



**Planning Commission Meeting**  
**Audio / Video Teleconferencing**  
City Hall Conference Room  
September 13, 2022 6:00 pm

1. **Open meeting**
2. **Roll Call**
3. **Public Comment**
4. **Consider Approval of Minutes**
  
5. **Presentation**

**5.1 TGM Zoning Code Evaluation & Assistance Project Presentation by MIG/APG Consulting**

6.

**6.1 Minor Partition for Steve Ness, Hiland Ranch Properties at 21-35-10-00 01303**

- a) Conflicts of Interest/Exparte Contacts
- b) Open Public Meeting
- c) Staff Report
- d) Statements in Favor
- e) Statements in Opposition
- f) Statements in General
- g) Close Public Hearing
- h) Commission Discussion
- i) Finding of Fact
- j) Commission Action

7. **Discussion Items**

8. **Announcements**

9. **Adjourn**

# OAKRIDGE PLANNING COMMISSION

## STAFF REPORT

### Ness Partition

Staff Report Date: September 6, 2022

Planning Commission Public Hearing Date: September 13, 2022

**PROPERTY OWNER:** Hiland Ranch Properties, Inc.  
Mr. Steven Ness, President  
2880 Arrowhead Street  
Eugene, OR 97404

**ENGINEER:** Mr. Brent Corning (EGR & Associates)  
2535-B Prairie Road,  
Eugene, OR 97402

**REPRESENTATIVE:** Mr. Aaron Noteboom of Noteboom Law, LLC  
375 West 4<sup>th</sup> Ave, Ste 204  
Eugene, OR 97401

**SUBJECT PROPERTY:** No Address Assigned  
  
Assessors Map 21-35-10-00, Tax Lot 1303 (Parcel 3 of Partition Plat No. 2021-P3041)

**ZONING:** R-1 Low Density Residential

**REQUEST:** Partition Parcel 3 of Highland Ranch Partition Plat 2021-P3041 into three separate parcels. Parcel 1 will be approximately 9.37 acres, Parcel 2 will be approximately 3 acres and the remainder, Parcel 3, will be approximately 21.62 acres.

#### BACKGROUND:

Mr. Ness is requesting City approval of a tentative plan to partition tax lot 21-35-10-00-1303 into three single family residential lots. The applicant first submitted their application for partition to the City of Oakridge on April 18, 2022. On May 2, 2022 the applicant was informed that the application was incomplete. Additional information was supplied and on June 30, 2022 the application was deemed complete. A public hearing before the Oakridge Planning Commission has been scheduled for September 13, 2022.

**NOTICE:** Agency referral notice of the proposal was sent to Public Works, Engineering, Lane County Planning, the Oakridge Building Inspector, and the Oregon Department of Transportation was sent on August 12, 2022. The City Engineer issued comments on September

6, 2022. Notice to surrounding properties, pursuant to Oakridge Development Code was sent by LCOG on August 24, 2022.

**DESCRIPTION**

The subject property consists of approximately 33.99 acres of land that slopes gently to the northeast. The applicant proposes to partition the subject property into three parcels: Parcel 1 is 9.37 acres in size; Parcel 2 is three acres in size; and Parcel 3 is 21.62 acres in size. (See Page 6 of Attachment A or Page 4 (Exhibit B) of Attachment B for diagram of proposed partition.)

There are no existing buildings on or within 25-feet of the property lines for Parcel 1 or Parcel 2. There are only a handful of trees on the property of chest height with an approximate diameter of six inches. The only developed feature on the subject property is the all-weather gravel access road forming Bugle Loop.

**UTILITIES**

Parcels 1 and 2 have 25 feet of road frontage with a 50-foot wide private road easement. Parcel 3 has seven road frontages of either 50- or 60-feet; cow crossing Drive, (3 locations), Spike Drive, Shed Lane.

**FLOODPLAIN DESIGNANTION**

According to RLID property details for the subject property, the property has a FEMA flood designation of "X", which is determined to be outside of the 500-year flood zone.

**APPLICABLE APPROVAL CRITERIA - *In Bold Italics***

***Ordinance 874: ARTICLE 4 - LOW DENSITY RESIDENTIAL DISTRICT (R-1)  
SECTION 4.02 USES AND STRUCTURES***

***( 1 ) Permitted uses and structures:***

***( f ) Manufactured homes; ( h ) Residential homes; ( i ) Single-dwelling unit;***

***( 2 ) Permitted accessory uses and structures***

***( g ) Garages, carports, or any parking space with direct, access from the street shall be set back at least 20 feet from a property line abutting a street.***

**FINDING:** While the application does not authorize any construction of dwellings, it is the intention of the applicant to eventually place single-family dwellings on Parcel 1 and Parcel 2. As seen in Section 4.02 USES and STRUCTURES, a single-family home along with the permitted accessory uses are outright permitted uses in the R-1 zone. Criterion met.

**SECTION 4.03 LOTS**

***Except as stated in Section 4.02, lots shall meet the following minimum requirements:***

***( 1 ) Lot Area. The minimum lot area shall be 5,000 square feet.***

**FINDING:** As seen in the applicant's submission materials (**Attachments A and B**), proposed Parcels 1, 2 and 3 are all above the minimum lot size of 5,000 square feet for the R-1 zone.

***( 3 ) Lot Dimensions. Except for flag lots and townhouse developments, the minimum lot width at the right-of-way shall be 30 feet, except corner lots that shall be a minimum of 50 feet wide. The maximum lot depth shall be no greater than three (3) times the lot width except as may be necessary to protect sensitive areas or address topographic limitations.***

**FINDING:** The above code provision requires lots to abut rights-of-ways for 30- feet. As seen on **Attachment A**, Parcel 1 will have access to Cow Crossing Drive and Spike Drive, on the east and on the north. Cow Crossing Drive frontage is 50 feet wide and Spike Drive is 60 feet wide. In addition, it will have access to Shed Lane on the south, via two 25-foot wide private road and utility easements. Shed Lane has a 50-foot right-of-way.

