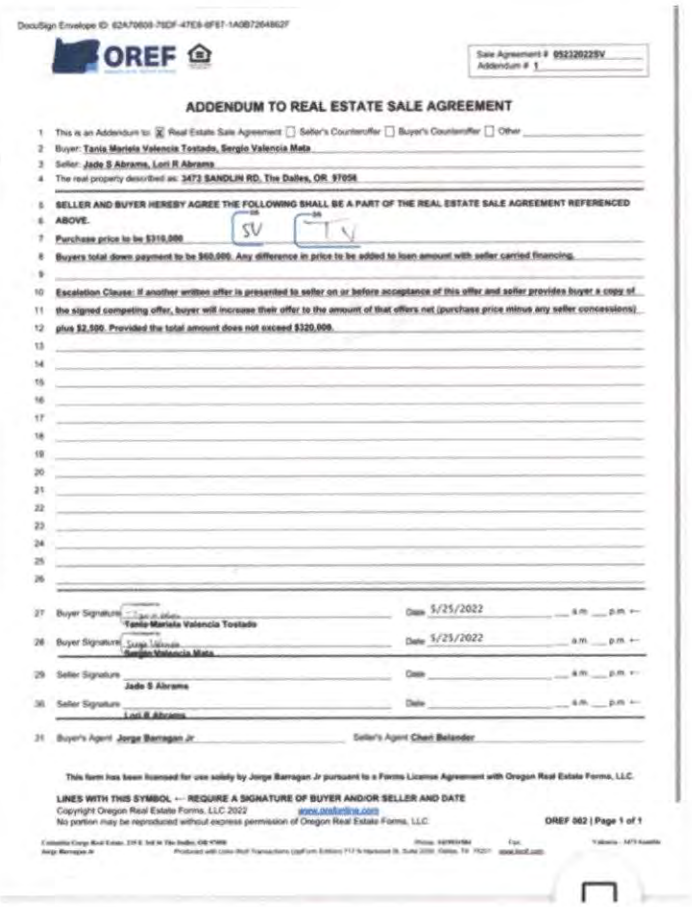
Tania Valencia

Valencia Lawn Care LLC

APPENDIX A



APPENDIX B



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OREF

Sale Agreement # 05232022SV
Addendum # 1

ADDENDUM TO REAL ESTATE SALE AGREEMENT

This is an Addendum to: [X] Real Estate Sale Agreement [ ] Seller's Counteroffer [ ] Buyer's Counteroffer [ ] Other

Buyer: Tania Mariela Valencia Tostado, Sergio Valencia Mata

Seller: Jade S Abrams, Lori R Abrams

The real property described as: 3472 SANDLIN RD, The Dalles, OR 97058

SELLER AND BUYER HEREBY AGREE THE FOLLOWING SHALL BE A PART OF THE REAL ESTATE SALE AGREEMENT REFERENCED ABOVE.

Purchase price to be $310,000

Buyers total down payment to be $60,000. Any difference in price to be added to loan amount with seller carried financing.

Escalation Clause: If another written offer is presented to seller on or before acceptance of this offer and seller provides buyer a copy of the signed competing offer, buyer will increase their offer to the amount of that offers net (purchase price minus any seller concessions) plus $2,500. Provided the total amount does not exceed $320,000.

Buyer Signature: Tania Mariela Valencia Tostado — Date 5/25/2022 — a.m. p.m.

Buyer Signature: Sergio Valencia Mata — Date 5/25/2022 — a.m. p.m.

Seller Signature: Jade S Abrams — Date — a.m. p.m.

Seller Signature: Lori R Abrams — Date — a.m. p.m.

Buyer's Agent Jorge Barragan Jr — Seller's Agent Chari Belander

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LINES WITH THIS SYMBOL ← REQUIRE A SIGNATURE OF BUYER AND/OR SELLER AND DATE

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OREF 002 | Page 1 of 1

APPENDIX C

Please find below the list of the current structures and improvements that were in place/done prior to the purchase of our home by the previous owners, as well as a list of possible improvements.

Existing Buildings:

- **Front Shop/Covered Carport:** As discussed, the carport was already in place, we just enclosed it to protect the items we store there. Measures:16'W X 21'L X 12'Tall (at its highest point).
    - **Possible improvements:** Paint dark and medium brown colors.
- **Back Tool Shed:** As discussed, this was already in place. Measures: 8'W X 10'L X 8'Tall (at its highest point)
    - **Possible improvements:** If possible, expand it. Reduce its depth and increase it's width.

- **Back Lean-To By Stall:** As discussed, this was already in place. Measures: 11'W X 9'L X 10'Tall (at its highest point)
    - **Possible improvements:** Possibly re-stain a dark color brown.

- **Back Stall:** As discussed, this was already in place. Measures: 11'W X 13'L X 12'Tall (at its highest point)
    - **Possible improvements:** N/A

- **Back/Lower Goat/Hay Building:** As discussed, this was already in place. Measures: 10'W X 11'L X 10'Tall (at its highest point)
    - **Possible improvements:** Possibly re-stain, repair siding, and make larger.

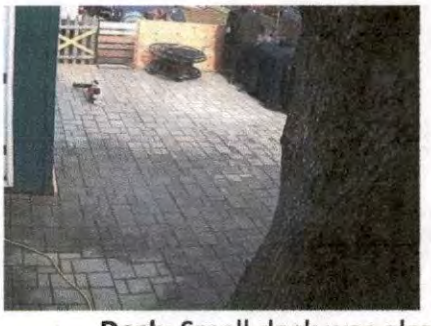
- **Back Porch/Deck:** As discussed, this was already in place. Measures: 10'W X 14'L

  Possible improvements: Re-stain brown

- **Back Pergola/Roof Over Porch/Deck:** As discussed, this was already in place. Measures: 10'W X 14'L
    - **Possible improvements:** Re-build pergola and stain brown. Current pergola is rotting from exposure to elements. Replace plastic roof panel with metal roof panels.

- **Back Bedroom/Addition:** As discussed, this was already in place. Measures: 15'W X 14'L X 12'Tall (at its highest point)
    - **Possible improvements:** N/A

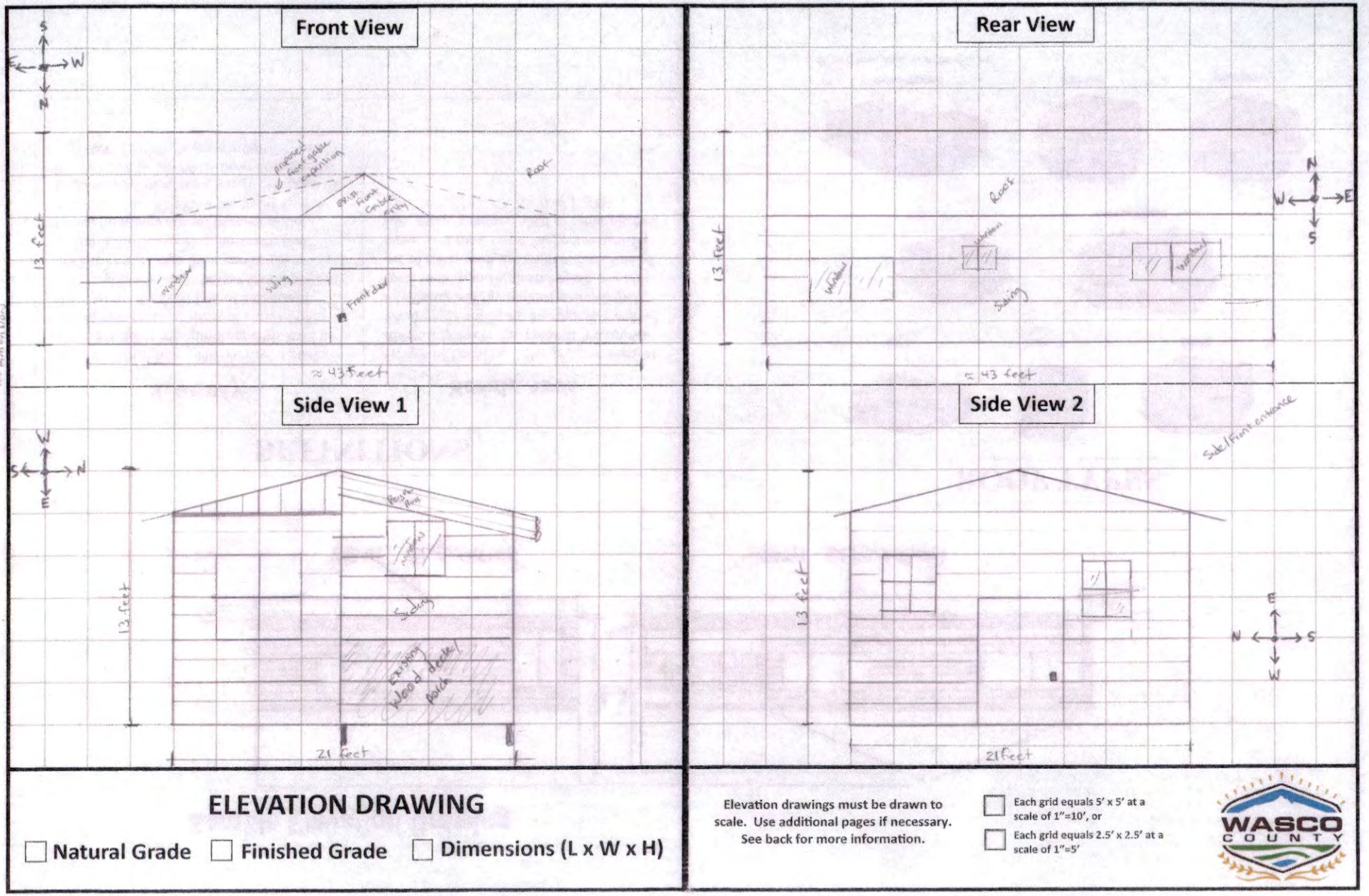
- **West Patio:** Patio was already in place. We replaced old paver patio that was broken with new paver patio. Measures: 800sqft
    - **Possible improvements:** N/A, just get it permitted if needed.



- **Deck:** Small deck was already in place. We made it larger and stained brown.
    - **Possible improvements:** There is a concrete patio under it that was already there. We might remove the wooden deck and replace the concrete patio underneath with a paver patio, if approved. Patio would measure 16'W X 31'L

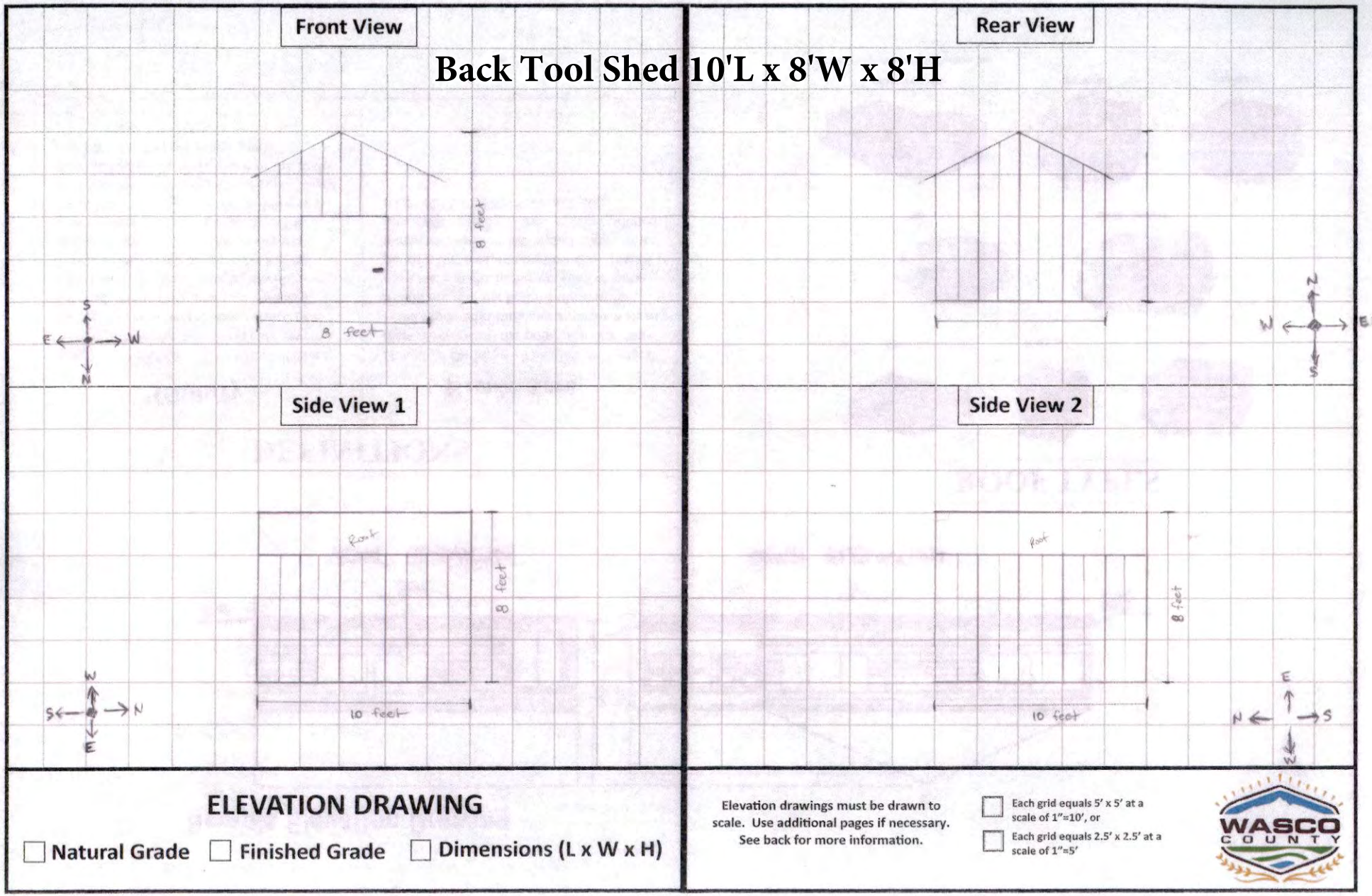
- **Patio Fence:** There was already a fence, but we built a sturdier one to prevent people from following to lower property level. We also stained it brown. Measures: 16' X 24' X 7'.
    - **Possible improvements:** N/A, just get permitted if needed. Extend to new potential patio on north front entrance.

- **Patio Privacy Fence:** There was already a fence, but we built a sturdier one. We also stained it brown. Measures: 16' Wide X 6' Tall
    - **Possible improvements:** N/A, just get permitted if needed.



Dwelling with Addition

Back Tool Shed 10'L x 8'W x 8'H



ELEVATION DRAWING

☐ Natural Grade ☐ Finished Grade ☐ Dimensions (L x W x H)

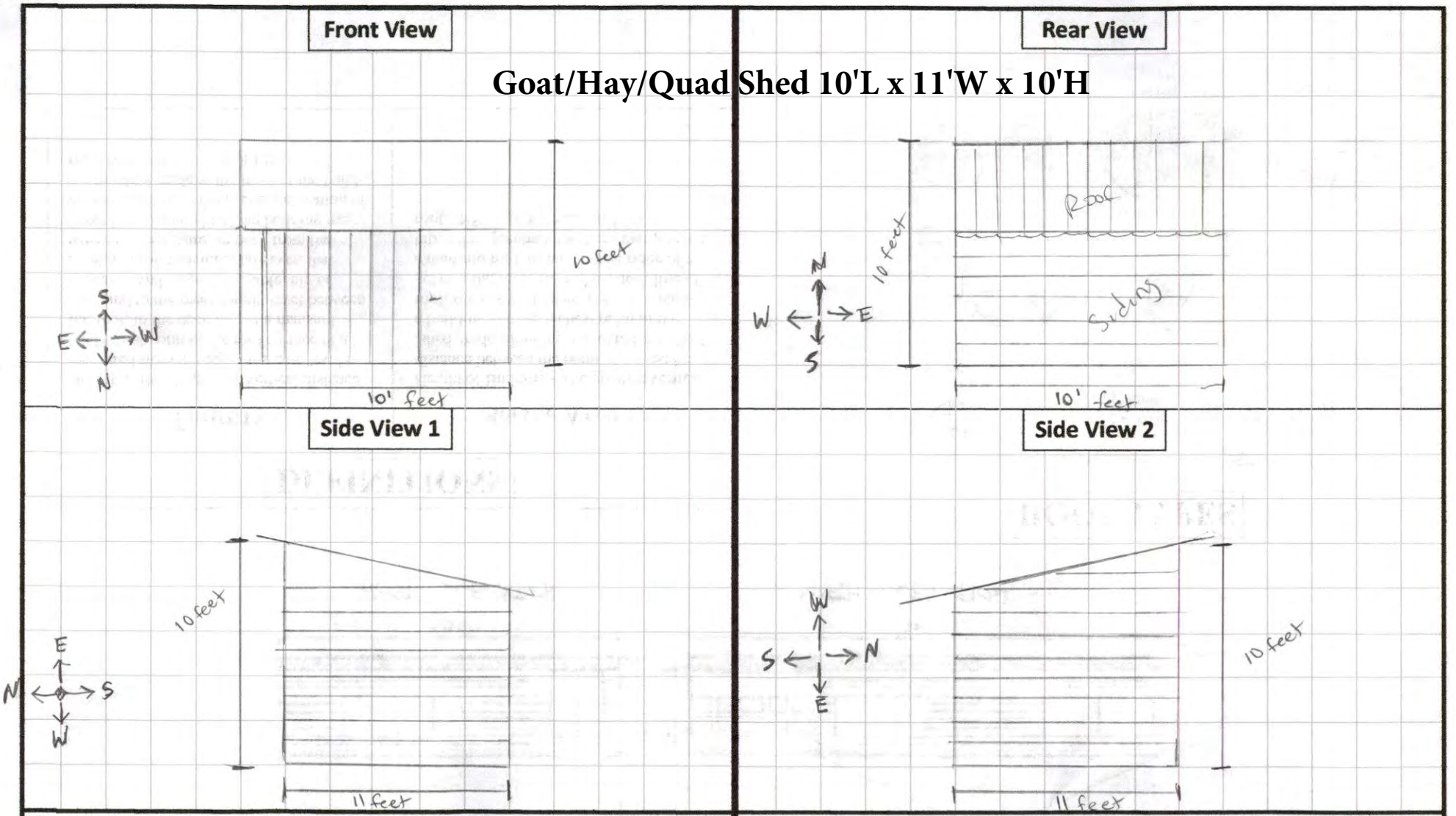
Elevation drawings must be drawn to scale. Use additional pages if necessary. See back for more information.

