



UNION COUNTY Planning Department

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FILE No. 2025-003

STAFF REPORT MAJOR PARTITION

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|---------------------------------------|---|
| Purpose of the Application | Partition a 9.72 acre parcel into a 4.87 acre parcel and a 4.86 acre parcel. |
| Relevant Ordinance Criteria | Union County Zoning, Partition, and Subdivision Ordinance (UCZPSO) Article 8.00 Farm Residential Zone, Article 30.00 Variance, Article 25 Land Division Regulations |
| Property Location | A property located at T02S R38E Section 33C, Tax Lot 1700. The subject property assigned address is 62097 Chandler Loop. |
| Property Owner & Applicant | George and Vanessa Hagedorn |
| Zone Designation | Farm Residential UC-R3 |
| Comprehensive Plan Designation | Rural Residential |

I. PLANNING COMMISSION AUTHORITY AND ACTION

25.02 Application Regulations

1. No person shall partition or subdivide land in the unincorporated portion of Union County except as provided in this Ordinance and the Transportation System Plan.
2. All partition and subdivision plats, all changes in property boundary lines and all streets and ways utilized for the purpose of creating lots or parcels are required to be approved in accordance with these regulations prior to the sale of any such lot or parcel.
3. A person desiring to partition or subdivide land within the unincorporated area of the County shall submit tentative plans and final documents for approval as provided in this Ordinance and ORS Chapter 92 and 215.

25.04 Partition Or Subdivision Procedure

2. B. Major partition and subdivision tentative plan applications shall be reviewed as set forth in Section 24.09 - 24.12 (Quasi-judicial land use decision).
3. Effect of Approval
Approval by the county of a tentative plan shall be binding on the owner and the county for the purpose of preparing the final plat, and the county may only require changes in the final plat that are necessary for compliance with the terms of its approval of the tentative plan.

UCZPSO 24.12 Decision On Quasi-Judicial Land Use Application

The decision of the hearings body shall be based upon and accompanied by a brief statement that explains:

- A. The criteria and standards considered relevant to the decision;
- B. Statement of basic facts relied upon in rendering the decision; and
- C. Ultimate facts which explain and justify the reason for the decision based on the criteria, standards and basic facts set forth.

II. QUASI-JUDICIAL LAND USE DECISION

A motion to approve or deny includes findings that justify the approval or denial of the application as presented during the public hearing, which may include the application, exhibits, staff report, and testimony. Only findings which support the Planning Commission's motion should be read into the record.

Motion to Approve

"I move that the Planning Commission approve this tentative Major Partition plat based on the analysis and findings in the staff report, information in the application, and verbal testimony at the public hearing. This motion includes the requirement for the applicant to complete all conditions of approval, as listed in Section III of the staff report."

Motion to Deny

"I move that the Planning Commission deny this application for tentative Major Partition plat based on the following findings ..."

III. PROPOSED CONDITIONS OF APPROVAL

1. The approval of this tentative major partition plat is for one year from the date of decision. A one-year time extension may be granted upon written request to the Planning Director assuming all applicable laws and the application conditions remain unchanged.
2. All conditions of approval shall be completed prior to the expiration date in order for the applicants to be able to finalize the major partition plat. If the conditions of approval are not met by the expiration date, this approval is null and void.
3. The two new parcels shall be surveyed in accordance with Oregon State Statutes (ORS) 92.060(6). Proposed Parcel 1 shall be 4.87± and Proposed Parcel 2 shall be 4.86± acres and conform in shape to the tentative plan submitted with the application. The 30-foot-wide easement dedicated as county road on the north side of Parcel 1 along Chandler Loop shall be shown on the plat. The private road easement on the east side of Proposed Parcel 1 providing access to Proposed Parcel 2 shall be shown on the plat.
4. Survey and final plat of the partition shall be prepared by a registered professional land surveyor and shall conform to requirements in ORS Chapter 92 (ORS 92.050 - 92.100) and ORS 209.250 and the plat standards of the Union County Surveyor.
5. Parcel 2 shall abut and have access to no less than 30 feet of a cul-de-sac or 100 feet of the private road located on the east side of Proposed Parcel 1 in accordance with UCZPSO 25.09(23)(A).
6. The applicants are required to build or bond the private easement road along with either a hammerhead turn-around or cul-de-sac at the terminus of the road.

