



# Wasco County Planning Department

*"Service, Sustainability & Solutions"*

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[www.co.wasco.or.us/planning](http://www.co.wasco.or.us/planning)

## NOTICE OF DECISION

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**FILE #:** PLAPAR-16-11-0008

**DATE:** December 1, 2016

**APPEAL DEADLINE:** December 13, 2016

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**REQUESTS:** Subdivision Replat to consolidate 35 subdivision lots into 9 subdivision lots in the Plat of Boyd; also adjusts property line between Plat of Boyd properties and land to the west.

**DECISION:** Approved, with **Conditions**

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**APPLICANT:** Ritchie Wallace, P.O. Box 524, Dufur, OR 97021

**OWNERS:** Ritchie Wallace, same  
Kenneth & Mary Ann Tillman, 93544 Highway 140 W, Lakeview, OR 97630  
Miller Ranch Company, Charley Miller, President, 110 Northeast Greenwood Avenue, Bend, OR 97701

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### PROPERTY INFORMATION:

**Location:** The subject properties are primarily located east of U.S. Highway 197 and south and west of Boyd Loop Road in Boyd, approximately 2.5 miles northeast of Dufur, Oregon; more specifically described as:

<u>Existing Tax Lot</u>	<u>Acct#</u>	<u>Acres</u>
1S 14E 17B 100	9978	0.92
1S 14E 17B 600	9982	1.13
1S 14E 17B 700	9983	1.46
1S 14E 17B 800	9984	1.44
1S 14E 17B 900	9985	0.32
1S 14E 17B 1600	9988	0.29
1S 14E 17 300	9961	169.58

(Property list continued on next page...)

**After recording, please return original to:  
Planning Department**

<u>Existing Tax Lot</u>	<u>Acct#</u>	<u>Acres</u>
*1S 14E 18 100	9994	611.46
*1S 14E 7 100	9976	206.40
1S 14E 19B 100	9995	142.50
*1S 13E 13 100	9864	419.92

\*Portion of tax lot

**Zoning:** A-1(160), Exclusive Farm Use Zone

1S 14E 18 100, 1S 14E 17 100, 1S 14E 17 300 and 1S 14E 17B 1500 are also located in the EPD-1, Flood Hazard Overlay Zone.

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**Attachments:**

**Staff Reviewer:** Dawn Baird, Associate Planner

- A. Conditions of Approval**
- B. Time Limits & Appeal Information**
- C. Maps**
- D. Staff Report**
- E. Section 21.100.C., Final  
Partition Mapping Requirements**

## ATTACHMENT A – CONDITIONS OF APPROVAL

Pursuant to Wasco County Land Use Development Ordinance, Chapter 2 – Development Approval Procedures, Section 2.120.A., Notice of a Decision by the Director, the following shall be recorded as conditions of approval and binding upon the owners, developers or assigns.

### A. Final Partition Plat Requirements

1. This approval is valid for 24 months from the date of preliminary partition approval.
2. The final plat map shall be in substantial conformance with the approved preliminary partition plat. The Director will not issue final approval until all conditions of approval have been met.
3. All replatted subdivision lots shall be surveyed.
4. Within 24 months from the date of preliminary approval the applicant/owner shall submit a final partition plat, consistent with Section 21.200.C. (Attachment E), to the Wasco County Planning Department for review and signature. The final plat shall also include the following items:
  - a. Planning Department File Number (PLAPAR16-11-0008) below the Planning Director signature block near the bottom right (if multiple pages, this should be on page 1).
  - b. Account numbers: 9978, 9982, 9983, 9984, 9985, 9988, 9961, 9994, 9976, 9995, 9864
  - c. Current date
  - d. Comprehensive Plan and Zoning designation:
    - o Comprehensive Plan designation: Exclusive Farm Use
    - o Zoning: A-1(160) Zone in Wasco County
  - e. One metes and bounds description identifying the perimeter of all subject lots/parcels shall be included on the final plat.
  - f. The following statement: None of the lots or parcels have been evaluated for subsurface septic disposal systems by the North Central Public Health District, nor compliance with zoning regulations that may influence buildability. Approval of the replat does not constitute approval, consent, or suggestion that the subdivision lots are developable nor compliance with current regulations for development in the Exclusive Farm Use Zone.
  - g. A table consistent with the following: (Place this table outside of any illustrated parcel boundary.)