☐ Each grid equals 5' x 5' at a scale of 1"=10', or

☐ Each grid equals 2.5' x 2.5' at a scale of 1"=5'

WASCO COUNTY

Goat/Hay/Quad Shed 10'L x 11'W x 10'H



ELEVATION DRAWING

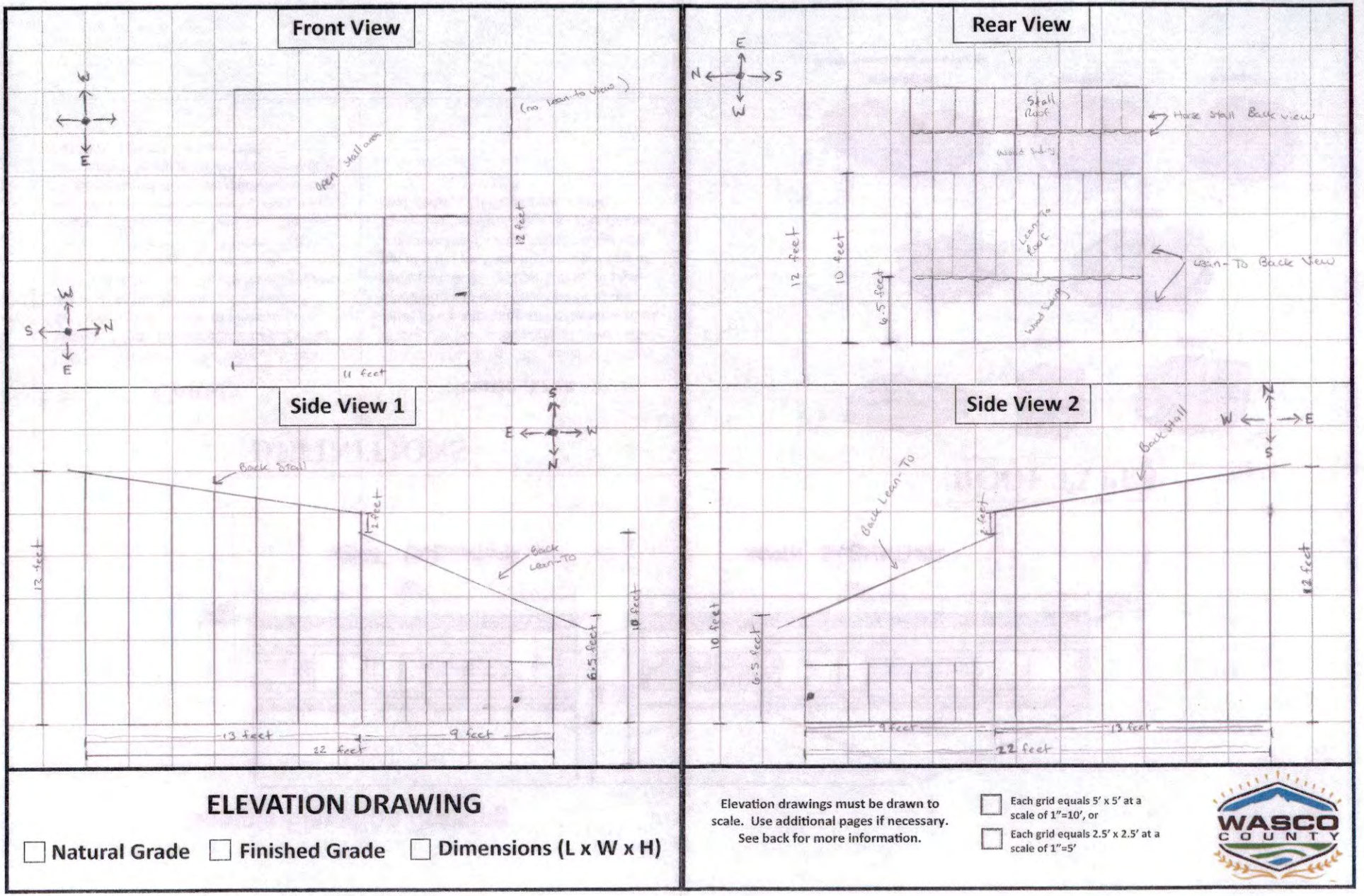
☐ Natural Grade ☐ Finished Grade ☐ Dimensions (L x W x H)

Elevation drawings must be drawn to scale. Use additional pages if necessary. See back for more information.

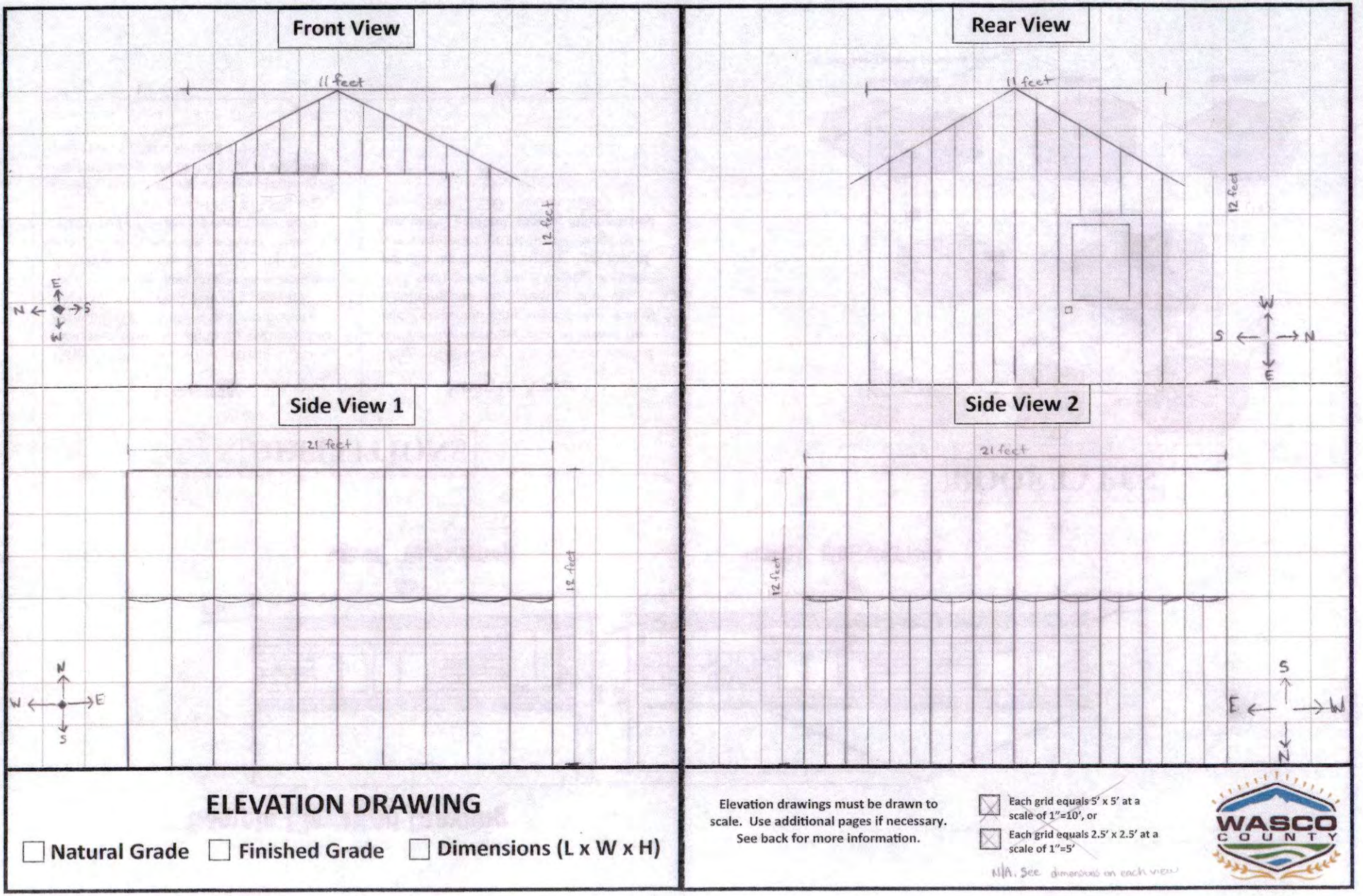
☐ Each grid equals 5' x 5' at a scale of 1"=10', or

☐ Each grid equals 2.5' x 2.5' at a scale of 1"=5'

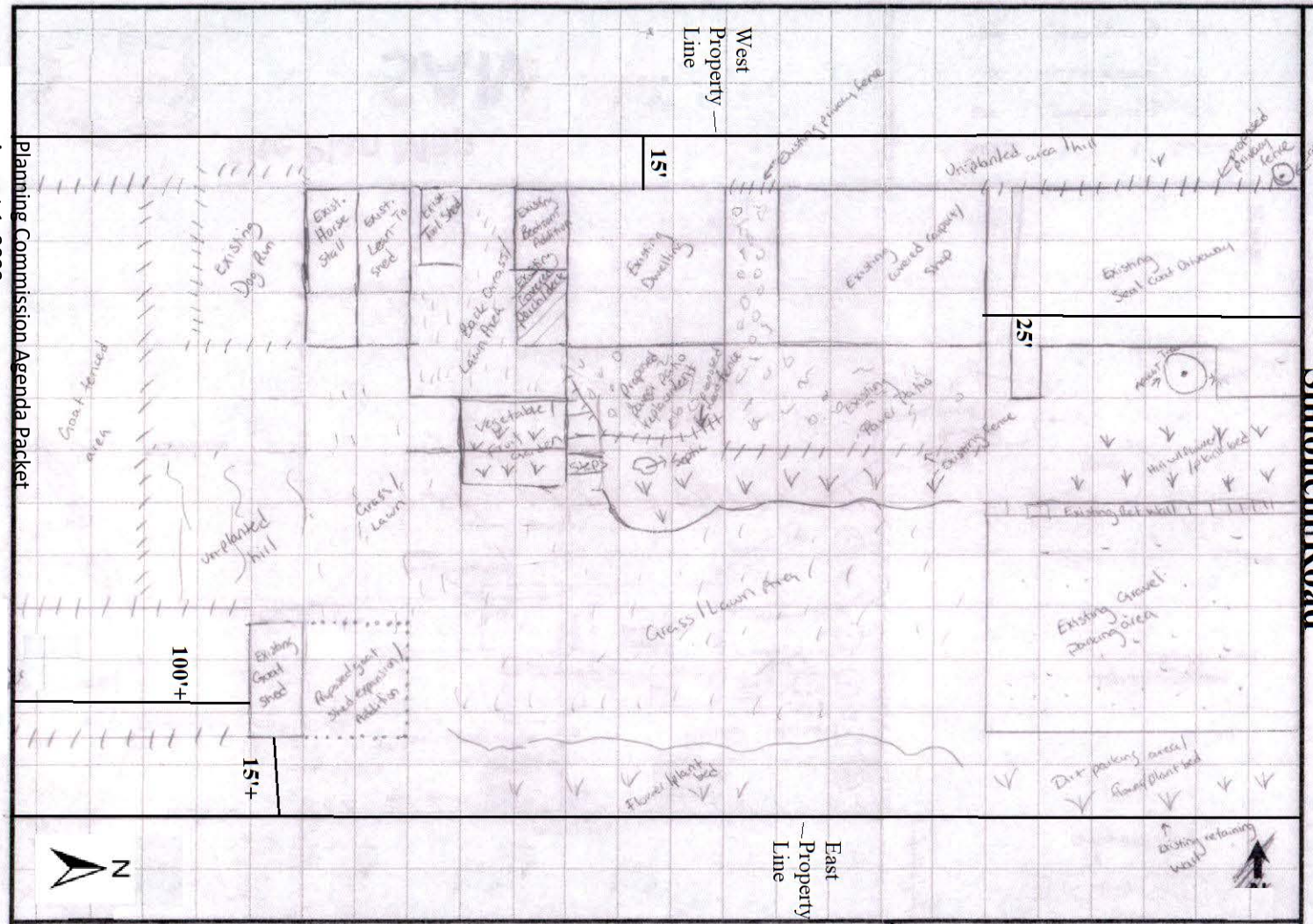
WASCO COUNTY



Back Stall 13'L x 11'W x 12'H & Lean-to 9'L x 11'W x 10'H



Originally Carport, now Front Shop 21'L x 16'W x 12'H



SITE PLAN MAP

Map, Tax Lot #: _____

Applicant: _____

File #: _____

SCALE: (select one)

1:50 (0 – 25 – 50) ☐

1:100 (0 – 50 – 100) ☐

1:200 (0 – 100 – 200) ☐

SITE PLAN CHECKLIST

SITE PLANS MUST SHOW THE FOLLOWING:

- ☐ Property boundary & development area dimensions
- ☐ Setback distances from proposed structures to all: ☐ Property lines ☐ Roadways ☐ Waterways
- ☐ Existing structures (location & size)
- ☐ Proposed structures (location & size)
- ☐ Septic tanks and drain fields (ALL existing and proposed)
- ☐ Existing & proposed services including wells, electricity, etc.
- ☐ Driveway & access to public/private roads
- ☐ Significant land forms & slopes

Fire Safety Information

- ☐ Indicate driveway width, length, and grade. Long drives should provided turnouts every 400'.
- ☐ Location of a standpipe (water spigot) at least 50' from each building that includes plumbing.
- ☐ Indicate 50' fire break surrounding new buildings.

NATIONAL SCENIC AREA APPLICATIONS MUST ALSO SHOW THE FOLLOWING:

- ☐ Location & depth of proposed grading, filling, ditching and excavating
- ☐ Outside lighting fixtures
- ☐ All proposed signs
- ☐ Location & height of outdoor storage & screening devices

Landscaping Plan

- ☐ Location, height and species of existing & proposed individual trees & vegetation. Indicate if any are proposed to be removed.
- ☐ Location of irrigation systems

DISCLAIMER: The Planning Department may require additional site plan elements depending on development specifics.

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SUMMARY OF INFORMATION

Prepared for the Wasco County Planning Commission

FILE #: 921-23-000023-PLNG

APPEAL HEARING DATE: August 1, 2023
NEWSPAPER PUBLISHING DATE: July 12, 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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ATTACHMENTS:

Attachment A	**Recommended Conditions of Approval and Recommendation**
Attachment B	**Public Notifications of Application and Hearing**
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 H	**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 August 1, 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 overall 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.

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.

a. However, if the Planning Commission determines that the subdivider shall dedicate to the public the 0.16-acre public park space "Tract B", the final plat shall provide a public pedestrian access easement for park access. With recommended conditions, staff finds the request complies with Subsection 21.030.O.

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 staff recommended conditions of approval

B. Approve the request, with amended Conditions and Findings; or

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 staff recommended conditions of approval

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NOTICE OF PUBLIC HEARING
WASCO COUNTY PLANNING COMMISSION

HEARING DATE & LOCATION INFORMATION: NOTICE IS HEREBY GIVEN that the WASCO COUNTY PLANNING COMMISSION will conduct a public meeting on Tuesday August 1, 2023, at 3:00PM. The hearing will be located in the Planning-Public Works Conference Room at 2705 E 2nd St, The Dalles, OR 97058. The meeting will also be held virtually. Information on how to attend from your telephone and/or computer will be available at least one week prior to the meeting on the Wasco County website: https://www.co.wasco.or.us/departments/planning/agendas_and_minutes.php. Language interpreters are available with one-week notice.

Hearings before the Wasco County Planning Commission are governed by ORS 197.797 and ORS 215.402 to 215.431, the Wasco County National Scenic Area Land Use and Development Ordinance Chapter 2, and the Rules of Procedure of the Wasco County Planning Commission. The meeting agenda includes the following public hearing:

August 1, 2023 HEARING DETAILS: **File #921-23-000023-PLNG.** 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 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

REVIEW AUTHORITY: Wasco County National Scenic Area Land Use and Development Ordinance Chapter 2 Section 2.050.B.6-7

REVIEW CRITERIA: Wasco County National Scenic Area Land Use and Development Ordinance Chapter 3 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

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 comments should be submitted by **4:00 pm on July 20, 2023**, to be included in Planning Commission Hearing Packet. All other comments must be submitted by **12:00 pm on August 1, 2023, or at the hearing itself**. 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 request should be directed to: Daniel Dougherty, Senior Planner, at 541-506-2568 or danield@co.wasco.or.us.

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. If additional documents or evidence are provided by any party, the local government may allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. 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 are available online at: https://www.co.wasco.or.us/departments/planning/agendas_and_minutes.php and at: https://www.co.wasco.or.us/departments/planning/active_landuse_applications.php.

APPEAL INFORMATION: Failure to raise an issue in the hearing, in person or by letter, accompanied by statements or evidence sufficient to afford the Planning Commission or other parties an opportunity to respond to the issue, precludes appeal to the Wasco County Court on such issue.

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'

WASCO COUNTY SURVEYOR'S OFFICE

SURVEY NO. _____

FILED _____

BY _____

DOCUMENT NO. _____

PLAT NUMBER _____

SLIDE NO. _____

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

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'

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 4 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R.
	4	1N.	13E.
	5	1N.	13E.

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.

March 16, 2023

Notice of National Scenic Area Application and Public Hearing

Notice is hereby given that an Application for a Subdivision Replat within the National Scenic Area has been submitted to the Wasco County Planning Department. A decision will be made by the Wasco County Planning Commission at the July 11, 2023 scheduled hearing. Official Notice of the Public Hearing will be provided within 20-days of the hearing date as required under Chapter 2 of the National Scenic Area Land Use and Development Ordinance (NSA LUDO). Comments may be submitted prior to the scheduled hearing. Comments must address review criteria and may be submitted to the Wasco County Planning Department, 2705 East Second Street, The Dalles, OR 97058.

COMMENTS DUE: Wednesday, March 31, 2022

FILE NUMBER: 921-23-000023-PLNG

REQUEST: 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).

<u>Six residential lots total</u>
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: Elizabeth Betts, 1411 13th Street, Hood River, OR 97031

PROPERTY OWNERS: Smilekel Group, 1309 SE 195th Ave., Camas, WA 98607

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

REVIEW AUTHORITY: Section 2.050.B of the Wasco County National Scenic Area Land Use and Development Ordinance (NSA LUDO).

REVIEW CRITERIA: National Scenic Area Land Use & Development Ordinance (NSA LUDO) Chapter 3 – Basic Provisions, Section 3.160 "R-R" Rural Residential Zone (GMA & SMA); Chapter 11 – Fire Safety Standards; Chapter 14 – Scenic Area Review; Chapter 21 Land Divisions; of the NSA LUDO

AVAILABLE INFORMATION: More information regarding this application is available on the Wasco County Planning Department website: https://www.co.wasco.or.us/departments/planning/active_landuse_applications.php. The table is sorted alphabetically by the name of the application. The information will be available until the end of the appeal period.

Copies of all review criteria and evidence relied upon by the applicant are available for free review or may be purchased at $0.25 per page at the Wasco County Planning Department.

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.

COMMENTS:

1. ***Written comments are due by 4:00 pm on March 31, 2023.***
2. This form is for your convenience if you wish to comment. Comments may also be submitted via email to **danield@co.wasco.or.us**. If you wish to comment, please provide sufficient detail to allow the Director to respond to the issue(s).
3. Comments received are a matter of public record and are made available to the applicant. Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Board based on that issue.

_____

_____

_____

_____

_____

_____

Date: _____ Name: _____

Address: _____

DECISION PROCESS:

1. An application is received and reviewed for completeness.
2. When deemed complete, the Public Notice of Administrative Action is mailed to affected public agencies, interested parties, and property owners within 200 or 500 feet of the subject property. Timely comments are weighed against the NSA LUDO criteria in a staff report.
3. A decision is reached by the Director based on findings in the staff report.
4. Parties of Record (affected agencies, property owners within 500 feet of the subject parcel, plus those other parties who comment) will receive a Notice of Decision.
5. Aggrieved parties may appeal a decision of the Director within 15 days of the decision date.

_____

Daniel Dougherty, Senior Planner

MAPS

See below for Preliminary subdivision map.

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 _____

ELIDE 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
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- 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, 2017
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:
~~LINK REAL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, CD
FILE: 170105-PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

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SMILEKEL GROUP, LLC

KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE.

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 COUNTY SURVEY 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". LOTS 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 _____

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 12, 2005
JAMES M. KLEIN
59002

Expires 6-30-2023

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.

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

WASCO COUNTY SURVEYOR'S OFFICE

SURVEY NO. _____

FILED _____

BY _____

DOCUMENT NO. _____

PLAT NUMBER _____

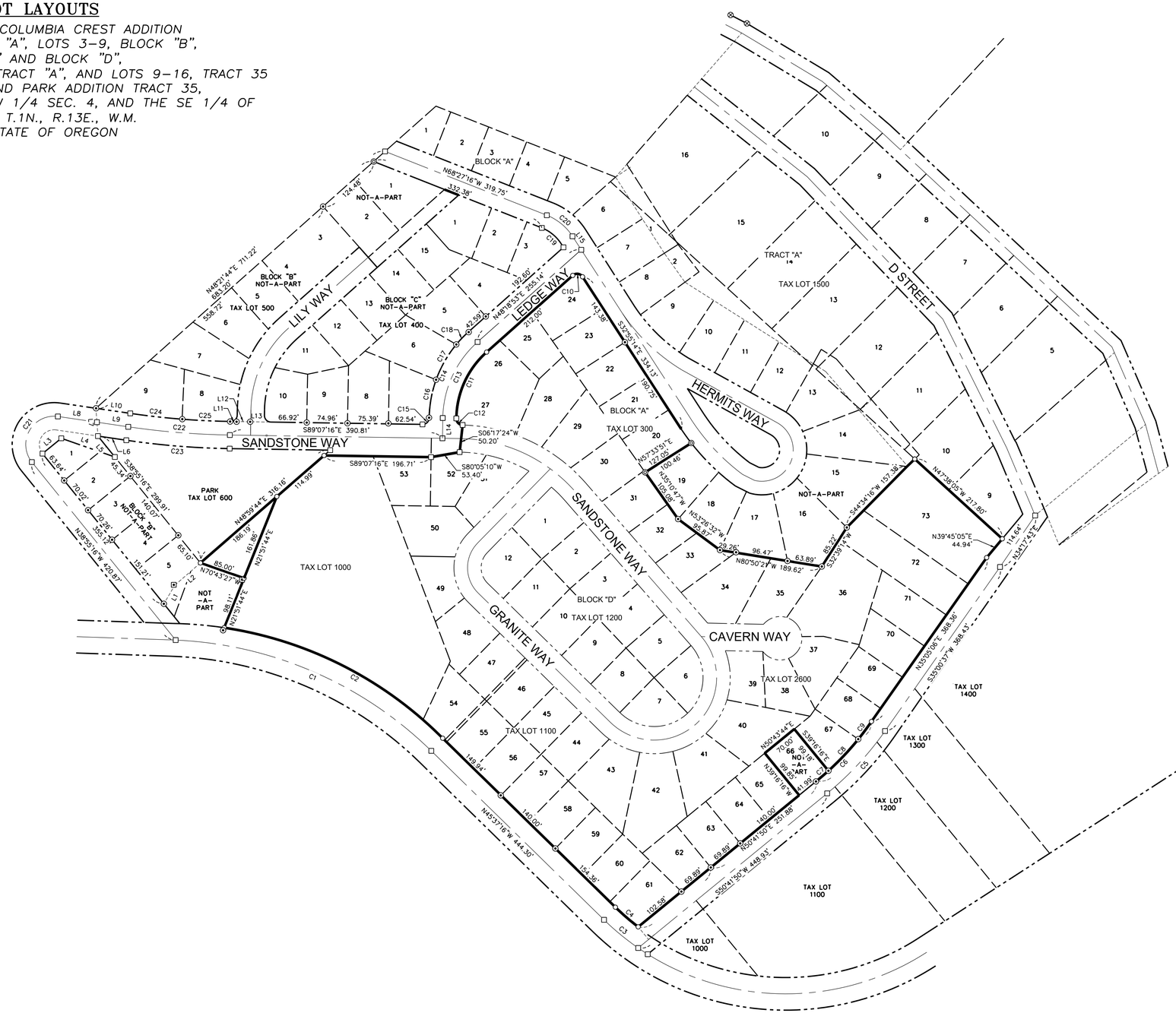
SLIDE NO. _____

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'



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

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

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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

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.

