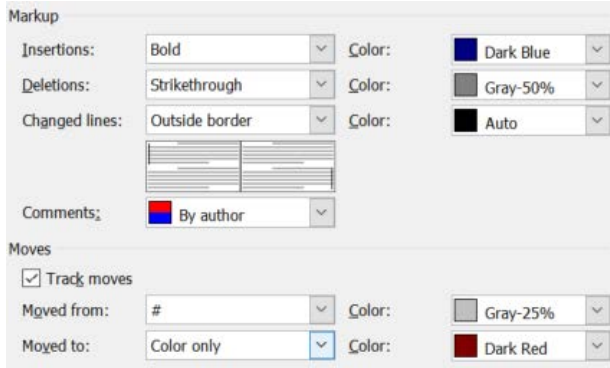




# Wasco County Planning Land Use and Development Ordinance Update Draft Cover Sheet



The drafts are created using track changes in Microsoft Word.

The key to the left is a reference for how revisions are marked up in the draft.

The bold, blue text shows new text. Text with a line through it, in light grey, is proposed to be deleted.

rules adopted under ORS ~~4688.095~~, and must be reviewed subject to Section ~~3-219K~~ below: ~~OAR 660-033-130 (11), ORS 215.246, ORS 215.247, ORS 215.249, and ORS 215.251.~~

### COMMERCIAL USES RELATED TO FARM USE

Text underlined by a wavy line is optional.

B. A winery subject to ~~3-219F~~ below: ~~ORS 215.452, ORS 215.453, ORS 215.454, ORS 215.455 and ORS 215.237.~~

C. A cider business subject to ORS 215.451.

D. A facility for the processing of farm crops or the production of biofuel as defined in ORS 315.141 subject to the following: farm products as described in ORS 215.255.

The # shows where text has been moved from and the red text shows the new proposed location for that moved text

#

K. A replacement dwelling to be used in conjunction with farm use if the existing dwelling has been listed in a county inventory as an historic property and is listed on the National Register of Historic Places. The application shall include a *Farm Management Plan* documenting how the replacement dwelling will be used in conjunction with a farm use.



## Chapter 21

- (Page 1, Introduction) The introductory paragraph was revised to more accurately reflect State Law.
- (Pages 1-2, Section 21.010) Additional purpose statements were added that reflected the policies and implementation strategies adopted in Wasco County 2040, the Comprehensive Plan.
- (Pages 2-7, Section 21.020) The revisions in this section reflect reference updates, streamlining of language/word choice, and clarifications of criteria based on analysis of state law. The irrigation district notification language is a required update resulting from the passage of [Senate Bill 865 \(2017\)](#).
- (Page 8-9, Section 21.020) Staff is recommending clear and objective flag lot standards to be in conformance with ORS 197.307 (4). These standards are best practices throughout the state and have been approved by counsel as consistent with common practice. These criteria are necessary to be able to mitigate flag lot development.
- (Page 9-10, Section 21.020(Z)) The public open space language was revised to make more sense. Staff is also proposing language requiring a maintenance agreement for publicly dedicated space, as recommended by the public during Wasco County 2040. These provisions are specifically for subdivisions or planned unit developments.
- (Page 12, Section 21.030) The Technical Advisory Group advised the requirement for preliminary title report at the time of application to help identify any potential obstacles to approving the land division. They also wanted the language requiring an updated preliminary report, if changes have been made, ahead of final plat review as required by law. Staff also added in the necessary language for an affidavit of consent for all owners and lienholders on land use planning actions. Also in this section is language on series partitioning, consistent with ORS 92.
- (Page 13, Section 21.030) Staff and the Technical Advisory Group recommended the addition of an extension for a preliminary plat understanding costs and coordination involved in the process. Other edits on this page clean up the language to be consistent with state law and remove arbitrary criteria.
- (Pages 14-15, Section 21.030) These revisions reflect more accurately state law. This includes summarizing state law (ORS 209.250), and instead placing a direct citation as recommended by the Technical Advisory Group.
- (Pages 20-23) Revisions represent better alignment with state law and clarity of rules recommended by the Technical Advisory Group. Replats and property line adjustments have been decoupled because the processes are significantly different, replats being aligned with partitions or subdivision procedures.
- (Pages 26-27, Section 21.100) Staff and the Technical Advisory Group recommend a revision to the development phasing section of subdivisions.. This revision allows for 24 months for the phase, rather than 12, which accounts for costs and coordination associated with subdivisions.

## Chapter 22

- (Page 1, Section 22.020) Revisions reflect requirements in Chapter 10 (Fire Safety Standards).
- (Page 2, Section 22.020) The Public Works Department no longer maintains a sign program, thus necessitating new signs to be installed by the applicant/developer.
- (Page 3, Section 22.020) New criteria related to road standards, consistent with new policies in Wasco County 2040, were added including a waiver of remonstrance or fees in lieu of construction for roads.
- (Pages 4-80) These revisions reflect reference corrections or updates consistent with state law.
- (Page 9) Changes to road standards are consistent with fire safety standards. Also on this page is the ability for the Public Works Director to review road standards, consistent with current practice.
- (Page 10) New criteria was added to be consistent with Wasco County 2040 policies and state law.
- (Pages 11-15) Minor clean up revisions, including reference corrections.
- (Page 16) This Section was moved from page 26 in the Road Standards and the criteria was revised to reflect changes to policy and state law.

All other edits are corrections, state law updates, or title updates and are mandatory.



**CHAPTER 21 - LAND DIVISIONS**

Section 21.010 - Purpose ..... 1

Section 21.020 - Basic Provisions and Design Standards ..... 2

Section 21.030 - Land Partitioning Approval ..... 10

Section 21.040 – Amendments to a Recorded Plat ..... 19

Section 21.050 - Property Line Adjustment Application Requirements ..... 20

Section 21.060 - Property Line Adjustment Approval Standards ..... 20

Section 21.070 - Final Property Line Adjustment Map Requirements ..... 22

Section 21.080 - Survey Requirements for Property Line Adjustments ..... 22

Section 21.090- Replats ..... 22

Section 21.100 - Preliminary Subdivision Plan Approval ..... 23

Section 21.110 - Final Subdivision Plat Approval Requirements ..... 27

~~As authorized by law, including Oregon Revised Statutes Chapters 92, 197, and 215, subdivisions and, partitions, replats and property line adjustments and streets created for the purpose of partitioning land and replats and property line adjustments shall be approved in accordance with this Chapter. This~~ Chapter applies to all land within the unincorporated territory of the County. **All land divisions, replats, and property line adjustments shall be approved in accordance with this Chapter and Oregon Revised Statutes (ORS) Chapters 92, 197 and 215.** A person desiring to *subdivide, partition, or replat* land, **to adjust a property line,** ~~to partition land,~~ or to create a street or a *private road* shall submit preliminary plans and final documents for approval as provided in this Chapter, **Chapter 2** and state statutes.

**Section 21.010 - Purpose**

In accordance with the provisions of ORS Chapters [92](#), [197](#), and [215](#), this Ordinance sets forth the minimum standards governing the approval of land ~~divisions~~**development**, including *subdivisions, partitions, replats, and property line adjustments* as necessary to carry out the Wasco County Comprehensive Plan and to promote the public health, safety and general welfare. The purpose of these provisions and regulations are to:

- A. Encourage well planned ~~subdivision and partition~~ development to the end that good livable neighborhoods with all needed amenities and community facilities may be created.
- B. Encourage development in harmony with the natural environment and within resource carrying capacities.
- C. Safeguard the interest of the public, the applicant, and the future lot owner.
- D. **Ensure adequate lot and parcel sizes for homesites and other development;**



- E. **Encourage safe and convenient access;**
- F. **Ensure adequate sanitation and water supply services;**
- G. **Protect the public from pollution, flood, fire, landslides, and other hazards to life and property;**
- H. Improve land records and boundary monumentation.
- I. **Ensure equitable processing of subdivision plats and partitioning plans, and accomplish to the greatest extent possible the goals and objectives of the Comprehensive Plan for Wasco County.**

~~A~~ No person may **not** *subdivide or partition* land within Wasco County except in accordance \_\_\_\_\_ with ORS Chapter 92 and the provisions of this Ordinance.

~~Section 21.020 – Definitions~~

~~The definitions set forth in Section 1.090 of this Ordinance shall be utilized for the purposes of this chapter.~~

**Section 21.020 - Basic Provisions and Design Standards**

- ~~A.~~ **Compliance Required:** No land within the unincorporated territory of Wasco County shall be subdivided or partitioned, ~~and~~ no plat shall be filed or recorded, **and no property line adjustment shall be filed or recorded** until submitted to and approved by the Approving Authority.
- ~~A.B.~~ **All subdivision and partition proposals shall comply with ~~conform to state regulations in Oregon Revised Statute (ORS) Chapter 92, Subdivisions and Partitions~~**
- ~~B.C.~~ **Minimum Standards:** The requirements and standards set forth in this chapter are the minimum ones to which a subdivision or partition must conform before approval by the Approving Authority.
- ~~C.D.~~ **Conformity with the Comprehensive Plan:** All divisions of land shall conform to ~~and be in harmony with the~~ **applicable provisions of the** Wasco County Comprehensive Plan and Comprehensive ~~Plan~~ **Zoning** Map of that portion of the County within which the subdivision and partition lies.
- E.** **Conformity with Zoning Chapter:** All **land** divisions ~~of land~~, regardless of the number of lots or parcels, shall comply with all specifications authorized by Chapter 3, **including zone and overlay zone criteria and regulations,** of this Ordinance. All **lawfully**



**established units of land**~~lots~~ created shall conform in all respects with the applicable regulations of Chapter 3, including uses of land, lot size and dimensions, **access**, ~~space~~ for off-street parking, landscaping and other requirements ~~as may be set forth~~.