Parcel 2 will have access to Phase 3 of the Elk Meadows Subdivision via a proposed 50-foot wide private road and utility easement that will connect with an existing 50-foot private road and utility easement through Parcel 2 of Partition Plat No. 2021-P3041. It will also have access to Hiland Ranch Drive and Tax Lot 800 via a proposed 50-foot wide private road (extension of Hiland Ranch Drive) and utility easement.

Parcel 3 will also have access to the proposed 50-foot wide private road and utility easement that connects Hiland Ranch Drive and Tax Lot 800. It will also have access to Six Point Drive and Bugle Loop on the east. Six Point Drive and Bugle Loop have right-of-ways of 50-foot and 60-feet, respectively.

Each parcel has multiple access points with road rights-of-way that are in excess of 30-feet. Criterion met.

***( 4 ) Lot Coverage. The maximum coverage of the lot by all structures shall be 35 percent, except duplexes and tri-plexes which shall not cover more than 45 percent of the lot area, and townhouses, which shall not cover more than 55 percent of the lot area. The maximum coverage for all structures, driveways, parking areas, patios, and other impervious surfaces shall be 65 percent.***

**FINDING:** Lot coverage cannot be verified at this time as the partition will only create new legal lots and not authorize any development on structures. Lot coverage will be verified at the time of building permit submittal. Criterion not applicable.

#### **SECTION 4.04 YARDS**

##### ***( 1 ) Front.***

***( a ) Provided it will not result in an encroachment into a public utility easement or preclude future development of rights-of-way to the standard cross-section described in the adopted Transportation System Plan, each lot shall maintain a minimum front yard as follows:***

***( i ) Eight (8) feet in front of any unenclosed porch;***

*( ii ) Ten (10) feet in front of other structures;*

*( iii ) Twenty (20) feet in front of any garage or carport.*

*( b ) Front yards shall not be used for accessory buildings, clotheslines, incinerators, permanent storage of recreational and other vehicles, trailers, boats, or of any other materials. A front yard shall not be used to meet the permanently reserved parking requirements for automobiles or other vehicles.*

*( 2 ) Side. Each lot shall maintain a side yard on each side of the lot of at least five feet, except corner lots that shall have a side yard abutting the street of at least 10 feet.*

*( 3 ) Rear. Each lot shall maintain a rear yard of at least 10 feet from the rear property line.*

**FINDING:** Setbacks cannot be verified at this time as the proposed partition will not authorize the development of any structures. The applicant will be required to obtain the appropriate building permits for construction of homes. Setbacks to be verified at time of building permit submittal. Criterion not applicable. The proposed Parcels have ample space to realistically meet setbacks.

#### **SECTION 4.05 HEIGHT LIMITS**

*( 1 ) Residential structures. The maximum height of any residential structure shall be 2-1/2 stories or 28 feet, whichever is less.*

*( 2 ) Accessory structures. The maximum height of any accessory structure shall be one story or 15 feet, whichever is less.*

*( 3 ) All other structures shall not exceed three stories or 35 feet in height, whichever is less.*

**FINDING:** No existing height information has been provided at this time; no new structures proposed. Maximum height will be verified at time of building permit submittal.

#### **SECTION 4.06 FENCES, HEDGES, WALLS AND OTHER STRUCTURES**

*Sight-obscuring fences, hedges, walls, and other structures shall not exceed 2-1/2 feet in height in front yards and six feet in height in all other cases. Fences and walls that do not obscure sight shall be no more than six feet in height.*

**FINDING:** No fences are proposed as part of the partition process. If fences are proposed as part of homesite development, fence standards will be reviewed at the time of building permit submittal. Criterion not applicable.

### **CHAPTER 151: SUBDIVISIONS**

**151.063 INFORMATION ON TENTATIVE PLAN MAP.** *The following information shall be contained on or with the tentative plan map:*

***(A) A legal description of record of the proposed site;***

**FINDING:** The legal description of the subject property is Parcel 3 of Land Partition 2021–P3041. No metes and bounds description is available. Criterion met.

***(B) Lot dimensions and parcel layout showing the size and relationship of each parcel to existing or proposed streets, pedestrian facilities and bikeways and utility easements;***

**FINDING:** The applicant provided sketches of the existing and proposed parcel layout showing the size and relationship of each parcel to existing streets, pedestrian facilities and bikeways and utility easements, where applicable. The maps are included as **Attachment A** to this staff report. Criterion met.

***(C) For land next to and within the tract to be partitioned, the locations, names and widths of streets; location, use, width and names if appropriate other pedestrian facilities and bikeways; location, width and purpose of other easements; location and size of sewer and water lines, drainage ways and other serving utilities;***

**FINDING:** The applicant provided sketches of the existing and proposed parcel layout showing the size and relationship of each parcel to existing streets, pedestrian facilities and bikeways, location of public utilities and utility easements, where applicable. The maps are included as **Attachment A** to this staff report. The proposed parcels have existing utilities in place nearby that can be extended the property lines to serve the eventual homesites. Criterion met.

***(D) Location of buildings on the tract and within 25 feet of the property line of the tract, slope of land, trees with a trunk diameter at chest height of six inches or greater and other features of the land important to its development;***

**FINDING:** The Regional Land Information Database indicates that there are no buildings on the tract. The subject property currently consists of a handful of trees of about chest height and the only developed feature on the property is the all-weather gravel access road forming Bugle Loop. Criterion met.

***(E) The number and type of units proposed where known and appropriate;***

**FINDING:** No improvements are being proposed as part of the proposal. Criterion met.

***(F) Proposed improvements such as pavements, curbs and gutters, sanitary and storm sewers, sidewalks, bikeways, grading and filling and other major improvements to develop the parcels;***

**FINDING:** The subject property contains adequate access and utilities to accommodate the three proposed Parcels. Proposed Parcels 1 and 2 will connect to the terminus of the existing Bugle Loop and connect to existing power, water and sewer. The City will not require any new public infrastructure for partitioning the property to create Parcels 1 and 2. Existing

infrastructure is in place to serve homesite development on Parcels 1 and 2. However, additional development of Parcels 1, 2 and 3, beyond a single homesite development on Parcels 1 or 2, will require the construction of sidewalks, roads, and utility corridors, as necessary, in the locations shown on the approved partition maps as platted in the Elk Meadows Subdivision.