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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'

WASCO COUNTY SURVEYOR'S OFFICE

SURVEY NO. _____

FILED _____

BY _____

DOCUMENT NO. _____

PLAT NUMBER _____

SLIDE NO. _____

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

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'

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 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. _____

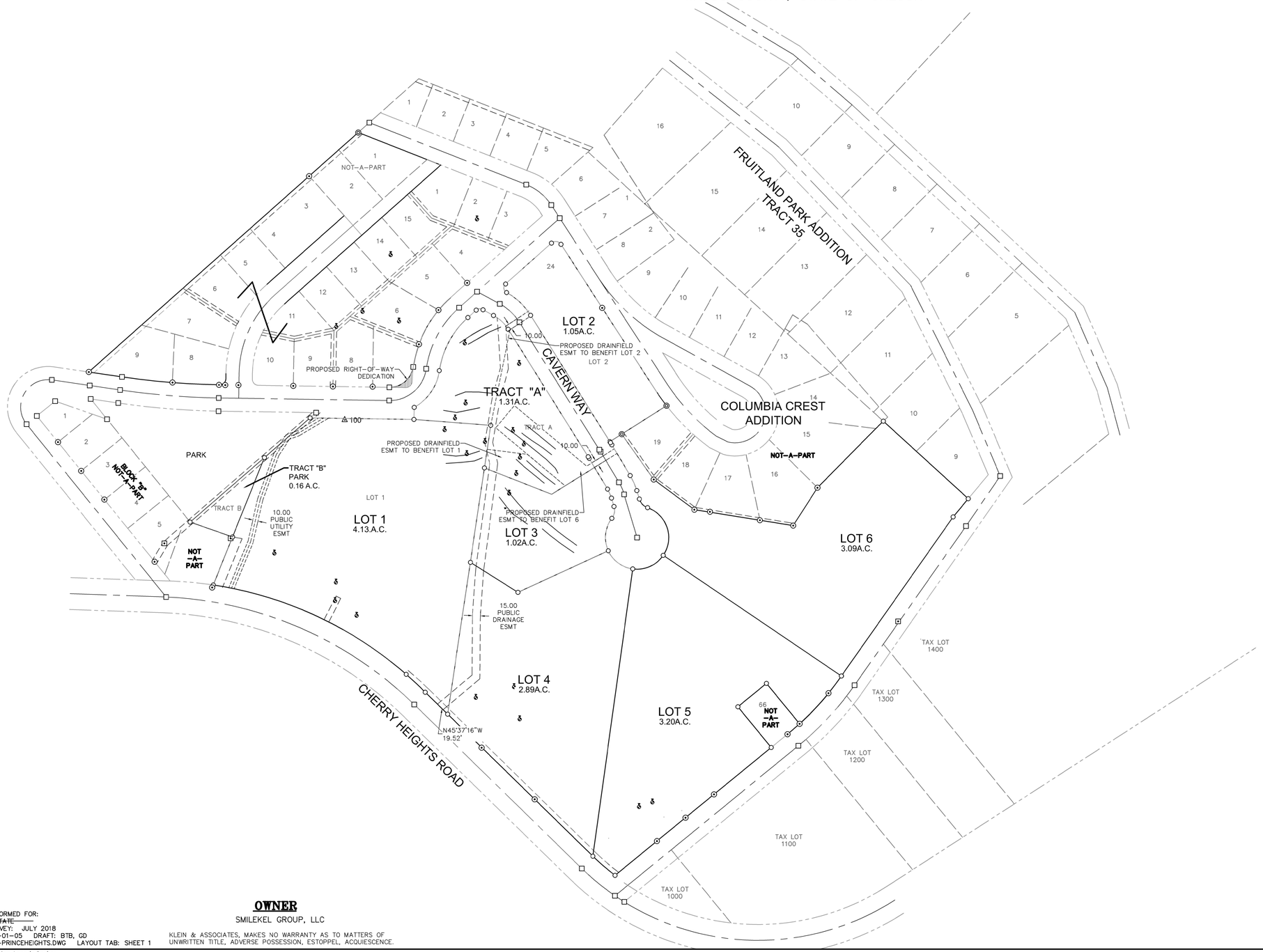
FILED _____

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

○	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.
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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
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

OWNER

SMILEKEL GROUP, LLC

KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE.

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, Inc.
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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",
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
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- 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 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, 2001
JAMES M. KLEIN
59002

Expires 6-30-2023

SURVEY PERFORMED FOR:
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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"

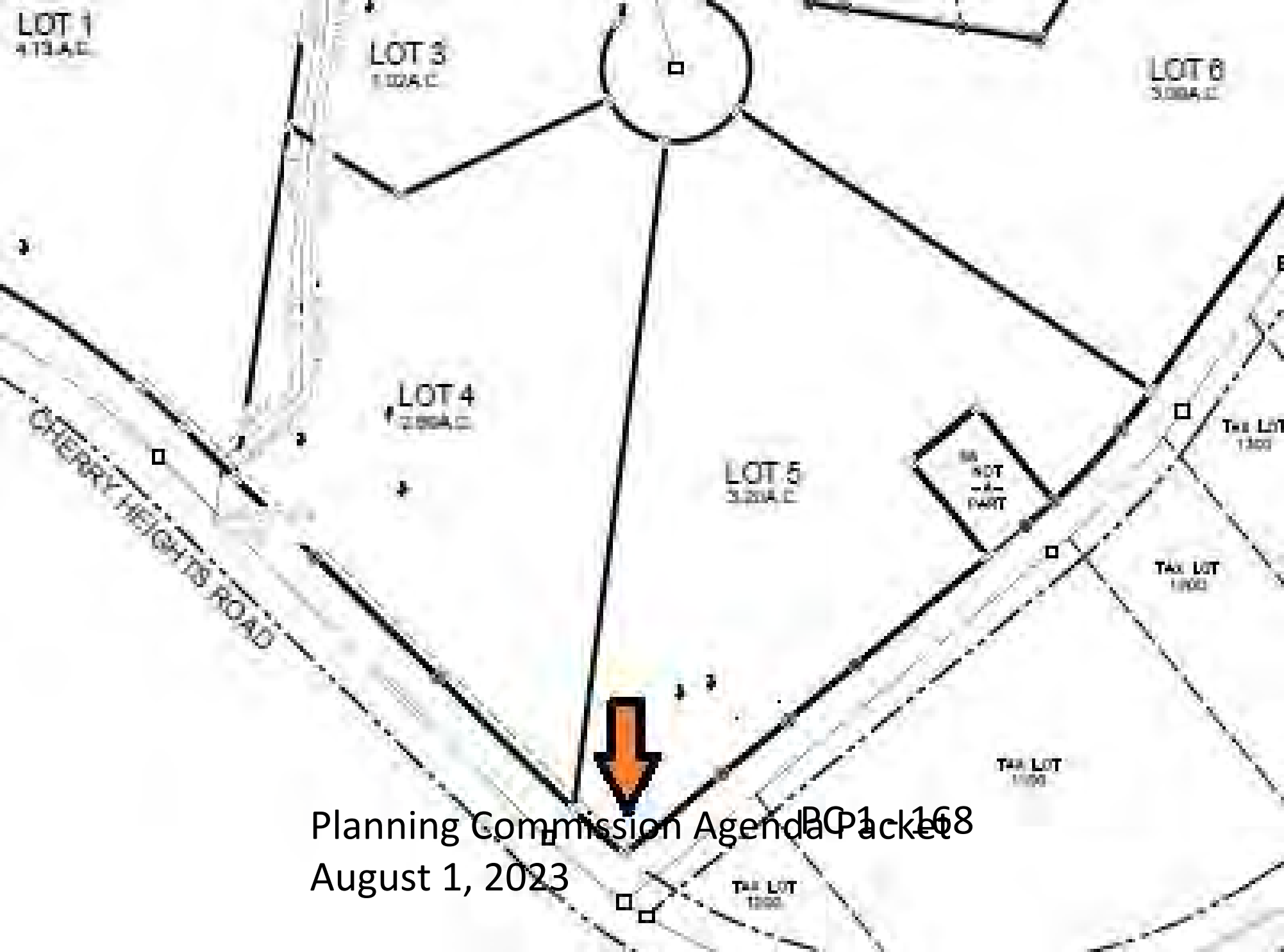
Proposed Vacated Roads

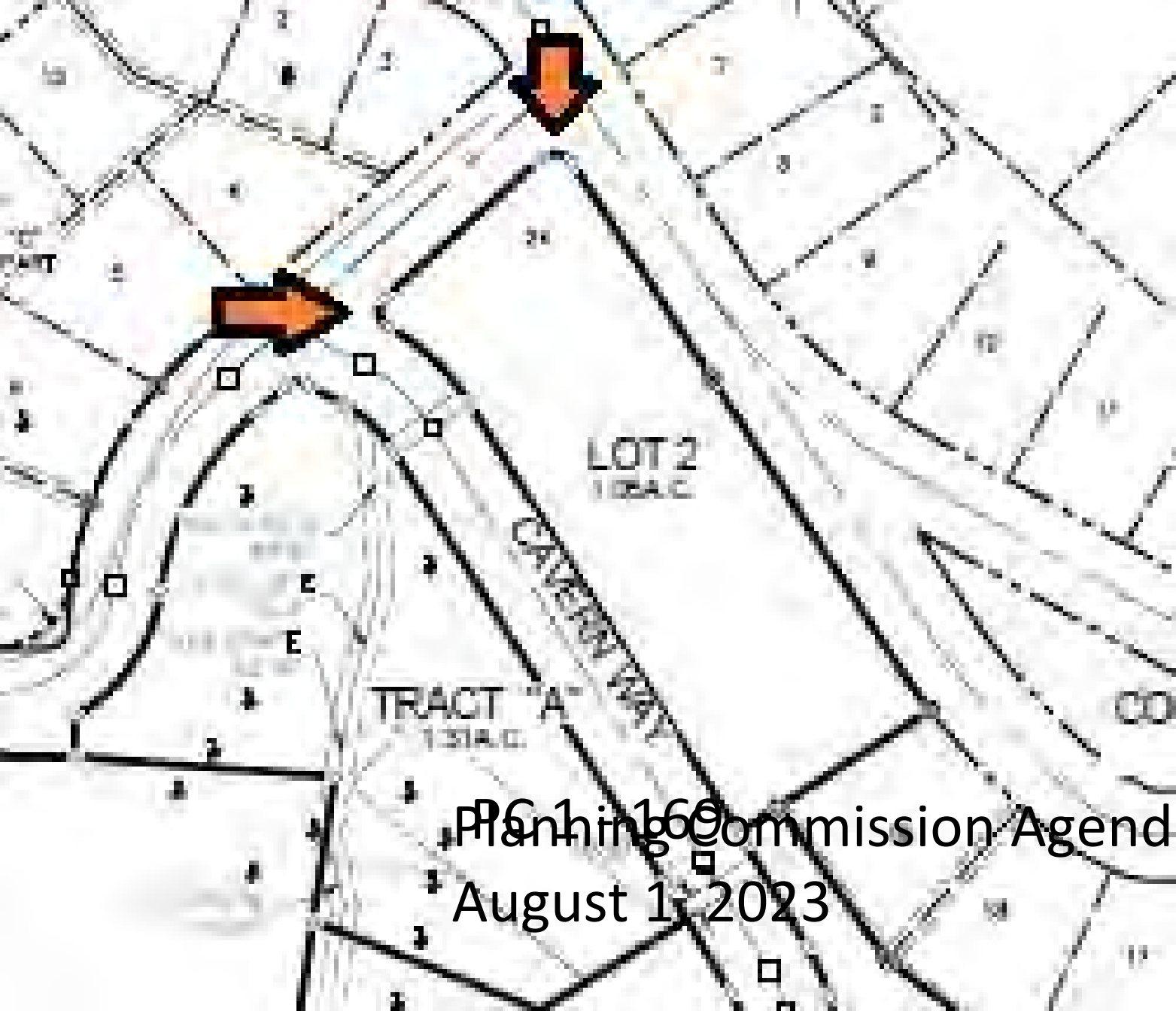
Prince Heights Subdivision Road Map

Developed Roads

Undeveloped Roads "Paper Roads"

Proposed Road


LOT 1
LOT 3
LOT 6
LOT 4
LOT 5
CHERRY HEIGHTS ROAD
TAX LOT
TAX LOT
TAX LOT
TAX LOT


LOT 2
1.13 A.C.
CAVERN WAY
TRACT "A"
1.51 A.C.

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",
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LOCATED IN THE SW 1/4, OF THE NW 1/4 SEC. 4, AND THE SE 1/4 OF
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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'
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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'
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BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
ESTABLISHED BY G.P.S. OBSERVATION ALONG THE WEST LINE
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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

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 12, 2005
JAMES M. KLEIN
59002

Expires 6-30-2023

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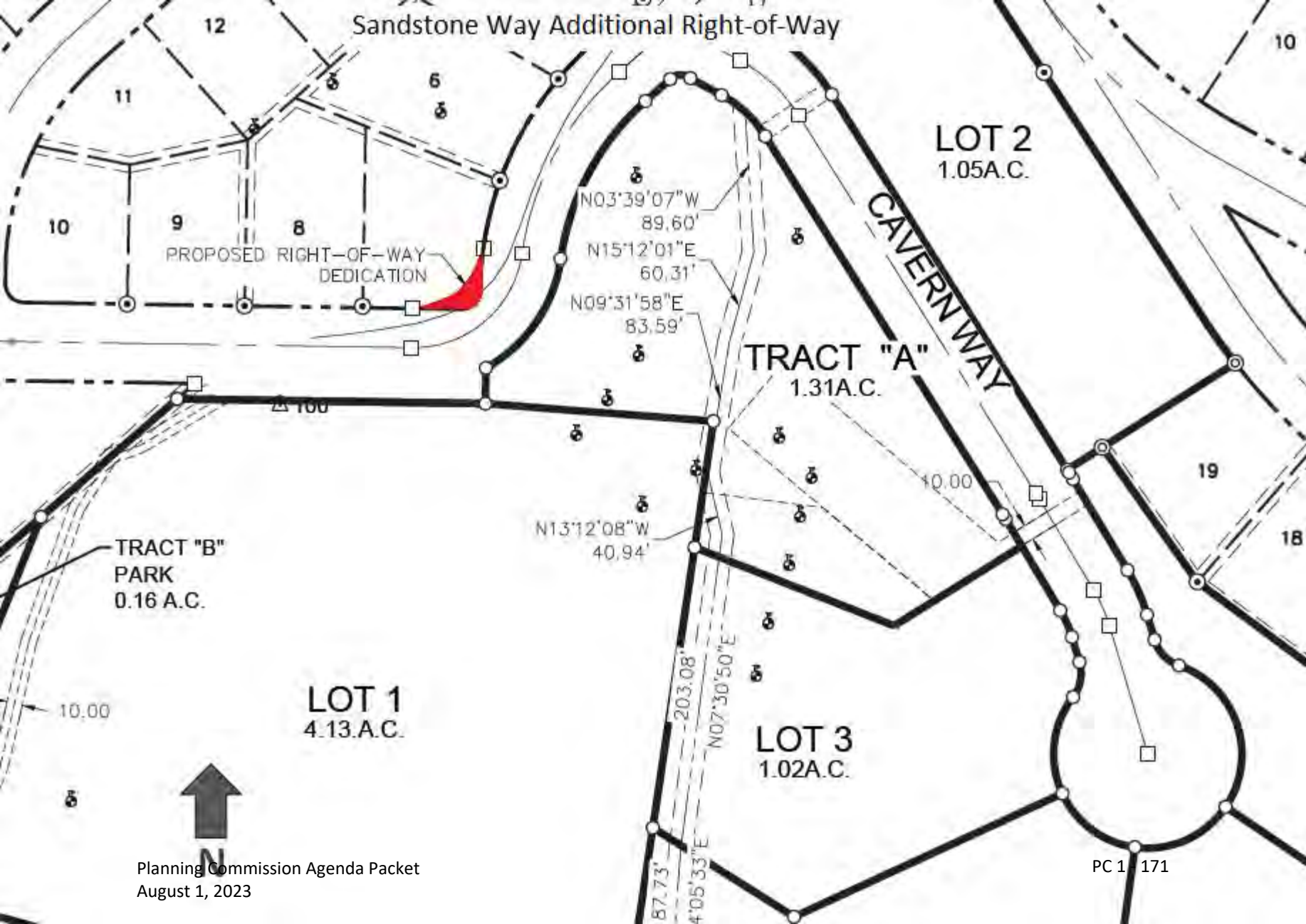
SHEET 2 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R.
NE	4	1N.	13E.
SE	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'
N
10

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).

<u>Six residential lots total</u>
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

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

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

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

ATTACHMENT D – STAFF REPORT

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

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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 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**

Because the request involves reconfiguring 66 lots into six lots that are more conforming to existing standards, staff finds that the request complies with Subsection 3.160.G.1.

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. *<u>Height</u> - Maximum height for all structures shall be thirty-five feet (35') unless further restricted in accordance with Chapter 14 - Scenic Area Review.*

<u>FINDING:</u> 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. *<u>Floodplain</u>: 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.*

<u>FINDING:</u> 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. *<u>Vision Clearance</u> - Vision clearance on corner properties shall be a minimum of thirty (30) feet.*

<u>FINDING:</u> 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. *<u>Parking</u> - Off street parking shall be provided in accordance with Chapter 4.*

<u>FINDING:</u> 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:

<u>FINDING:</u> 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.

