

Umatilla County

Department of Land Use Planning

216 SE 4th ST, Pendleton, OR 97801, (541) 278-6252



Land Division, Type I - IV

Supplemental Application & Information Packet

Note: Please complete the Land Use Request Application as well.

PROCESSING TYPE I & III APPLICATIONS

The planning staff has 30 days to review the application for completeness; once the application is deemed complete, the Subdivision or Replat plan will be scheduled for review by the Planning Commission at the next available Planning Commission hearing. The staff will prepare a staff report (findings) for presentation at the hearing. A public notice and map will be mailed to all surrounding property owners, the affected government agencies, and utility companies 10 days prior to the hearing.

TENTATIVE APPROVAL

The planning staff will revise the "findings" according to the action taken by the planning commission. A letter will be sent to the applicant setting forth the planning commission's decision and if approved any conditions imposed, both precedent and subsequent. Notice of the decision will be sent to all those who testify or comment.

Within one year of tentative approval the precedent conditions must be met and the final subdivision plat or replat submitted to the planning department for approval.

FEES for TYPES I & III

TYPE I – Subdivisions, Planning Department Application Fee - \$1000.00 + \$25/lot over 10 lots (*Submitted with the application.*)

TYPE III – Subdivision Replats, Planning Department Application fee - \$750.00 (*Submitted with the application.*)

Other applicable Fees for Type I & III Applications:

County GIS/Mapping Plat Review Fee - \$50.00

County Surveyor's Plat Review Fee - \$150 + \$10/ lot

County Records' Plat Recording Fee – varies

The above Fees for plat review and recording are paid by the applicant directly to each Department when the plat is reviewed. Checks may be made out to "Umatilla County."

PROCESSING TYPE II & IV APPLICATIONS

Most applications are processed through "administrative review." The typical application process is approximately six to eight weeks long.

Planning staff have 30 days to review the application for completeness; and once the application is deemed complete

planning staff has an additional 20 working days to prepare a staff report.

The staff report is mailed out to the applicant (s), owner (s), all surrounding property owners, affected government agencies, and utility companies. Those notified are given 21 days in which to respond with questions, comments, recommended conditions, or to request a public hearing.

FEES for TYPES II & IV

TYPE II – Land Divisions in Non-Resource Zones, Planning Department Application Fee - \$750.00 (*Submitted with the application.*)

Other applicable Fees for Type II Applications:

County Surveyor's Plat Review Fee - \$125.00

County GIS/Mapping Plat Review Fee - \$50.00

County Records' Plat Recording Fee - \$80.00

The above Fees for plat review and recording are paid by the applicant directly to each Department when the plat is reviewed. Checks may be made out to "Umatilla County."

TYPE IV – Land Divisions in Resource Zones

Planning Department Application Fee - \$750.00 (*Submitted with the application.*)

Note: If a Partition Plat is necessary for a Type IV Land Division the plat review fees and recording fee required for the Type II Land Division apply.

All of the above Land Division applications have additional notice costs. Notice costs are based on the number of notices mailed by the County. Legal notice, if required, is based on local newspaper notice cost. All notice costs are required to be paid prior to final approval. (Planning Fee Schedule Effective July 1, 2008 via Ord. #2008-10)

Other County Records' recording fees - may be applicable to all Land Divisions (i.e., covenant not to sue, covenant not to sell separately, and irrevocable consent agreements, Final Findings, etc.) and would be requested at the time of recording. Recording Fees are based on the number of pages recorded.

It is the responsibility of the applicant to submit a complete application with all requested support documents.

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File Location: H:\SHARED \Forms_Master\Application Forms & Supplemental Packets\Supplemental Packet - Land Divisions.doc

Section 1 - Type I - Subdivision

Taken from UCDC 152.665 – .669, Type I Land Division; also review the provisions in UCDC 152.610 – 652 “General Provisions” which applies to all land division applications.