REPLAT	MAP/TAX LOT	ACCT #	ORIGINAL ACRES	REPLAT ACRES
Lot #1	1S 14E 17B 100	9978	N/A*	1.135 AC.
Lot #2	1S 14E 17B 600	9982	N/A*	0.568 AC.
Lot #3	1S 14E 17B 600	9982	N/A*	0.568 AC.
Lot #4	1S 14E 17B 700	9983	N/A*	0.647 AC.
Lot #5	1S 14E 17B 700	9983	N/A*	0.545 AC.
Lot #6	1S 14E 17B 800	9984	N/A*	0.698 AC.
Lot #7	1S 14E 17B 800	9984	N/A*	0.663 AC.
Lot #8	1S 14E 17B 900	9985	N/A*	0.352 AC.
Lot #9	1S 14E 17B 900	9985	N/A*	0.349 AC.
Lot #10	1S 14E 17B 1600	9988	0.301 AC.	0.307 AC.
Lot #11	1S 14E 7 100; 1S 14E 17 300; 1S 14E 18 100; 1S 14E 19B 100; 1S 13E 13 100	9976 9961 9994 9995 9864	989 +/- AC.**	989 +/- AC.

\*Not applicable to Lots #1-9. These lots are combinations of multiple lots and vacated streets in the Plat of Boyd.

\*\*The net effect to the Miller Ranch Co. ownership is a decrease in size by 5,953 square feet.

## B. Miscellaneous Condition

1. In an instance in which the owner(s) of a nonconforming lot of record does not intend to construct or place a dwelling that is in conjunction with farming use or cannot meet current Farm Dwelling requirement, the owner(s) must apply for a Conditional Use Permit for a non-farm dwelling. The owner shall be aware that residential development may not be permitted on any of the reconfigured lots/parcels in the future.
2. The property owners shall prepare and record new deeds for the new lots/parcels as soon as the final plat map is filed.

SIGNED THIS 1<sup>st</sup> day of December, 2016, at The Dalles, Oregon.

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Dawn Baird, Associate, Associate Planner  
Wasco County Planning

State of Oregon  
County of Wasco

Signed or attested before me on December 1, 2016, by Dawn Baird, Associate Planner.

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Notary Public – State of Oregon

**NOTE: Any new land uses or structural development such as residences; garages, workshops or other accessory structures; or additions or alterations not included in the approved application or site plan will require a new application and review.**

**NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: Oregon Revised Statutes, Chapter 215, requires that if you receive this notice, it must promptly be forwarded to the purchaser.**

## **ATTACHMENT B – TIME LIMITS AND APEAL INFORMATION**

No development shall occur until the appeal period has expired, conditions of approval are adhered to, and the final plat map recorded with the Wasco County Clerk.

Per Section 2.125 of the Wasco County Land Use and Development Ordinance, this approval shall expire: (1) when development has not commenced within two (2) years of the date of approval, or (2) the use approved is discontinued for any reason for one (1) continuous year or more. If the approval expires, a new application shall be made.

### **Please Note!**

No guarantee of extension or subsequent approval either expressed or implied can be made by the Wasco County Planning Department. Please take care in implementing your proposal in a timely manner.

### **APPEAL PROCESS:**

The decision date for this land use review is **Thursday, December 1, 2016**. The decision of the Director shall be final unless an appeal from an aggrieved party is received by the Director within twelve (12) days of the mailing date of this decision, **Tuesday, December 13, 2016, at 4:00 p.m.**, or unless the Planning Commission or Board of County Commissioners on its own motion orders review within twelve (12) days of the date of decision. A complete record of the matter is available for review upon request during regular business hours or copies can be ordered at a reasonable price at the Wasco County Planning Department. Notice of Appeal forms may also be obtained at the Wasco County Planning and Development Office. **The filing fee for an appeal is \$250.00. Fees are refunded if appellant prevails.**