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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.*

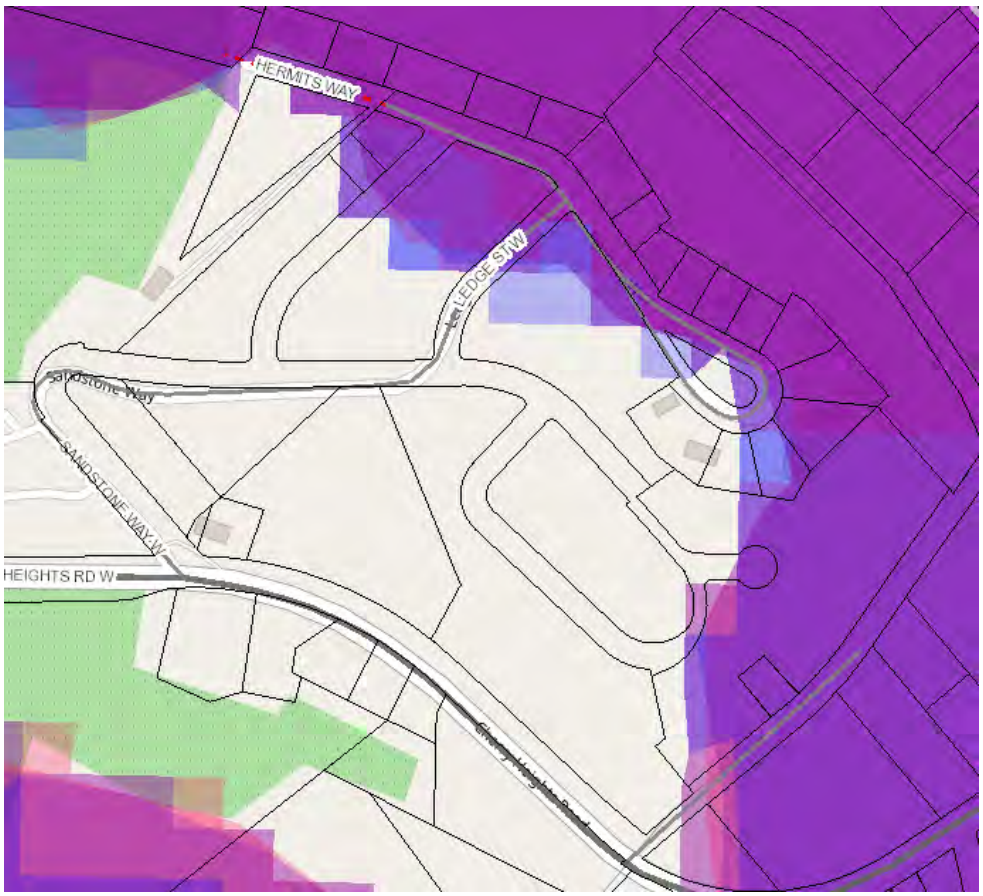
2. *Conditions may be applied to various elements of proposed developments to ensure they are visually subordinate to their setting in the GMA and meet the required scenic standard (visually subordinate or visually not evident) in the SMA as seen from key viewing areas, including but not limited to:*

    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:

<u>Lot 2</u>
Columbia River (Background, middleground)
Interstate 84 (Background, middleground)
Historical Columbia River Highway (Middleground)
Washington State Route 14 (Background)

<u>Lot 5</u>
Columbia River (Background, middleground)
Interstate 84 (Background, middleground)
Washington State Route 14 (Background)

<u>Lot 6</u>
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).

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4. Conclusion of the Cultural Resource Protection Process

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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

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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

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2. Stream, Pond, and Lake Buffer Zones:

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(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

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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:

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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.

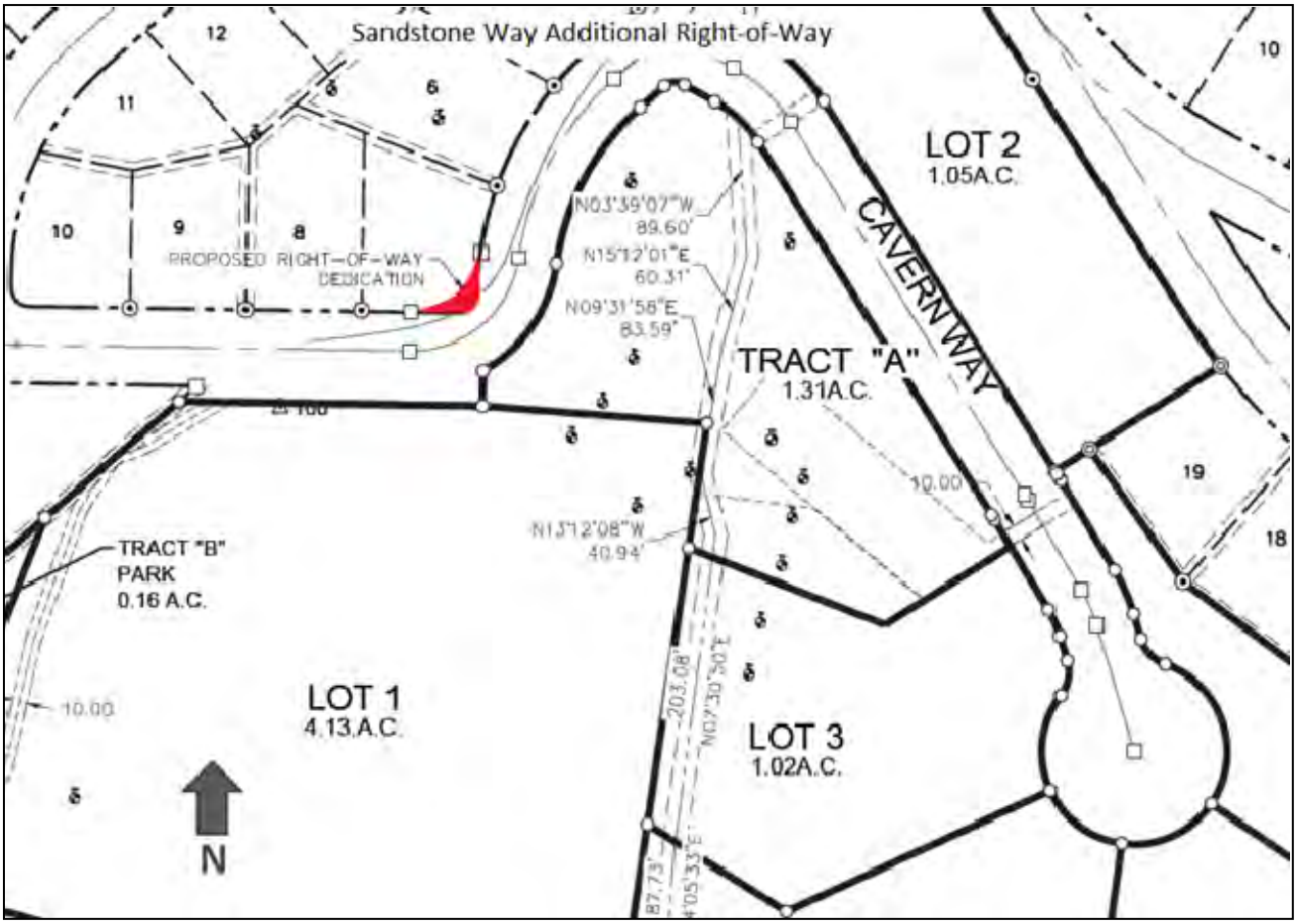
> *L. Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right of way shall be provided at the time of subdivision or partitioning.*

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 Minimum	Right-of-Ways Preferred	Road Surfacing Minimum	Road Surfacing 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, <u>staff does not recommend</u> 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, <u>if the Planning Commission determines that the subdivider shall dedicate to the public the 0.16-acre public park space "Tract B"</u>, 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 <u>conditions</u> 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, <u>staff does not recommend</u> 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, <u>if the Planning Commission determines that the subdivider shall dedicate to the public the 0.16-acre public park space "Tract B"</u>, 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. 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 <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, 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.*

<u>FINDING:</u> 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:

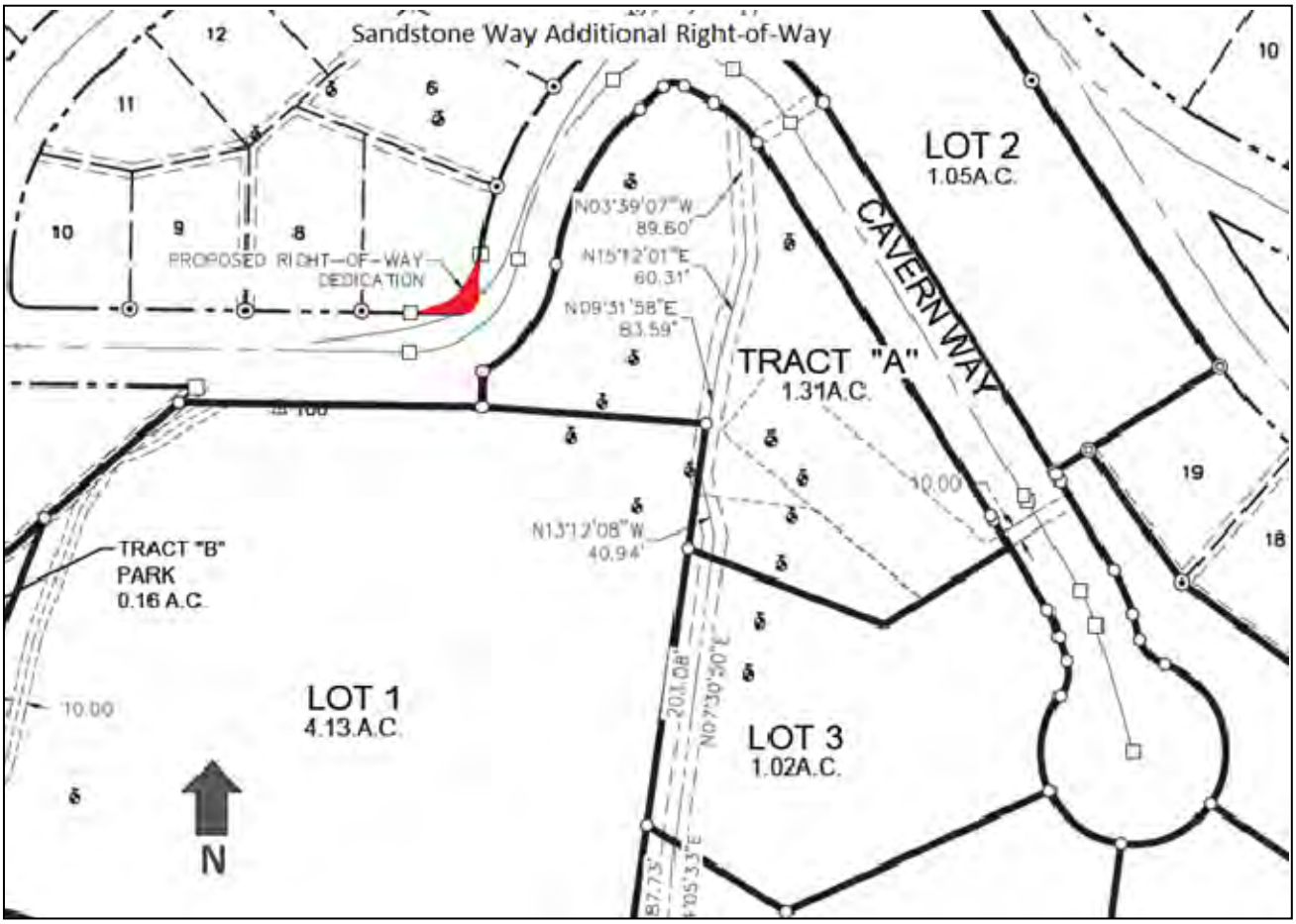
> "Grading Plan Narrative
> The proposed scope of work involves construction of a local access road with a culdesac for emergency turnaround. The project is a replat of 66 existing non-conforming lots into 6 larger more conforming lots. Average lot size before replat is about 7,000 sf. Average lot size 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.

Table 21-2 – Urban Wasco County Public Roadway Design Standards

	Local Street	Urban Minor Collector	Urban Major Collector	Urban Arterial
Design ADT	<1,000	1,000-3,000	3,000–6,000	>6,000
Design Speed (mph)	25	25-30	25-35	25-35
Max Grade	12%	10%	10%	6%
Minimum ROW Width (ft)	58	64	63-76	90
Number and Width of Lanes	2 12' Travel Lanes	2 12' Travel Lanes	2 12' Travel Lanes	3 Two 12' Travel Lanes 14' Center Turn Lane
Traveled Way Width (ft)	36	40	52	50 or 66
On-Street Parking (ft)	Not striped	8 (each side)	8 (each side)	8 (each side), optional
Sidewalk Width (ft)	5 (each side)	5 (each side)	5 (each side)	5 (each side)
Bike Lane Width (ft)	-	-	6	6
*Preferred Access Spacing (ft)	50	150-300	150-300	300-600

Note: The urban roadway design standards apply to all County roadways in urban areas (incorporated communities). However, local roadway design standards may be utilized when deemed appropriate.
*Lower spacing may be allowed when supported by a traffic study and/or approved by the local jurisdiction

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" 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, 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. <u>Plans</u> 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.

ATTACHMENT D – STAFF REPORT

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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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>
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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]

Daniel Dougherty <danield@co.wasco.or.us>

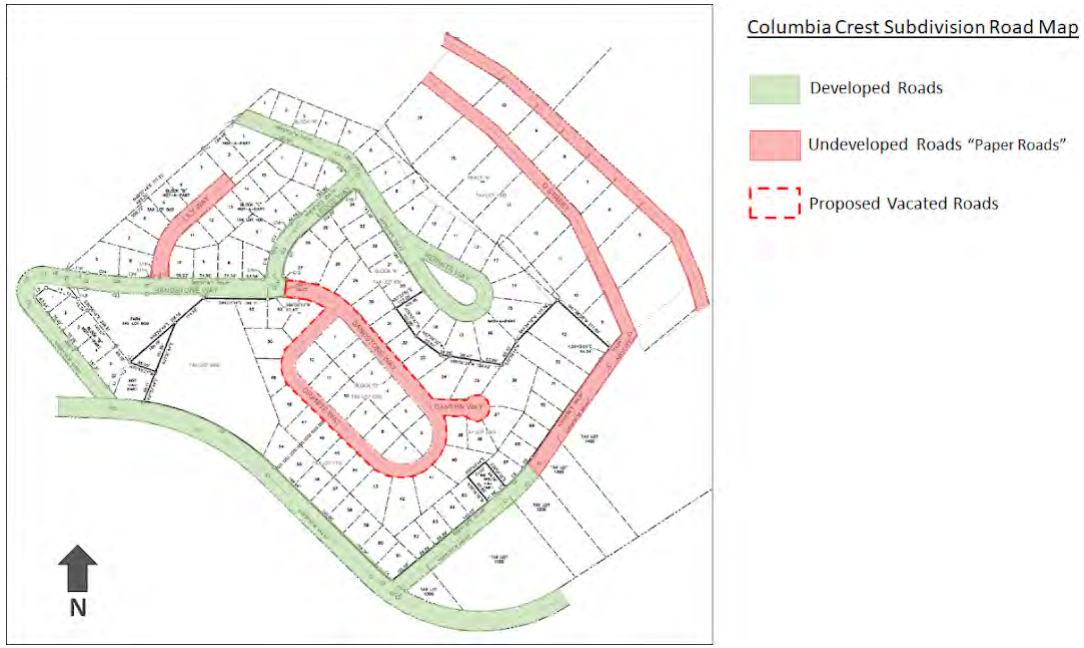
Road Vacation & Dedication Question

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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Email is still the best way to reach me!

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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).

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.

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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**

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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**

541-506-2560 | Fax 541-506-2561
2705 E Second Street | The Dalles, OR 97058

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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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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
2705 E Second Street | The Dalles, OR 97058

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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

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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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[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 por. on 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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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

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**

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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
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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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Email is still the best way to reach me!

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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 residen. al 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 a ack). 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 le ers 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]

--

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 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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Respectfully,

Daniel

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Best,

Elizabeth

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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

Table 21-1 – Rural Wasco County Public Roadway Design Standards

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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
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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
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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]

[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]
--

Daniel Dougherty | ***Senior Planner***
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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
2705 E Second Street | The Dalles, OR 97058

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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.

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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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) M Miller 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 Fulland 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

P:\Development Applications Last Updated 01/24/22

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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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-5pm	503-226-4211 Ext. 4213
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	503-623-4874

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

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

STANDARD NOTES

1. 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.

2. 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.

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
71338PE
OREGON
ELIZABETH L. BETTS
EXPIRES

PRINCE HEIGHT SUBDIVISION—COVER SHEET

PRINCE HEIGHTS SUBDIVISION
WASCO COUNTY, OREGON

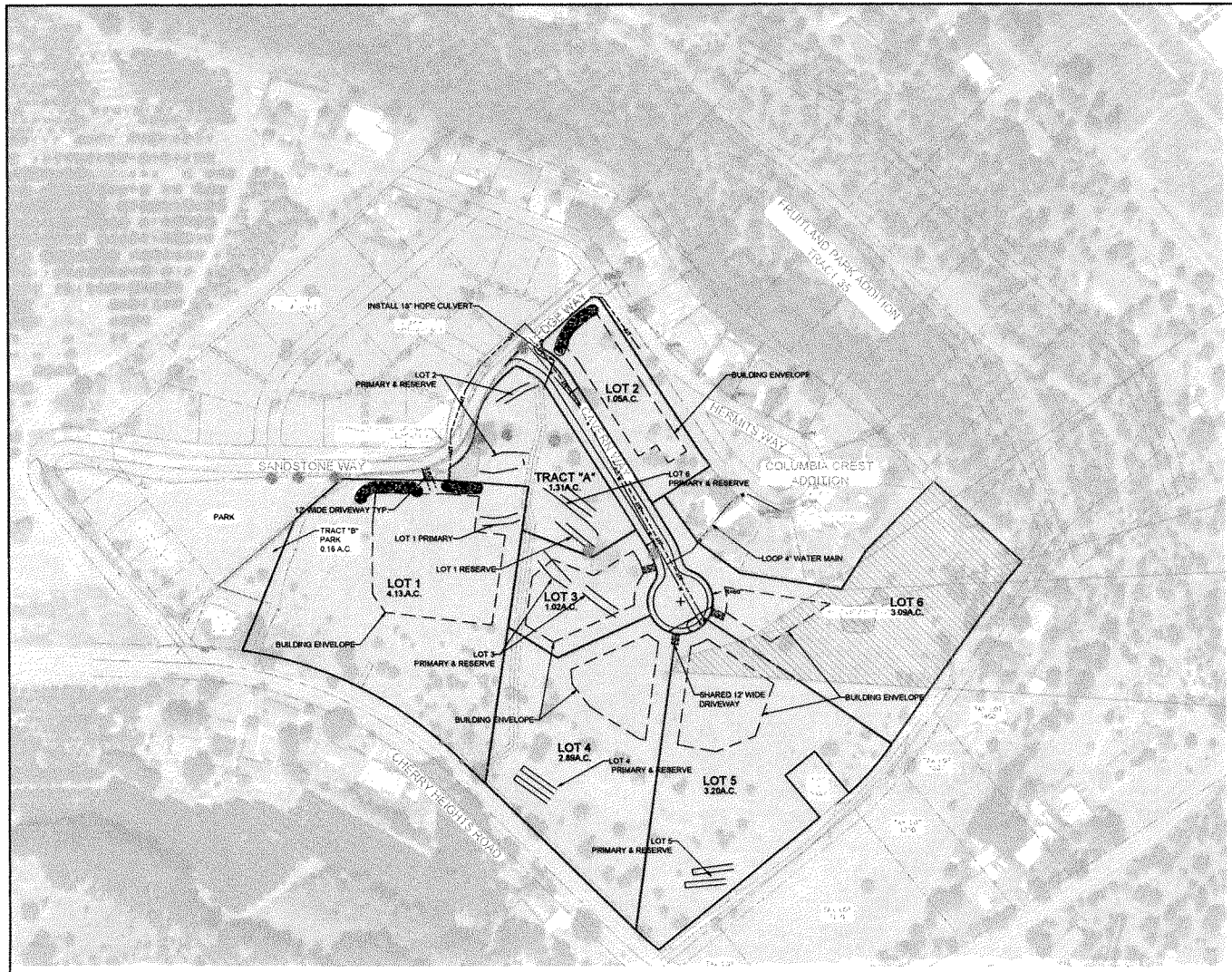
REVISIONS:

NO.	DESCRIPTION	DATE

SURVEYED: KA
DESIGN: KA
DRAFT: SD
APPROVE: JK
DATE:

DECEMBER, 2022

SHEET CV



PRELIMINARY

PLOTTED: 12/15/2022
SAVED: 12/14/2022

100 0 100 200
SCALE – FEET

KA
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. METTS
EXPIRES

PRELIM SITE PLAN
PRINCE HEIGHTS SUBDIVISION
WASCO COUNTY, OREGON

REVISIONS:

