



UNION COUNTY Planning Department

Inga Williams
Planning Director

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APPEAL APPLICATION

THE REQUEST IS FOR... (Check the one that applies)

- ☐ an Appeal to the Planning Commission from a decision of the Planning Department
☒ an Appeal to the Board of Commissioners from a decision of the Planning Commission

Information on the application you are appealing:

File Number 20250033

Application Request _____

Date of Decision 8/25/25

If more than one appellant, copy this application form and submit together with one Basis of Appeal attachment

Your Name: Landon Weaver

Mailing Address: 63608 Mt Glen Road La Grande OR 97850

Property Address: " "

Telephone Number: 541-910-8876

Email address: landonweaver212@gmail.com

Basis of Appeal (attach a narrative to this application form)

Your appeal must be very specific about the decision or condition being appealed. Identify the policies of the Union County Zoning, Partition, and Subdivision Ordinance (Code) that you believe were not properly administered or followed. Please specify the chapter, section and page numbers of the Code where the policies are found, as well as an explanation of the issues that you are basing the Appeal on.

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge.

Signature of Appellant [Signature]

Date 8/27/25

The Planning Commission or Board of Commissioners shall consider the application record and accept new evidence and testimony (a de novo hearing). The hearing shall be conducted and a decision made according to Quasi-Judicial hearing procedures. The Planning Commission or Board of Commissioners may affirm, reverse or modify, in whole or in part, the orders, requirement, decision, determination, interpretation, or ruling appealed. The Planning Commission or Board of Commissioners shall transmit a copy of their decision to the appellant and all participating parties. Appeals of a Board of County Commissioners decision must be made to the Oregon State Land Use Board of Appeals.

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Application # 20250033

I Landon Weaver would like to appeal the decision based on facts from the Oregon Department of Transportation, Anderson & Perry, and Sisul Engineering.

Up until 2020 ODOT determined the design speed of a road solely on 85th percentile speed performed in speed studies. Since then they have added more criterion such as cyclists, pedestrians, road context, etc. They added this extra criterion because of rising crash deaths. Cyclist, Pedestrian, and ATV traffic is an additional factor with this stretch of road being in the middle of multiple access points to the Mt. Emily Recreation Area (MERA).

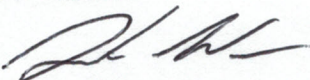
A speed study was done on June 7th, 2023 by Marlow Stanton, P.E. Region 5 Traffic Engineer and Rick Stanton Region 5 Traffic Investigator from the Oregon Department of Transportation. This study was done just over ½ a mile (.63 miles) from where this proposed approach would be. The study proved that the 85th percentile speed was **7 MPH over the posted speed limit.** Using this data proves that ODOT's design speed would need to be 62 miles per hour or greater for this stretch of road. The Intersection site distance measured by Anderson & Perry was 624'. Sisul engineering measured this distance at 561'.

At just a 60 MPH design speed ODOT is required to have a minimum of 665' of Intersection Site Distance (ISD) (OAR 734-051-4020(2)(c). This is 41' outside of the site distance measured by Anderson and Perry and 104' outside the distance measured by Sisul engineering. These are both reputable engineering organizations.

With an average daily traffic count (*not including cyclists, atv, pedestrian*) of 1200-1400 would mean that over 1,000 vehicles per day would driving an average of 7 MPH over the speed limit and would not have enough time to stop at this proposed intersection. I urge all our planning committee, county commissioners, and road department to follow the facts from ODOT and the Professional Engineers who performed these measurements/studies. These facts have been presented and are open to the public. Approving this approach is not only putting our neighbors and community in danger, it is putting the county at risk of legal action against them in the event an accident does occur.

Thank you,

Landon Weaver



**All attachments are open to the public on the planning department website.*

Union County Planning Department

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Application # 20250033

Appeal Part 2
Additional Evidence-

After consulting Anderson & Perry (Andy Lindsay P.E) and Sisul Engineering (Josef K. Hitz P.E) I confirmed that neither party could get an on-site measurement of the ISD (intersection site distance). This is due to the extreme drop off 14.5 feet off the roadway.

The AP memo presented to the public works road department explains the standard as follows:

“Available ISD (intersection site distance) is determined using a height of 3.5 feet (eye of the driver of a passenger car) and a 3.5 foot high object (eye of the approaching passenger car) and is measured along the hypotenuse of the site distance triangle extending from the decision point (at the center of the approach lane on the minor street at a point of **14.5’ back from the edge of travel way** of the through street) looking toward the center of the travel lane of the approaching vehicle on the through street.”.