**Condition of Approval #1:** Additional development of Parcels 1, 2 and 3, beyond that discussed as part of the applicant's present partition proposal, will require the construction of sidewalk, road and utility corridors, as necessary, in the locations shown on the approved Elk Meadows Subdivision Plat.

**Condition of Approval #2:** The development of a single residence on each of the Parcels 1 and 2, as proposed, does not require additional construction of utilities or roadway, other than that required to serve the residences and the installation of the water main as provided in COA #3. All such access and utilities shall be located within dedicated easements.

***(G) The location, width, name, if appropriate, and approximate grade and curve radii of adjacent streets, pedestrian facilities and bikeways; (The relationship of streets, pedestrian facilities and bikeways to any existing or proposed streets, pedestrian facilities and bikeways, and as shown in the city's transportation system plan.)***

**FINDING:** The applicant has shown the roadway cuts of the existing roadways in his application submittal. The proposed parcels are part of an approved partition that has been platted, so rights-of-way have already been dedicated. The proposed parcels will take their legal access from Bugle Loop and can tie into existing water, sewer and electric that is located nearby in the rights-of-way. The City will not require any new infrastructure improvements as part of this partition proposal but will require improvements for developments outside of what is presently proposed. Criterion met.

***(H) In addition, when all or part of the area encompassed in a partition application has not been previously included in a recorded plat (subdivision) of lots averaging a maximum of ¼ acre each, the following information is also required:***

**FINDING:** The area encompassing the proposed partition has been previously included and recorded in a Final Partition Plat recorded as 2021-P3041. However, Parcel 3 of Land Partition 2021-P3041 has not been surveyed. Criterion not applicable.

***(I) Where it is apparent that the subject parcel can be further partitioned, the divider must show that the land partition will not preclude the efficient division of land in the future. (Ord. 805, § 5.04, passed 8-17-95; Am. Ord. 841, passed 12-7-00)***

**FINDING:** In Attachment D to his June 6, 2022 response to the incompleteness review, the applicant has included a conceptual shadow plat for the entire Elk Meadows Subdivision. Each of the future possible land divisions have the ability to connect to public right-of-way and have frontage upon the right-of-way. The conceptual plat shows that Parcel 1 of this partition will eventually be divided up into eight parcels through possibly four additional partitions. Parcel 2

will be divided up into two additional parcels in the future. Parcel three could be initially divided up into four large, extended parcels that could be partitioned or subdivided in the future. Criterion met.

**151.064 ADDITIONAL INFORMATION AND DOCUMENTS.** *The following information shall also be provided with the partition application:*

**(A) Names and addresses of the owners and anyone who has an interest in the property, as verified by a title company, and the application, engineer, surveyor or other parties involved in preparation of the tentative plan map.**

Hiland Ranch Properties, Inc. is the only registered owner of the subject property. Steve Ness is the president of that corporation.

**(B) Approximate acreage of the land under a single ownership of, if more than one owner is involved, the total adjoining acreage of the owners directly involved in the partitioning; and**

As noted above, there is only one registered owner of the subject property.

**(C) Any additional information as may be required by the City Planner or the Planning Commission to help in evaluating the request.**

No additional information has been required by the City Planner in the evaluation of this application.

**151.066 FINAL APPROVAL AND RECORDING.**

**(A) The city may grant final approval for the partition after:**

**(1) All ordinance requirements and conditions of approval specified in the notification to applicant have been met; and**

**FINDING:** Staff finds the applicant has submitted a tentative partition plat that can be given tentative approval, subject to the recommended conditions of approval as recommended by the City Engineer. The applicant, following tentative approval, will have to prepare a final partition plat for final plat approval and recording with Lane County. A tentatively approved partition plat does not authorize any construction activities. The appropriate building permits will have to be applied for and obtained.

**(2) A current 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. The following relevant documents have been approved by the city: deeds; dedications; easements and agreements. The applicant has submitted a surveyed partition map meeting the following requirements:**



***(a) It shall be prepared by a state registered professional land surveyor in accordance with O.R.S. Chapter 92 and 209. The map shall conform to the partition map standards established by the County Surveyor. The surveyor shall submit one copy of the map to the city and the original and one copy, with the appropriate recording fee, to the County Surveyor; and***

***(b) A state registered professional land surveyor shall survey and monument the parcels. All monuments on the exterior boundary and all parcel corner monuments of partitions shall be placed before the partition is offered for recording. The surveyor shall file a map of survey and submit the appropriate filing fee to the County Surveyor.***

**FINDING:** The applicant will be required to obtain and submit the required documents and approvals as described above in Section 2 (a) and (b), for final recording purposes. The applicant is reminded to submit one copy of the final survey to the City of Oakridge for the City's recording keeping purposes.

***(B) After the city has granted approval for the partition, all deeds, dedications, easements and agreements shall be recorded in the county's deed records by the city at the divider's expense.***

**FINDING:** The final partition plat to be prepared by a licensed and registered surveyor will be required to contain all deed, dedications, easements and agreements. This requirement is standards for platting and recording procedures in the state of Oregon.

***(C) The land divider is responsible for all recording costs. If any recording is done on behalf of the land divider by the city, those charges shall be estimated by the city prior to the recording. Before any documents are submitted for recording, the estimated fee shall be deposited with the city. If the actual recording fees are less, the balance shall be refunded to the land divider. If they are more, the land divider shall pay the balance.***

**FINDING:** The applicant will be responsible for all recording costs. The City is not aware of a proposal for the City to handle the recording of the final partition plat. If the City will be the authority recording the final partition plat on behalf of the applicant, then the applicant will be required to pay the estimated fees associated with the recording of the final partition plat. Nonetheless, it's the applicant's responsibility to pay for the recording costs and staff expect the applicant and their surveyor will be the ones to take the final partition plat to Lane County to be recorded.