**F. Prior to approving a preliminary plan for a proposed plat of a proposed subdivision or partition, if the property is located in whole or in part within the boundaries, an easement or a right of way of an irrigation district, drainage district, water control district, or water improvement district, Wasco County shall submit notice of the preliminary plan to the district.**

**a. Within 15 days of receiving notice, the district may submit to the County a statement containing any information or recommended conditions for approval of the preliminary plan, based on adopted district rules and regulations, for the proposed plat relating to:**

- i. The structural integrity of irrigation facilities;**
- ii. District water supply;**
- iii. Public safety;**
- iv. Potential liabilities of the district;**
- v. Other potential exposures to the district.**

**~~a.~~b. The County may include the conditions for approval described in the district's comments in the final decision approving the preliminary plan of the proposed plat.**

**~~D.~~G.** 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. ~~When principal streets in adjoining subdivisions or partitions are continued, the width shall meet that of the existing streets. Where the Approving Authority determines that topographic conditions make such continuation or conformity impractical, exceptions may be made as provided for in Section 21.450 of this Chapter.~~*

**~~E.~~H.** Redevelopment Plan:

- 1. ~~In subdividing or partitioning tracts of land into large~~ **When a partition or subdivision will create new large lots or parcels that** ~~which~~ at some future time could be further divided, the **Planning** Director shall 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.

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.
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.
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.

**F.I. 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.

**3.4. A Property lot or parcel that abuts a public or private road shall contain at least 50 feet of frontage. All properties are lot or parcel that is located along the bulb of a cul-de-sac shall have a , the minimum frontage of shall be 30 feet. A Property lot or parcel that is is-served by an easement isare exempt from the frontage requirements.**

**G.J. Access Requirements for Land Divisions:** Each unit of land shall be provided with access by a public road meeting standards noted in Table **22-1** (Rural Public Roadway Design Standards) & **22-2** (Urban Public Roadway Design Standards), except as provided below ~~and~~ **or in Chapter 22 and** in Table **22-3** (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~~ **the** road provides access for not more than three units of land, serves not more than three units of land, and ~~that~~ the easement ~~is~~ **has** a minimum **width of 30 feet** ~~in width~~;

~~2.~~

\_\_\_\_\_ The requirements of Section ~~21.300~~ **22.070 do not apply** ~~are not applicable~~ to a Private Easement Road.

If the private easement road could provide access for more than three 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.

~~3.1.~~ Private Road In resource areas only (areas zoned F 1, F 2, and A 1), 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 units of land and serves not more than ten units of land;

b. Private road approval is obtained pursuant to Section ~~21.300~~ **22.070**;

c. ~~The~~ **P**private road is constructed to standards of Section ~~21.420~~ **22.040** when more than three 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 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 units of land may be served.

~~e.~~

\_\_\_\_\_

f. If the private road could provide access for more than ten 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.

~~H.K.~~ 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.

~~L.~~ **L.** 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.

~~M.~~ **M.** 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.

~~N.~~ **N.** 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.

~~O.~~ **O.** 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.

~~P.~~ **P.** 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.

~~Q.~~ **Q.** Pedestrian Ways: ~~When desirable for public convenience, pedestrian ways~~ **are** may be required to connect to cul-de-sacs or to pass through unusually long or oddly shaped blocks. **If no pedestrian ways currently exist in the vicinity, the applicant will be required to sign a waiver of remonstrance.**





~~Q.R.~~ Cul-de-sacs: ~~In general, dead-end (cul-de-sac) streets are not desirable, but if provided,~~ **If the street is planned to shall terminate in a cul-de-sac, it will be required to be consistent with** in a turnaround that is consistent with Chapter 10 **turnaround standards** ~~and the local fire department..~~

~~P.S.~~ 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.

~~Q.T.~~ 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.~~

~~R.U.~~ 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 **to provide buffering for adjacent** ~~for adequate protection of residential properties and to afford separation of through and local traffic.~~

~~S.V.~~ Utility Lines: **Utility easements are provided required in abutting roads where necessary to provide services to proposed lots and parcels, and where necessary to allow for development of adjoining lands. Other utility easements may be required in other locations if specifically requested by a public utility provider. The easements shall be clearly labeled for their intended purpose on the tentative preliminary plan.** ~~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.~~

~~W.~~ **W.** 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.

~~X.~~ **X.** 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.

~~Y.~~ **Y.** 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.~~

~~Z.~~ **Z.** ~~Lots~~**Units of land:**

1. **Unit of land** size, width, shape and orientation shall be appropriate for the location of the subdivision and for the types of use permitted. ~~Lot~~ **Unit of land** dimensions shall not include part of existing or proposed streets. All ~~lots~~ **units of land** 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~~ **unit of land** is proposed.
2. Each side ~~lot~~ **unit of land** line shall be at right angles to the adjacent street line or radial to a curved street line. ~~, unless~~ **The applicant may request and** the Approving Authority **may approve** ~~determines that~~ **a variation from these requirements is necessary to accommodate** ~~is necessitated by~~ unusual circumstances such as topography and site location.
3. **A** ~~Unit~~ **units of land** with double frontage **is not allowed** ~~shall be avoided,~~ except where **necessary** ~~the Approving Authority determines that such lots~~ **units of land** ~~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 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 **unit of land**.

**4.** Flag lots ~~are shall not~~ **allowed be permitted**, except when **necessary to accommodate** unusual ~~circumstances exist. Such circumstances may include characteristics of topography~~ **that and site which affects** construction on the property or access to the property. Approval of ~~the creation of a~~ flag lots by the Approving Authority shall be based on specific findings indicating what **topographical unusual** circumstances exist. **In the case where a flag lot is permitted, it must meet the following standards:**

**a. The flag lot must meet all setback standards in the applicable underlying and overlay zone(s).**

**b. ~~b.~~ The flagpole section of the flag lot shall be at least 50 feet, but not more than 60 feet in width.**

**c. ~~c.~~ No more than one flag lot is permitted to the rear of another lot or parcel.**

**~~a.d.~~ ~~d.~~ Access to the rear lot or parcel shall be by way of a driveway located entirely within the flagpole section of the lot or parcel. The driveway shall meet the access standards in Chapter 10 and Chapter 22. No re-division or property line adjustment shall be allowed that would alter the status of the flagpole for driveway use unless other access meeting all the requirements of this Ordinance is provided.**

**~~b.e.~~ ~~e.~~ A flag lot may have only one flagpole section.**

**~~c.f.~~ ~~f.~~ Adjoining flagpole sections of flag lots are not allowed.**

**4.5.** "Bowling Alley" shapes shall not be permitted except where unusual circumstances exist. "Bowling Alley" shape is defined as a unit of land where the length is substantially greater than the width. Unusual circumstances may include such site characteristics as topography and orientation which preclude a more acceptable design.

**~~AA.~~ Public Open Space:**

**\_\_\_\_\_ Wasco County ~~E~~ 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 in accordance with the County Comprehensive Plan and**



**district Parks and Recreation Plans. 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 acre of recreation area to every one hundred people. All public parks shall carry with them maintenance and management agreements at the time of designation. No public open spaces shall be designated and/or dedicated without a maintenance agreement in place.**

~~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.~~

~~BB.~~ 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.

~~CC.~~ 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.

**DD.** Street Signs: All street and highway signs shall meet the County standards for such signs.

~~AA. Design Features and Map~~

## **Section 21.030 - Land Partitioning Approval**

### **A. Approval of Preliminary Partition Plans:**

1. An application for preliminary partition plan approval shall be initiated as provided in ~~Section 2.060.A.~~ **Chapter 2** of this Ordinance.
2. A preliminary partition **plat**, application, plan, and supporting documentation shall include the following:
  - a. A vicinity map of such scale to clearly locate the proposed partitioning in relation to adjacent subdivisions, partitions, roadways and other **units of land** ~~and parcels;~~



- b. North point, scale and date;
- c. A plan of the proposed partitioning, showing boundaries of the total contiguous ownership, boundaries of each proposed tract, the number assigned to each tract, acreage of each tract and location and name of existing and proposed roads;
- d. Private streets and all restrictions or reservations relating to private streets;
- e. Name and address of the landowners, the applicant and the surveyor, ~~if any,~~ employed to make necessary surveys and prepare the description of each tract involved;
- f. Proposed means and location of water supply and sewage disposal for each tract;
- g. Zoning classification of the land and **the** Comprehensive Plan map designation;
- h. Predominant natural features, such as water courses and their flows, marshes, rock outcroppings, and areas subject to flooding, sliding or other natural hazards;
- i. Any existing permanent structures;
- j. Draft of proposed restrictions and covenants affecting the partitioned land;
- k. Legal description of the property being partitioned;
- l. If not sewered and located in an "F 1", "F 2", or "A 1" zone, a statement signed by an authorized representative of the Department of Environmental Quality, State of Oregon, or ~~County Sanitarian~~ **North Central Public Health District** regarding the suitability of each parcel to be partitioned for subsurface sewage disposal; or a signed statement shown on the face of the final partition plan that no investigation has been made of the suitability of any given parcel by an authorized representative of the Department of Environmental Quality, and that no warranty is made that any parcel will be usable for subsurface sewage disposal;
- m. If not sewered and located in an F-F or any other non-resource zone, a statement signed by an authorized representative of the Department of Environmental Quality -approving each parcel to be partitioned for subsurface sewage disposal; or a statement signed by the ~~County Sanitarian~~ **North Central Public Health**



**District** or an officer of a public sewer district or corporation warranting the availability of sewer hook ups for each parcel to be partitioned.

- n. **A current preliminary title report (within 90 days of application). If the title report changes between application and final plat approval, the applicant will be required to submit an updated preliminary title report at the time of final plat review.**

—**An affidavit of consent for all owners and lienholders if they are unable to sign the application.**

**o.**

~~m. Water~~

3. Standards for approval of a preliminary partition plan.

- a. A decision on a preliminary partition plan application shall be made by the Approving Authority as provided in Chapter 2 of this Ordinance.

- b. The preliminary partition plan shall be approved if the Approving Authority finds that the information required by this subsection has been provided and if the design and development standards of Section [21.020](#) of this chapter have been met.

- c. **If the Planning Director determines that the proposed partition constitutes series partitioning, or if series partitioning has occurred in the past, then the Planning Director may review for a determination as to whether require the application should be subject to the requirements for of the District Watermaster, Roadmaster, and Sanitation Authorities. Of a subdivision or Planned Unit Development.**

4. The Approving Authority may require dedication or reservation of land and utility or drainage easements; and may impose conditions promoting redevelopment of the parcels if, ~~in view of the zoning and comprehensive plan map designation,~~ the acreage of a parcel or parcels in contiguous ownership **and the zoning and comprehensive plan map designation(s)** make additional partitioning of the subject property feasible.