The following proposals are designated Type I Land Divisions:

- (a) Subdivisions;
- (b) Any other land division proposal which, as determined by the Planning Director, will have a substantial impact on the use or development of nearby property, such that determination at a public hearing is required, considering:
 - 1. The nature of nearby land uses or the pattern of existing land division in relation to the applicable goals and policies of the Comprehensive Plan;
 - 2. Plans or programs for the extension of streets or utility systems on or near the proposed division;
 - 3. Physical characteristics of the tract or nearby area such as steep slopes, a history of flooding, poor drainage, landslides or other existing or potential hazards;

Refer to the Umatilla County Development Code (UCDC) Type I, Subdivisions for a complete listing of all of the criteria. Below is a checklist for the submittal.

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- | | |
|---|--|
| 1. Is a report describing the subdivision attached? Details of the report are outlined in UCDC 152.666 (1) <i>General written information required.</i> | <input type="checkbox"/> Yes, the report is attached and follows the requirements of UCDC 152.666 (1).
<input type="checkbox"/> No report is being submitted. |
| <hr/> | |
| 2. Is a Tentative Plan Map attached? Details of the map are outlined in UCDC 152.666 (2) <i>Tentative plan map information.</i> | <input type="checkbox"/> Yes, the map is attached and follows the requirements of UCDC 152.666 (2).
<input type="checkbox"/> No map is being submitted. |
| <hr/> | |
| 3. Is a report describing the Existing Conditions attached? Details of the report are outlined in UCDC 152.666 (3) <i>Existing Conditions.</i> | <input type="checkbox"/> Yes, the report is attached and follows the requirements of UCDC 152.666 (3).
<input type="checkbox"/> No map is being submitted. |
| <hr/> | |
| 4. Is a report describing the Proposed Improvements attached? Details of the report are outlined in UCDC 152.666 (4) <i>Proposed Improvements.</i> | <input type="checkbox"/> Yes, the report is attached and follows the requirements of UCDC 152.666 (4).
<input type="checkbox"/> No map is being submitted. |
| <hr/> | |
| 5. Is a report describing the Supplementary Materials that may be required attached? Details of the report are outlined in UCDC 152.666 (5) <i>Supplementary Materials.</i> | <input type="checkbox"/> Yes, the report is attached and follows the requirements of UCDC 152.666 (5).
<input type="checkbox"/> No map is being submitted. |
| <hr/> | |
| 6. Is a report describing the Criteria of Approval attached? Details of the report are outlined in UCDC 152.666 (6) <i>Criteria of Approval.</i> | <input type="checkbox"/> Yes, the report is attached and follows the requirements of UCDC 152.666 (6).
<input type="checkbox"/> No map is being submitted. |

Section 2 - Type II - Divisions in Non-Resource Zones

Taken from UCDC 152.680 – .686, Type II Land Division; also review the provisions in UCDC 152.610 – 652 “General Provisions” which applies to all land division applications.

The following proposals are designated Type II Land Divisions:

- (a) Major partitions, except in the EFU or GF Zones.
- (b) Minor partitions, except in the EFU or GF Zones.
- (c) Replats of partitions created since January 1, 1990.

Refer to the Umatilla County Development Code (UCDC) Type II, Land Divisions for a complete listing of all of the criteria. Below is a checklist for the submittal.

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1. Will this division allow development and access on the remainder of the property and/or on adjoining property?

Yes No

Explain: _____

-
2. Will development comply with provisions of § 152.019, Traffic Impact Analysis, where applicable?

Explain: _____

(attach additional pages, if necessary)

-
3. If an easement will provide access, how many parcels does the easement have the potential to serve? (Also consider adjacent parcels where applicable.)