***(D) Once recorded copies of the partition and all documents are returned to the city and all fees have been paid, a copy shall be mailed to the land divider.***

**FINDING:** The applicant is reminded that a final copy of the final partition plat shall be furnished to the City for the City's recording keeping purposes. Criterion met.

*(E) One signed copy of the surveyed partition map shall be placed in the city land division file, including a notation citing the County Surveyor's date of recording, the recorded survey map and file number, and the County Office of Deeds and Records recording numbers of all documents recorded with the county. (Ord. 805, § 5.07, passed 8-17-95; Am. Ord. 841, passed 12-7-00)*

**FINDING:** No specific finding required here that has not already been addressed in the above findings for Chapter 151.066. The recording of the final partition plat is standard and will be conducted in accordance with state and county recording laws and procedures.

### **Chapter 151.103 IMPROVEMENTS IN PARTITIONS**

*The same improvements may be installed to serve each building site of a partition as is required of a subdivision. However, if the Planning Commission finds that the nature of development near the partition makes installation of some improvements unreasonable, the Planning Commission may except those improvements. Instead of excepting an improvement, the Planning Commission may recommend to the City Council that the improvement be installed in the area under facility extension policies of the city. (Ord. 805, § 7.04, passed 8-17-95; Am. Ord. 841, passed 12-7-00)*

**FINDING:** The applicant indicates, and the City Engineer has confirmed, that proposed Parcels 1 and 2 have the ability to connect to city service lines that are existing in the nearby right-of-way. Currently, sewer and water have been stubbed at the north end of Bugle Loop and at the end of Hiland Ranch Drive. Proposed easements allow the sewer and water lines to connect and to complete a circuit; which increases fire flow in regard to the water system.

When Parcel 3 is further divided, it can be served by the lines that connect to Hiland Ranch Drive and the extension of end of Bugle Loop or Six Point Drive, on the south. Existing and proposed utility easements will also serve electrical and cable television lines.

The applicant, the Public Works Director and the City Engineer met to discuss a condition of approval that allows the applicant to continue to partition as they propose while at the same time ensuring the city's infrastructure is extended appropriately when new homesites develop. The intent of the City Engineer's recommended condition is that the sectional extension of the existing municipal water distribution system in Elk Meadows, as proposed in the originally platted subdivision, shall occur from current and future partitioning. This requirement, and the City's states acceptance of the proposed partitioning does not exempt parcel owners from the individual infrastructure construction requirements described in the condition of approval below, when parcel subdivision for "further residential development" occurs.

As a result of these efforts, the City recommends Planning Commission consider a **Condition of Approval #3, as seen in Attachments B and C:**

**Condition of Approval #3:** Additional land division of Parcel 1 or Parcel 2 for further residential development will require the construction of sidewalk, road and utility corridors, as

necessary, in the locations shown on the approved partition map(s) to service those additional parcels or lots. The remainder of Parcel 3 may be further partitioned or subdivided, in one or more applications, with each application creating new residential parcels. With respect to each such partition application, provided that the new residential parcels abut the terminus of an existing paved street allowing connection to existing sewer, water and power, the new residential parcels may take access to and connect with the existing street and utilities and no additional infrastructure shall be required to be constructed in connection with the development of those residential parcels. Additional land division of either of the residential parcels for further residential development will require the construction of sidewalk, road and utility corridors, as necessary, in the locations shown on the approved partition map(s) to service those additional parcels or lots. This process may be repeated for each of the nine (9) street terminuses abutting the currently vacant lot 36. All access and utilities shall be located within the dedicated access and utility easement except for where such access and utilities divert from said easement to service the individual residences. Any and all parcels created, including the currently proposed Parcel 1 and Parcel 2, which abut utility right of way where water main is shown on the original platted plans (Elk Meadows), shall have that section of water main bordering the Parcel constructed as a condition of sale of said parcel. The water mains shall be a minimum six-inch diameter, of C900 PVC construction, with fire hydrants and valving installed every 500-feet and will conform to the City Public Works Standards and all construction requirements shown in the original platted plans of Elk Meadows. Prior to construction an engineered set of plans including, but not limited to, the proposed water main's construction, valving, hydrants, trench detail and connection to the existing system shall be submitted to the City. All design and construction shall comply with OHA Drinking Water and AWWA regulations, and construction of the proposed water main shall be inspected by the City along with watermain being pressure tested and disinfected prior to acceptance. Nothing in this condition requires that any residential parcel or remaining parcel be further partitioned or subdivided or prohibits the subdivision of any residential or remaining parcel.

### **STAFF RECOMMENDATION**

Staff recommends Planning Commission **APPROVE** the proposed partition, subject to the conclusions, findings and conditions as stated in this staff report.

### **CONDITIONS OF APPROVAL**

**Condition of Approval #1:** Additional development of Parcels 1, 2 and 3, beyond that discussed as part of the applicant's present partition proposal, will require the construction of sidewalk, road and utility corridors, as necessary, in the locations shown on the approved Elk Meadows Subdivision Plat.

**Condition of Approval #2:** The development of a single residence on each of the Parcels 1 and 2, as proposed, does not require additional construction of utilities or roadway, other than that required to serve the residences and the installation of the water main as provided in COA #3. All such access and utilities shall be located within dedicated easements.