5. Duration of approval for preliminary partition plan: Approval of a preliminary partition plan shall be valid for ~~twenty four (24)~~ months from the date of tentative approval. During such time, all conditions of approval shall be met. ~~and required documentation shall be filed~~ **Prior to expiration of the preliminary partition plat, the applicant shall file the final plat** with the Director as an application for final



approval, and shall otherwise comply with the provisions of subsections (2) and (3) of this section.

- a. **An extension of the 24 month preliminary approval period time frame to complete the conditions of approval required prior to the final plat being approved may be granted in accordance with Section 2.070 of this ordinance.**

B. Approval of Final Partition Plat:

1. If a ~~tentative~~ **preliminary** plan is approved, finalizing the approval requires the completion of a final plat. Within ~~twenty four (24)~~ months from the date of preliminary partition (~~tentative plan~~) approval, the applicant shall initiate a request for final partition plat approval by filing with the **Planning** Director a final plat prepared in accordance to those standards specified in Section **21.030**~~100~~ of this Chapter and ORS 92 and 209.

2. **The form and content of the final partition plat shall comply with the County's final decision approving the preliminary plan (~~tentative plan~~) and applicable provisions of Section 21.100030(B) and ORS 92 and 209.**~~The approval of a final partition map by the Director is a ministerial action. The Director shall grant final approval if he determines that:~~

- a. **Any conditions of approval imposed upon the preliminary plan (~~tentative plan~~) by the Approving Authority shall be met;**~~the final plat and any supporting documents are in substantial conformance with the approved preliminary partition plan;~~

- b. ~~any conditions imposed by the Approving Authority have been met;~~

~~Substantial conformance means that any differences between the preliminary and final plans are "*minor amendments*", as defined in Section 21.110 A 1 of this Ordinance.~~

3. All access easements created as part of land partitioning become effective when the plat is recorded by the County Clerk. If an access easement is preexisting or if the access easement has been recorded with the County Clerk prior to the final approval of the land partition, then the recorded Document Number shall appear on the face of the plat. **Consistent with ORS 455.175, a final plat must be recorded prior to the issuance of a building permit for a residential structure.**

4. 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 partition plat.





5. After approval of the final partition plat, the Director and the County Surveyor shall endorse their approval on the original plat. The original plat shall be recorded with the County Clerk and a copy with the County Surveyor's Office.

6. Pursuant to ORS [92.055\(1\)](#) a parcel larger than ten ~~(10)~~ acres is not required to be surveyed and monumented but shall comply with the following:

- a. The approximate acreage of each unsurveyed parcel shall be shown.
- b. Any unsurveyed parcel shall have the word "unsurveyed" placed in bold letters adjacent to the parcel number on the plat at provided in (5) above.
- c. Unsurveyed parcels need not comply with ORS [92.050](#)(5), (7) and (8).

7. Pursuant to ORS [92.095](#), prior to recordation of the final partition ~~map~~ plat, the current years' taxes must be paid in full. (The tax year runs from July 1st through June 30th).

8. If the property is zoned "A-1" Exclusive Farm Use, a statement shall appear on the face of the partition plat stating that the land division is for commercial farm use.

C. Final Land Partition Plat Requirements:

1. Conformance to Preliminary plan. ~~The plat shall substantially conform to the preliminary plan as approved.~~ **Upon receipt of the final plat and related documents as described in this Ordinance, the Planning Director or their designee shall review the final map and documents to determine that the plat conforms with the approved preliminary plat, including any ~~special~~ conditions of approval, and that there has been compliance with provisions of ORS 92, ORS 209.250, and of this Ordinance.**

2. Preparation of the Plat.

- a. A plat shall be prepared on 4 mill (minimum) double matte polyester film, approved by the County Surveyor, on a standard 18" x 24" sheet, with archival permanent black ink, in a format available at the Wasco County Surveyors Office.
- b. All signatures on the original must be in archival quality black ink.
- c. The lettering shall be a size or type to be clearly legible when copies are made.



d. A face sheet and index must be included for a plat with 3 or more sheets.

~~3.~~ Compliance with ORS 209.250. A plat shall comply with all requirements of ORS 209.250. including:

~~4.~~ Narrative. If the narrative is a separate document, the narrative must also contain the following:

~~5.~~ Location of survey by one fourth section, Township and Range.

~~6.~~ The date of survey.

~~7.~~ The surveyor's seal and original signature.

~~8.~~ The surveyor's business name and address.

~~9.~~ Location of survey by one fourth section, Township and Range.

~~10.~~ Date of the survey

~~11.~~ Scale of drawing and North Arrow.

~~12.~~ The distance and course of all lines traced or established, giving the basis of bearing and the measured distance and course to a monumented section corner, one-quarter corner, one-sixteenth corner or Donation Land Claim corner in Township and Range, or to a monumented lot or parcel corner or boundary corner of a recorded subdivision, partition or condominium.

~~13.~~ Measured bearings, angles and distances that are used as a basis for establishing or reestablishing lines or monuments separately indicated from those of record together with the recording reference. Metric measurements may be used if a conversion to feet is provided.

~~14.~~ Monuments set and their relation to older monuments found. A detailed description of monuments found and set must be included and monuments set must be separately indicated from those found.

~~15.~~ The surveyor's seal and original signature.

~~16.~~ The surveyor's business name and address.

~~17.~~**3.** Compliance with [92.050](#). A person shall not submit a plat of a partition for record until all the requirements of ORS [209.250](#) and the ~~plat requirements~~ **conditions** of the partition have been met.

a. The survey for the plat shall be done in 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.

b. The plat shall be made by **an Oregon-certified** ~~professional~~ land surveyor.



- c. The plat shall be of sufficient scale and lettering size, approved by the County Surveyor, so that:
  - (1) The survey and mathematical information and all other details are clearly and legibly shown on the plat.
  - (2) Each lot or parcel is numbered consecutively.
  - (3) The lengths and courses of the boundaries of each lot or parcel are shown on the plat.
  - (4) Each street is named and shown on the plat.
- d. The locations and descriptions of all monuments found or set must be carefully recorded upon the plat and the proper courses and distances of all boundary lines, conforming to the Surveyor's Certificate, must be show.
- e. The location, dimensions and purpose of all recorded and proposed public and private easements must be shown on the plat along with the County Clerk's recording reference if the easement has been recorded with the County Clerk. Private easements become effective upon the recording of the plat.
- f. The area of each lot or parcel must be shown on the plat, to the nearest one-hundredth of an acre.
- g. In addition to showing bearings in degrees, minutes and seconds, and distances in feet and hundredths of a foot, the following curve information must be shown on the plat:
  - (1) Arc length
  - (2) Chord length
  - (3) Chord bearing
  - (4) Radius
  - (5) Central Angle
- h. The final plat may not be required to show any information or requirement that is or may be subject to administrative change or variance by the county, or any other information unless authorized by the County Surveyor. Examples of authorized information include:
  - (1) Parcels located in an "A-1", "F-1" or "F-2" zone shall contain the following statement:"No investigation has been made of the suitability of any given



parcel by an authorized representative of the Department of Environmental Quality, and no warranty is made that any given parcel will be used for subsurface sewage disposal. If subsurface sewage disposal evaluations have been completed, a copy shall be filed with the Wasco County Planning Department”.

- (2) Parcels located in any other zone shall contain the following statement: “The parcels have been approved for subsurface sewage disposal by an authorized representative of the Oregon Department of Environmental Quality.”
- (3) Planning Department File Number
- (4) Tax lot Information
- (5) Zoning classification and Comprehensive Plan Designation
- (6) Table indicating the acreages of all existing and newly created parcels.
- (7) Assessor Account Number for each existing property.

**18.4.** Monuments.

- a. The Initial Point of a plat 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](#) and shown on the plat.
- b. The exterior boundary and all parcel corners must be monumented per ORS [92.060](#).
- c. For partitions involving land in a flood plain, the provisions of Section [21.110 D 5](#) shall apply.

**19.5.** 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 and bounds, or other description as approved by the County Surveyor, the tract of land upon which the parcels are laid out.

**20.6.** 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 create, 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 subsection a. to d., the fee owner, vendor or the mortgage trust deed holder may record an affidavit consenting to the declaration, pursuant to ORS [92.075](#)(4).

**21.7.** General Information. No plat shall be approved unless:

- a. Streets or Road for public use are dedicated without reservation or restriction other than reversionary rights upon vacation.
- b. All easements provided for public services, utilities, or access are shown on the face of the plat along with the legal description and any limitations of the easements. 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 plat.
- c. Names and addresses of the partitioner, owner, mortgagee, if any, and the person preparing the plat are shown.
- d. The names of any streets intersecting or within the parcels are shown.
- e. Any **existing buildings and structures** permanent structures **are shown.**
- f. All easements provided for public services, utilities, or access must be shown on the face of the ~~map~~ **plat** along with the legal description and any limitations of the easements. If it is a preexisting 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~~ **plat**.
- g. Zoning classification and Comprehensive Plan Designation



h. Space for date and signatures of the following officials is made:

- (1) Planning Director or designee
- (2) County Surveyor
- (3) County Assessor
- (4) County Tax Collector

i. Any additional information made a condition of approval of the **preliminary**~~tentative~~ plan is shown.

~~22.8.~~ County Surveyor Fees: The partitioner shall pay a fee to the County Surveyor as provided in ORS [92.100](#)(2) ~~which is included in the cost at the time of the plat application.~~

#### **Section 21.040 – Amendments to a Recorded Plat**

Any plat of a subdivision or partition filed and recorded under the provisions of ORS [92.018-92.190](#) should follow procedure outlined in [ORS 92.170](#).