_____ parcels

-
4. Access: A dedicated public road or recorded easement to each parcel must conform to right-of-way and improvement standards as follows:

County or Public Road Name: _____

Existing Easement Name, if applicable: _____

- a) If a recorded easement for access purposes of a Type II Land Division will serve three or fewer parcels and will not likely serve other parcels or lots the easement is the Option 1 or “P-1” County Road Standard as provided in § 152.648 (D). The easement or right-of-way shall be a minimum of 30 foot wide and improved with a surface width of at least 16-feet; or

a) 30-ft Access Easement will be created and improved as provided by Option 1

b) 60-ft Access Easement will be created and improved as provided by Option 2

- b) If a public road or recorded easement for access purposes in a Type II Land Division will serve four or more parcels and will likely serve

additional parcels or lots, or likely be an extension of a future road as specified in a future road plan, the right-of-way or easement shall be required to be improved to meet the Option 2 or "P-2" County Road Standard as provided in § 152.648 (D). The 60-foot right-of-way or easement shall be improved with a surface width of at least 22-feet.

5. Will the Property need to obtain a legal **Access Approach Permit** onto a County or Public Road or State Highway? If so, contact County Public Works, 278-5424, or ODOT, 276-1241 for process.

- Yes, to a County Road
- Yes, to a State Highway
- No, a legal Approach has already been approved, **attach copies**.
-

6. Does each parcel under four acres in size, both those partitioned, and the remnant piece, have site suitability approval from the Department of Environmental Quality?

- Yes, DEQ Site Suitability Approvals have already been obtained, **see attached copies**.
- Not Yet Received, but will be when/if the land division receives tentative approval.

Proposed Parcel #_____ is already developed with a working septic system.

7. Is there an existing irrigation ditch or irrigation pipeline that crosses or will cross the parcel(s)? If so, an easement must be recorded and approved to allow maintenance of the ditch or pipeline.

- Yes, an easement will be recorded allowing for maintenance access.
- No, an irrigation ditch or pipeline will not cross the property
-

8. Are there any known development limitations (i.e. septic, water, etc.) within the proposed Type II Land Division? If so, please outline appropriate measures to mitigate any limitations.

- Yes, there are limitations, a description of the limitation and the proposed mitigation measures to be taken are provided on the attached page(s).
- No limitations are known
-

9. How many parcels will be created and at what acreages?

Parcel 1: _____ acres

Parcel 2: _____ acres

Parcel 3: _____ acres

Section 3 - Type III -Replat

Taken from UCDC 152.695 – 698, Land Division; also review the provisions in UCDC 152.610 – 652 “General Provisions” which applies to all land division applications.

Type III Land Division is a replat of an existing subdivision (or “addition”), whereby the lot configuration, the public roads or streets, and/or the dedicated easements are proposed to be realigned. Replatting includes adjustments to the boundary lines between adjoining lots, except as provided for survey corrections under Type V Land Divisions. This subchapter is intended to implement the requirements of ORS 92.180 through 92.190. Review and approval of a Type III Land Division shall be as follows in §§ 152.696 through 152.698.

NOTE: A tentative replat plan shall be filed with the Planning Director, who shall schedule it to be reviewed via the public hearing process before the Planning Commission, pursuant to §§ 152.770, 152.771 and 152.772.

-
1. Is a written report/map describing the replat attached? Details of the report are outlined in UCDC 152.697 (B) *Contents of a tentative replat plan*
- Yes, the tentative replat plan is attached and follows the requirements of UCDC 152.697 (B).
- No report is being submitted.

The written report and map will contain these details:

- (a) Location of existing structures and buildings, including distances to existing lot lines.
- (b) Location of natural features, including streams, bluffs, rock out-crops, ponds, and wetlands.
- (c) Use of the land within the proposed replat.
- (d) Location and identification of all existing utility lines and irrigation ditches.
- (e) Location of existing driveways.
- (f) Location and identification of existing roads and access easements.
- (g) Other restrictive features specific to the site and not identified above.
- (h) The location of the proposed new lot lines, roads, and easements, and distances with respect to existing lot lines, existing structures, utility lines, and the like, as needed to determine compliance of the proposal with the standards of this chapter.

-
2. Is a written report describing the replat attached? Details of the report are outlined in UCDC 152.697 (C) *Criteria for approval of a Type III Land Division*.
- Yes, the report is attached and follows the requirements of UCDC 152.697 (C).
- No report is being submitted.