**Condition of Approval #3:** Additional land division of Parcel 1 or Parcel 2 for further residential development will require the construction of sidewalk, road and utility corridors, as necessary, in the locations shown on the approved partition map(s) to service those additional parcels or lots. The remainder of Parcel 3 may be further partitioned, in one or more applications, with each partition application creating two new residential parcels and one remainder parcel. With respect to each such partition application, provided that the new residential parcels abut the terminus of an existing paved street allowing connection to existing sewer, water and power, the new residential parcels may take access to and connect with the existing street and utilities and no additional infrastructure shall be required to be constructed in connection with the development of those residential parcels. Additional land division of either of the residential parcels for further residential development will require the construction of sidewalk, road and utility corridors, as necessary, in the locations shown on the approved partition map(s) to service those additional parcels or lots. This process may be repeated for each of the nine (9) street terminuses abutting the currently vacant lot 36. All access and utilities shall be located within the dedicated access and utility easement except for where such access and utilities divert from said easement to service the individual residences. Any and all parcels created, including the currently proposed Parcel 1 and Parcel 2, which abut utility right of way where water main is shown on the original platted plans (Elk Meadows), shall have that section of water main bordering the Parcel constructed as a condition of sale of said parcel. The water mains shall be a minimum six-inch diameter, of C900 PVC construction, with fire hydrants and valving installed every 500-feet and will conform to the City Public Works Standards and all construction requirements shown in the original platted plans of Elk Meadows. Prior to construction an engineered set of plans including, but not limited to, the proposed water main's construction, valving, hydrants, trench detail and connection to the existing system shall be submitted to the City. All design and construction shall comply with OHA Drinking Water and AWWA regulations, and construction of the proposed water main shall be inspected by the City along with watermain being pressure tested and disinfected prior to acceptance. Nothing in this condition requires that any residential parcel or remaining parcel be further partitioned or subdivided or prohibits the subdivision of any residential or remaining parcel.

**Condition of Approval #4:** Final partition plat shall be recorded in accordance with ORS 92 and local, county and state recording requirements. The Final Partition Plat shall show the locations of all previously established utility corridors in addition to any and all new partitioning. Applicant shall bear the cost of recording the final plat and shall furnish a copy of the approved and recorded partition plat to the City Administrator for the City's recording keeping purposes.

**Condition of Approval #5:** Approval of a partition does not authorize any construction or building of improvements. The applicant shall be required to obtain the appropriate building permits before any construction activities commence.

## **Attachments**

Attachment A – Application

Attachment B – Applicant’s supplemental materials

Attachment C – Notice materials

Attachment D – City Engineer’s Comments

Attachment E – Draft Final Order and Decision to be signed by Planning Commission Chair

Attachment F – Property Information Details

# ATTACHMENT A

## Planning Commission City of Oakridge

Type of Permit: MINOR PARTITION

Property Description (metes and bounds legal description may be attached): \_\_\_\_\_

PARCEL 3 LAND PARTITION PLAT No. 2021-P3041 (CSF 45587)

Assessor's map and tax lot number: 21-35-10-00 TL 1303

Property Address: VACANT PARCEL OF LAND

Existing Zone District: R-1 LOW DENSITY RESIDENTIAL

Property presently used for: SINGLE FAMILY DWELLING

Applicant intends to use property for: PARTITION THE PARCEL INTO 3 PARCELS

Registered Engineer or Surveyor preparing plat:

Name: BRENT CORNING (EGR & ASSOCIATES)

Address: 2535-B PRAIRIE RD., EUGENE, ORE. 97402

Phone: 541-688-8322

Email: bcorning@egrassoc.com

I (print) Steve Ness, President of Hiland Ranch Properties, Inc. hereby certify that the foregoing statements, answers and information attached and bearing my signature are true and accurate to the best of my knowledge and belief, and that I am the (check one)  owner of record,  contract purchaser, or \_\_\_\_\_ of the real property involved in this application.

Signature: 

Date: 4/6/2022

Mailing Address: 2880 ARROWHEAD STREET, EUGENE, ORE. 97404

Phone: 541-461-3304

Email steveness1@comcast.net

Date Filed: 4/18/2022

Fee Paid: 4/18/2022 - 300.00

Public Hearing Date: MAY 17, 2022

Office Use Only

**Proposed Findings of Fact**

**Conditional Use and Variance**

**Please answer the following question as factually as possible**

**1. How will this proposal benefit a public need?** SEE ATTACHED NARRATIVE

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**2. How will the proposal meet the requirements of the comprehensive plan? For example, housing needs, land use in the area, etc.** SEE ATTACHED NARRATIVE

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**3. Are there any requirements relating to lot size, setbacks, lot coverage or other that your proposal does not comply with and for which you seek a variance?** SEE ATTACHED NARRATIVE

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**4. How will the proposed use meet the requirements for the zoning district in which it is located?** SEE ATTACHED NARRATIVE

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**Note: Sources of information which may aid you can be found in the Oakridge Zoning Code and the Comprehensive Plan. These may be obtained at City Hall.**

**ATTACHMENTS**

Applicant shall prepare and attach the following to this application:

1. A presentation of facts and reasons which establish need, appropriateness and purpose of the Variance/Conditional Use request, and
2. An 8 1/2" x 11" location map of area subject to proposed Variance/Conditional Use drawn to scale, and
3. Either assessor's map, parcel map, or site plan drawn to scale showing proposed Variance/Conditional Use, and
4. A list of names and addresses of property owners\*\* whose property is subject to the proposed Variance/Conditional Use or within 250 feet of the exterior boundary thereof, and
5. Other information specified in Section \_\_\_\_\_ of the Zoning Ordinance, and
6. Agreement by the property owner to satisfy the requirements of Section \_\_\_\_\_ of the Zoning Ordinance, if applicable.

**\*\* NOTE:** This information available from the county assessor's office.

**FEE**

Refer to fee schedule adopted by City Council \$ 300.00  
I, STEVEN P. NESS, PRES. (circle one: Landowner, Agent) Representative of Governmental Unit) swear that the details and information contained in the above application and attachments thereto are true and correct to the best of my knowledge.