#### ~~Section 21.110 – Amendments to Preliminary Plans and Final Plats or Maps Approved Tentative Plans/Plats/Maps~~

~~A. Definitions: Minor amendments to a tentative approval for a land division may be made by submitting an application pursuant to Type I procedures according to Chapter 2.~~

~~1. "Minor Amendment" means a change which:~~

~~— Does not require the revision of any findings addressing the original established approval criteria, development standards, or conditions of approval<sup>1</sup>;~~

~~a. Does not change the number of parcels created by the subdivision or partition;~~

~~b. Does not enlarge the boundaries of subdivided or partitioned area;~~

~~c. Does not change the general location or amount of land devoted to a specific land use; or~~

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<sup>1</sup> ~~Lane County~~



~~d. Includes only minor shifting of the established lines, location of buildings, proposed public or private streets, pedestrian ways, utility easements, parks or other public open spaces.~~

~~— All other revisions to tentatively approved plans must be processed as a new application for a request for modification of approval, pursuant to Type II procedures in Section 2.060 and will be subject to the applicable standards in effect at the time the new application is submitted.~~

~~2. "Major Amendment" means any change which is not a minor amendment.~~

~~B. Approval of Minor Amendments: A minor amendment to an approved preliminary subdivision or partition plan or to an approved final subdivision plat or final partition map may be approved by the Director.~~

~~C. Approval of Major Amendments: Approval of a major amendment to an approved preliminary subdivision or partition preliminary plan or to an approved final subdivision plat or final partition plat shall be subject to the provisions of Section 2.060 of this Ordinance.~~

#### **Section 21.050 - Property Line Adjustments/~~Replats~~ Application Requirements**

A. ~~The decision on a request for~~ **A** Property Line Adjustment **may be initiated as a Ministerial Type 1 application, unless it involves properties becoming more nonconforming or is within an Overlay Zone. Then it shall be reviewed as provided in Section 2.0960 BA. A or #**

B. Preliminary property line adjustment/~~replat~~ map shall meet the same standards required for preliminary partition approval, described in Section ~~21.100 A~~ **2.030. #**

~~C. The applicant(s) shall submit a signed statement explaining the purpose of the proposed property line adjustment.~~

~~D.C.~~ The applicant(s) shall submit a copy of the property deed. No property line adjustment may be approved unless all properties involved were lawfully created.

#### **Section 21.060 - Property Line Adjustment/~~Replat~~ Approval Standards**

~~The request~~ **An application** for a property line adjustment ~~or replat~~ shall be approved by the Director if the following criteria are met;

**A. The existing units of land ~~lots or parcels~~ were lawfully created in accordance with ORS 92 and Section 21.030.**





~~A.~~**B.** The proposed property line adjustment/~~replat~~ will not result in the creation of ~~any new tax lot~~ **a new parcel/unit of land. Property line adjustments that create new parcels/units of land are exempt from this section and are subject to Section 21.030.**

**C.** The proposal will not render any property unusable, nor shall the usefulness, utility or viability of the property be reduced from the designated purpose statement of the zoning district in which the property is located.

~~B.~~**The adjustment shall not result in the loss of access to any unit of land unless alternative access complying with Chapter 22 is provided.**

**D. Road access is consistent with requirements in Chapter 22.**~~in resource and non-resource zones. See figures 21-3 to 21-7.~~

—Property which presently conforms to the lot size requirements of the zoning district in which it is located shall not become nonconforming as a result of the property line adjustment.~~/replat~~

**E.**

~~C.~~**F.** Property line adjustments/~~replats~~ shall result in greater conformity where it can be achieved. Property line adjustments/~~replats~~ to nonconforming property shall not result in greater nonconformity, ~~provided however, the Director may approve a reduction in area which will result in greater nonconformity if the Director finds the proposal will benefit the public interest.~~

~~D.~~**G.** Adjusted property lines may cross zoning district boundaries unless the adjustment will increase the number of parcels or lots which could potentially be created, based on the density requirements of the applicable zoning district **unless a restrictive covenant is recorded in the County deed records prohibiting the acreage that was added to the parcel through the adjustment from being considered in the division,** ~~or if the Director finds the proposal will benefit the public interest.~~

~~E.~~**H.** The proposal will not cause any existing development to be placed in violation of the property development standards of the **underlying zone(s)** ~~zone~~, or force a violation of this ordinance.

—**A** ~~proposed property line adjustments/~~replats~~ which have~~ **that has** the net result of physically relocating a **unit of land** ~~parcel~~ to a new location beyond an existing common boundary line or ~~which~~ **that** requires the creation of a private or public road ~~will not be acted on, and must be reviewed under Section 21.030 of the Wasco County Land Use and Development Ordinance.~~

~~F.~~**I.** \_\_\_\_\_



### **Section 21.070 - Final Property Line Adjustment/~~Replat~~ Map Requirements**

All final property line adjustment/~~replat~~ map(s) shall meet the same standards required for final partition approval. ~~described in Section 21.100 C, Final Land Partition Map Requirements.~~

### **Section 21.080 - Survey Requirements for Property Line Adjustments/~~Replats~~**

—An adjusted property line created by the relocation of a common boundary as described in ORS [92.010](#) ~~(7)(b)~~ shall be surveyed and monumented in accordance with ORS [92.060](#) (3). ~~Said~~ **The** survey shall comply with ORS [209.250](#), and shall be filed with the Wasco County ~~Clerk~~ **Surveyor**

~~A. If all property affected by the property line adjustment is greater or becomes greater than ten acres the requirement of a survey and monumentation will be waived.~~

~~B.A.~~

**If all units of land ~~property~~ affected by a the property line adjustment are ~~is greater or will becomes~~ greater than ten acres, the requirement of a survey and monumentation is ~~will be~~ waived, consistent with ORS 92.060 (8). However, a map prepared by a licensed surveyor must be submitted.**

~~—Replats shall be reviewed in the same manner as property line adjustment requests, with the exception that the requirements of ORS [92.180](#) ~~92.190~~ shall apply.~~

### **Section 21.090- Replats**

**The same procedure and standards that apply to the creation of a plat apply to the replat. Replats only apply to recorded plats. Replats will not act to vacate any recorded covenants or restrictions. A replat application may be denied if it abridges or destroys any public right in any of its public uses, improvements, streets or alleys or fails to meet any applicable County standards. A replat may also not result in nonconformance with any conditions of approval including minimum parcel size, property development standards, subdivision requirements or open space requirements.**

**Upon completion of a replat and within the replatted area, the previously platted units of land will be vacated.**

**A. Partition Replat shall be initiated as provided in ~~Section 2.060 A~~ Chapter 2 of this Ordinance.**

**B.A Subdivision Replat shall be initiated as provided in Chapter 2 of this Ordinance.**

- 1. Preliminary subdivision replat maps shall meet the same standards required for preliminary subdivision approval, described in Section 21.1 ~~200~~.**



2. Approval standards in Sections [21.030](#) and/or [21.100](#) are applicable to replats.
3. Replats shall be consistent with the requirements in ORS 92.185.
4. All final replat map(s) shall meet the same standards required for subdivision approval.

### Section 21.100 - Preliminary Subdivision Plan Approval

The approval of **An application for** a preliminary subdivision plan is reviewed by the Planning Commission subject to the provisions of **Chapter 2**~~Section 2.060 (c)~~ of this Ordinance.

#### 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. The applicant shall file with the **Planning** Director a preliminary subdivision plan, together with improvement plans and other supplementary information required by subsection [B](#) of this Section ~~to~~**that** 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~~**will** 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.

#### B. Information Required in the Preliminary Subdivision Plan:

1. The proposed name of the subdivision or major partition.
2. North point, scale, date of application, and basis of bearing.
3. Names and addresses of the subdivider, engineer, surveyor, land planner or landscape architect.
4. The **lot, parcel or** tract description according to the real estate records of Wasco County.
5. The boundary lines (accurate in scale) of the **lot, parcel or** tract to be subdivided.
6. Contour lines may be required at intervals to be determined by the Director.



7. The names of adjacent subdivisions or the names of recorded owners of adjoining parcels of unsubdivided land.
8. The location, width and names of all existing or plotted streets or other public ways within or adjacent to the ~~tract~~ **proposed subdivision**, existing permanent buildings, railroad rights of way and other important features such as section lines, political subdivisions or corporation lines and school district boundaries.
9. Existing sewers, water mains, culverts or underground utilities and improvements within the ~~tract~~ **proposed subdivision** or immediately adjacent thereto together with pipe sizes, grades and locations indicated.
10. All units 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.
11. The location, names, width and approximate grades of all streets proposed or existing in the **proposed** subdivision, and the approximate widths and locations of proposed easements for drainage, sewerage and public utilities.
12. 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.
13. ~~Approximate~~ Location of all **seasonal and perennial drainage channels** ~~areas~~ subject to inundation or storm water overflow and the location, width, and direction of flow of all watercourses.
14. 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.
15. Parks, playgrounds, recreation areas, parkways, and other open space for public use.
16. Locations of proposed tree plantings or other plantings. ~~Appropriate information clearly stating the map is a tentative plan.~~
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.
18. If domestic water supply proposed by the developer includes the drilling of wells, information on the feasibility of well drilling, **or acquiring water rights if needed, from the Oregon Water Resources Department shall be provided.** Such information



will be provided even if the developer is not required by the Commission to drill the wells.

19. 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 **North Central Public Health Department** County Sanitarian regarding the approval of each lot or parcel to be sold for installation of septic tank facilities.

20. 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.

21. The location of any environmental hazard, areas unsuitable for building purposes, or land subject to mass movement, excessive erosion, or similar natural phenomena.

22. Proposed building setback lines.

23. Vicinity sketch showing how the proposed streets and alleys may connect with existing streets in neighboring subdivisions or undeveloped property.

**C. 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 21.020 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.~~ **consistent with D.2. below.**

**D. Development Phasing:**

1. A preliminary subdivision plan may provide for platting in phases. When approval has been granted to develop a subdivision in phases, the final plat for the first phase shall be submitted in accordance with the time limitations outlined in Section ~~21.030-100.B.1.~~ The final plat for each subsequent phase shall be submitted within ~~twenty four (24)~~ months of the date the final plat for the previous phase was recorded. An extension may be granted by the Planning Director, for good cause, based upon a written request from the applicant made prior to the expiration of the ~~twenty four (24)~~ month period. The total time period for submittal of the final plats for all phases of the subdivision shall not exceed ten years from the date of final approval of the ~~tentative~~ preliminary plan.
2. The Planning Commission may approve plans for phasing a subdivision, and changes to approved phasing plans, provided ~~applicant's~~ proposal meets all of the following criteria:
  - a. In no case shall the construction time period (i.e., for required public improvements, utilities, streets) for the first subdivision phase be more than ~~twenty four (24)~~ months from the date of preliminary plan approval;
  - b. Public facilities shall be constructed in conjunction with or prior to each phase;
  - c. The phased development shall not ~~result in requiring~~ the County or a third party (e.g., owners of lots) to construct public facilities that are required as part of the approved development proposal;
3. The proposed phasing schedule shall be reviewed with the preliminary subdivision plat application; and

— **Planning Commission approval is required for modifications to phasing plans.**  
—



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.