The fact that this measurement was not able to be done on site means that they were not able to follow the standard above. Without “looking” greatly decreases the ability to see obstructions, undulation, vegetation, etc.

The AP memo also states:

“growth and vegetation along the shoulder could affect the SSD and ISD. AP recommends that the property frontage within the layout of Mt. Glen Road, this growth be cut back and maintained so site distance is not impacted”

Furthermore, with the proposed approach utilizing a 3% grade would drop elevation and shorten the ISD.

Conclusion/Facts:

*In August 2022 the proposed approach was denied for not meeting safety site distance requirements. This was denied by unanimous decision from our planning commission led by former director Scott Hartell.

*The measurements for ISD from AP Memo does not provide and accurate Intersection Site Distance as it was not able to be performed on site. ****(site distance concerns help determine design speed of a road per ODOT)***

*A 2023 ODOT Traffic Study proved that each day 1,000+ vehicles are speeding 7 MPH over posted speed limit .63 miles away. ****(85th percentile speed helps determine design speed of a road per ODOT)***

*High Volumes of ATV, Bicycle, Pedestrian traffic. ****(ATV, Bicycle, pedestrian traffic help determine the design speed of a road per ODOT.)***

*Growth, vegetation, obstructions, undulation, Etc. ***(helps determine design speed of a road per ODOT)***

*Utilizing ODOT and AASHTO regulations/criteria proves that the design speed needs to be greater than posted speed for this stretch of road. Utilizing the measurements provided, A 60 MPH (5 MPH over posted speed) design speed makes this approach outside safety standards.

I would like to thank our county commissioners and everyone involved for giving this the attention it deserves. Looking at the facts and following the regulations from our State prove that this proposed road does not meet safety site distance requirements. Safety should never be overlooked for our neighbors and community.

Thank you,

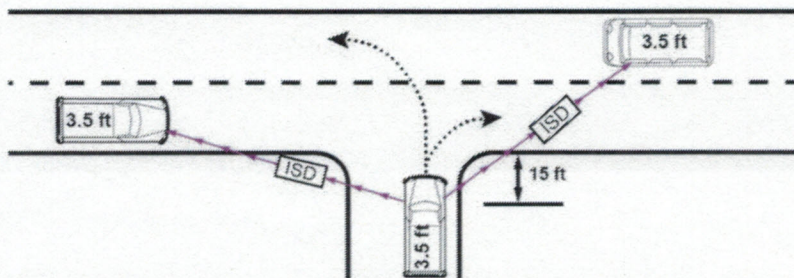
Landon Weaver

**All attachments are below or open to the public on the planning department website.*

Intersection Sight Distance (ISD)

Intersection sight distance is the minimum length of unobstructed line of sight between a driver entering a highway and vehicles approaching from the right and left on the highway. It is as important for drivers entering the highway to see traffic coming from both directions and to be visible to the on-coming traffic.

A driver entering a highway needs to see far enough down the highway in both directions to judge travel speed and find an acceptable gap in the traffic before turning right or turning left across travel lanes and merging into the traffic. Intersection sight distance is intended to allow a driver to enter the highway safely while allowing traffic on the highway to maintain normal travel speed.



Intersection sight distance (ISD) measures a line of sight from the height of driver's eye (3.5 feet), seated 15 feet back from the fog line or edge of the traveled way, to the right and to the left, to an object in the highway that is 3.5 feet high.

Gerald Lequerica
63974 Mt. Glen Road
La Grande, Or 97850
July 29, 2025

Union County Board of Commissioners
1106 K Avenue
La Grande, Or 97850

Union County Board of Commissioners,

Please consider this letter an appeal to the Board of Commissioners based on the decision of the Planning Commission for the Weston Weaver application # **20250033** of a major partition with public **right-of-way** dedication. The area of concern is that the decision would allow the road to be designed without a right-of-way continuing to the north property line of proposed parcel 1, in your Land Division regulations **Article 25.09-5 (Roads to be carried to Property Lines)** is very clear that the **right-of-way** requirement shall be carried to the boundaries of the tract to be partitioned. I listened to the discussion on this at the August 25, 2025 meeting where it was noted that if **Article 25.09-5** is enforced as it should, that Mr. Weaver does not actually have the acreage required for three 10-acre parcels, thus a request for an easement rather than a right-of way in an attempt to avoid the requirements of the **Land Division Regulations**. I ask that the requirements be enforced as they were enacted and agreed to with right-of-way extending to the north boundary of parcel 1 and Mr. Weaver's request to partition into three parcels be denied due to the fact that all three parcels would be under the minimum requirement of 10 acres.