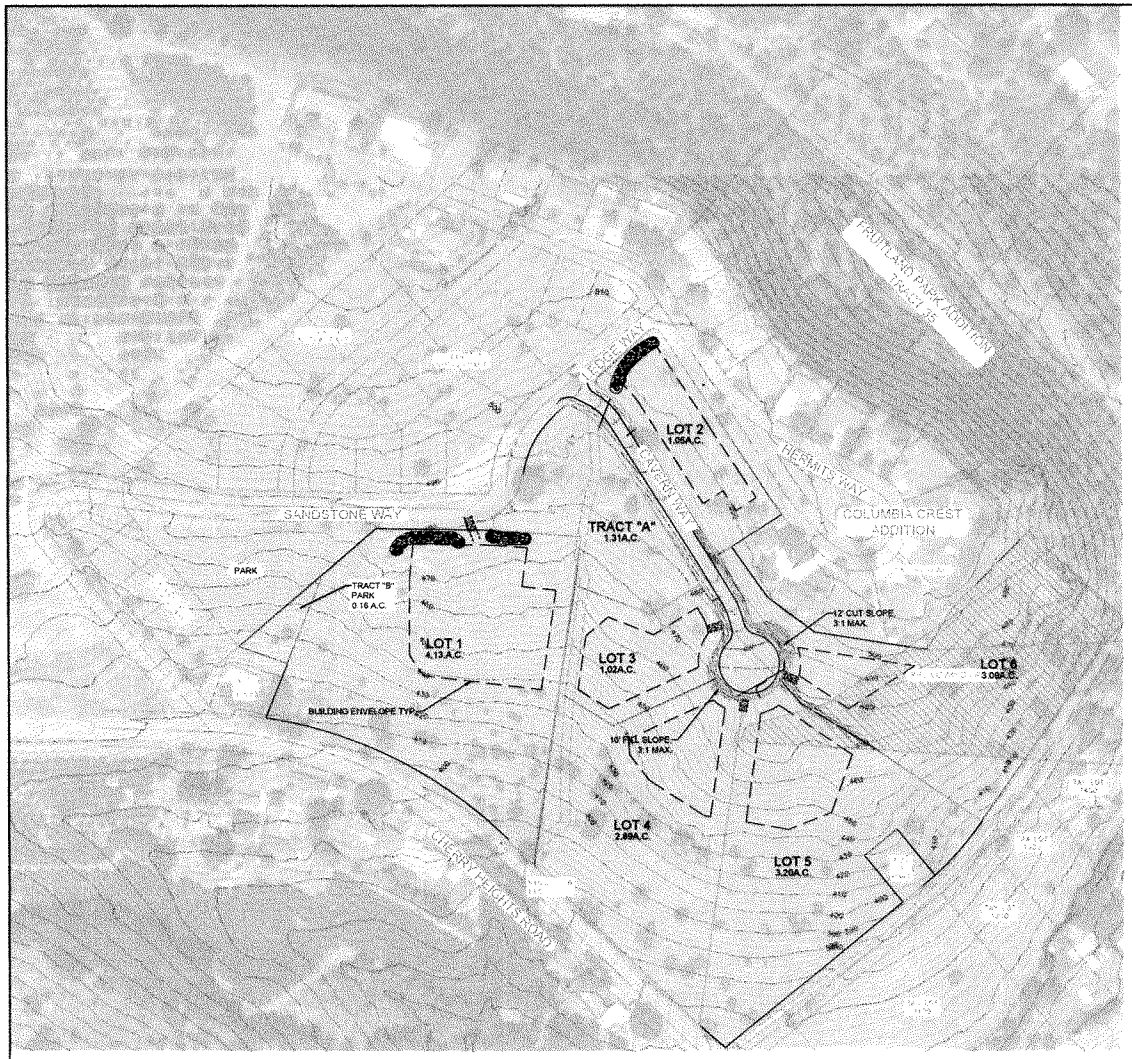
NO.	DESCRIPTION	DATE

SURVEYED: KA
DESIGN: KA
DRAFT: GD
APPROVE: JK
DATE:

DECEMBER, 2022

SHEET C1.0

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 – 3:33pm



LEGEND

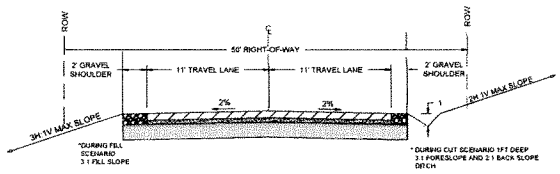
- EDGE OF ASPHALT
- EDGE OF GRAVEL
- WATER MAIN
- WATER SERVICE
- STORM DRAIN
- FENCE
- DITCH
- SWALE
- JOINT UTILITY TRENCH
- CONTOUR (2 FOOT INTERVAL)
- BUILDING ENVELOPE

PRELIMINARY EARTHWORK VOLUMES

CUT = 1650 CY
FILL = 1200 CY
NET = 450 CY

NOTES

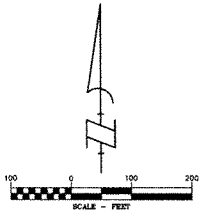
1. SEE GRADING PLAN NARRATIVE FOR ADDITIONAL DETAILS.



GENERAL NOTES FOR ROAD TYPICAL SECTION ABOVE

1. BASE ROCK SHALL BE 1 1/2"-0" CRUSHED AGGREGATE 8" 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)



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HOOD RIVER, OREGON 97031
TEL: 541-386-3322
FAX: 541-386-2515
WWW.KLEINASSOCINC.COM

PC LP- 414

PRELIMINARY

REGISTERED PROFESSIONAL ENGINEER
OREGON
KENNETH L. KLEIN

PLOTTED: 12/15/2022
SAVED: 12/14/2022

EXPIRES

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\170102 Miller Columbia Crest PUD\Drawing\17-01-05-C2.0-COMPOSITE SITE PLAN.dwg PLOT DATE/TIME: 12/15/2022 - 1:44pm

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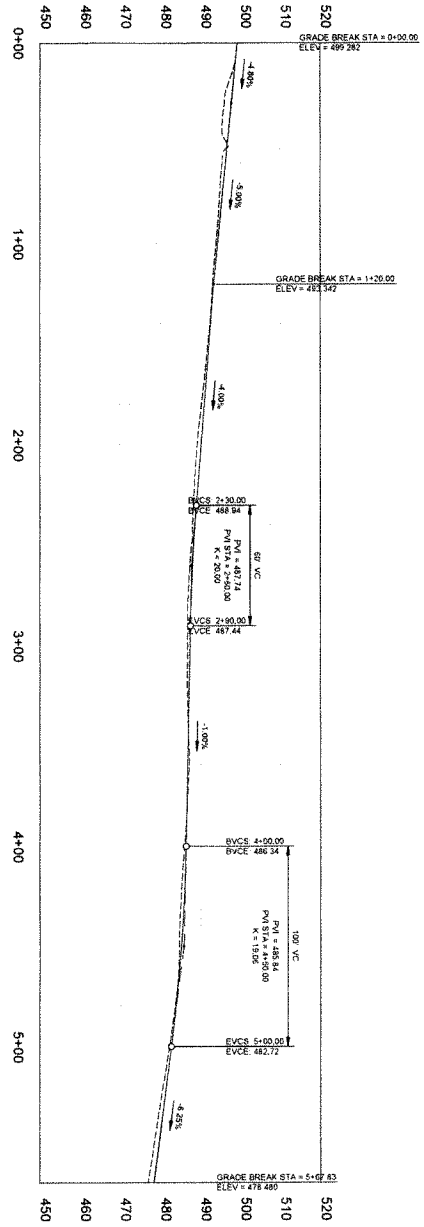
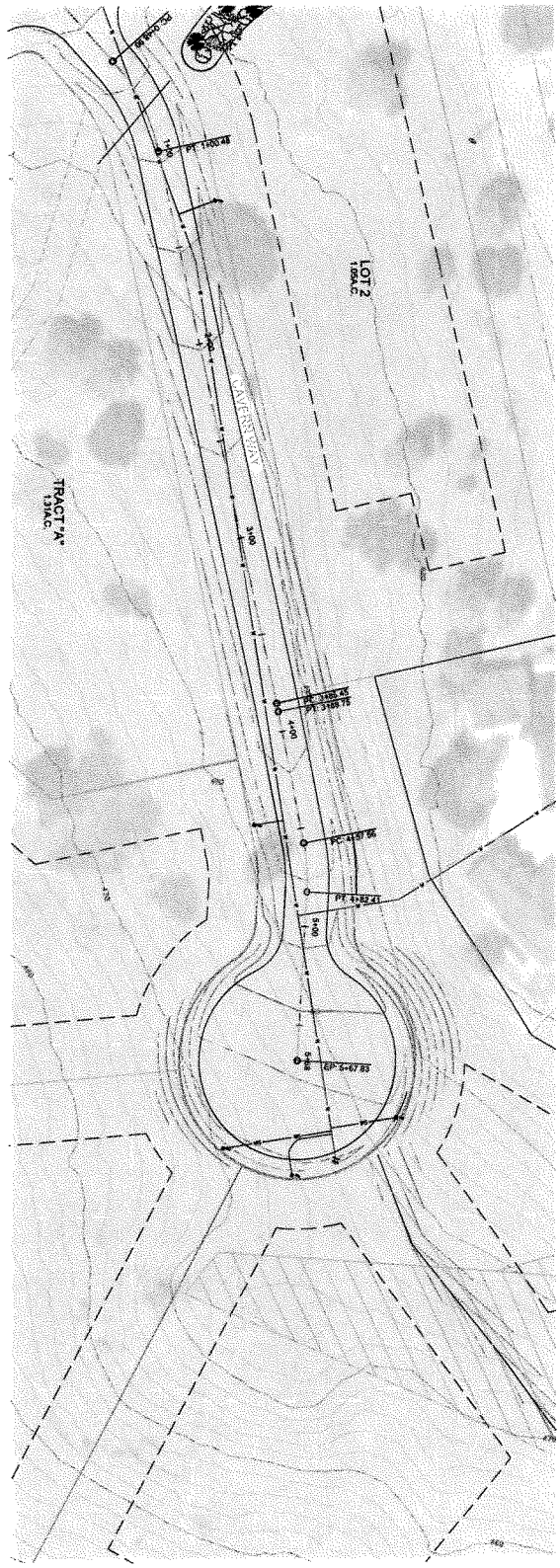




SCALE - FEET

100 0 100 200

PRELIMINARY

REGISTERED PROFESSIONAL ENGINEER
OREGON
JAMES R. KLEIN
PLOT DATE: 12/15/2022
EXPIRES: 12/31/2022

EXPIRES

Klein & Associates, Inc.
CONSULTING ENGINEERS • LAND SURVEYORS • PLANNERS
401 11TH STREET
HOOD RIVER, OREGON 97031
TEL: 541-386-3322
FAX: 541-386-7515
WWW.KLEINASSOCINC.COM

PRELIMINARY ROAD PLAN/PROFILE

PRINCE HEIGHTS SUBDIVISION

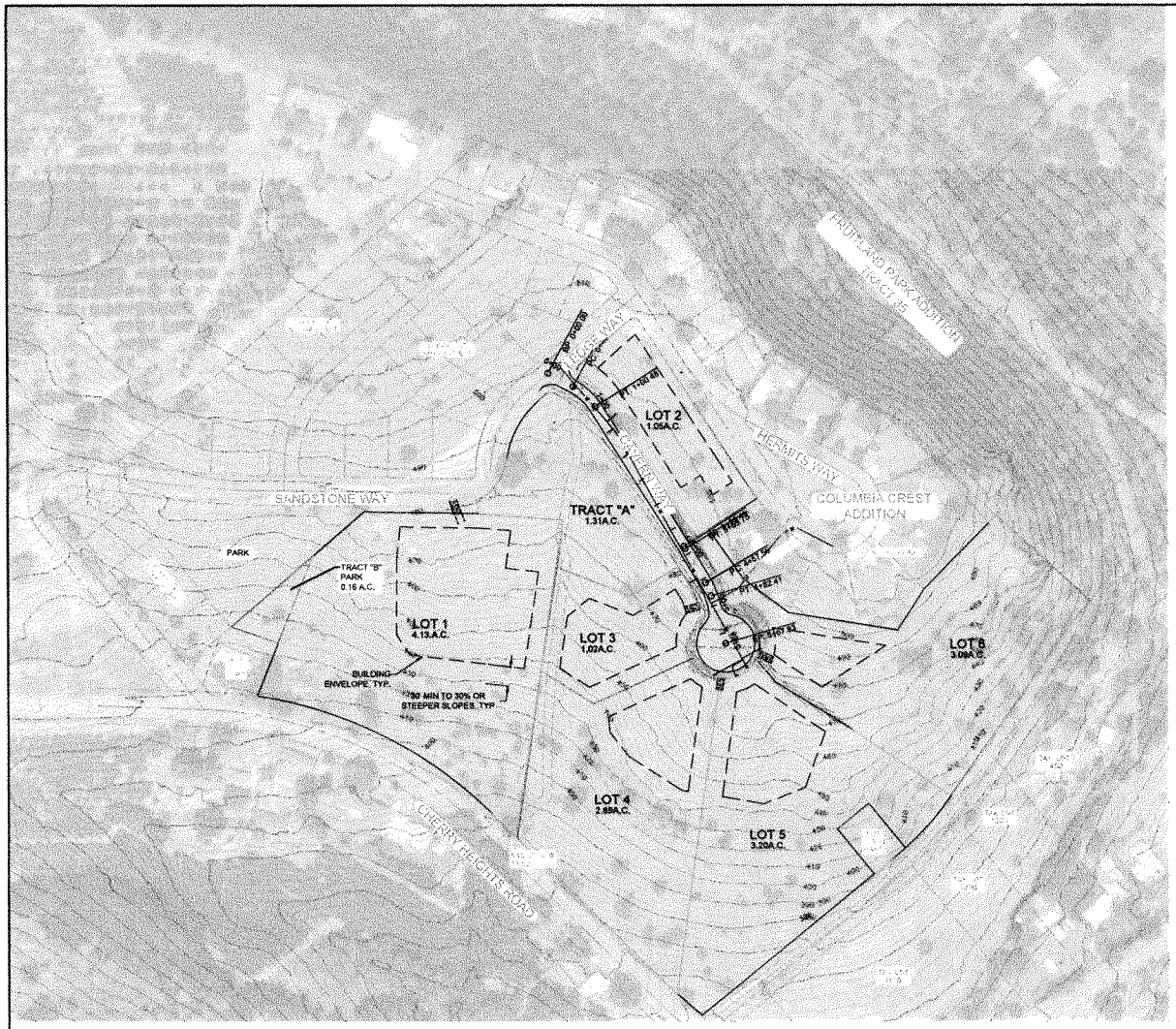
WASCO COUNTY, OREGON

REVISIONS		
NO.	DESCRIPTION	DATE

SURVEYED: KA
DESIGN: KA
DRAWN: LD
APPROVE: JK
DATE:

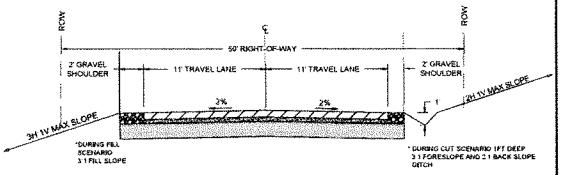
SHEET C2.1

DECEMBER, 2022



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



GENERAL NOTES FOR ROAD TYPICAL SECTION ABOVE

1. BASE ROCK SHALL BE 1 1/2"-0" CRUSHED AGGREGATE 8" 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. METTIN

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: 12/14/2022 – 3:58pm

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. MARLYN 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. 15-022

R5. PARTITION PLAT 2012-0012 PERFORMED BY TENNESON ENGINEERING CORP. FOR JOHN W.& SANDRA BYERS, AND JOHN W.& L. MARLYN BYERS, FILED 10/25/2012 COUNTY SURVEY NO. 17-194.

R6. SURVEY PERFORMED BY TENNESON ENGINEERING CORP. FOR POMICHTERA, NORIKAWA, 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.J.& MARY E. JONES, JOE J.& RUBY L. FLECK, AND R.E.& BETTY MITCHELL, FILED 08/05/1953, BOOK 5, PAGE 6 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 02/13/1998, 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. 86-1486
WARRANTY DEED, INSTRUMENT NO. 71-2489
WARRANTY DEED, INSTRUMENT NO. 73-0138
WARRANTY DEED, INSTRUMENT NO. 73-0539
WARRANTY DEED, INSTRUMENT NO. 77-0238
QUITCLAIM DEED, INSTRUMENT NO. 2016-004085
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 9 LOT SUBDIVISION OF TAX LOTS 1N-13E-04BC 1500, 2600 AND 1N 13E 04AD 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 "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 HOOKMAN, FILED IN COUNTY SURVEY NO. 11-178 WERE USED TO ESTABLISHED ROAD "H". 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. 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 POINT 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 NEHTE 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 _____

DECLARATION:

I _____ THE OWNER OF THE LAND SHOWN ON THE PLAT HEREWITH ATTACHED AND MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE ALSO HEREWITH 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 17, 2001
JAMES M. KLEIN
59002
Expires 6-30-2023

OWNER
SMILEKEEL GROUP, LLC

SURVEY PERFORMED FOR:
LNN REAL ESTATE
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.

Klein & Associates, Inc.
ENGINEERING • SURVEYING • PLANNING
1411 13th Street • Hood River, OR 97031
TEL: 541-386-2322 • FAX: 541-386-5515

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

WASCO COUNTY SURVEYOR'S OFFICE

SURVEY NO. _____
FILED _____
BY _____

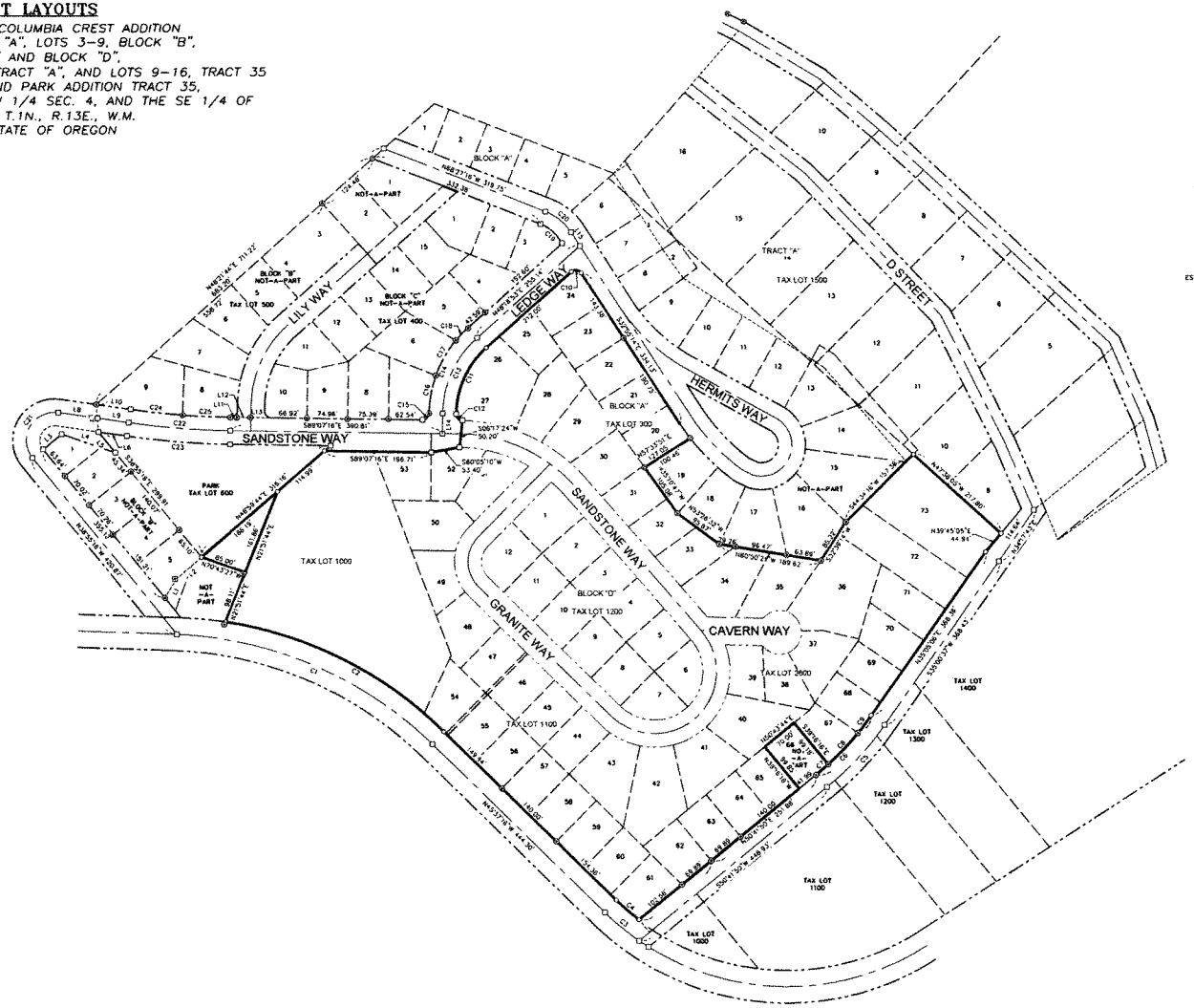
DOCUMENT NO. _____
PLAT NUMBER _____
SLIDE NO. _____

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	450.16'
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	158.28'	190.99'	47°29'00"	S34°34'23"W	153.79'
C14	178.00'	215.99'	47°29'00"	S24°34'23"W	173.82'
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°51'56"E	44.58'
L4	S70°45'16"E	104.26'
L5	N38°55'18"W	49.40'
L6	S81°37'16"E	52.87'
L7	N41°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	18.66'
L22	S68°27'16"E	28.01'



SCALE – FEET
1" = 100'

