

**To:** Planning Commission  
**From:** Clinton Spencer, City Planner  
**Subject:** Haigh Minor Partition – 958 E Newport Ave  
**Date:** December 1, 2016



**Planning  
Department**

The City of Hermiston has received an application for a minor partition on property located at 958 E Newport Ave. The property is approximately 25,000 square feet and contains a single-family dwelling. The proposal will partition the existing lot into two new lots, one lot containing the existing dwelling and one new flag lot in the rear. The property is owned by Dennis Haigh. The property is zoned Single-Family Residential (R-1) and is described as a 4N 28 11DD Tax Lot 301. If the partition is approved, the applicant intends to build a single-family dwelling on the rear lot.

Public notice was provided for the proposed replat. Notice of the proposed land use action was mailed by direct mail to all property owners within 100 feet on November 30, 2016. A sign informing the public of the proposal was placed on the property on November 30, 2016.

The criteria that are applicable to the decision to accept the proposed replat are contained in §154.15 through §154.46, §154.60 through §154.66, and §157.025 of the Hermiston Code of Ordinances.

### **Chapter 154: Subdivisions**

#### **Design Standards**

##### **§154.15 Relation to Adjoining Street System.**

The property is serviced by E Newport Ave. No other streets intersect the lot.

##### **§154.16 Street and Alley Width.**

E Newport Ave is 50 feet wide adjacent to this lot, meeting the city street right of way requirement.

##### **§154.17 Easements.**

No easements are required on the plat. The applicant may wish to consider granting an easement allowing Parcel 1 to traverse the access flag portion of Parcel 2.

##### **§154.18 Blocks.**

Block spacing standards are not applicable to this partition.

§154.19 Lots.

The proposed partition will create a new flag lot behind the existing dwelling. §154.19 contains specific provisions governing the creation of flag lots. The proposed flag lot has a proposed flag width of 23.9 feet and 25 feet is mandated as the minimum width for access flags. The applicant and staff reviewed the lot configuration and determined it was more practical to reduce the width of the access flag to 23.9 feet and maintain a 7 foot setback from the existing dwelling rather than maintain the 25 foot access flag width and reduce the setback below 7 feet and create a non-conforming dwelling. Under the provisions of §154.75 the city may vary from the standard design provisions when it is determined that the deviation allows the property to develop in a reasonable manner while not causing harm to the public interest. Staff recommends the planning commission find that this deviation is appropriate and causes no harm to the public. All other design provisions in §154.19 are satisfied.

§154.20 Character of Development.

The property is zoned Single-Family Residential. Uses permitted in the R-1 zone are listed in §157.025 of the Hermiston Code of Ordinances. Based upon lot size and the permitted uses, the only uses likely to be built on Parcel 2 are a single-family dwelling or a residential care home containing five or fewer beds.

§154.21 Parks, School Sites and the Like.

The comprehensive plan and parks master plan do not indicate a need for any parks or schools in the vicinity of the proposed development.

Minimum Improvements Required

§154.60 Permanent Markers

Permanent markers shall be set as shown on the final plat in accordance with ORS 92.050 through 92.080.

154.61 General Improvements

E Newport Ave is fully improved adjacent to Parcels 1 and 2. As a condition of approval, the access flag for Parcel 2 shall be paved to a width of 20 feet at such time that a house is built on Parcel 2.

§154.62 Water Lines.

All lots are serviceable by municipal water. Costs associated with connection of water lines shall be borne by the developer.

§154.63 Sanitary Sewer System.

All lots are serviceable by municipal sewer. Costs associated with connection of sewer lines shall be borne by the developer.

Preliminary Plat

Staff has reviewed the preliminary plat and determined the plat is prepared in accordance with §154.35(B) of the Hermiston Code of Ordinances.