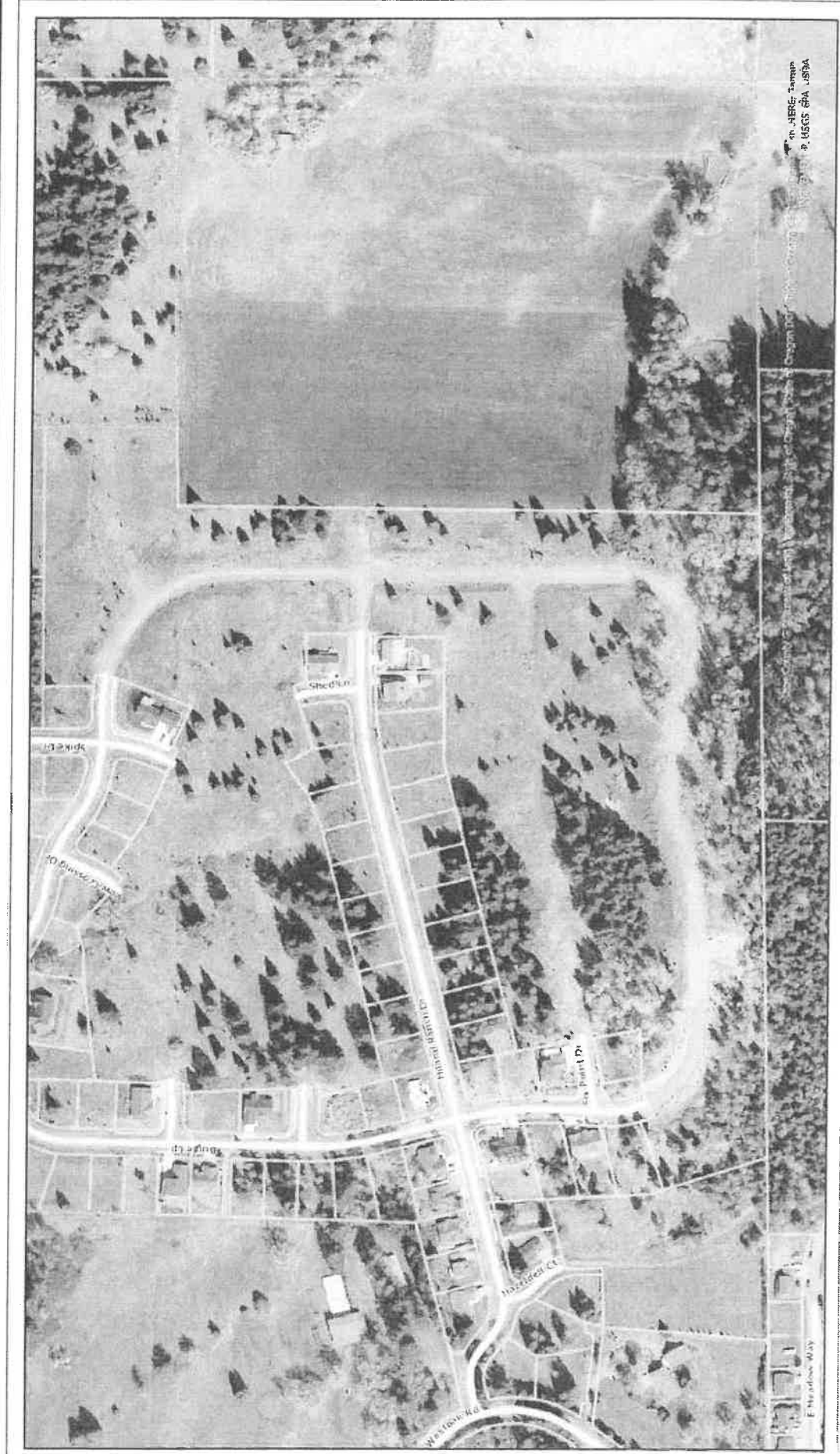
Steven P. Ness 4/6/2022  
Signature of Applicant Date

I, \_\_\_\_\_ City/County Official of \_\_\_\_\_  
attest that the foregoing application and attachments thereto were received by me on the  
\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, from \_\_\_\_\_  
accompanied by a fee of \$ \_\_\_\_\_.

\_\_\_\_\_  
City or County Official

\_\_\_\_\_  
Date





The information on this map was derived from digital databases on the basis of the most current geographic information systems. Care was taken in the creation of this map to ensure that the information is as accurate as possible. However, there are no warranties or representations made by the County, nor are any of the information herein to be used for any purpose other than that intended. The user assumes all responsibility for any errors, omissions, or inaccuracies in the information and for any consequences that may result from the use of this information. No liability is assumed by the County, its employees, or its contractors for any damages, including consequential damages, arising from the use of this information. Any reproduction or distribution of this information without the express written consent of the County is prohibited.