Time limitations for the various phases must meet the following requirements:

Phase 1 final plat shall be approved within twelve (12) months of preliminary approval.

- a. Phase 2 final plat shall be approved within twenty four (24) months of preliminary approval.

Phase 3 final plat shall be approved within thirty six (36) months of preliminary approval.

**1.4.**

#

**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.

**E.F. Granting of Extensions:** Extensions of time may be allowed as outlined in Section 2.125 ~~00.B.~~

**Section 21.110 - Final Subdivision Plat Approval Requirements**

Approval of a final subdivision plat is reviewed by the Planning Commission and subject to the provision of ~~Chapter 2 Section 2.060(2)~~ of this Ordinance. **The final plat shall be prepared in conformance with all provisions of this Section 21.2110.**

**A. Application for Final Subdivision Approval:**

1. ~~Before expiration of the validity of the preliminary subdivision plan approval obtained pursuant to Section 21.200 of this Ordinance,~~ **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 subsections ~~B to F~~ of this Section, and the appropriate fees as established by the County Governing Body.

~~B.~~ Final Subdivision Plat Requirements:

~~C.B.~~

- ~~3. The final plat shall be prepared in conformance with all provisions of Section.~~

~~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.

~~D.C.~~ Information Required in the Final Subdivision Plat: **In addition to the requirements for the Preliminary Plat (Section 21.100), following information shall be included on the final plat or in the supporting documents, and the plat shall otherwise comply with [ORS 209.250](#).** ~~and~~ **The following information shall be included on the final plat or in the supporting documents:**

1. Name of Subdivision, **approved by the County Surveyor pursuant to [ORS 92.090](#).**
2. ~~North point, scale and~~ **d** Date the plat was prepared.
3. 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.
4. Names and addresses of the subdivider, owner, mortgagee, if any, and the person preparing the plat.
5. 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.
6. 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.



7. 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.
8. Locations and widths of drainage channels **and**, 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.~~
9. Numbering of blocks and lots, as follows:
  - a. 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.
  - b. Lot numbers beginning with the number "1" and numbered consecutively in each block.
10. Ties to any city, county, or adjacent subdivision boundary lines.
11. Zoning classification of the property within the subdivision.
12. 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.
13. Space for date and signature of the County officials specified in subsection [K](#) of this Section.
14. Any conditions specified by the Approving Authority upon granting preliminary approval **or a reference to the preliminary plan decision.**
15. 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.



16. 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.
17. A copy of all documents relating to additional requirements or restrictions required by the County as a condition of approval.
18. A declaration and acknowledged by all parties having any record title interest in the land consenting to the preparation and recording of the plat.
19. 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.

~~20. A narrative per ORS (2).~~

~~21.~~**20.** 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.

~~E.~~**D.** Survey Requirements for Final Plat:

1. **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.~~
2. **Scale.** The plat shall be drawn to a standard engineering scale sufficient to depict the subdivision of land approved by the County Surveyor.
3. **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.
4. **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, 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.

5. 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. **Monuments should be consistent with ORS 92.060 and the following:**

- ~~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.~~

**(a)** 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.

**(b)** Upon completion of the interior monumentation, the person performing the survey shall indicate upon a copy of the plat that monumentation has been completed.

**(c)** The County Surveyor shall check the interior monumentation, and, if the conditions required on the ~~tentative~~ **preliminary** plan have been complied with, he shall so certify on the plat copy and file it with the County Clerk.

**(d)** 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.

**(e)** 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.

6. 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 **as** represented, **and has placed a proper monument as provided in ORS 92.060** ~~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.~~

7. 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. **Any dedication of land to public purposes or any public or private easements created, or any other restriction made, shall be stated in the declaration.**

~~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.~~ **b.** 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.

~~c.~~ **c.** 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 **d**Declaration **for the purpose of consenting to the property being submitted to the provisions of ORS Chapter 92.**

~~d.~~ **d.** 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). **The affidavit must indicate the**



**recorded document by which the interest in the property was acquired and all information required by ORS 93.410 it 93.530 and must be recorded in deed records at the same time as the subdivision or partition plat.**

8. 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 on Federal Aid sheets 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 rolls of ten inch (10"), on standard cross section paper. Computer cross section print outs may be submitted in lieu of platted cross sections.
  - (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.

9. **Payment of taxes and disqualification of special assessment. A plat may not be recorded unless all ad valorem taxes have been paid, including additional taxes, interest, and penalties imposed on land disqualified for any special assessment and all special assessments, fees, or other charges required by law to be placed upon the tax roll that have become a lien upon the land or that will become a lien during the tax year. The tax year runs from July 1<sup>st</sup>-June 30<sup>th</sup>. If a subdivision or partition plat is recorded, any additional taxes, interest, or penalties imposed upon land disqualified for any special assessment become a lien upon the land on the day before the plat was recorded.**

10. 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 **the Surveyor's** ~~his~~ discretion, charge a second fee or partial fee.

#### ~~F.~~**E.** 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~~ **Board of County Commissioners** an agreement between ~~himself~~ **the applicant** 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 **to complete** ~~for completion of the~~ 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).

#### ~~G.~~**F.** 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 Treasurer; 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 Public Works Director. 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 Public Works Director. 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, **up to 125%**, of ~~included~~ **completing the** 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.

~~H.G.~~ **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~~ **open space** in locations and of size **appropriate** ~~indicated by the Comprehensive Plan~~ for the area in which the subdivision is located. **These parks will be required to record a maintenance agreement including funding and an appointed administrator, like HOA, for ongoing upkeep.**

~~H.H.~~ **H.** Recreational Fund: Where no parks, playgrounds or recreational areas are required by the Commission, the subdivider shall pay to the County a ~~sum~~ **fee in lieu of dedication** 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~~ **development or maintenance** of parks, playgrounds, and recreational areas within the ~~immediate~~ area of the subdivision.



**J.I.** Development Phasing: If the preliminary subdivision plan approval, pursuant to Section [21.100](#) of this ordinance, provided for phasing of development, the applicant may request final plat approval for an individual phase of the subdivision by filing with the Director a final plat and supporting documents, as provided in subsections (A) through (F) of this section, for that phase only.

**J.J.** Standards for Final Subdivision Plat Approval

1. The Planning Commission shall grant final subdivision plat approval if ~~it~~~~they~~ determines 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 Section 21.110 A 1 of this Ordinance.~~
  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 **Board of County Commissioners** ~~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.
- 3.4. The County will not issue building permits for a habitable structure until the final plat is recorded.**

**J.K.** 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:
  - a. Planning Commission Chair~~man~~;
  - b. County Surveyor;
  - c. County Assessor;
  - d. An authorized representative of the Department of Environmental Quality, State of Oregon, or the ~~County Sanitarian~~ **North Central Public Health District Environmental Specialist**;



- e. County Tax Collector;
- f. County Commissioners;
- ~~g.~~ County Clerk.

2. The final plat shall be recorded within thirty (30) days of the date that the signatures and approvals required by subsections [J](#) and [K](#) of this section were obtained.



## CHAPTER 22 - ROAD STANDARDS

Section 22.010 - Purpose .....	1
Section 22.020- Improvements.....	1
Section 22.030 - Public Streets and Roads.....	3
Section 22.040 - Private Roads .....	9
Section 22.050 - Roadway Improvement Standards .....	11
Section 22.060- Access Control.....	13
Table 22-1 – Rural Wasco County Public Roadway Design Standards.....	18
Table 22-2 – Urban Wasco County Public Roadway Design Standards .....	19
Table 22-3 – Private Access Standards .....	19
Figure 22-3 – Hierarchy of Property Access (See Figures 21-4 – 21-7 Below) .....	20
Figure 22-4 – Direct Access via a “Public Road” or “Private Road” (Driveway).....	21
Figure 22-5 – Private Easement Road .....	21
Figure 22-6 – Private Road.....	22
Figure 22-7 – Public Road .....	23
Section 22.070- Dedication of Private or Public Streets not part of a LandDivision .....	24

### Section ~~21~~22.010 - Purpose

The purpose of this chapter is to provide and encourage a safe, efficient and economical transportation system. This chapter applies to the unincorporated Wasco County transportation system, and implements the policies of the Wasco County Transportation System and Wasco County Comprehensive Plan. The criteria and regulations are intended to be consistent with Oregon Revised Statutes 368.

### Section ~~21~~22.020- Improvements

The improvement standards contained in Sections [22.020](#), [22.030](#), [22.040](#) and [22.050](#) shall apply to all subdivisions, land divisions, public road dedications and private road approvals in Wasco County. **Improvements shall also meet the requirements in Chapter 10; in the case of a different standard, the more restrictive standard shall be required.**

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.

~~2. Sidewalks shall be constructed in dedicated pedestrian ways along streets where determined necessary by the Approving Authority for pedestrian safety.~~

~~3.2.~~ 2. 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.



4.3. 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.

5.4. Road **signs** shall be required as an improvement in a subdivision or partition. **The developer is responsible for the installation of** ~~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.~~ **according to Wasco County Public Works standards.**

6.5. 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.
- c. Sidewalks shall be constructed in dedicated pedestrian ways along streets where determined necessary by the Approving Authority for pedestrian safety.

7.6. 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. **Sidewalk standards are listed in Chapter 20.**

8.7. 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. **Bicycle facility standards are listed in Chapter 20.**

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.