The written report is to answer the following criteria:

- (a) Complies with applicable elements of the Comprehensive Plan;
- (b) Complies with applicable provisions listed in the zoning regulations of this chapter;
- (c) Conforms and fits into the existing development scheme in the area, including logical extension of existing roads and public facilities within and adjoining the site;
- (d) Complies with the standards and criteria of § 152.667, if applicable, due to the size, scope, and/or location of the request.

Section 4 - Type IV, Review I – Divisions in Resource Zones

Taken from UCDC 152.710 (B), Type IV Land Divisions; also review the provisions in UCDC 152.610 – 652 “General Provisions” which applies to all land division applications.

The following proposals are designated Type IV, Review I Land Divisions:

- (1) Partitions of land in an EFU, Exclusive Farm Use Zone.
- (2) Partitions of land in a GF, Grazing Farm Zone.

Umatilla County Comprehensive Plan, Agricultural Policy 3 To allow the flexibility of management options, to continue the existing commercial agricultural enterprises in a given area, and to assure that non-farm activities will not be encouraged, a flexible review called a "matrix system" shall be created that requires appropriate standards and review procedures for a variety of parcel division purposes and development situations. The policies on which the matrix system is designed are described below:

- (a) New parcels of 160 acres or larger are appropriate to continue the existing commercial agricultural enterprises in those areas designated North/South County Agricultural Regions.
- (b) New parcels equal to or greater than 80 acres may be authorized when found to be appropriate to continue the existing commercial agricultural enterprise in the North/South County Agricultural Region,
- (c) Dwellings customarily provided in conjunction with farm use may be allowed on parcels of 160 acres or larger and may be allowed on parcels of less than 160 acres provided that the parcel can be shown to satisfy the requirements of Policy #4.

1. Does the request preserves agricultural lands and agricultural uses as intended in ORS 215.243 and Policy 3 of the agricultural policies for the county; and for those areas designated grazing/forest on the Comprehensive Plan Map as well as preserves forest lands for forest uses as intended by Policies 1, 2 and 4 in the grazing/ forest policies for the county?	<input type="checkbox"/> Yes, agricultural lands will be preserved and the specified policies are found to be met. Please provide a description. _____ _____ _____
	<input type="checkbox"/> No, why not? _____ _____

2. Is a dwelling proposed for the new parcel?	<input type="checkbox"/> Yes, there is a dwelling proposed. If so, show (site plan drawing) or explain how the proposed dwelling meets the minimum requirements for road frontage, yard setbacks, stream setbacks, and road or easement access standards.
	<input type="checkbox"/> No dwelling is proposed.

3. Is the use of the property either for the purpose of farm use as defined by ORS 215.203(2) and set out in § 152.003 or forest use as described in Policy 2 of grazing/forest policies for the county? If crops are grown please describe the types of crop(s), number of acres, or how many head of livestock is raised, etc.

4. Will all parcels created be 160 acres or larger or be combined with adjacent lands?

Parcel 1 = _____ acres,

Parcel 2 = _____ acres,

Parcel 3 = _____ acres.

Number of _____ acres combined with
Tax Lot # _____

5. The proposed division is a result of the requirements of an approved conditional use, land use decision, or variance request.

Yes, this land division is part of an approval for a CUP, LUD or Variance for _____

No other approvals are a part of this land division application.

NOTE: Typically when creating parcels that are larger than 80 acres a partition plat is not required. Please provide a clear and legible land division map showing the way in which the original parcel will be divided with each resulting parcel being Parcel 1, Parcel 2, and if applicable, Parcel 3. Also provide accurate (typed) legal descriptions for all resulting parcels. In place of the partition plat the new parcel legal descriptions and division map will be recorded with the Planning Department Findings for Final approval. The planning approval will need to be followed with a deed(s) (conveyance) recorded in County Records. This will complete the division.