BASIS OF BEARINGS

OREGON STATE PLANE COORDINATES SYSTEM
NORTH ZONE, GRID NORTH, GROUND DISTANCE
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 "MUFFMON LS2786" PER CS NO 11-176 VISITED 2017.
- FOUND TENNESON 5/8" IRON ROD WITH Y.P.C. INSCRIBED "MUFFMON 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 19, 1994
JAMES M. KLEIN
58002

Expires 6-30-2023

OWNER
SMILEKEL GROUP, LLC

SURVEY PERFORMED FOR:
~~UNKNOWN OWNER~~
DATE OF SURVEY: JULY 2016
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

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TEL: 541-386-3322 • FAX: 541-386-2515

SHEET 2 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R
SE	4	1N.	13E.
NE	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
- 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
JAMES M. KLEIN
59002
Expires 6-30-2023

SHEET 3 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: 541-386-2915

SURVEY PERFORMED FOR:
~~LINN REAL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, GD
FILE: 170105-PRINCEHEIGHTS.DWG LAYOUT TAB: SHEET 1

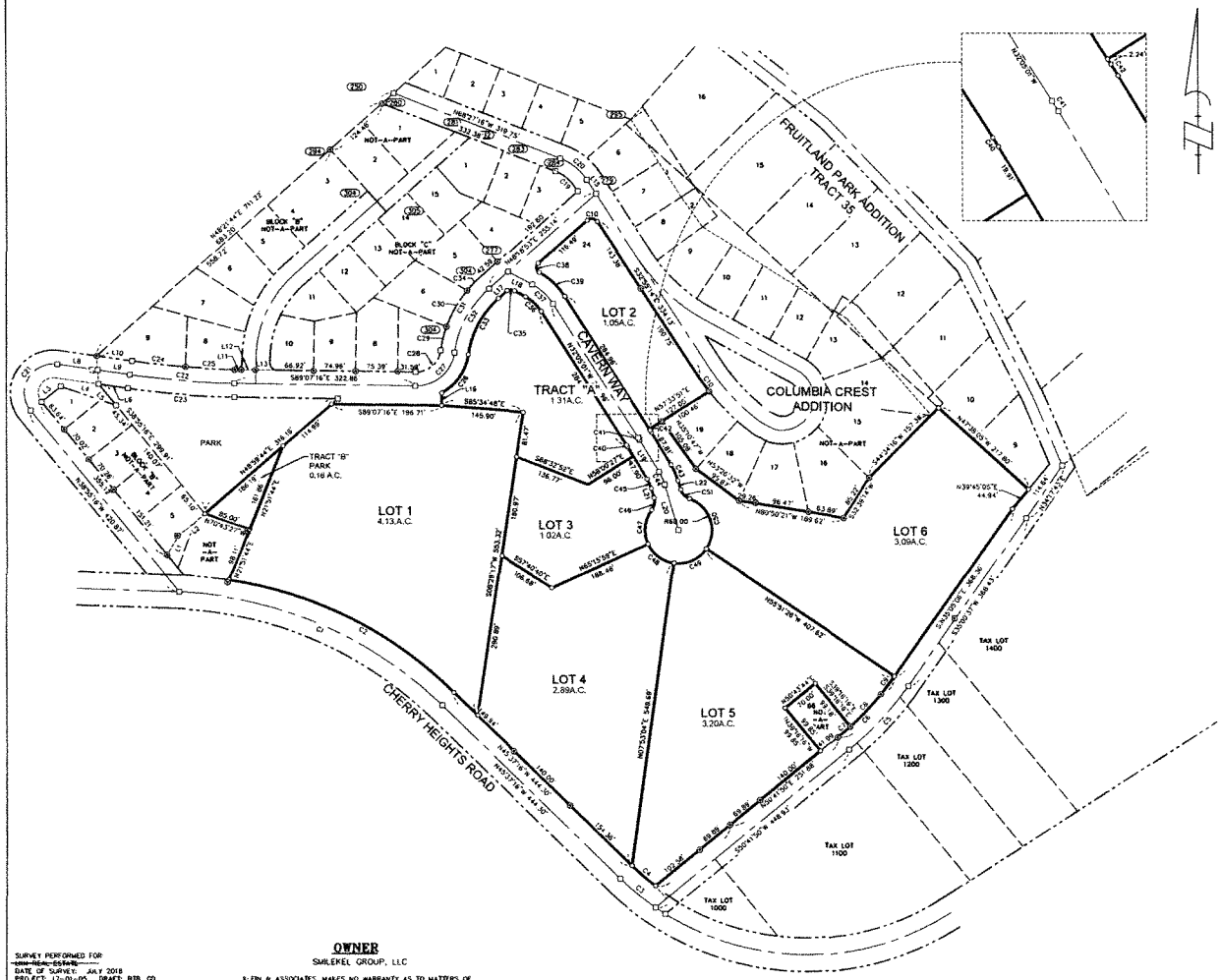
OWNER
SMILEKEL GROUP, LLC

KLEIN & ASSOCIATES, MAKES NO WARRANTY AS TO MATTERS OF UNWRITTEN TITLE, ADVERSE POSSESSION, ESTOPPEL, ACQUIESCENCE.

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	323.76'	716.20'	41°54'01"	N46°33'41"W	312.16'
C2	457.94'	716.20'	36°37'49"	N63°08'12"W	450.18'
C3	81.37'	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	156.68'	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	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°31'53"	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	15.04'
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°58'58"	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°42'16"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°58'58"	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"	S21°28'01"E	3.77'
C41	4.30'	200.00'	1°13'59"	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"	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°14'30"	N66°00'49"E	63.38'
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°30'05"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	N41°10'02"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	S48°27'16"E	28.01'

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 2018
JAMES M. KLEIN
59002
Expires 6-30-2023

SHEET 4 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T	R
NE	4	1N	13E
SE	5	1N	13E

Klein & Associates, Inc.
ENGINEERING • SURVEYING • PLANNING
3411 12th Street • Hood River, OR 97031
TEL: 541-386-3322 • FAX: 541-386-2515

SURVEY PERFORMED FOR:
~~KIM 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

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. _____

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 (K.A. 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
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- 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, 2017 JAMES M. KLEIN 59002

Expires 6-30-2023

SHEET 5 OF 5
WILLAMETTE MERIDIAN
WASCO COUNTY, OREGON

1/4	SEC	T.	R.
SE	4	1N.	13E.
NE	5	1N.	13E.

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SURVEY PERFORMED FOR:
~~JIM REAL ESTATE~~
DATE OF SURVEY: JULY 2018
PROJECT: 17-01-05 DRAFT: BTB, CD
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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.

Before me _____

Notary Public of Oregon

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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).

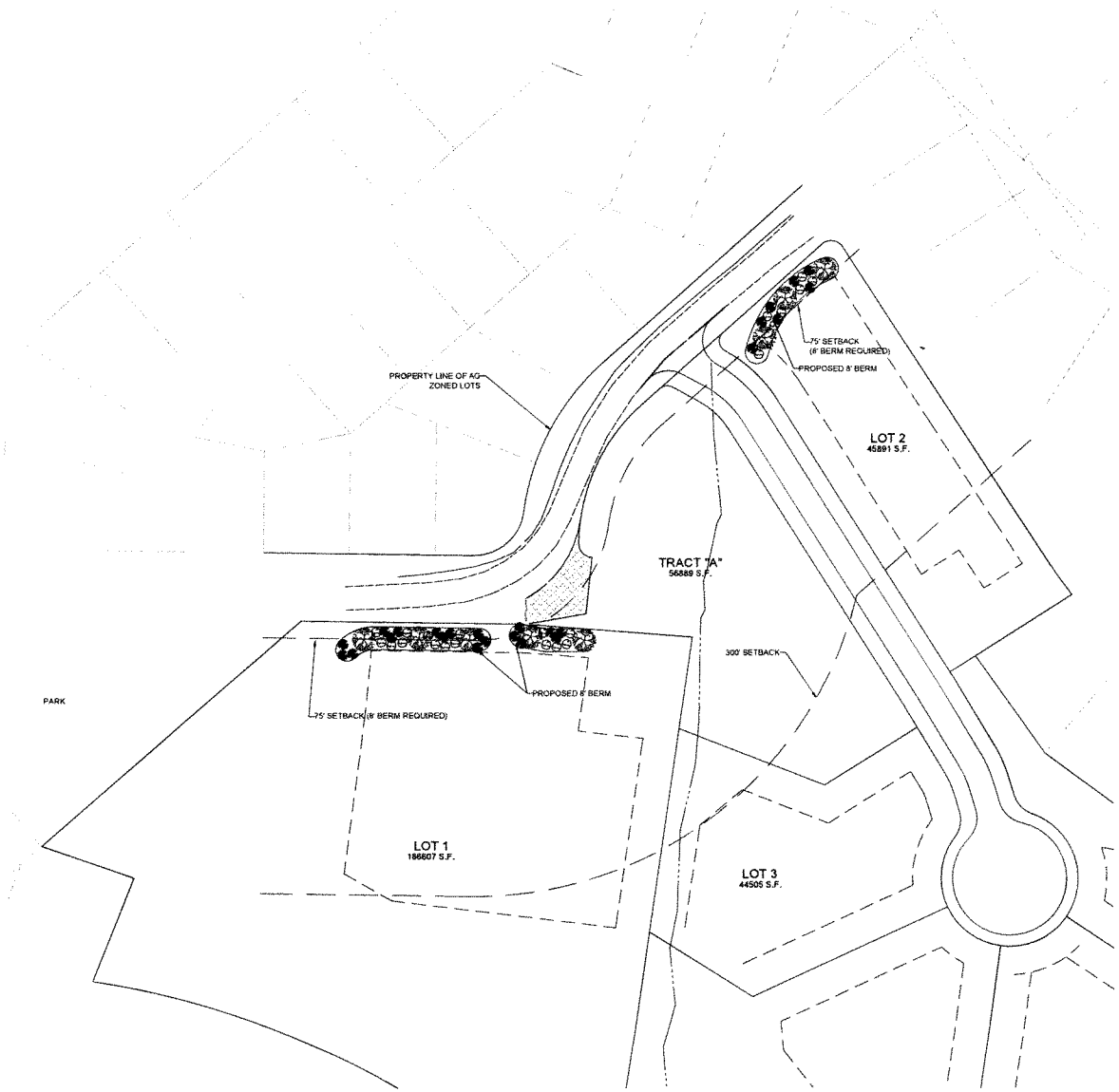
Sincerely,

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:

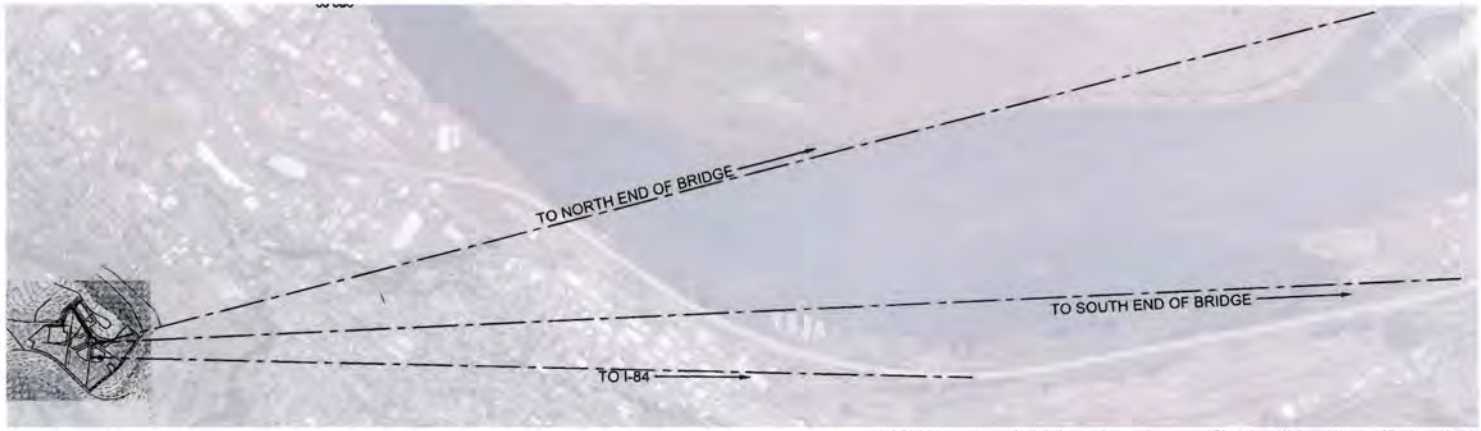
NO.	DESCRIPTION	DATE

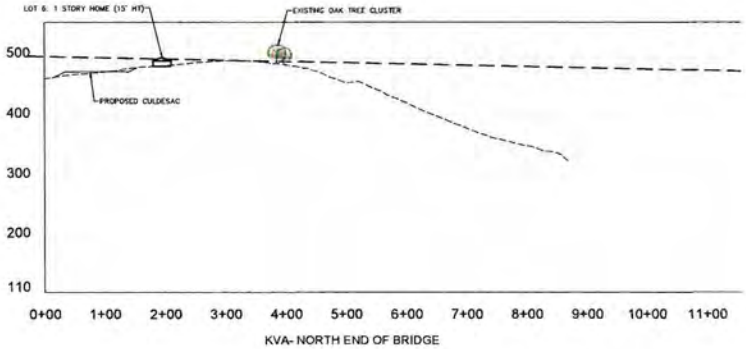
SURVEYED: KA
DESIGN: KA
DRAFT: GD
APPROVE: JK
DATE:

NOVEMBER, 2022

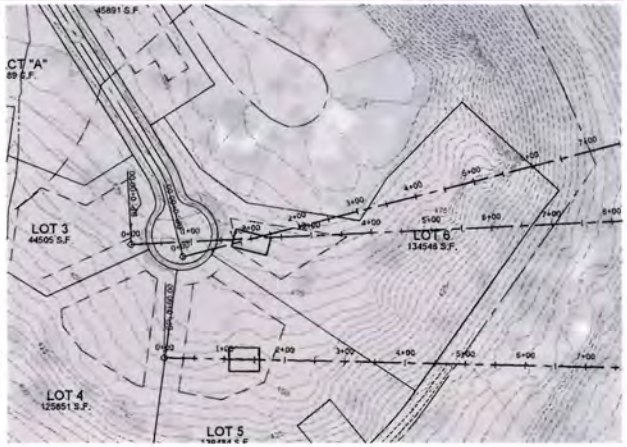
SHEET EX2

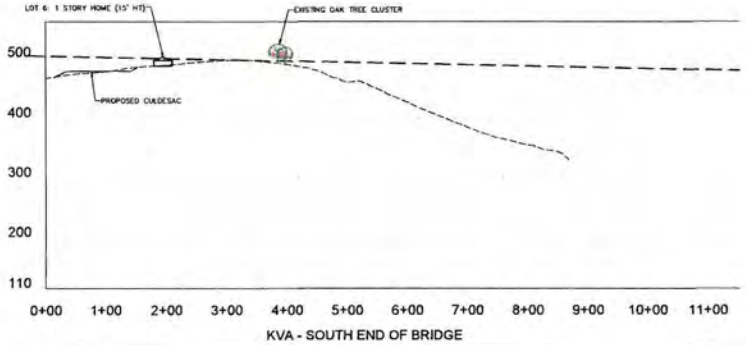
CAD FILE: Z:\PROJECTS\2017\170105 Miller Columbia Crest PUD\Drawing\170105 KNA Exhibits.dwg PLOT DATE/TIME: 12/9/2022 - 1:08pm



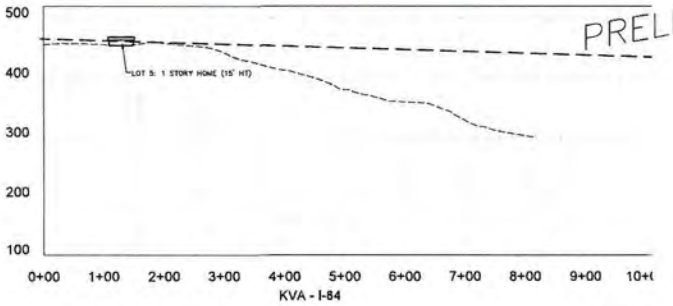


KVA- NORTH END OF BRIDGE





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
APPROVED: JK
DATE:

NOVEMBER, 2022

SHEET EX1

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

	Depth	Texture	
TP #10 (1)	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"

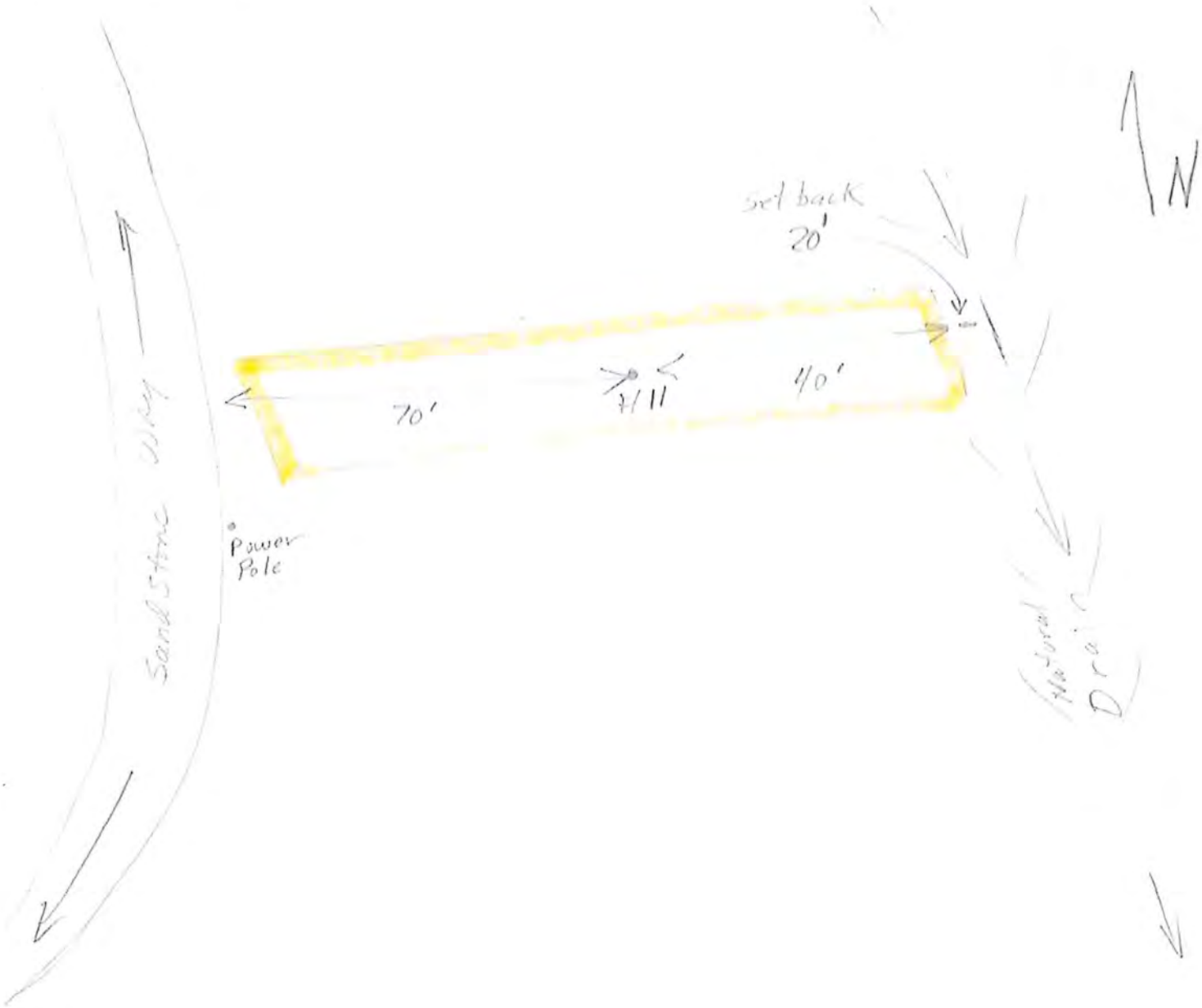
Suitable for standard ATT-Serial w/ hydrosplitter. drain field system. Minimum 1000 gal. septic tank, _____ feet of drain field required for up to a 4 bedroom residence. Soil consists of Sandy Clay loam & Fine to sandy loam 34 inches. Slope is 4 % in drain field area. Special conditions: _____

If this back-up area is used for Lot 2, it will be part of engineering study on hydralic loading on this location.

Lewis Moller

IN 13E SAD

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:
Evaluation X
Repair _____
New Installation: Standard System _____
Alternative System X
Other _____

County:
Wasco ☒ Sherman ☐ Gilliam ☐

Date Pd: Eval _____ Permit _____

Lot 5

Marries 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 Cherryville

DIRECTIONS TO PROPERTY: (Please be specific.)