- a. The private easement road shall be 30 feet wide with a 12-foot-wide surface width. There shall be one 20x40 turnout at the midpoint of the length of the road. Base depth shall be 8" deep with a 4" minus aggregate material. The leveling course shall be 5" deep and overlay material shall be ¾ minus non-alluvial aggregate.
 - b. The private road easement shall terminate in a cul-de-sac or hammerhead turn around in accordance with UCZPSO 25.09(4).
 - c. The applicants shall provide the Planning Department with a signed and notarized affidavit from the contractor who built the road or an engineer stating that the road was built to the required standards.
 - d. The applicants shall provide the Planning Director with a copy of a legally binding document outlining maintenance responsibility for the private road easement and/or a method of providing perpetual financing for maintenance services and improvements.
7. The applicants shall make or be bonded to make drainage improvements as needed to accommodate storm water runoff and to minimize the potential for flood damage.
 8. Monuments shall be placed by a professional land surveyor in all locations as required by ORS Chapter 92. Any monument which might be disturbed during, shall be properly replaced when such construction has been completed.
 9. A map showing all public improvements as built shall be filed in the Planning Department upon completion of said improvements.
 10. The applicants shall provide the Planning Director with a signed statement that public water services will not be provided to these parcels.
 11. The applicants shall provide the Planning Director with an approved onsite septic site evaluation from Oregon DEQ.

IV. BACKGROUND AND PROPERTY INFORMATION

The subject property has an R3 zoning that requires a minimum 10 acres parcel size for new parcels but a comprehensive plan designation that allows for less than that. In order to create two 4± acre parcels, the applicants requested and were granted a variance approval by the Planning Commission on October 28, 2024 allowing the applicants to reduce the new parcel sizes below minimum requirement.

The property is under the protection of the La Grande Rural Fire Protection District. The property is within the La Grande School District.

The subject property is adjacent to Chandler Loop along the north property line for the width of the parcel, 439.8 feet. This road provides access to the Proposed Parcel 1 . The applicant will be dedicating a 30-foot-wide strip of land along that north property line as county road to increase the width of Chandler Loop from 30 feet to 60 feet.

Proposed Parcel 2 does not have frontage on Chandler Loop. The applicant will dedicate a 30-foot-wide private road easement along the east property line of the subject property to provide access to Proposed Parcel 2 from Chandler Loop. New parcels are required to have 100 feet of frontage on a public or private road. The applicants will be creating a private road in order to provide this 100 feet of frontage.

V. WRITTEN TESTIMONY

None received.

VI. FINDINGS APPLYING CODE CRITERIA

All applications are subject to the requirements of the Union County Zoning, Partition and Subdivision Ordinance. Sections in boldface type below denote relevant Ordinance, Oregon Administrative Rule, or State Statute sections. Sections in regular type denote staff analysis of the application.

UCZPSO Article 8 R-3 Farm Residential Zone

Subsection 8.05 Minimum Lot Size

The minimum lot size for new lots or parcels in the R-3 Zone shall be ten acres.

Findings: the applicants requested and were granted a variance approval by the Planning Commission on October 28, 2024 allowing the applicants to reduce the new parcel sizes below minimum 10-acre requirement.

UCZPSO Article 25.00 Land Division Regulations

25.09 GENERAL DESIGN & IMPROVEMENT STANDARDS

4. Dead-end Road, Cul-de-sac or Hammerhead Turn Around

No dead-end roads shall be constructed without a turn-around or cul-de-sac. A turn-around or cul-de-sac shall have an outside roadway radius of at least 45 feet and a road right-of-way radius of at least 60 feet. A hammerhead turn around shall at a minimum meet the dimensional standards as identified in Figure 4-1 below. Future extension of the road into adjoining properties will result in vacating the unused portion of the cul-de-sac turn-around or hammerhead turn around to adjacent properties. A cul-de-sac turn-around or hammerhead turn around shall not be used as a parking area. Individual parcels and lots shall have access driveways extending into them where necessary. A Hammerhead shall have five (5) No Parking signs permanently installed at each terminus corner and midway along the back right-of-way.