### **FINDINGS OF FACT:**

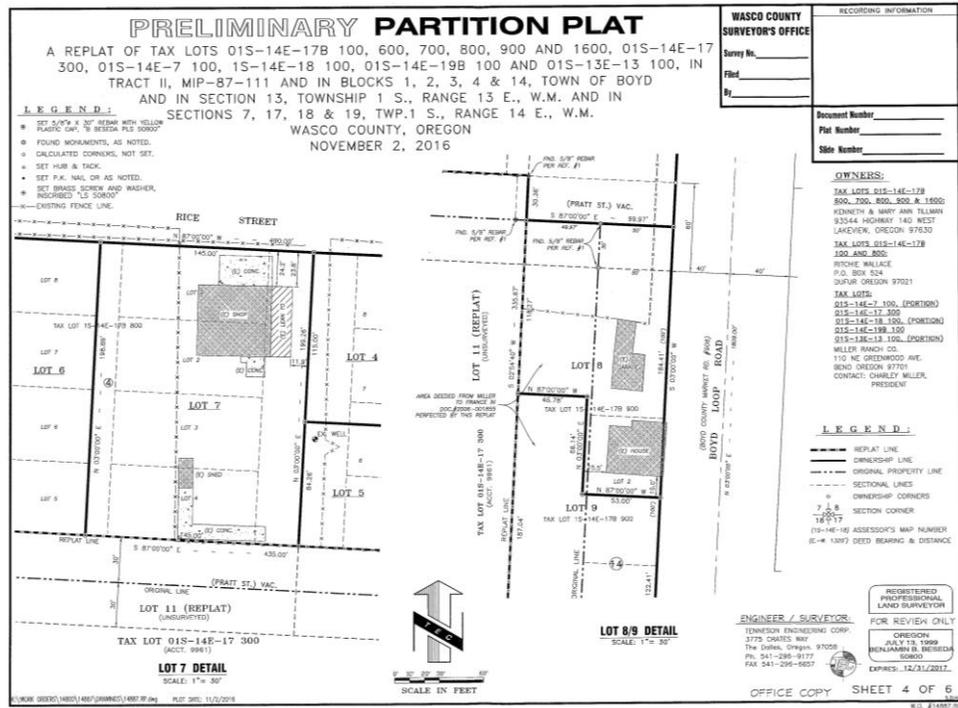
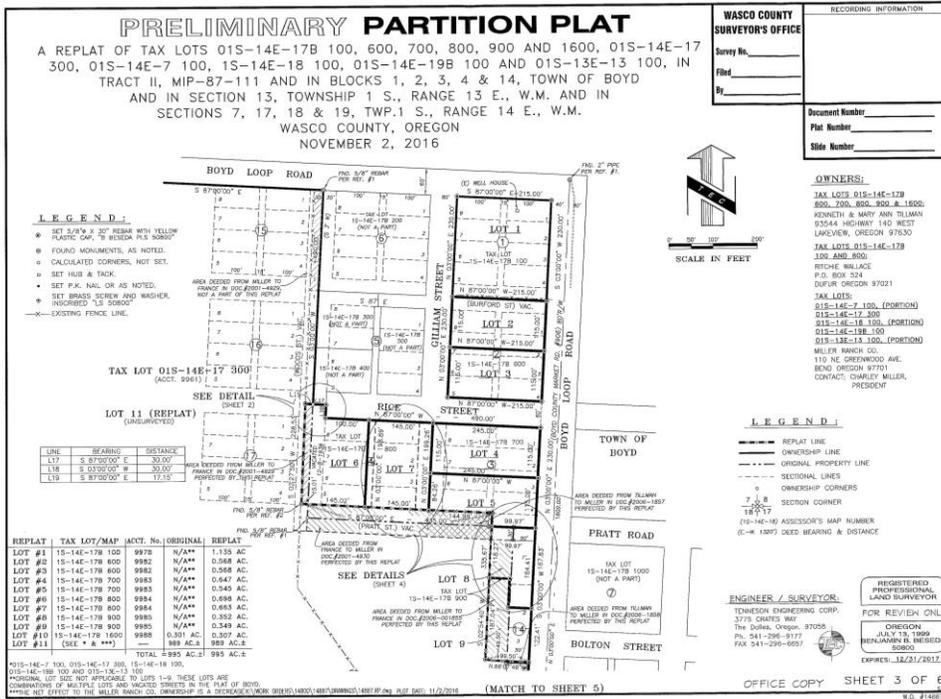
Findings of fact approving this request may be reviewed at the Wasco County Planning Department, 2705 East Second Street, The Dalles, Oregon, 97058, or are available for purchase at the cost of \$0.25 per page. These documents are also available online at: <http://co.wasco.or.us/planning/>. Click on Pending Land Use Actions The table is sorted alphabetically by the name of the applicant. The information will be available until the end of the appeal period.



# ATTACHMENT C – MAPS

Property Owners: Ritchie Wallace, Kenneth & Mary Ann Tillman and Miller Ranch Company

## Preliminary Partition Plat



# ATTACHMENT C – MAPS

Property Owners: Ritchie Wallace, Kenneth & Mary Ann Tillman and Miller Ranch Company

## Preliminary Partition Plat