Cherry Heights to Sandstone Way – Sandstone Way to Hermits

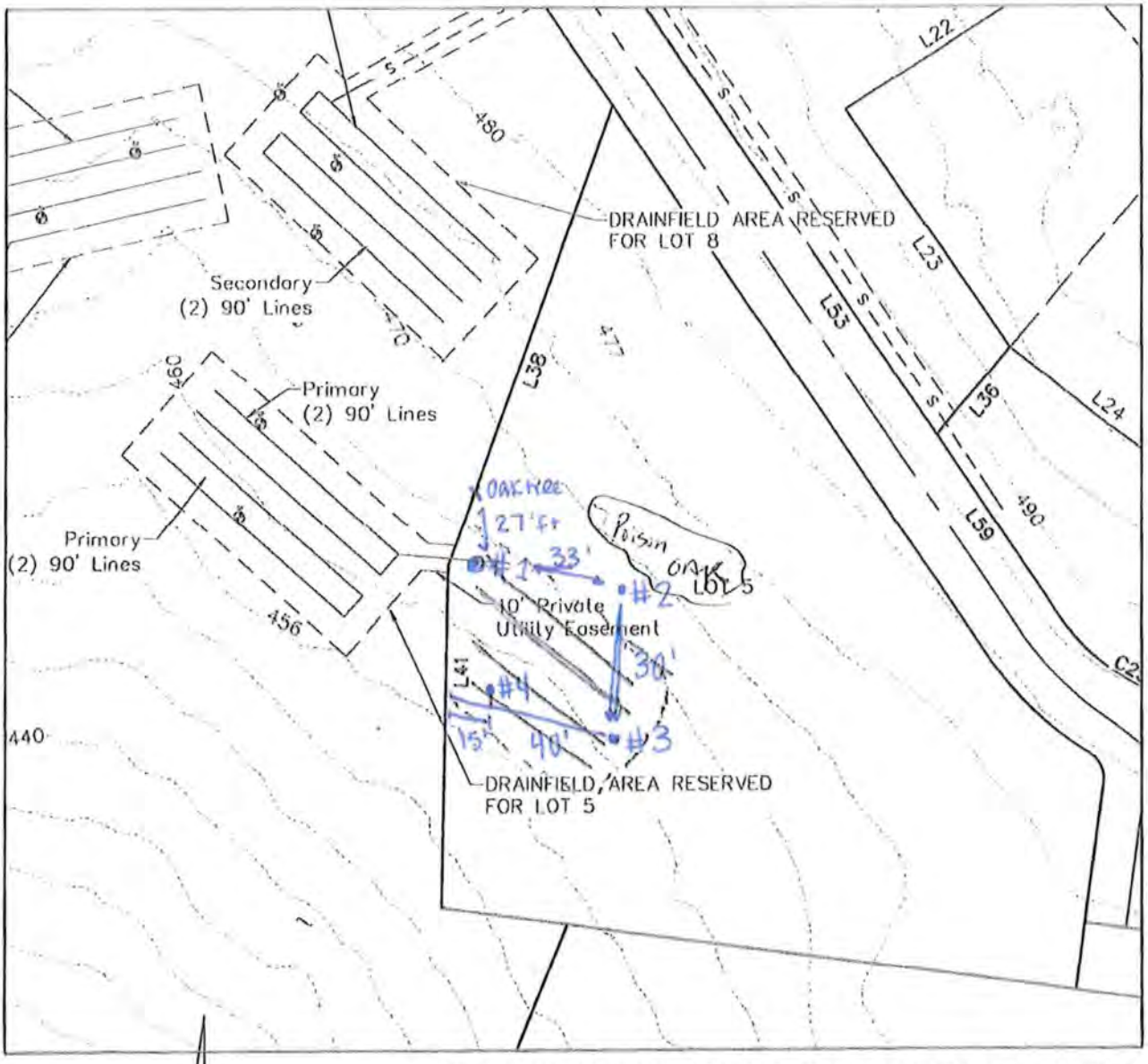
Property Zone Residential Size of lot or parcel 1.5 AC

Test Holes [X] have been prepared [ ] will be prepared (date) _____

(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:
DESIGN:
DRAFT:

Lot 5

SITE EVALUATION FIELD WORKSHEET

Township: 1N Range: 13E Section: 4 Tax Lot#: Tax Reference: Parcel Size: 1.5Ac

Owner/Applicant: Lewis Moller Evaluator: John Zalaznik

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&block	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"	"	"	"	"	"	"	
	16"-29"	"	"	"	"	"	"	
	29"-	~~[illegible]~~ 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	"	"	"	~~mode~~
	20-31"	Clay Loam	10YR4/2	"	"	"	"	
	31-48"	sandy Loam	10YR4/3		Few fine			modeling 36" (cemented)

same as hole #1

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: 15 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, Very 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 Stay above uneven terrain - Road will act as certain 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" ~~[illegible]~~

Replacement ATT-Capping Fill System Sizing 45 /150g. Max Depth Absorption Facility (in.) 20"

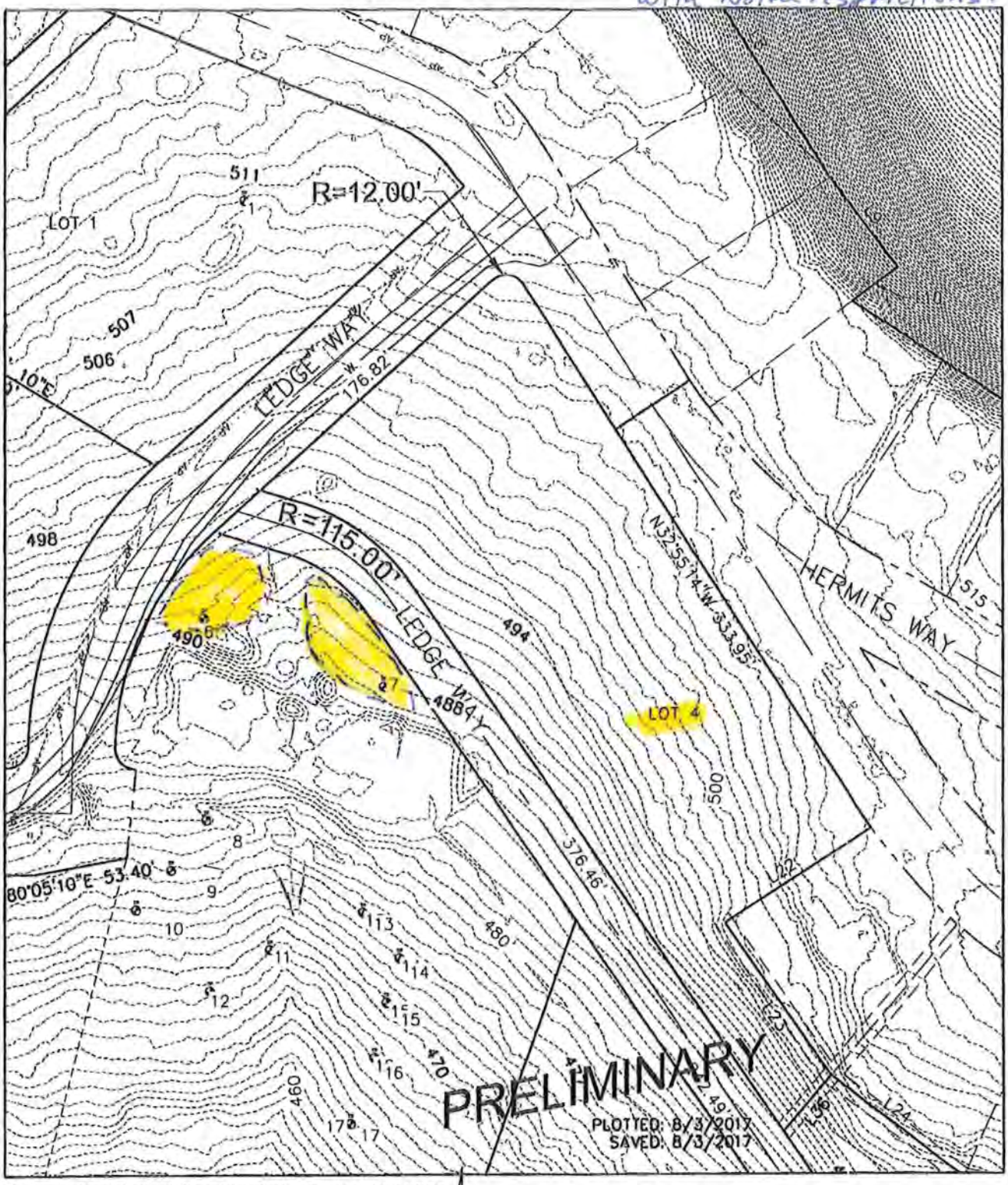
Suitable for standard Possibly ATT-Capping Fill @ hydrosplitted effluent drain field system. Minimum 1000 gal. septic tank, 135 feet of drain field required for up to a 4 bedroom residence. Soil consists of Fine Sandy loam to 30 inches. Slope is 4-8 % in drain field area. Special conditions:

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

High lighted areas are approved for initial & replacement South Fields with Notal 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
1111 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:\User\Julie\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 Zelaznik, NCPHD

Applicant Lewis Moller Date 8/28/17 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

	Depth	Texture	
TP # 12	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 3/2
	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

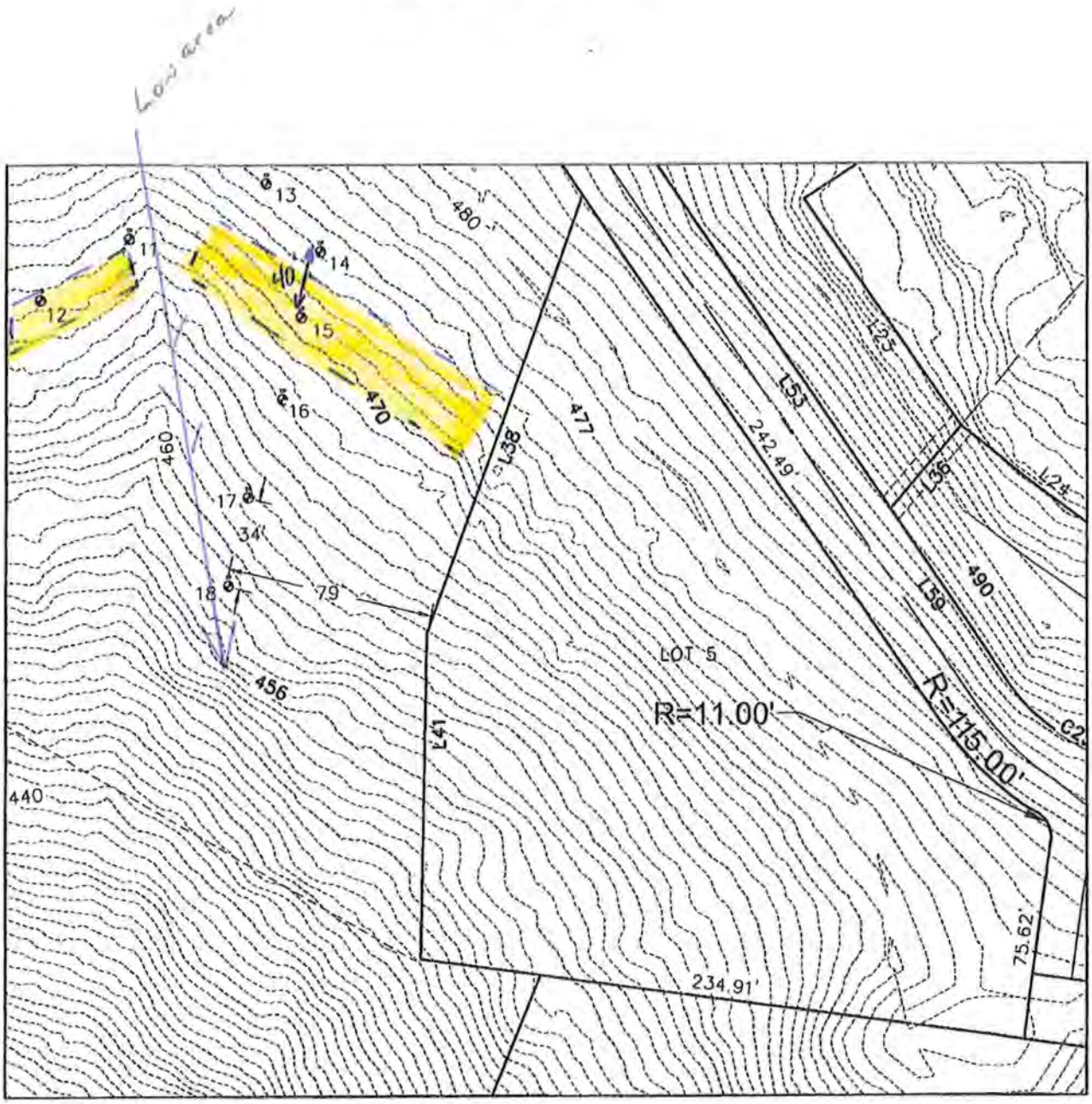
Type System: Design Flow 450 gpd. Disposal Field Size 135'

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 hydralic 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

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	
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LAYOUT:	Layout Name
SURVEYED:	Initials
DESIGN:	Initials
DRAFT:	Initials
APPROVE:	Initials
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:
Evaluation X
Repair _____
New Installation: Standard System _____
Alternative System X
Other _____

County:
Wasco ☒ Sherman ☐ Gilliam ☐

Date Pd: Eval _____ Permit _____

Lot 5

Marie's 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@LKinRealestate.com

Township 1N Range 1E Section 4

Tax Lot # _____

Site Address: _____

Proposed use:
Residential ☐ Commercial ☐
Other (explain) _____

Water Supply: **Private:** Well _____ Spring _____
Community Cherawatch

DIRECTIONS TO PROPERTY: (Please be specific.)

Cherry Heights to Sandstone Way – Sandstone Way to Hermits

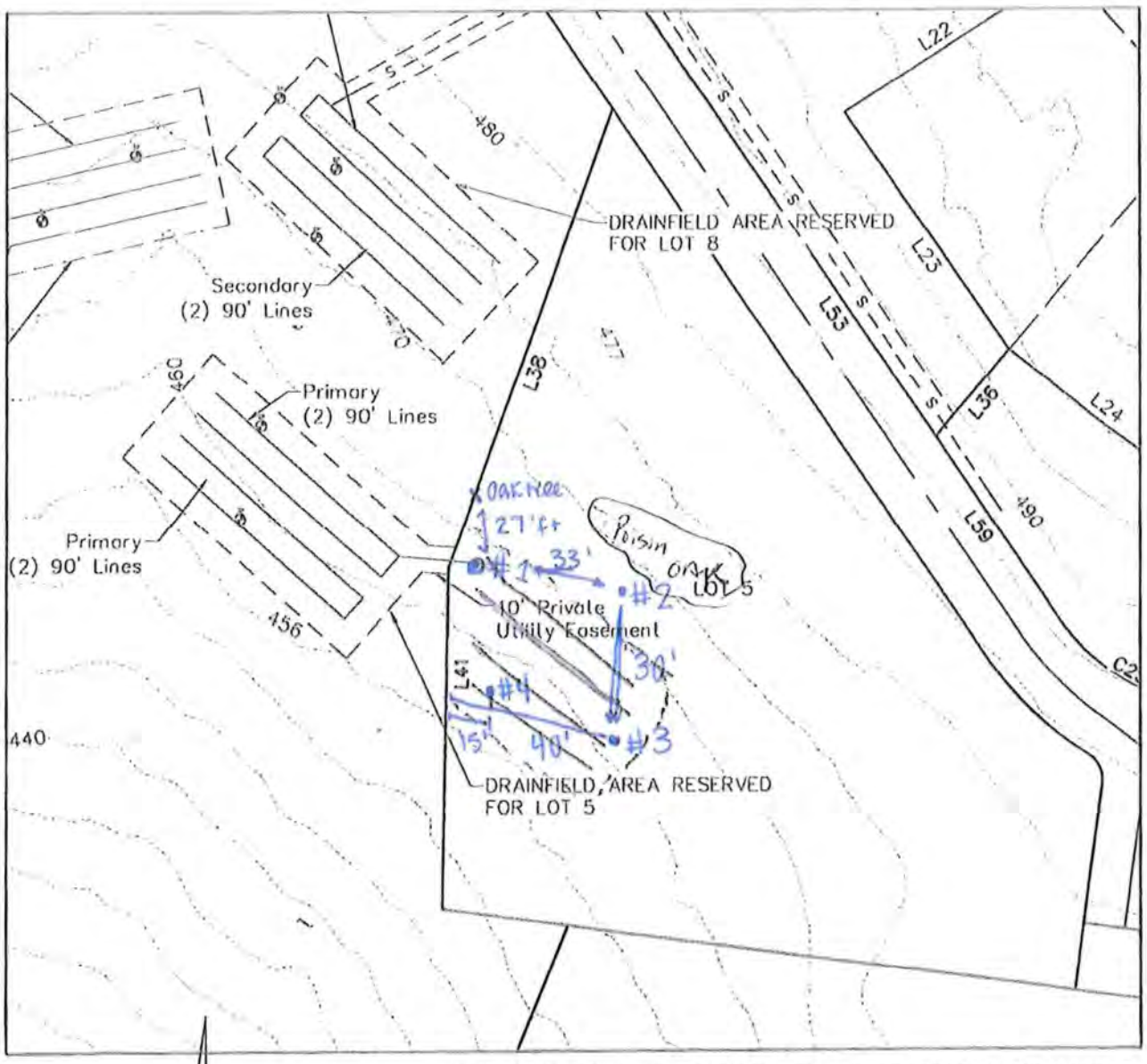
Property Zone Residential Size of lot or parcel 1.5 AC

Test Holes [X] have been prepared [ ] will be prepared (date) _____

(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:
DESIGN:
DRAFT:

Lot 5

SITE EVALUATION FIELD WORKSHEET

Township: 1N Range: 13E Section: 4 Tax Lot#: Tax Reference: Parcel Size: 1.5AC

Owner/Applicant: Lewis Moller Evaluator: John Zalarnik

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-block	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"	"	"	"	"	"	"	
	16"-29"	"	"	same as hole #1	"	"	"	
	29"-	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	"	"	"	mode
	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: 15 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 Zelagnik	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 Jobo 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

	Depth	Texture	
Pit 17	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

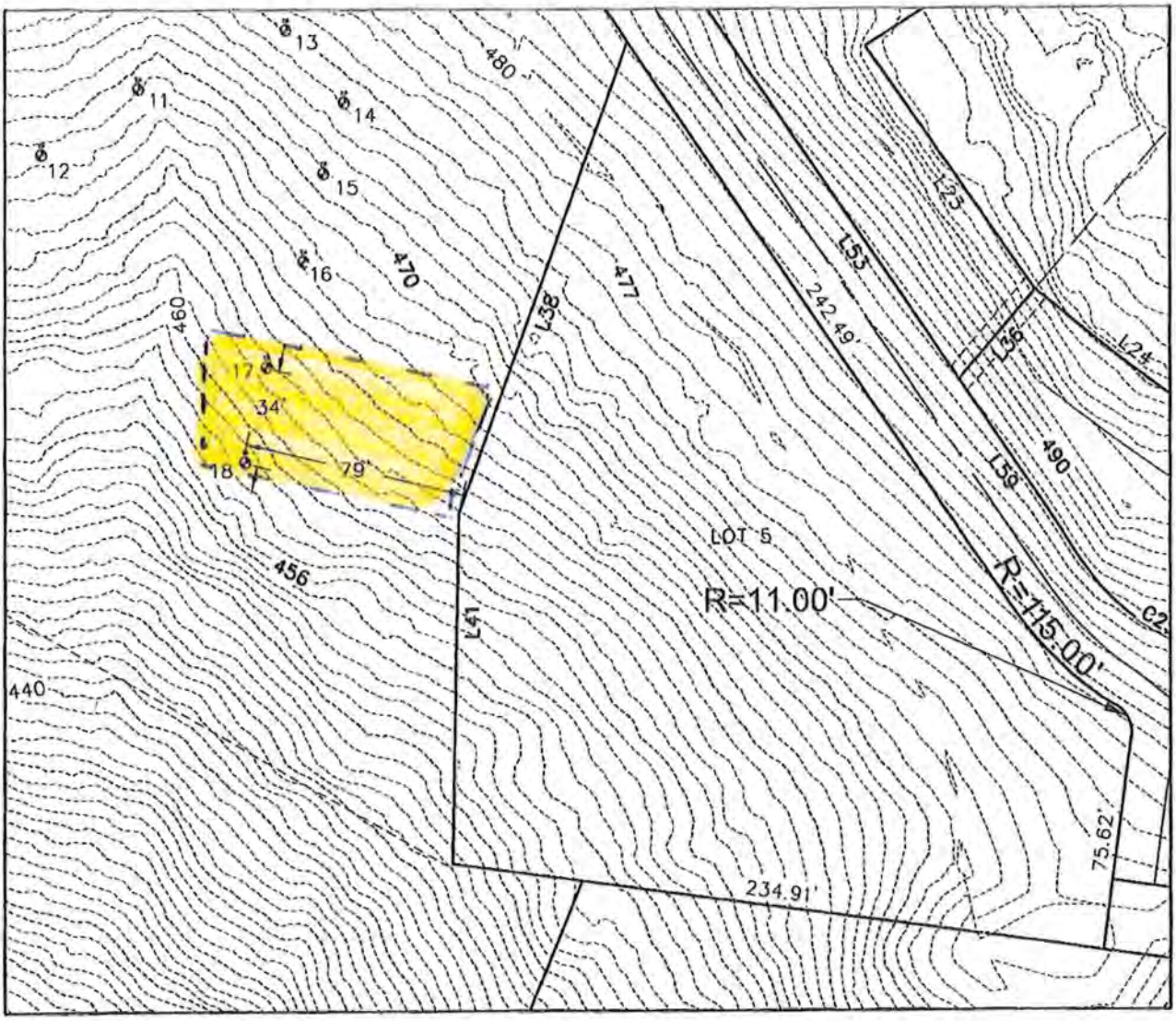
Type System: Design Flow 450 gpd. Disposal Field Size 135'