~~Improvement Policies and Standards: When possible, the~~

- C. **The developer of any road may elect to pay a fee in lieu of construction. The Public Works Director will determine if payment in lieu of construction is feasible. The fee amount will be determined by the Public Works Director and approved by the Board of County Commissioners. These fees must be dedicated for the express purpose of road improvements.**
  
- D. **The developer of any road shall provide a method for future maintenance of the road. Prior to approval the applicant shall establish an enforceable road maintenance agreement binding on all participating properties subject to the land division by the applicant and running with the land. Any approval of roads shall contain a disclaimer that approval does not represent an opinion or determination by Wasco~~Creek~~ County that any such road will provide a safe or adequate travelling surface for vehicular or other traffic and that any such road is not eligible for county maintenance.**

——It shall be the duty of the ~~Wasco County Roadmaster~~ **Public Works Director** to interpret the provisions and- requirements of these standards in such a way as to carry out their intent and purposes, **and provide this information to the Planning Director during application review-**

### **Section ~~21~~22.030 - 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)"
  
- 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 [22.030 A](#) and the standard specifications which are applicable to construction of improvements under Section [22.030 E 2](#) of this Chapter. Any deviation from these standards shall be approved by the County **Public Works Director**~~Roadmaster~~.

#### C. Standard Drawings

1. The County **Public Works Director**~~Roadmaster~~ shall have the authority to publish "Standard Drawings" for the design of public streets and roads.
2. The applicant's design shall conform to the "Standard Drawings".

#### D. General Considerations

1. The County ~~Roadmaster~~**Public Works Director** may impose additional design requirements as are reasonably necessary to provide safe and adequate access.
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.
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.

#### E. Development Requirements

1. Engineering:
  - a. Plans 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~~**Public Works Director** and shall include the following information:



- (1) Widths of all proposed road right of way dedication.
  - (2) Original ground line and grade line profile on the centerline of the proposed road.
  - (3) Proposed drainage structures, showing both size and type of structure.
  - (4) Toe of fill and top of cut lines.
  - (5) Typical structural section of roads to be constructed.
  - (6) 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.
  - (7) 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.
  - (8) 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.
  - (9) The plans shall contain a standard symbol sheet approved by the County Roadmaster **Public Works Director**.
  - (10) The stamp and signature of a consultant engineer preparing the plans.
  - (11) The location and dimensions of the pedestrian circulation system.
  - (12) The location and dimensions of bicycle parking, when required.
- 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.
- c. ~~Monumentation~~ — **Right of Way Survey** ~~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.~~ **All newly dedicated public streets and roads shall be surveyed and monumented in accordance with the provisions of ORS 368,**



**ORS 92, and ORS 209. The County Surveyor may waive the need to establish monument in the centerlines of unpaved streets and roads.**

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~~ **Board of County**

**Commissioners**, 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~~ **Public Works Director** 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 **Board of County Commissioners** ~~County Governing Body~~, the applicant shall provide a performance bond or other security, as set forth in Section 21.110 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.

e. Certification and Warranty Requirements

(1) When the project is completed, the ~~consultant~~ **applicant's** 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~~ **Public Works Director** 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~~ **Public Works Director** 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.



- f. As Constructed Plans The County ~~Roadmaster~~ **Public Works Director**, at the completion of the project, may require the ~~consultant~~ **applicant's** 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 subsection E 1 a of this Section.
- (1) The title sheet shall contain the ~~consultant~~ **applicant's** 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.
- 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~~ **Public Works Director**, an amount determined by the ~~Roadmaster~~ **Public Works Director** 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.

### Section ~~21~~22.040 - Private Roads

A. General Design Policies: Private roads shall conform to the requirements outlined in **Chapter 21, Section 21.030.**

B. Design Criteria

1. Finished top surface width of roads shall be a minimum of ~~twelve (12)~~ **12** feet **on straight sections and through gentle curves, 14 feet on single curves with less than 150-foot radius, and 16 feet when curves are linked or located on a slope in excess of 10%.**
2. The roadbed shall have an all-weather surface of suitable material, in good repair and of sufficient depth to ensure a solid roadbed, but in no case less than four ~~(4)~~ inches of crushed rock.
3. Turnouts shall be provided no further than ~~six four hundred (4600)~~ feet apart and not less than ~~fifty forty (450)~~ feet in length and eight ~~(8)~~ **additional** feet in width excluding taper.
4. The ~~County Roadmaster~~ **Public Works Director** ~~designated County Road Official~~ may require paving for road profile grades exceeding ~~fifteen percent (15%),~~ and in no case shall a grade exceed ~~twenty percent (20%).~~
5. Cross culverts of adequate size (minimum ~~eighteen inches~~ **18"** in diameter) shall be provided to carry storm run-off under the roadway.
6. All cut and fill slopes shall be 1.5:1 or flatter; unless steeper slopes are determined feasible by a consultant engineer. A fallout area may be necessary for any slope steeper than 1.5:1.



7. Adequate roadside ditches shall be provided to carry storm run-off. Roadside ditches in excess of seven percent (~~7%~~) grade and in erodible soils shall be lined with suitable material to prevent erosion.

#### C. General Considerations

1. **The Public Works Director shall determine if the private road meets the improvement standards and shall submit his findings as a written recommendation to the Approving Authority.**
- 1.2. The Approving Authority, upon recommendation of the ~~designated County Road Official~~ ~~County Roadmaster~~ **Public Works Director**, may impose additional requirements as are reasonably necessary to provide a safe and adequate access.
3. Private roads shall be maintained by the benefited property owners and shall not be accepted by the County for maintenance.
  - a. **The following notice shall appear in legible print on the face of any proposed final plat containing a lot or parcel to be served by a private road: "Wasco County hereby gives notice to all developers, purchasers, potential purchasers and all third parties that the County disclaims any liability whatsoever for any damage which may occur as a result of the failure of the developer to construct, improve or maintain roads in this proposed land division. This notice serves as acknowledgment that the County is not liable for any improvement or maintenance actions or costs affiliated with this private road."**
  - b. **A waiver of remonstrance for future road improvements is be required to be recorded with the County Clerk's office at the time of partition or subdivision.**

#### D. Approval of a Private Road

1. **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.**
2. **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 Planning Director and the Wasco County Surveyor.**



**D.E. Certification and Special Considerations**

1. The ~~designated County Road Official~~ County Roadmaster **Public Works Director** may require the applicant to retain an ~~an consultant~~ engineer to inspect his private road project. When the project is completed, that engineer shall certify to the County, in writing, that the project has been constructed in substantial conformance to the County's current improvement standards.
2. In the event an existing road is to be used for access to a land division, it shall be inspected by an ~~an consultant~~ engineer retained by the applicant ~~and,~~ **to determine if it can be** found adequate for the intent and purposes of the private road requirements, ~~shall be approved.~~

**F. Signing: Permanent traffic control and street or road identification signs will be required at the intersections of private roads with County maintained roads. **The developer is responsible for the installation and maintenance of such road or street signs according to Wasco County Public Works standards and with the Public Works Director approval.****

~~— The applicant shall deposit (in cash) with the ~~designated County Road Official~~ County Roadmaster, an amount determined by the Director adequate to cover the costs of construction and installation of required permanent signing required. Upon receiving said cash deposit, the County will prepare, place and maintain required permanent signing.~~

~~a. The developer is required to post and provide for the maintenance of signs on the road stating that the County does not maintain the facility. Such signs shall say "Road privately maintained by property owners".~~

- ~~2.1.~~ 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.

**Section ~~21~~22.050 - Roadway Improvement Standards**

**A. Roadway Requirements**





1. No development shall occur unless the roadways adjacent to the development meet the standards of this section, unless the following applies:
  - a. 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.
  - b. 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 **Public Works Director** ~~Roadmaster~~ 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;

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 reconstruction 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.

#### **Section ~~21~~22.060- 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~~ 4.140 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~~ **road** or driveway connected to an adjoining property that has direct access to a public ~~street~~ **road** (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~~ **road** for all users of the private ~~street~~ **road**/drive.
  - c. Option 3. Access is from a public ~~street~~ **road** 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 Road~~ **Street Road** accesses shall comply with the access spacing standards in **Section 22.060(B)(5)** ~~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, **and also Table 22-1 & 22-2 at the end of this chapter.**
  - 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 ,~~ **U**pon the recommendation of the County ~~Roadmaster~~ **Public Works Director** 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; and,
  4. The proposed access plan for redevelopment properties moves in the direction of the spacing standards.
- D. The County ~~Readmaster~~ **Public Works Director** 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; and,
    - 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.
- 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.

#### **Section 22.070- Provisions for New Roads Not in Conjunction with a Land Division**



If multiple lawfully created units of land are found to exist but are undeveloped, a new road may be required for access purposes prior to development or when the development changes the road classification as defined by the number of trips per day.

- A. New private roads may be created to provide access to unimproved property only when the Planning Director finds that the private road will be needed for proper development related to the proposal. The Planning Director's decision shall be made only after receiving and reviewing a written recommendation from the Public Works Director.
- B. The Planning Director's decision to allow or not allow creation of a private road to access proposed development is a land use action that shall be supported by written findings and subject to the notice provisions in Chapter 2.
- C. A restrictive covenant removing the County from improvement or maintenance liability shall be required for all new private roads.
- D. The private road shall meet all standards consistent with this Chapter and Chapter 10.

#### Section 22.080- Road Vacations

Road vacations shall be processed by the Public Works Director, according to ORS [368.326-368.366](#).



**Table 22-1 – Rural Wasco County Public Roadway Design Standards**

	Rural Local Roads									Rural Minor Collector			Rural Major Collector			Rural Arterial		
	Unpaved			Unpaved			Paved			Paved			Paved			Paved		
<b>Design ADT</b>	<25			25-250			25-250			250-400			400 – 2,000			>2,000		
<b>Terrain<sup>1</sup></b>	L	R	M	L	R	M	L	R	M	L	R	M	L	R	M	L	R	M
<b>Design Speed (mph)</b>	30	30	20	30	30	20	30	30	20	40	30	20	50	40	30	60	50	40
<b>Max Grade (%)</b>	7	10	12	7	10	12	7	10	12	7	9	12	6	8	10	3	4	8
<b>Stopping Sight Distance (ft)</b>	22	23	13	22	23	13	220	235	135	340	230	135	475	350	235	600	610	350
<b>Passing Sight Distance (ft)</b>	-	-	-	-	-	-	1,090	<sup>2</sup>	<sup>2</sup>	1,470	<sup>2</sup>	<sup>2</sup>	1,835	<sup>2</sup>	<sup>2</sup>	2,135	<sup>2</sup>	<sup>2</sup>
<b>Traveled Way Width (ft)</b>	18	18	18	22	22	22	22	22	22	22	22	22	24	24	24	24	24	24
<b>Paved Shoulder Width (each side)</b>																		
- Non Bike Route	-	-	-	-	-	-	-	-	-	1	1	1	1	1	1	2	2	2
- Bike Route (ft)	-	-	-	-	-	-	-	-	-	2	2	2	5	5	5	6	6	6
<b>Gravel Shoulder Width (each side)</b>	-	-	-	-	-	-	2	2	2	2	2	2	2	2	2	2	2	2
<b>Roadway Width (Non Bike / Bike Route) (ft)</b>	18	18	18	22	22	22	26	26	26	28	28	28	30	30	30	32	32	32
										30	30	30	38	38	38	40	40	40
<b>Number of Lanes</b>	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
<b>Minimum ROW Width (ft)</b>	50	50	50	50	50	50	50	50	50	60	60	60	60	60	60	60	60	60
<b>Preferred Access Spacing<sup>3</sup></b>	75			100			100			150			300			500		

<sup>1</sup> L= Level, R=Rolling, M=Mountainous

<sup>2</sup> See AASHTO manual for guidance.