Section 5 - Type IV, Review II – Divisions in Resource Zones

Taken from UCDC 152.710 (C), Type IV Land Divisions; also review the provisions in UCDC 152.610 – 652 “General Provisions” which applies to all land division applications.

The following proposals are designated Type IV, Review II Land Divisions:

- (1) Partitions of land in an EFU Exclusive Farm Use Zone.
- (2) Partitions of land in an approved “Go Below” area.

1. Does the request preserve and maintain farm use consistent with Oregon Agricultural Land Use Policy found in ORS 215.243.?

Yes, agricultural lands will be preserved and the specified policies are found to be met. Please provide a description.

No

2. Is the use of the property for the purpose of farm use as defined in § 152.003?

Yes, the use of the property is for farm use as defined by UCDC 152.003.

No the use of the property will not be for farm or forest use as defined.

3. Is a dwelling proposed for the new parcel?

Yes, there is a dwelling proposed. If so, explain how the dwelling will meet the minimum for road frontage, yard setbacks, stream setbacks, and road and/or easement standards.

No dwelling is proposed.

4. Will all parcels created be 80 - 160 acres in size or is the property within an approved “Go Below” area?

Yes, the parcels being created will be 80 - 160 acres in size.

No the parcels will not be 80 – 160 acres in size.

The property is within an approved “Go Below” area and meets the specified parcel size set forth.

5. How many parcels will be created and at what sizes?

Parcel 1: _____ acres

Parcel 2: _____ acres

Parcel 3: _____ acres

Section 6 -Type IV, Review III – Divisions in Resource Zones

Taken from UCDC 152.710 (D), Type IV Land Divisions; also review the provisions in UCDC 152.610 – 652 “General Provisions” which applies to all land division applications.

There are two levels of review and are detailed below:

Type IV, Review III, Level I. Partitions of land in an EFU Exclusive Farm Use Zone when creating up to two (2) non-farm parcels intended for two (2) non-farm dwellings when the parent parcel remains at 160 acres or larger.

1. Is the parent lot or parcel 160 acres or larger? Yes, the parent parcel is 160 acres or larger.
- No, the parent parcel is less than 160 acres. (Do not continue. Your request does not qualify under Review III, Level I.)
-
2. Have the non-farm dwellings been approved under UCDC § 152.059 (K) (VI)? Yes, the non-farm dwelling(s) request has been submitted for approval.
- No, explain. _____
-
3. Are the parcels for the non-farm dwellings divided from a parent lot or parcel that was lawfully created prior to July 1, 2001? Yes, the parent lot or parcel was created prior to July 1, 2001, on (date)_____ **(provide documentation)**
- No the parent lot or parcel was created after July 1, 2001.
-
4. Is the remainder of the parent lot or parcel that does not contain the non-farm dwellings 160 acres or greater? Yes, the remainder of the parent lot or parcel is greater than 160 acres.
- No, the remainder of the parent lot or parcel is smaller than 160 acres.
-
5. Are the parcels for the non-farm dwellings generally unsuitable for the production of farm crops and livestock or merchantable tree species considering the terrain, adverse soil or land conditions, drainage or flooding, vegetation, location and size of the tract. A parcel may not be considered unsuitable based solely on size or location if the parcel can reasonably be put to farm or forest use in conjunction with other land. Yes, the parcels for the non-farm dwellings are generally unsuitable for farming. Please explain in detail. _____
- _____
- _____
- _____
- (additional space provided on page 10)
- No, the parcels are suitable for farming.

6. Is the parent lot or parcel under Special Farm Assessment? The parcels upon which non-farm dwellings are approved shall be disqualified from farm tax deferral program and the tax penalty shall be paid prior to final partition approval.

Yes, the parent lot or parcel is under Special Farm Assessment. The location of the non-farm parcel(s) are required to be disqualified from Special Farm Assessment and taxes paid prior to final approval.

No, the parent parcel is not on Special Farm Assessment.