Findings: The tentative plan does not show a cul-de-sac or hammerhead turn around at the end of the private road easement along Proposed Parcel 1's east property line. This will be made a condition of approval.

19. Private Road Easements

Proposed private road easements shall be designated on the tentative plan and may be approved by the Planning Commission if they meet the following conditions:

A. Private road easements shall provide access to no more than two proposed or potential parcels. No road easement providing access between public roads or other private road easements shall be approved as a private road easement.

Findings: The private road easement provides access to two parcels. This easement does not provide access between public roads or other private road easements.

B. No private road easement shall be approved unless the Planning Commission is satisfied that such right-of-way is not presently needed, nor will ever be

needed to be extended through to adjacent property, or to be utilized for public road purposes in the normal growth of the area.

Findings: The south boundary of the subject parcel is adjacent to the Grande Ronde River. It is unlikely that right-of-way will be needed for public use within this property for extension to adjacent property or for growth of the area.

C. No private road easement shall be less than 30-feet wide, except that a modification may be approved to allow a driveway easement of 20-feet to one parcel or lot.

Findings: The minimum width of the private road easement is 30-feet wide.

D. Surface improvements on private road easements shall be as prescribed in Table 7-2, Road Development Standards.

Findings: This requirement is made a condition of approval.

E. Maintenance responsibility for private road easements shall be predetermined before final plat approval according to ORS Chapter 660 through one of the following options:

- (1) A maintenance agreement established by the developer with the legal mechanism for the agreement to be presented prior to approval of the final plat.**
- (2) Any other method of providing perpetual financing for maintenance services and improvements.**

Findings: This requirement is made a condition of approval.

23. Parcels & Lots

A. Every parcel and lot shall abut and have adequate access to an approved public or private road and shall have a road frontage of not less than 100 feet, except a parcel or lot on the radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than 30 feet upon a street, measured on the arc of the right-of-way.

Findings: This requirement is made a condition of approval.

25. Water Distribution System

No subdivision shall receive final approval unless the county has received and accepted:

C. Where a community or public water supply system is not available, a statement signed by the applicant that water service will not be provided to any lot or parcel depicted in the subdivision.

Findings: This requirement is made a condition of approval.

26. Sewage Distribution System

No subdivision shall receive final approval unless the county has received and accepted:

C. Where no community sewerage service is available, the Department of Environmental Quality shall approve the proposed methods of sewage disposal.

Findings: This requirement is made a condition of approval.

27. Storm & Water Runoff & Flood Control

Prior to considering final approval of a partition or subdivision, the developer shall make or be bonded to make drainage improvements as needed to accommodate storm water runoff and to minimize the potential for flood damage.

Findings: This requirement is made a condition of approval.

29. Monuments

Monuments shall be placed by a professional land surveyor in all locations as required by ORS Chapter 92. Any monument which might be disturbed during, shall be properly replaced when such construction has been completed.

Findings: This requirement is made a condition of approval.

30. Map of Improvements as Constructed

A map showing all public improvements as built shall be filed in the Planning Department upon completion of said improvements.

Findings: This requirement is made a condition of approval.

VII. NOTIFICATION

The applicant's agent submitted the application for a Major Partition to the Planning Department (department) on January 6, 2025. The department reviews this application type using the quasi-judicial process pursuant to Union County Zoning, Partition, and Subdivision Ordinance (UCZPSO) Article 24.03, and 24.09 through 24.12. In compliance with the UCZPSO, the department sent a Notice of Hearing to property owners within 250 feet of the property subject to this application (subject property) and placed a legal ad in the East Oregonian on February 12, 2025.

Once a decision is made, the department will send a Notice of Planning Commission Decision to the same property owners. The Notice of Planning Commission Decision will inform adjacent property owners that they have 30 calendar days from the date of the decision to appeal the Planning Commission's decision to the Board of County Commissioners.