<sup>3</sup> Lower spacing may be allowed when supported by a traffic study and/or approved by the County Engineer.



**Table 22-2 – Urban Wasco County Public Roadway Design Standards**

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

**Table 22-3 – Private Access Standards**

Location in Zones	Designation	Responsibilities for Maintenance	Minimum Improvement Standards	Minimum Width of Easement	Maximum Number of Lots, Parcels or Units of Land
All Zones	Driveway	Property Owners	Fire Safety Standards	No Easement Required	One
All Zones	Private Easement Road	Property Owners	Fire Safety Standards	30 Feet	Three (3) provided the service to additional lots parcels or units of land is improbable

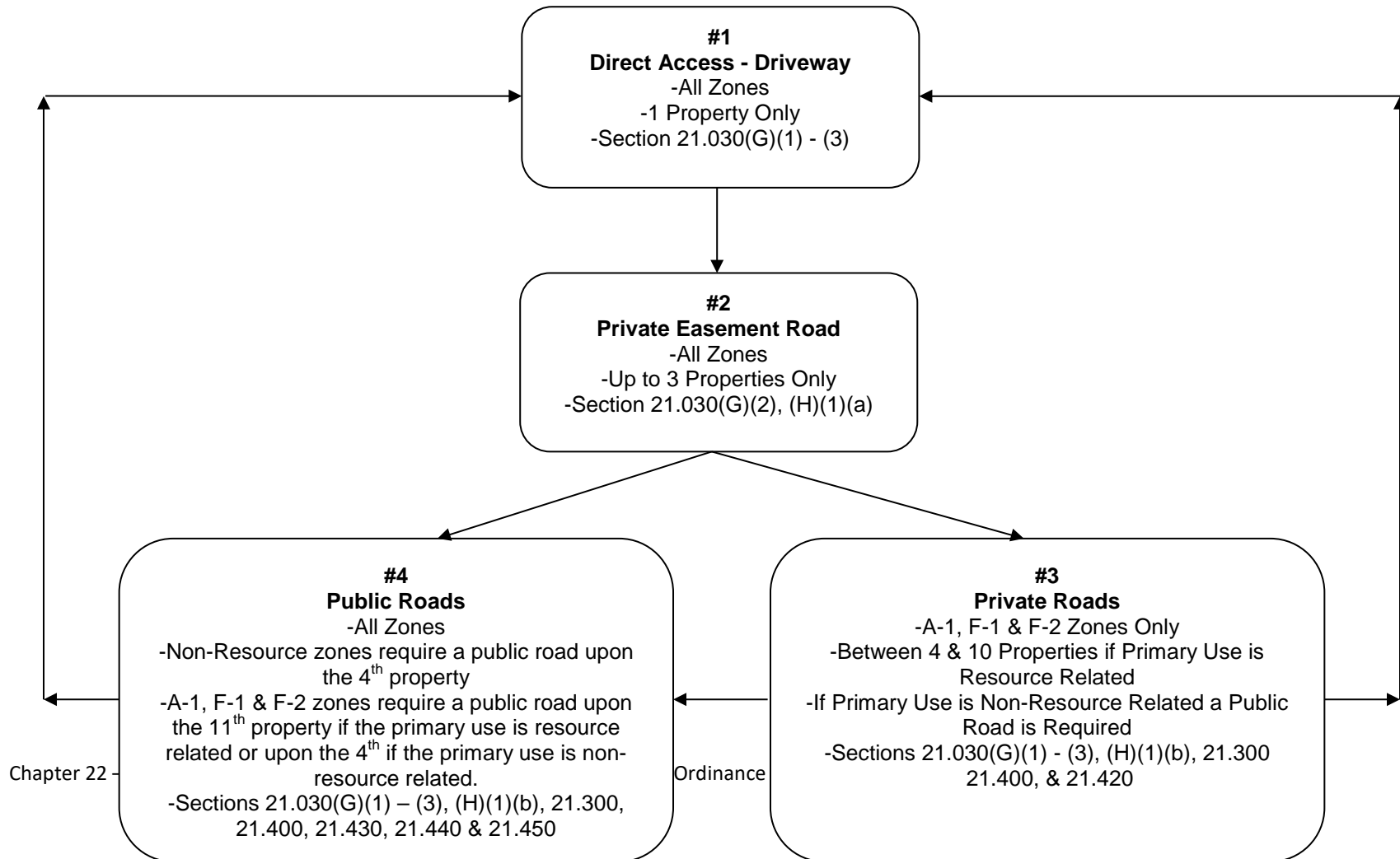




Resource Zones Only (F-1, F-2, & A-1)	Private Road	Property Owners	*Improve with minimum of four inches (4") of base rock	*30 Feet with 12 feet of travel surface.	Ten (10) provided that no more than three (3) lots are less than ten (10) acres in size and the primary use is resource related.
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\*See Section [21.040](#) for complete standards.

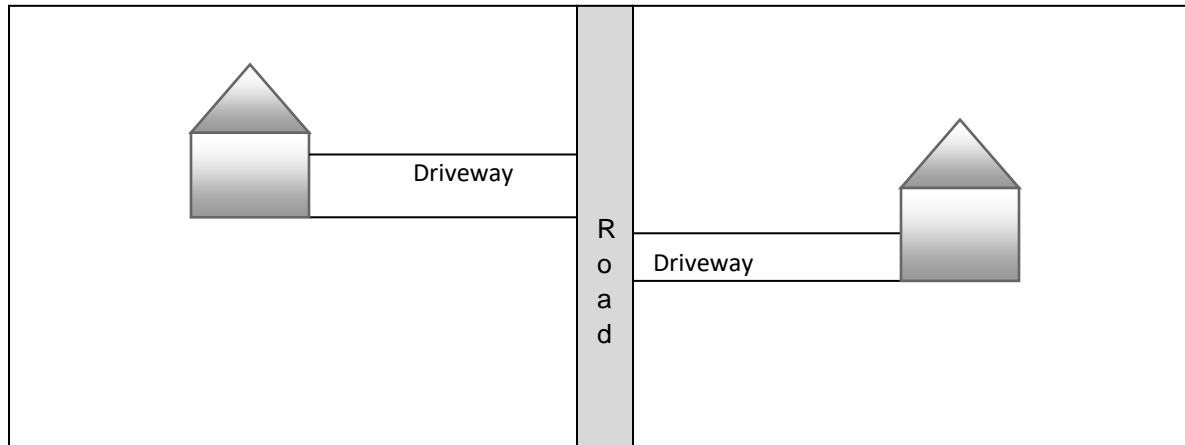
**Figure 22-3 – Hierarchy of Property Access (See Figures 21-4 – 21-7 Below)**





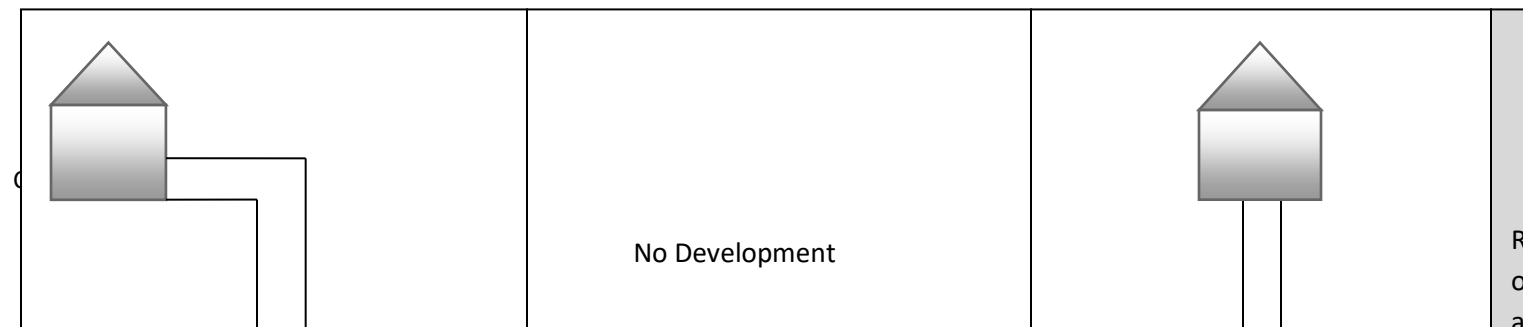
**Figure 22-4 – Direct Access via a “Public Road” or “Private Road” (Driveway)**

In all zones, a single property is considered to have direct access via a “Public Road” or “Private Road” if the property intersects a lawfully established “Public Road” or “Private Road” and has a legal right to enter and exit the “Public Road” or “Private Road”.