Sincerely,



Gerald (Las) Lequerica

RECEIVED

SEP 16 2025

UNION COUNTY
PLANNING DEPARTMENT

September 5, 2025

To: Union County Commissioners

From: Patricia Atkinson

63766 Mt Glen Rd

La Grande, Oregon 97850

541-786-1620

I support Landon Weaver's appeal (see attached) regarding the Weston Weaver application to develop property and have a road built for access to that property.

The designated location for the road is at a very unsafe area of Mt Glen Road. Visibility to the North for oncoming traffic at a normal rate of speed, is terrible. Most drivers do not obey the 55mph speed, driving much faster on that road. In good weather, it will be risky, but on winter roads, it could be lethal. I would invite you to come out and look at the proposed location for the road.

I, also, have concerns for development in an area that is a known wetland and wild game habitat. I have lived at this address for 35+ years and have had the privilege of watching elk and deer graze in the field behind my house.

Please deny Weston Weaver's application.



RECEIVED

SEP 15 2025

UNION COUNTY
PLANNING DEPARTMENT

Pamela Hall

From: Inga Williams <iwilliams@union-county.org>
Sent: Wednesday, September 10, 2025 1:25 PM
To: Pamela Hall
Subject: FW: testimony for commissioners

Please print and add to the appeal.

From: Landon Weaver <landonweaver212@gmail.com>
Sent: Wednesday, September 10, 2025 10:53 AM
To: Inga Williams <iwilliams@union-county.org>
Subject: testimony for commissioners

Good Morning Inga,

Please add this testimony to the appeal for the commissioners if you would.

Today (9/10/25) at 9:06am on a clear calm day, my wife (Layne Weaver) called me in a panic about how she almost got hit while pulling out of our driveway. A silver ford escape was within inches of hitting her from behind and flew past her. She couldn't believe she did not get hit and was glad our kids were not in the car.

Our driveway is at 63608 Mount Glen and is about 200' south (further away from blind hill). This would have been a horrific accident with no chance of avoidance at the proposed road location.

This ford escape is one of the 85% of drivers who have been proven to speed through this stretch.

Approving this road puts the drivers on Mount Glen at risk and potentially three new families at risk every single day.

Please follow the facts of the speed study, rules/regulations, ODOT, and common sense. Safety should always be the highest priority.

Thank you!

Landon Weaver

09/18/2025

To the County Commission,

Regarding the Weston Weaver Major Partition

I am appealing the decision of the planning council related to the issue of wetlands but also fully support the other basis for appeal that other neighbors are bringing forward.

The initial DEQ response documented a "preliminary wetlands review" which is a simple review of the soil survey and the NWI maps with no actual site visit to see if wetlands are likely in an area. The report clearly stated that wetlands were potentially located on the property and went on to say that a **"Certified Wetlands Determination and Delineation" was required before development**. That process can **only** be completed by a certified consultant that has completed the training on the wetlands determination/delineation protocols and has been **certified**. No documentation has been resented that shows this process has been completed.

Since the request by the Weaver party includes the construction of a road with a very substantial fill that is potentially in or near a wetland based on the NWI maps and the soil survey, how can this "plan" be approved? Also, without knowing where structures are going to be built, such as houses, outbuildings and their access roads will be located, how can this be approved? In my 35 years of federal service, which included responsibilities related to construction planning and design of roads, bridges, pivots, etc. and wetlands law, we were required to do a certified wetlands determination PRIOR to design and approval. Doing it prior to an engineering design approval helps the engineers because they would know how and where to plan the structures if a wetland was present and avoid a re-design if needed. Does the county follow a different law and procedure? If so, what is that law or procedure?

At this point, given the limits of the site that could be documented in a certified wetlands determination, it's possible that the specific location of the wetlands could make these lots unbuildable. If this division is approved and sold, the new landowner may get stuck with limited use of some or all the property and/or face substantial mitigation costs and delays.

I believe it is sound planning procedure, consistent with wetland law and the spirit of the law to conduct a Certified Wetlands Determination and Delineation PRIOR to this approval to protect resources, off-site damages, and potential buyers.

Thank you for your consideration,

Mike Burton