**Chapter 157: Zoning**

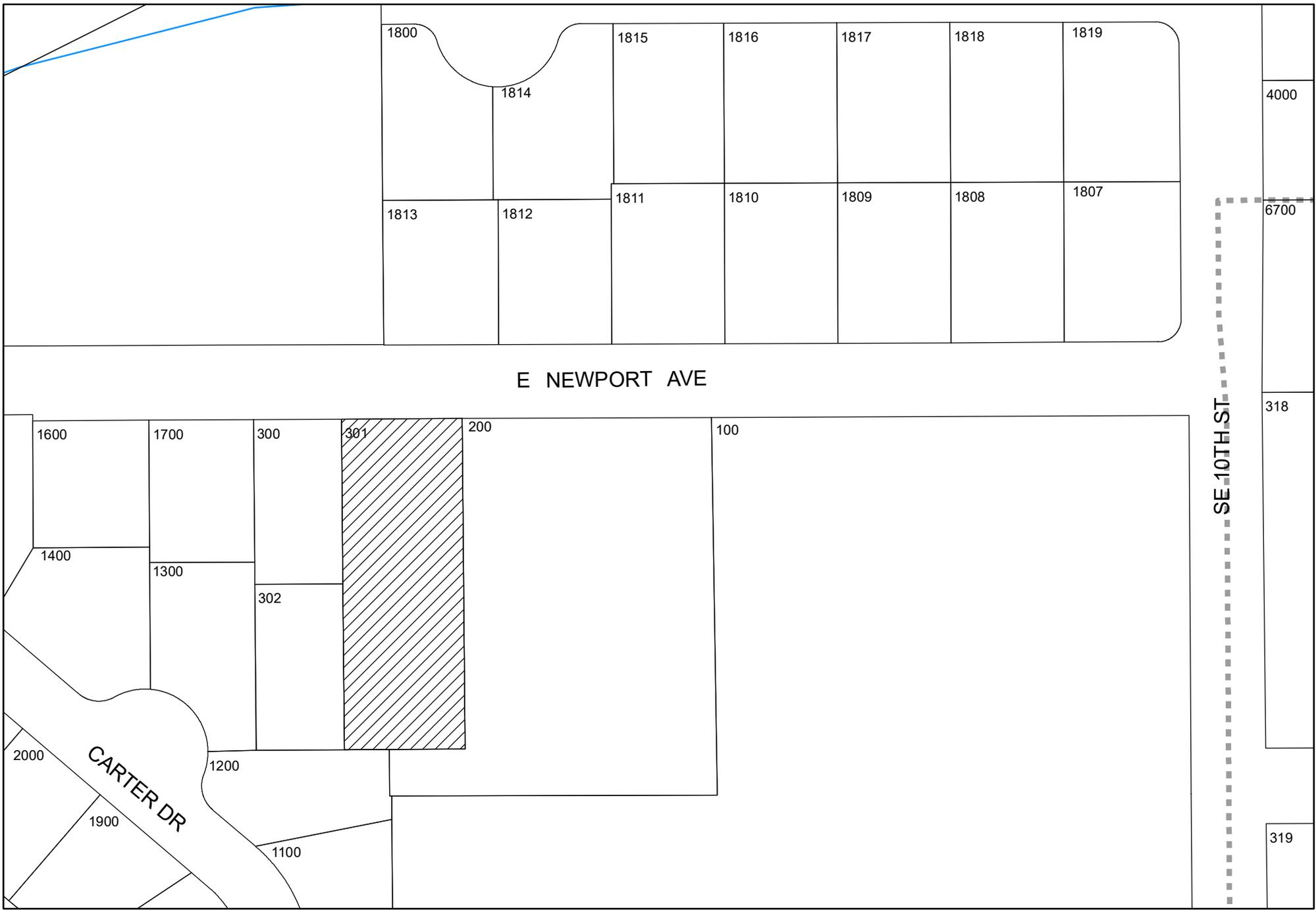
§157.025 Single-Family Residential Zone (R-1)

Each parcel exceeds the minimum lot size of 9,000 square feet in the R-1 zone. Each lot exceeds 60 feet in width and 80 feet in depth.

**Staff Recommendation**

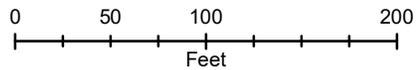
Staff has reviewed the proposed partition plat and found that it is prepared in accordance with all requirements of the Code of Ordinances. Staff recommends the planning commission approve the replat subject to the following conditions:

1. The access flag for Parcel 2 shall be paved to a width of 20 feet at such time a dwelling is constructed on Parcel 2.
2. The applicant shall work with and receive certification from the Hermiston Irrigation District prior to obtaining city signature on the final plat.