7. How many parcels will be created and at what acreages?

Parcel 1: _____ acres

Parcel 2: _____ acres

Parcel 3: _____ acres

May provide additional information here:

Type IV, Review III, Level II. Partitions of land in an EFU, Exclusive Farm Use Zone, when creating two (2) non-farm parcels intended for two (2) non-farm dwellings when the parent parcel remains greater than 40 acres in size. The new parcel and the parent parcel must BOTH qualify as non-farm dwelling parcels.

-
1. Is the current parcel 40 to 160 acres in size?
- Yes, the current parcel is between 40 to 160 acres in size.
- No. (Do not continue. Your request does not qualify under Review III, Level II.)
-
2. Have the non-farm dwellings been approved under UCDC § 152.059 (K) (VI)?
- Yes, the non-farm dwelling request has have been submitted for approval. If not, explain. _____
-
3. Was the parcel lawfully created prior to July 1, 2001;
- Yes, the parent lot or parcel was created prior to July 1, 2001, on (date)_____ **(attach documentation)**
- No the parcel was created after July 1, 2001.
-
4. Does the parcel have established water rights for irrigation?
- Yes, there are established water rights, (attach documentation)
- No, there are no established water rights
-
5. The parcel is not capable of producing more than at least 20 cubic feet per acre per year of wood fiber;
- Yes, the parcel is capable of producing more than at least 20 cubic feet per acre per year of wood fiber.
- No, the parent parcel is not capable of producing more than 20 cubic feet per acre per year of wood fiber. **(attach documentation)**
-
6. The property is either composed of at least 90 percent Class VII and VIII soils, or composed of at least 90 percent Class VI through VIII soils and the parcels are not capable of producing adequate herbaceous forage for grazing livestock.
- Yes, each proposed parcel is comprised of Class VII soil or VIII soil, or Class VI through VIII soils and the parcels are not capable of producing adequate herbaceous forage for grazing livestock. **(attach NRCS soil information)**
- No, the parcels are composed of other soil Classes.

7. Is the parcel generally unsuitable for the production of farm crops and livestock or merchantable tree species considering the terrain, adverse soil or land conditions, drainage or flooding, vegetation, location and size of the tract.

A parcel may not be considered unsuitable based solely on size or location if the parcel can reasonably be put to farm or forest use in conjunction with other land.

Yes, the parcel is generally unsuitable for farming. **(Please explain in detail why.)**

No, the parcel is suitable for farming.

8. Is the property under Special Farm Assessment? The proposed parcels upon which non-farm dwellings are approved shall be disqualified from the farm tax deferral program and the tax penalty paid prior to final partition approval.

Yes, the parcel is under Special Farm Assessment. The non-farm parcel(s) are to be disqualified from Special Farm Assessment and taxes paid prior to final approval.

No, the parcel is not on Special Farm Assessment.

Section 7 -Type IV, Review IV – Divisions in Resource Zones

Taken from UCDC 152.710 (E), Type IV Land Divisions; also review the provisions in UCDC 152.610 – 652 “General Provisions” which applies to all land division applications.

The Type IV, Review IV Land Division process is to create a parcel for a non-farm use, **other than a dwelling**, if it finds that the parcel for the non-farm use is not larger than the minimum size necessary for the use. (The non-farm uses are used allowed by ORS 215.283 (2).)

-
1. Describe the non-farm use that is or will be located on the parcel.
-
2. Is the parcel for the non-farm use an *adequate size* necessary for the protection of public health? Please show on the site plan and/or explain.
-
3. Is the parcel to be created the minimum size needed to accommodate the non-farm use and its’ accessory uses, structures and facilities? Please show on the site plan and /or explain.
-
4. Is the non-farm use compatible with adjoining land uses and also be a size necessary to mitigate adverse impacts? Please describe the adjoining uses and how the non-farm use and parcel will be compatible.
-
5. How will the non-farm use affect the overall land use pattern of the area and immediate vicinity? Please describe and explain.
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The non-farm use will comply with the development standards in § 152.063, and applicable standards in §§ 152.010 through 152.017, §§ 152.545 through 152.562, and §§ 152.615 and 152.616.