**Figure 22-5 – Private Easement Road**

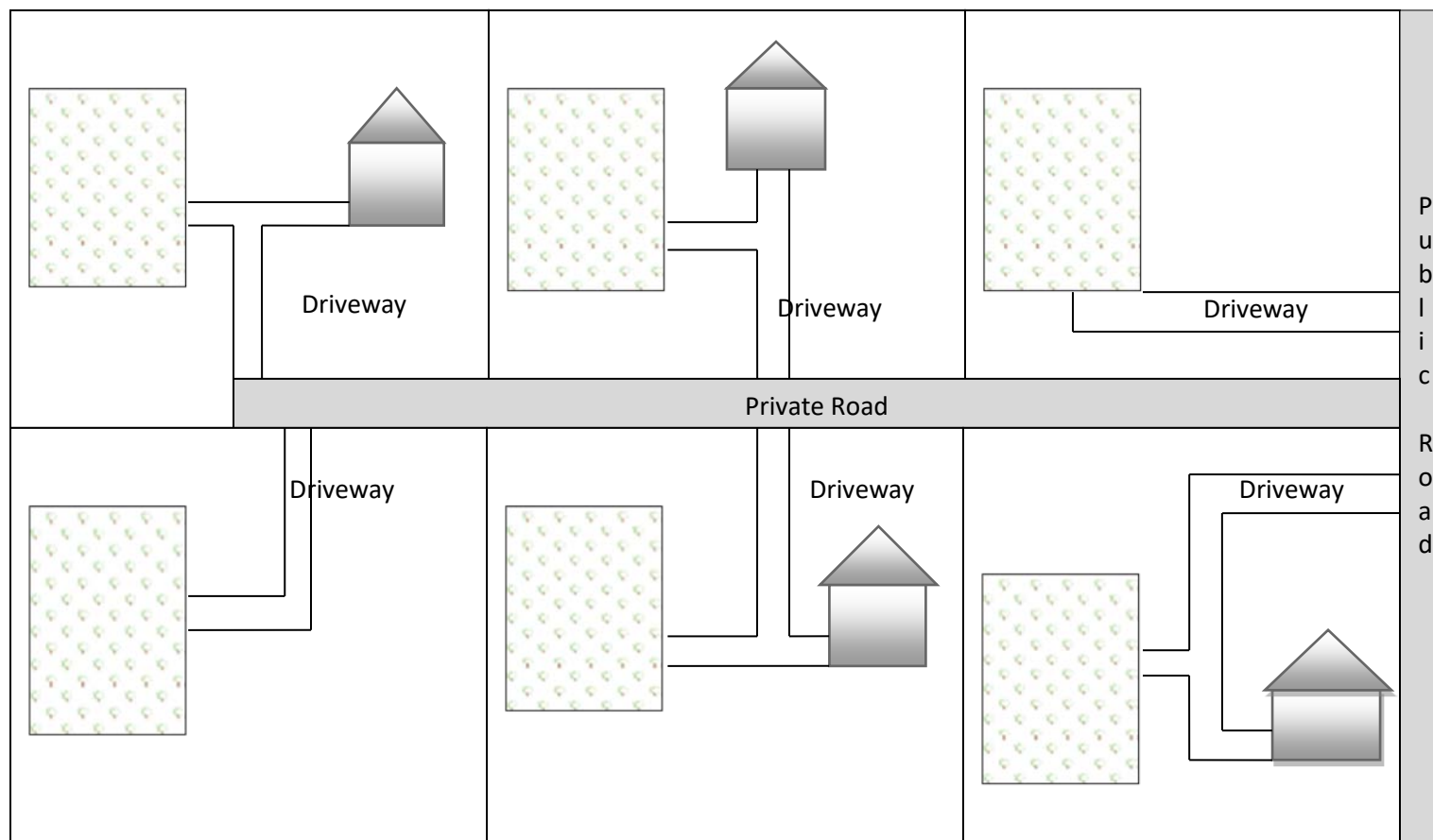
In all zones, up but not exceeding 3 properties may have their primary access by way of a “Private Easement Road”. Upon the fourth, it must become “Public Road” or “Private Road” depending on the zone and the primary use of the properties.





**Figure 22-6 – Private Road**

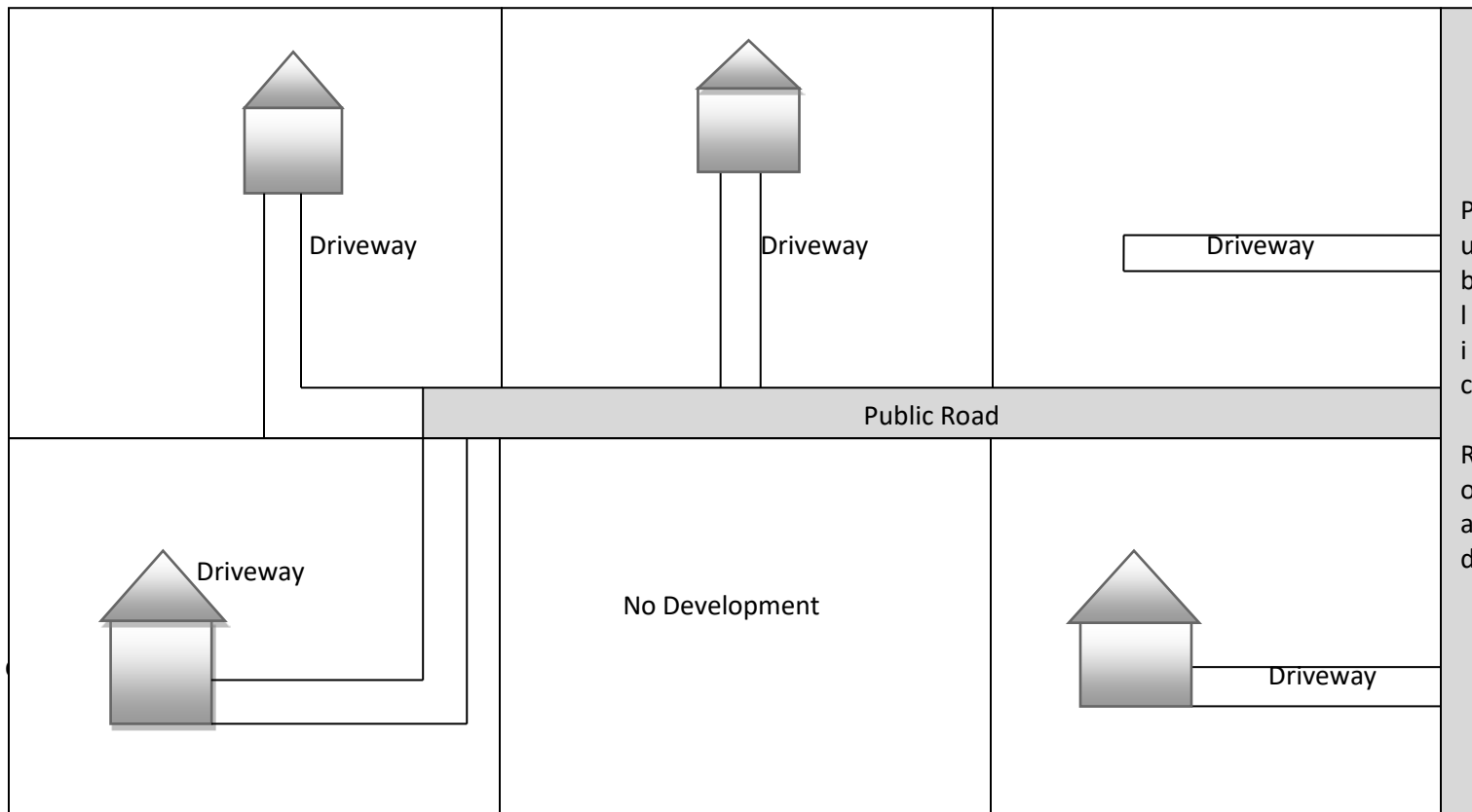
In A-1, F-1 & F-2 Zones only, between 4~~four~~ and 10~~ten~~ properties may have their primary access via a “Private Road” if the primary use of the properties is resource related. If the primary purpose is non-resource the access shall become a “Public Road” upon the 4<sup>th</sup> ~~fourth~~ property using it as its primary access.





### Figure 22-7 – Public Road

In non-resource zones an access shall become a “Public Road” if it provides primary access to more than 3 properties. In A-1, F-1 & F-2 Zones an access shall become a “Public Road” upon the 11th property if the primary use is resource related or upon the 4th if the primary use is non-resource related. There are no limitations to the number of properties having their primary access via a publicly dedicated road.





**Section 22.070- Dedication of Private or Public Streets not part of a LandSubDivision Private Road Approval Public Road Dedications**

Any person desiring to create a public 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 Section 2.060(B).

**E.G. Application for Tentative PlanProcess**

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.~~ **Any person desiring to create a street not part of a subdivision or major partition shall make written application to the Planning Director. Said application shall be made on prescribed forms, and shall be accompanied by the required information and appropriate filing fee**~~The applicant shall submit to the Director a written application of a Tentative Plan prepared in accordance with subsection B of this section.~~
- ~~3.~~**2.** The Director shall distribute a copy of the ~~Tentative Plan~~**Preliminary map** to the County ~~Roadmaster~~**Public Works Director-Designated County Road Official, and local fire district to** and obtain **their written** ~~his~~ recommendation on the proposed action.



~~F.H.~~ **H.** Information Required on ~~Tentative Plan~~ **Preliminary map:** ~~Tentative Plans~~ **Preliminary maps shall be the same as set forth for the requirements for subdivisions, section nnn.** 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.~~

## **I. Procedure**

~~G.J. Approval of Road or Street Dedication~~ **Process**



~~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.~~

**— Upon receipt of written application and appropriate filing fee for street dedication, the Planning Director shall refer the proposal to the county road department for review and written findings and recommendations.**

**a. Upon receipt of written findings and recommendations from commission and road department, the proposal shall be submitted to the ~~county court~~ ~~county governing body~~ Board of County Commissioners for preliminary review and approval. Such submission shall be made at least 10 days prior to a regularly scheduled meeting.**

~~2.1.~~ If Tentative Plan to dedicate a road or street is recommended to the ~~County Governing Bod~~ **Board of County Commissioners**, 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 Designated County Road Official~~ ~~Roadmaster~~ **Public Works Director**.

~~H.K.~~ ~~Acceptance of~~ **Final approval and** Dedication by the County Governing Body

1. Before the **Board of County Commissioners** ~~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 Section [21.210](#) F of this Chapter.



2. Prior to acceptance by the ~~County Governing Body~~ **Board of County commissioners**, 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.
- ~~3.~~ Upon acceptance of the dedication by the ~~County Governing Body~~ **Board of County Commissioners**, the owner of the land to be dedicated shall prepare a warranty deed dedicating the land to the public **and contact the County Taxation and Assessment Department for any tax adjustments.**
3. 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.
4. **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.**
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.

~~I. 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.~~