# Hiland Ranch

Lane County, Oregon

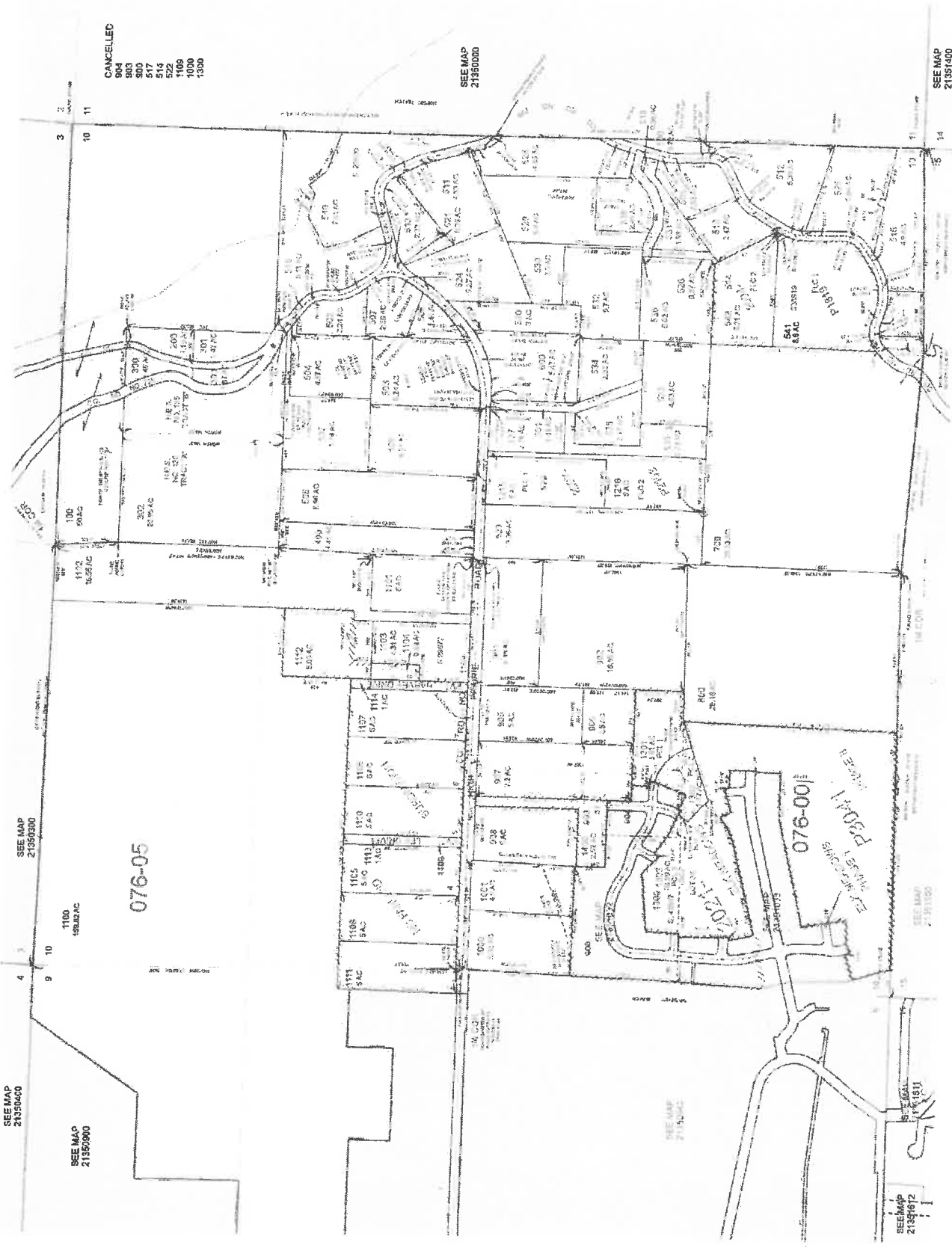
© 1995 - Hiland Ranch  
P. 45658 68A US94

FOR ASSESSMENT AND  
TAXATION ONLY

SECTION 10 T.21S. R.3E. W.M.  
Lane County  
1" = 400'

