

Land Division, Type II

Supplemental Application & Information Packet



216 SE 4th ST, Pendleton, OR 97801, (541) 278-6252
Email: planning@umatillacounty.gov

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

PROCESSING TYPE II 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.

PROCESSING TYPE II APPLICATIONS

Most applications are processed through “administrative review.” The typical application process takes approximately six to eight weeks.

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 LAND DIVISION TYPES II

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 Preliminary Plat Review Fee - \$400.00
County GIS/Mapping Preliminary Plat Review Fee - \$50.00
(The above Fees associated with the review of the Preliminary Plat are paid by the applicant to each Department at the time the Preliminary Plat is submitted for review.)

County Records’ Final Plat Recording Fee - \$120.00
Surveyor’s Final Plat Filing Fee - \$75.00

(The above fees are paid later in the process at the time the Final Survey Plat is recorded.)

All checks may be made out to “Umatilla County”.

All of the Land Division types 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, 2019)

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.

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

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) 152.684 Type II, Land Divisions for a complete listing of all of the criteria. Below is a checklist for the submittal.

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

Yes No

Explain: _____

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

Explain: _____

(attach additional pages, if necessary)

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

_____ parcels following this land division.

_____ potentials

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

- 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
- 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.

County or Public Road Name:

Existing Easement Name, if applicable:

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

5. What type of emergency vehicle turn around will be provided? Is it shown on the preliminary plat?

Cul-de-sac

Hammerhead turn around

Proposed right-of-way width: _____

6. 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

County Road: _____

Yes, to a State Highway

State Highway: _____

No, a legal Approach has already been approved, attach copies.

7. Does each parcel under four acres in size 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 septic system.

8. 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

9. 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

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

Parcel 1: _____ acres

Parcel 2: _____ acres

Parcel 3: _____ acres

Refer to the Umatilla County Development Code (UCDC) Type II Land Division, for a complete listing of all of the criteria. UCDC 152.684 Standards for Approval – pertaining to Type II Land Divisions is below. **(Please provide a written response to each provision on a separate paper.)**

§ 152.684 STANDARDS FOR APPROVAL. In granting approval of a Type II Land Division, the Planning Director shall find that the Type II Tentative Plan and required supplementary material:

- (A) Complies with applicable elements of the Comprehensive Plan, including, but not limited to, policies listed in the public facilities and services and the transportation elements of the Comprehensive Plan.
- (B) If approved, will permit development on the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this and other applicable ordinances;
- (C) Complies with the zoning requirements or a proposed change thereto associated with the partition map proposal;
- (D) Complies with provisions of § Umatilla County Development Code, Revision Date July 19, 2022, Page 437 of 481 152.019, Traffic Impact Analysis, when applicable.
- (E) Roads and recorded easements for access purposes are laid out so as to conform, within the limits of the development standards, to the plats of subdivisions and maps of partitions already approved for adjoining property unless the Planning Director determines it is in the public interest to modify the road pattern;
- (F) Recorded easements required as access to each parcel shall conform to right-of-way width and road improvement standards as follows:
 - (1) A recorded easement providing access to three or fewer parcels, and where the access easement will not potentially serve other parcels or lots due to existing conditions such as topography, shall be required to meet the Option 1 or “P-1” County Road Standard as provided in § 152.648 (D). The access easement or right-of-way width shall be a minimum of 30-feet wide and improved with a road surface width at least 16-feet wide, constructed with 4 inches of nominal compacted gravel thickness and with gravel size and grading conforming to ODOT specifications.

- (2) Partitions located within a rural fire district or a hospital district providing emergency vehicle service to parcels where access will be provided from access easements which dead-end shall have either circle drives (cul-de-sac) or driveway turnarounds. The Planning Director or Public Works Director determines which type of emergency vehicle access plan is appropriate. Circle drives and turnarounds shall be improved to the same standard as the road they serve as provided in § 152.648 (D). Circle drives (cul-de-sac) and turnarounds shall be kept clear of objects, fences, and vehicles and shall be of adequate circumference (cul-de-sac are 100-feet in diameter) to provide turn around space for emergency vehicles.
- (3) A recorded easement providing access to four or more parcels, or that potentially will serve additional parcels or lots, or will be an extension of a future road as specified in a future road plan, shall be required to meet the Option 2 or “P-2” County Road Standard as provided in § 152.648 (D). The access easement or right-of-way width shall be a minimum of 60-feet wide and improved with a road surface width of at least 22-feet wide, constructed with 8 inches of nominal compacted gravel thickness, and with gravel size and grading conforming to ODOT specifications. All 60-foot rights-of-way and/or access easement roads may be required to be named prior to final approval of the partition plat and if required to be named, the road name must be included on the final partition plat map. Named roads must be posted with a road name sign, provided and installed by the County Public Works Department, and paid for by the applicant prior to the final partition plat approval.
- (4) Recorded easements or dedicated public roads established in the Type II Land Division may warrant the installation of road signs at intersections with named or numbered county roads, state highways, or with other existing easements or public roads within or abutting the partitioned land. The Public Works Director will determine if road signs are necessary at these intersections. Such signs shall be of a type approved by the Public Works Director. Easement or public road names or numbers shall be the same as existing named or numbered county or public roads if an Umatilla County Development Code, Revision Date July 19, 2022, Page 438 of 481 extension of such county or public road. All other road names or numbers shall be selected by the Planning Director as provided in Umatilla County Code of Ordinance, Chapter 93. Road signs shall be installed by the County, provided the partitioner pays for the cost of the sign.
- (5) Existing County Roads and Dedicated Public Roads shall be improved pursuant to the requirements of this chapter. Lands dedicated to the public, such as public roads, must be accepted by the County Board of Commissioners prior to recording the final survey plat or the instrument authorizing the approval.

- (6) Parcels created through a Type II Land Division are required to have access approvals and permits from the State Highway Department onto state highways or from the County Public Works Department for access onto County Roads and public roads. Access points onto County and public roads are reviewed for location, spacing standards, and design and improvement standards, as provided by the County Public Works Director and § 152.010.
- (G) As a condition of approval, each parcel under four acres in size, both those partitioned, and the remnant parcel which are zoned residential, or to be used, for residential purposes, must have a site evaluation (suitability) approval from the Umatilla County Public Health Department. A waiver of this requirement may be granted if the applicant makes a written request to the Planning Director and the Planning Director finds:
- (1) The parcel, four acres or under, is to be used for non-residential purposes and the owner's signature to this effect is on the partition form;
 - (2) The parcel remaining has an existing dwelling and zoning densities will not permit additional dwellings.
- (H) The land division plan shall provide easements along existing irrigation ditches that traverse or abuts the partition property where easements have not been recorded. The purpose of the easement is for perpetual maintenance of the ditch and the easement width and purpose shall be recommended by the Ditch Company, if the land division is located within an irrigation district, said easement width and purpose shall be recommended by the Irrigation District.
- (I) The land division plan must consider energy conservation measures (e.g. road, lot and building orientation for solar and wind usage) unless vegetation, topography, terrain, or adjacent development will not allow these energy conservation measures.
- (J) As a condition of approval, all improvement agreements required by this chapter, must be agreed to, and signed by the property owner and the Board of County Commissioners, as appropriate. The required agreements shall be recorded in the County Records Office prior to, or at the time, the final plat survey is recorded.
- (K) The land division plan must adequately address known development limitations within the proposed Type II Land Division and provide appropriate measures to mitigate the limitation.
- (L) As a condition of approval, the applicant shall work with and address comments from the appropriate water agency where the property has a water right.