**Legend**

-  Area of Proposed Partition
-  Property Line
-  City Limits



# PARTITION PLAT NO. 2016-

A PARTITION OF PARCEL 1 OF PARTITION PLAT 1995-16  
 LOCATED IN THE SE 1/4, SEC. 11, TWP. 4 N., RNG. 28 E.W.M.  
 CITY OF HERMISTON, UMATILLA COUNTY, OREGON

CLIENT: **DENNIS LEE HAIGH**  
**P.O. BOX 448**  
**ECHO, OREGON 97826**

## SURVEYOR'S NARRATIVE

THIS SURVEY WAS UNDERTAKEN IN JANUARY OF 2013 AT THE REQUEST OF DENNIS LEE HAIGH. THE PURPOSE OF THE SURVEY IS TO PERFORM A PARTITION SURVEY ON PARCEL 1 OF PARTITION PLAT 1995-16 INTO 2 PARCELS. THE PARENT PARCEL IS DESCRIBED IN UMATILLA COUNTY DEED RECORDS INSTRUMENT NUMBER 2016-6490035. AND IS DESCRIBED AS FOLLOWS:

Parcel 1, of Partition Plat No. 1995-16, located in the Southeast Quarter of the Southeast Quarter of Section 11, Township 4 North, Range 28, East of the Willamette Meridian, Umatilla County, Oregon.

THE BOUNDS OF THE PARENT PARCEL WERE ESTABLISHED AS FOLLOWS:

THE NORTHEAST CORNER OF THE PARENT PARCEL WAS A FOUND AND RECOVERED 5/8 INCH IRON ROD AS CALLED FOR IN PARTITION PLAT 1995-16 BY LS #951.

THE SOUTHEAST CORNER OF THE PARENT PARCEL WAS A FOUND AND RECOVERED 5/8 INCH IRON ROD AS CALLED FOR IN PARTITION PLAT 1995-16 BY LS #951.

THE SOUTHWEST CORNER OF THE PARENT PARCEL WAS A FOUND AND RECOVERED 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "EDWARDS 951" AS CALLED FOR IN PARTITION PLAT 1995-16 BY LS #951.

THE NORTHWEST CORNER OF THE PARENT PARCEL WAS NOT RECOVERED, IT IS BELIEVED THAT THE CONSTRUCTION OF A SMALL RETAINING WALL DESTROYED THE SAID NORTHWEST CORNER.

I COMPUTED THE LOCATION OF THE NORTHWEST CORNER OF THE PARENT PARCEL BY HOLDING THE FOUND 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "EDWARDS 951" MARKING THE SOUTHWEST CORNER OF THE PARENT PARCEL AND HOLDING THE FOUND 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "EDWARDS 951" MARKING THE SOUTHWEST CORNER OF PARCEL 2 OF PARTITION PLAT 1995-16. THE TWO MENTIONED FOUND CORNERS WERE HELD AND A POINT IN DIRECTION WAS COMPUTED UTILIZING THE DATA FROM PARTITION PLAT 1995-16 TO ESTABLISH THE LOCATION OF THE NORTHWEST CORNER OF THE PARENT PARCEL.

AS PER THE INSTRUCTIONS OF THE CITY OF HERMISTON PLANNING DEPARTMENT THE EAST LINE OF PARCEL 1 WAS COMPUTED AT 7.00 FEET EAST FROM THE FOUNDATION LINE OF THE EXISTING HOUSE, THIS IN TURN CREATED THE NORTH LINE OF PARCEL 1 AT 23.95 FEET AS WHAT IS DEPICTED.

THE BASIS OF BEARING ON THIS PARTITION PLAT IS FROM THE FOUND 5/8 INCH MARKING THE NORTHEAST CORNER OF PARCEL 1 OF PARTITION PLAT 1995-16 AND THE FOUND 5/8 INCH IRON ROD MARKING THE RADIUS POINT FOR A CUL-DE-SAC LOCATED IN HIGHLAND HILLS ADDITION, THE BEARING AND DISTANCE FROM THESE TWO POINTS ARE COMPUTED FROM PARTITION PLAT 1995-16.

THIS SURVEY WAS ACCOMPLISHED UTILIZING THE TRIMBLE R10 GNSS SYSTEM. AN AUTONOMOUS POSITION WAS GENERATED ON THE BASE UNIT AND THE 2 PREVIOUSLY MENTIONED FOUND MONUMENTS WERE SUBSEQUENTLY USED FOR A SITE CALIBRATION ON THE SYSTEM. EACH CORNER WAS THEN LOCATED OR SET ON A 15 SECOND EPOCH WITH A FIXED SOLUTION ONLY.

## OWNER'S DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT I DENNIS LEE HAIGH, OWNER OF THE LANDS SHOWN ON THIS PLAT AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING LEGAL DESCRIPTION, HAVE CAUSED THE SAME TO BE SURVEYED AND PARTITIONED INTO PARCELS AS SHOWN ON THIS PLAT.