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 hydrologic 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
1411 13th Street • Hood River, OR 97031
TEL: 541-386-3332 • FAX: 541-386-2515

PROJECT: 17-01-05
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FILE PATH
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LAYOUT: Layout Name
SURVEYED: Initials
DESIGN: Initials
DRAFT: Initials
APPROVE: Initials
DATE: JULY 2017
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

	Depth	Texture	
Pit 20	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, ~~Many~~ Common fine, Subangular blocky 10YR 4/3

Landscapes Notes _____

Slope 16-18 % Aspect E Groundwater Type _____

Other Site Notes _____

SYSTEM SPECIFICATIONS

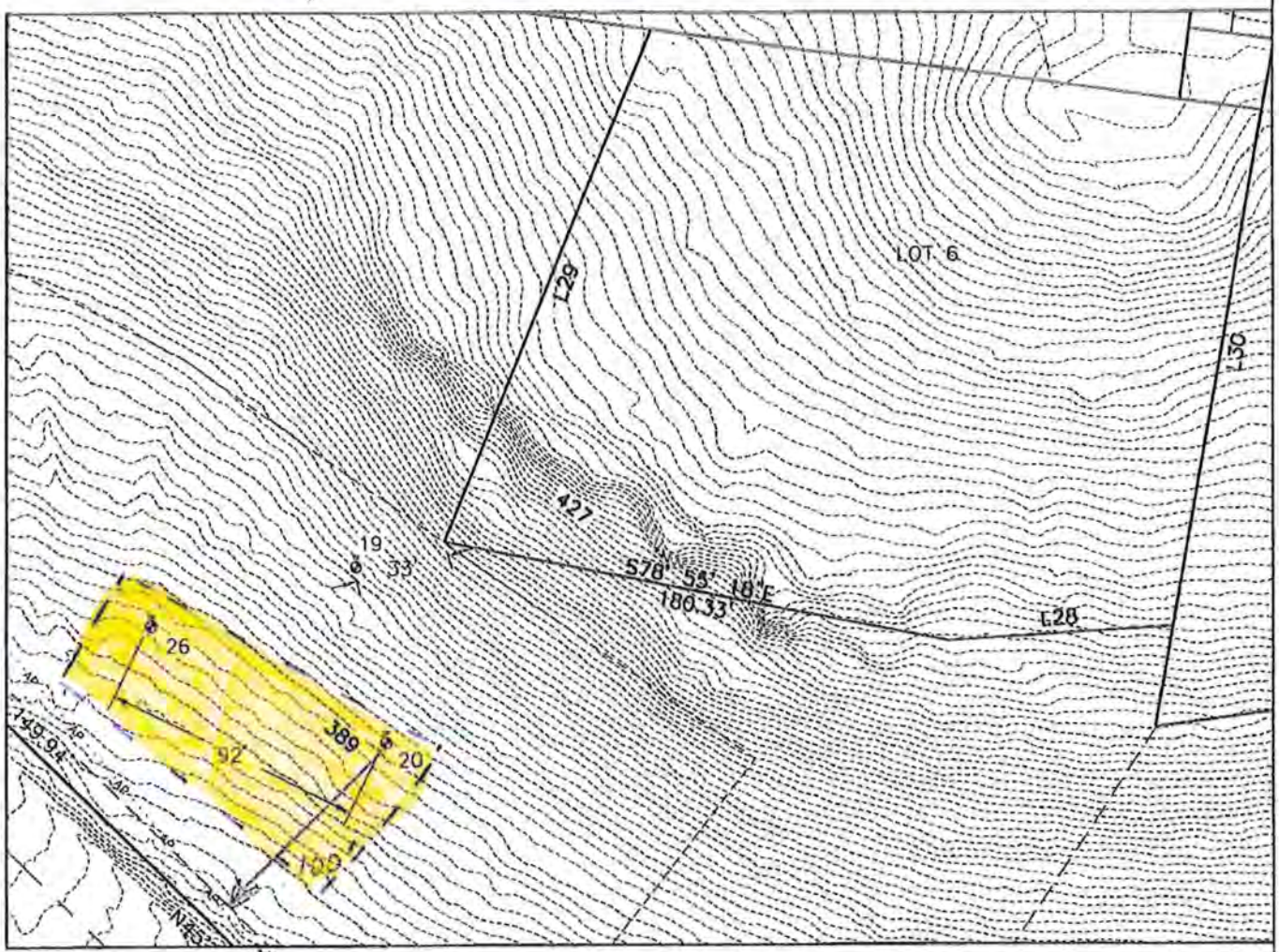
Type System: Design Flow 450 gpd. Disposal Field Size 150

Initial ATT System Sizing 50 /150 g. Max Depth Absorption Facility (in.) 24 min 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

PRELIMINARY

PLOTTED: 8/3/2017
SAVED: 8/3/2017

Easement Down hill

Road Cut

-30 0 30 60

SCALE – FEET
1" = 60'

LOT 6 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
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SURVEYED: Initials
DESIGN: Initials
DRAFT: Initials
APPROVE: Initials
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.

	Depth	Texture	
Pit 23	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, ~~Subangul~~ Angular blocky 7.5YR 6/3

Landscapes Notes Cereal Rye

Slope 8-12 % Aspect S-SE Groundwater Type _____

Other Site Notes _____

SYSTEM SPECIFICATIONS

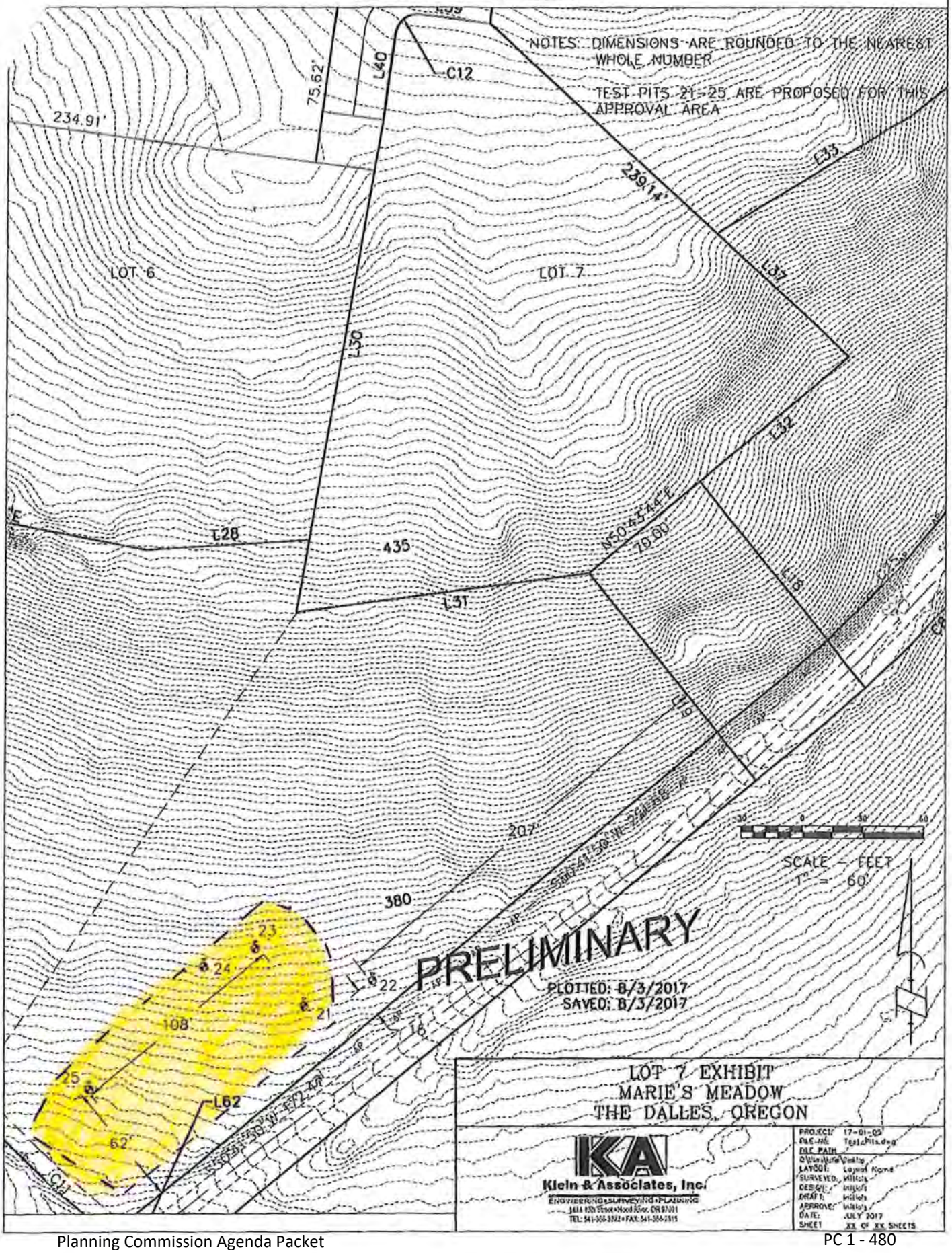
Type System: Design Flow 450 gpd. Disposal Field Size 150

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: Easments need to be recorded since these perc holes are not on Lot 7.

EXHIBIT LOT 7



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 —

	Depth	Texture	
TP 13	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

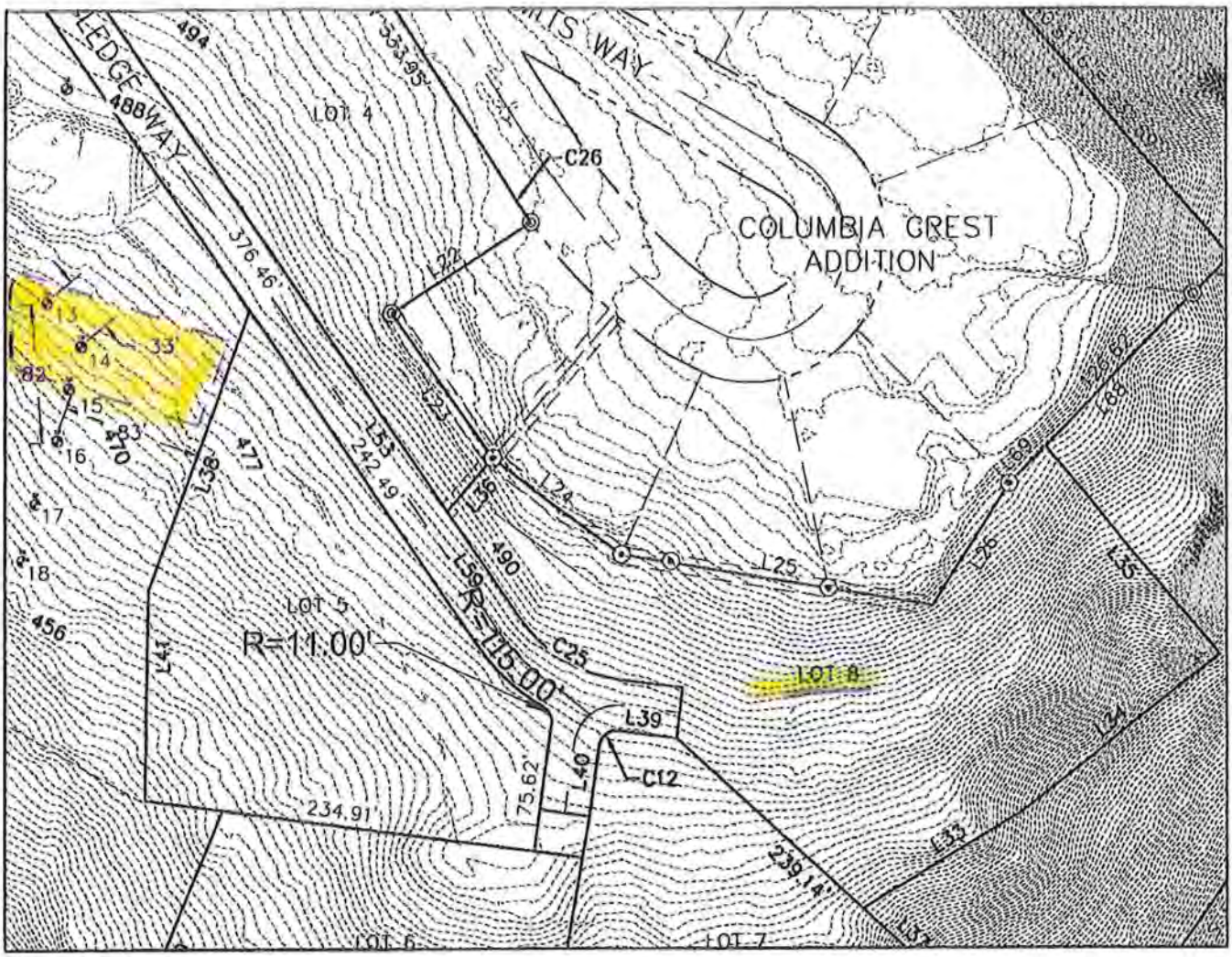
Type System: Design Flow 450 gpd. Disposal Field Size 135

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

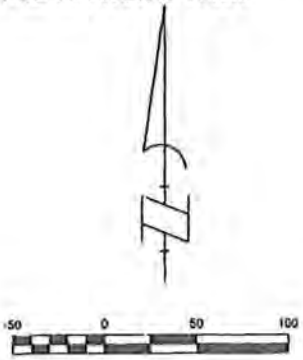
Suitable for standard ATT-Serial Equal w/hydrosplitter drain field system. Minimum 1000 gal. septic tank, 135 feet of drain field required for up to a 4 bedroom residence. Soil consists of Silt Loam - Loam to 36 inches. Slope is 8-10 % in drain field area. Special conditions: EASEMENT-Needed

EXHIBIT LOT 8



NOTES: DIMENSIONS ARE ROUNDED TO THE NEAREST WHOLE NUMBER

TEST PITS 17 AND 18 ARE PROPOSED FOR THIS APPROVAL AREA



SCALE – FEET
1" = 100'

PRELIMINARY

PLOTTED: 8/3/2017
SAVED: 8/3/2017

LOT 8 EXHIBIT
MARIE'S MEADOW
THE DALLES, OREGON

Klein & Associates, Inc.
ENGINEERING • SURVEYING • PLANNING

PROJECT:	17-01-05
FILE No:	Test_Pits.dwg
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SURVEYED:	Initials
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DRAFT:	Initials
APPROVE:	Initials
DATE:	JULY 2017
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.

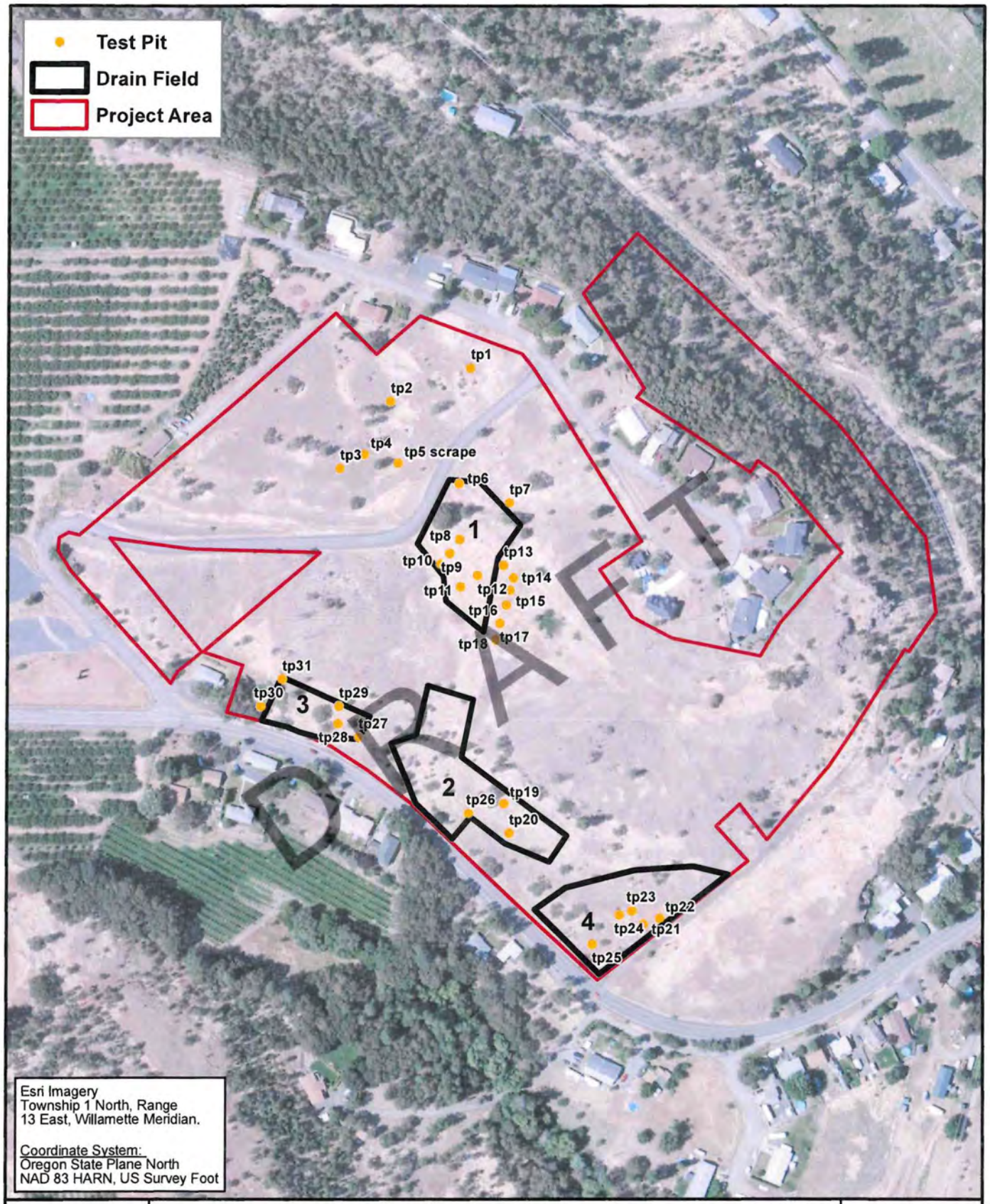
You have indicated that you will likely be pursuing a combination of on-lot drainfields, with some parcels to be served by drainfield easements. Prior to submitting the Site Evaluation applications to North Central Public Health for the 7-8 parcels, you will need to determine and depict your proposed 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.

REGISTERED PROFESSIONAL ENGINEER
71333PE
OREGON
JAN 14, 2003
ELIZABETH L. BETTS
RENEWS: 12/31/23

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

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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

Name: Elizabeth Betts, PE (Klein & Associates
Address: 1411 13th Street
City/State/Zip: Hood River, OR 97031
Phone: 541-386-3322
Email: elizabeth@kleinassocinc.com

OWNER INFORMATION

Name: Smilekel Group (Mona Miller)
Address: 1309 SE 195th Ave
City/State/Zip: Camas, WA 98607
Phone: 503-274-7022
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.
☐ Ye s – 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

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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