DENNIS LEE HAIGH

KNOW ALL PEOPLE BY THESE PRESENTS THAT ON

THIS DAY \_\_\_\_\_ OF \_\_\_\_\_,

APPEARED DENNIS LEE HAIGH TO ME PERSONALLY KNOWN, WHO ACKNOWLEDGED THE FOREGOING PARTITIONING OF LAND TO BE FREE AND VOLUNTARY ACT.

BEFORE ME \_\_\_\_\_  
 NOTARY PUBLIC FOR OREGON

PRINTED NAME \_\_\_\_\_

COMMISSION NO. \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

## SURVEYOR'S CERTIFICATION

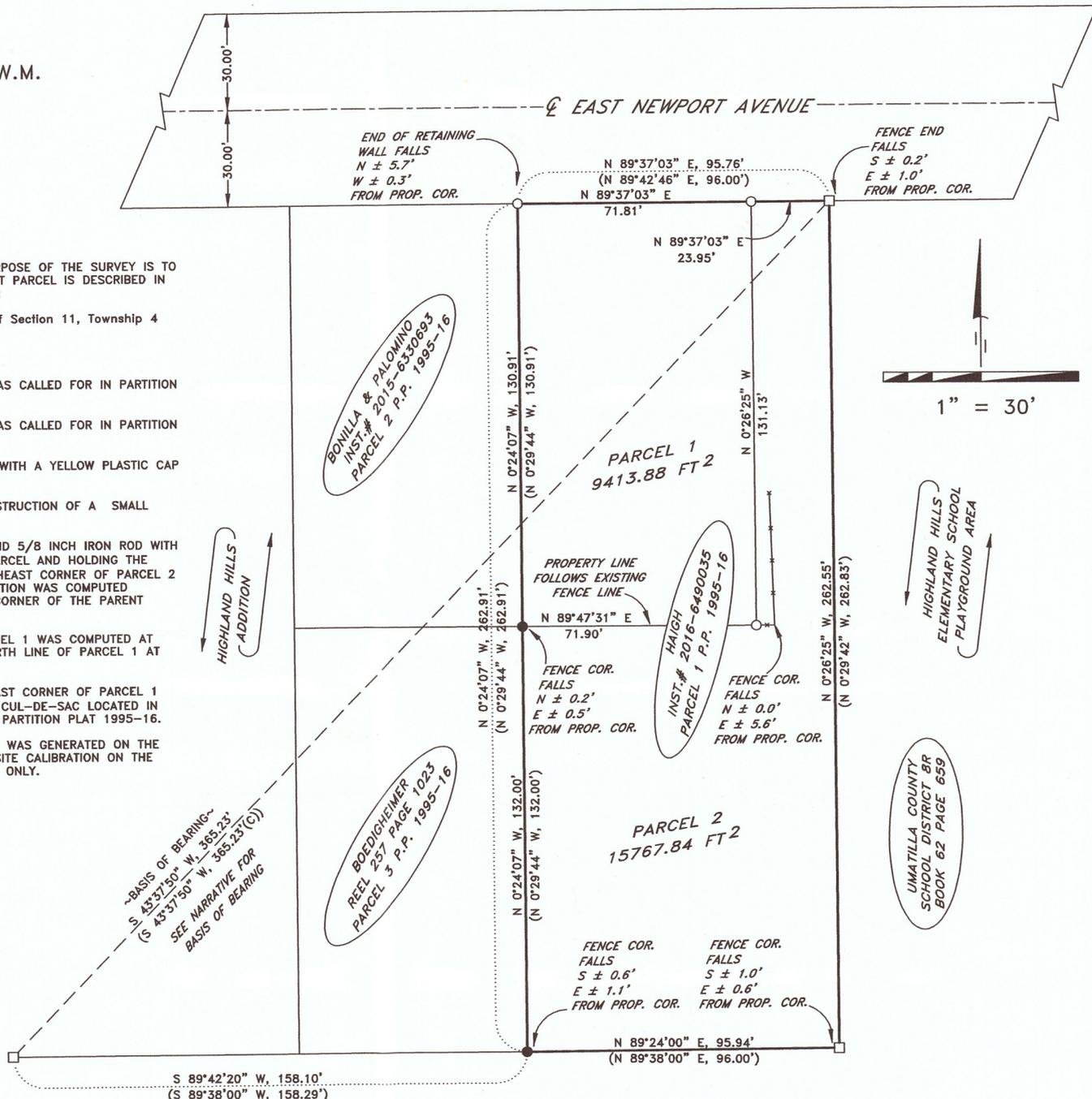
I, BRIT L. PRIMM, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION IN OCTOBER 2016, IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING LAW, AS ESTABLISHED BY ORS CHAPTER 92, AND HAVE SET THE PROPER MONUMENTS.

I CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PLAT AS FILED FOR DENNIS LEE HAIGH IN UMATILLA COUNTY, OREGON.

BRIT L. PRIMM



DATE: \_\_\_\_\_



## SURVEYS

(EDWARDS) PARTITION PLAT 1995-16  
 (STAEBLER) SURVEY NO. R-103-B

## NOTES

( ) PARTITION PLAT 1995-16

## DEEDS

INSTRUMENT NUMBER 2016-6490035  
 INSTRUMENT NUMBER 2015-6330693  
 REEL 257 PAGE 1023  
 REEL 282 PAGE 0371  
 BOOK 62 PAGE 659

## LEGEND

- SET 5/8 " X 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "PLS LS 48509"
- FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "EDWARDS 951"
- FOUND 5/8" IRON ROD
- PARTITION BOUNDARY
- \*—\*— FENCE LINE

## AREA TABLE

DESCRIPTION	SQUARE FEET	ACRES
PARENT PARCEL	25181.72 FT <sup>2</sup>	0.58 AC.
PARCEL 1	9413.88 FT <sup>2</sup>	0.22 AC.
PARCEL 2	15767.84 FT <sup>2</sup>	0.36 AC.

## PRIMM LAND SURVEYING, INC.



P.O. BOX 1322, 1340 N.E. 4TH  
 HERMISTON, OR 97838  
 BUI (541) 564-7887  
 FAX (541) 567-8020  
 pls@oregontrail.net

CLIENT: **DENNIS LEE HAIGH**

SE 1/4, SEC 11, TWP. 4 N. RNG. 28 E.W.M.

PROJECT:  
 PARTITION SURVEY OF PARCEL 1 OF PARTITION PLAT 1995-16 LOCATED IN THE SE 1/4 OF SECTION 11, TWP 4 NORTH, RNG 28, E.W.M. CITY OF HERMISTON, UMATILLA COUNTY, OREGON.

JOB #: 1610004  
 DATE: 26 OCT 16  
 FB/PG: 036/67  
 SHEET: 1 OF 1  
 DRAWN: BLP  
 APPROVED: BLP

## APPROVALS

UMATILLA COUNTY SURVEYOR

I DO HEREBY CERTIFY THAT I HAVE EXAMINED THE ACCOMPANYING PLAT, THAT IT COMPLIES WITH THE LAWS OF THE STATE OF OREGON WITH REFERENCE TO THE FILING AND RECORDING OF SUCH PLATS AND I THEREFORE APPROVE SAID PLAT.

UMATILLA COUNTY SURVEYOR

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,

HERMISTON IRRIGATION DISTRICT

THIS IS TO CERTIFY THAT I HAVE REVIEWED THIS PLAT AND IT IS APPROVED FOR FILING AND RECORDING BY MY AUTHORITY.

MANAGER

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,

CITY OF HERMISTON PLANNING COMMISSION

I HAVE EXAMINED THE ACCOMPANYING LAND PARTITION AND DO HEREBY CERTIFY THAT IT COMPLIES WITH THE CITY OF HERMISTON REGULATIONS WITH REFERENCE TO SUCH LAND PARTITIONS, AND I THEREFORE APPROVE SAID LAND PARTITION.

CHAIRMAN CITY OF HERMISTON PLANNING COMMISSION

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,

UMATILLA COUNTY TAX COLLECTOR

I DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TAX RECORDS RELATIVE TO THE LAND COVERED BY THE ACCOMPANYING PLAT AND THAT ALL MONIES DUE FOR STATE AND COUNTY TAXES AND ASSESSMENTS THAT COULD CONSTITUTE A LIEN ON SAID LANDS HAVE BEEN PAID, AND I HEREBY APPROVE SAID PLAT.

TAX COLLECTOR

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,

UMATILLA COUNTY CLERK

STATE OF OREGON }  
 COUNTY OF UMATILLA } SS

I CERTIFY THAT THE WITHIN INSTRUMENT WAS RECEIVED AND FILED FOR RECORD ON:

THE \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_, AT \_\_\_\_\_ M. AS

FILE NO. \_\_\_\_\_

UMATILLA COUNTY CLERK

DEPUTY