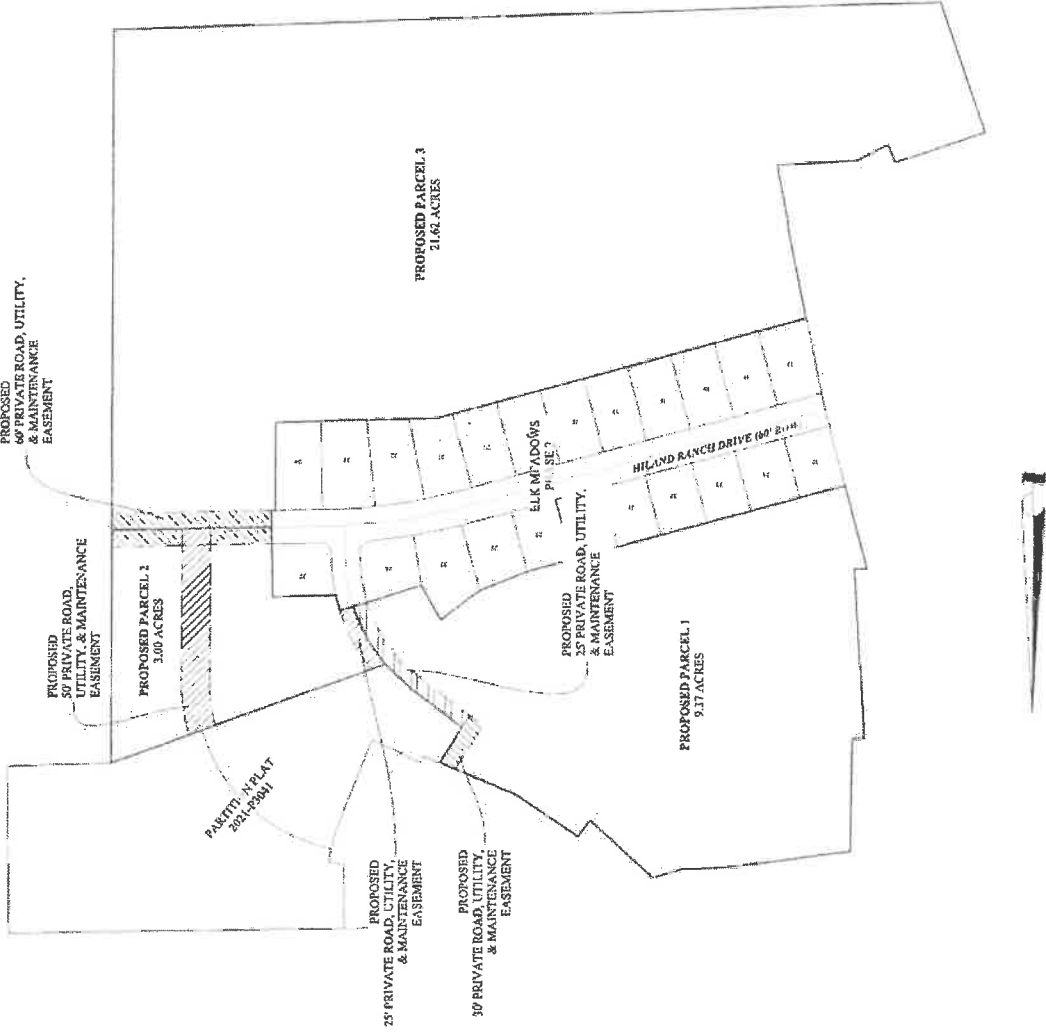
21351000  
OAKRIDGE

LCR 7/16/04 - 2022-09-30 12:42



- CANCELLED
- 904
  - 903
  - 900
  - 517
  - 525
  - 1109
  - 1000
  - 1300

OAKRIDGE  
21351000

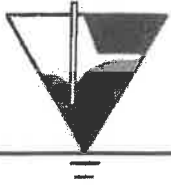


- LEGEND:**
- FOUND 3/8" REBAR W/PC PER RECORD PLAT
  - FOUND BRASS CAP PER RECORD PLAT
  - ▲ CALCULATED POINT
  - ( ) RECORDED DATA PER REFERENCE NEEDED, POINTS MEASURED UNLESS NOTED
  - LCORR LANE COUNTY OR (LAN DIBED) RECORDS
  - LCORV LANE COUNTY OREGON PLAT RECORDS
  - LSO LANE COUNTY SURVEYORS OFFICE
  - CSF COUNTY SURVEY FILE NO., LSSO
  - EPBY LAND PARTITION PLAT NO., LSSO
  - OPCOTV ORANGE PLASTIC CAP / YELLOW PLASTIC CAP
- REFERENCES:**
- R1 PARTITION PLAT 2003-03841
  - R2 ELK MEADOWS PHASE 2 PLAT, LCORR

# PROPOSED CONFIGURATION

**STEVE NESS/HILAND RANCH**  
 21-35-10-00-01303  
 OAKRIDGE, OREGON

**EGR & Associates, Inc.**  
 Engineers, Geologists, and Surveyors  
 2535B Pacific Road  
 Eugene, Oregon 97402  
 (541) 688-8322  
 Fax (541) 688-8087



## NARRATIVE FOR PRELIMINARY PARTITION

### List of zoning requirements

- **Section 4.02 Uses and Structures**

The city code minimum parcel size is 5000 square feet for a single-family dwelling and 7000 square feet for a duplex parcel. The proposed parcel size is 21.62 acres for Parcel 1, 3.00 acres for Parcel 2 and 9.37 acres for Parcel 3. The owner is requesting that all 3 parcels will have a single-family dwelling.

The owner may later request accessory building for each parcel. The owner may later request to do either a subdivision or partition. And at that time will be working with the City of Oakridge to get the necessary permits, if needed. All proposed buildings at time of development will comply with Covenants, Conditions, and Restrictions.

- **Section 4.03 Lots**

The proposed parcel size is 21.62 acres for Parcel 1, 3.00 acres for Parcel 2, and 9.37 acres for Parcel 3, which exceeds the City's code of 5,000 square feet. Parcels 1 and 2 have a road frontage of 25 feet (wide) with a 50-foot-wide private road easement which exceeds the City's code requirement of 30 feet wide. Proposed Parcel 3 has 7 road frontages of either 50 feet or 60 feet wide which meets the minimum code requirement.

- **Section 4.04 Yards**

All the requirements of this section will be met for the yards of each proposed dwelling site.

- **Section 4.05 Height Limits**

All the requirements of this section will be met for the height limits at the time the landowner applies for a building permit for each dwelling.

- **Section 4.06 Fences, Hedges, Walls and other structures**

The landowner will work with the city staff prior to any placement of a fence, hedge, walls or other structures.

- **Section 4.07 Off-Street Parking**

Prior to applying for a building permit the landowner will show on the required building plot plan how the placement of off-street parking will meet the City's code requirements.

- **Section 4.08 Signs**

At this time the landowner does not see that any signs will be placed on the 3 proposed Parcels, but if there is a need for a sign the landowner will work with the City's staff to make sure that the proposed sign meets the City's code.

- **Section 4.09 Design and Placement of Standards for Manufactured Homes**

The landowner will meet or exceed the requirements of this portion of the City's code for the placement of a manufactured home.

### **Questions per City of Oakridge Application**

**1. How will this proposal benefit a public need?**

- a. This Minor Partition would benefit the public need by creating 3 additional parcels that can be utilized for a minimum of 3 Single Family dwellings, as well as creates the potential for additional parcels and dwellings in years to follow should said divisions be approved. This will allow for new people to have a home in the City of Oakridge who can bring business and support the community. The new lots will be developed in accordance with the City of Oakridge codes, which means infrastructure in the way of roads and sidewalks will be built to support the public and safety.

**2. How will the proposal meet the requirements of the comprehensive plan? For example, housing needs, land use in the area, etc.**

- a. This proposal meets the requirements of the comprehensive plan by generating additional lots which will be developed to aid in the housing need of the City of Oakridge while meeting all zoning requirements.

**3. Are there any requirements relating to lot size, setbacks, lot coverage or other that your proposal does not comply with and for which you seek a variance?**

- a. No, there are not any requirements with regard to the size of lots, setbacks, or lot coverage that this proposal does not comply with. All lots will exceed minimum sizes, and buildings will be constructed with regards to all existing City of Oakridge codes.

**4. How will the proposed use meet the requirements for the zoning district in which it is located?**

- a. The current zoning is R-1 Low Density Residential, which is stated as being "intended to provide a quality environment for all residential urban uses, with compatible non-residential land uses, as determined to be desirable or necessary" per the City of Oakridge Zoning Code. This proposal will exceed the minimum requirements for lot sizes. Setback requirements, types of structures, and building uses will be met at the time the landowner applies for a building permit for each dwelling. See the above zoning requirements in the narrative for more detail.

## ADJOINING PROPERTY OWNERS

### Map & Taxlot

2135094000101  
2135100000800  
2135103201800  
2135103201900  
2135103202100  
2135103202200  
2135103202400  
2135103202500  
2135103202600  
2135103202700  
2135103202800  
2135103300900  
2135103301000  
2135103301100  
2135103301200  
2135103301400  
2135103301500  
2135103301600  
2135103301700  
2135103301800  
2135103301900  
2135103302000  
2135103302100  
2135103302200  
2135103302300  
2135103302400  
2135103302500  
2135103302600  
2135103302700  
2135103302800  
2135103302900  
2135103303000  
2135103303100  
2135103303200  
2135103303300  
2135103303400  
2135103303500  
2135103303600  
2135103303700  
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2135103304600  
2135103304700  
2135150000100  
2135150000103

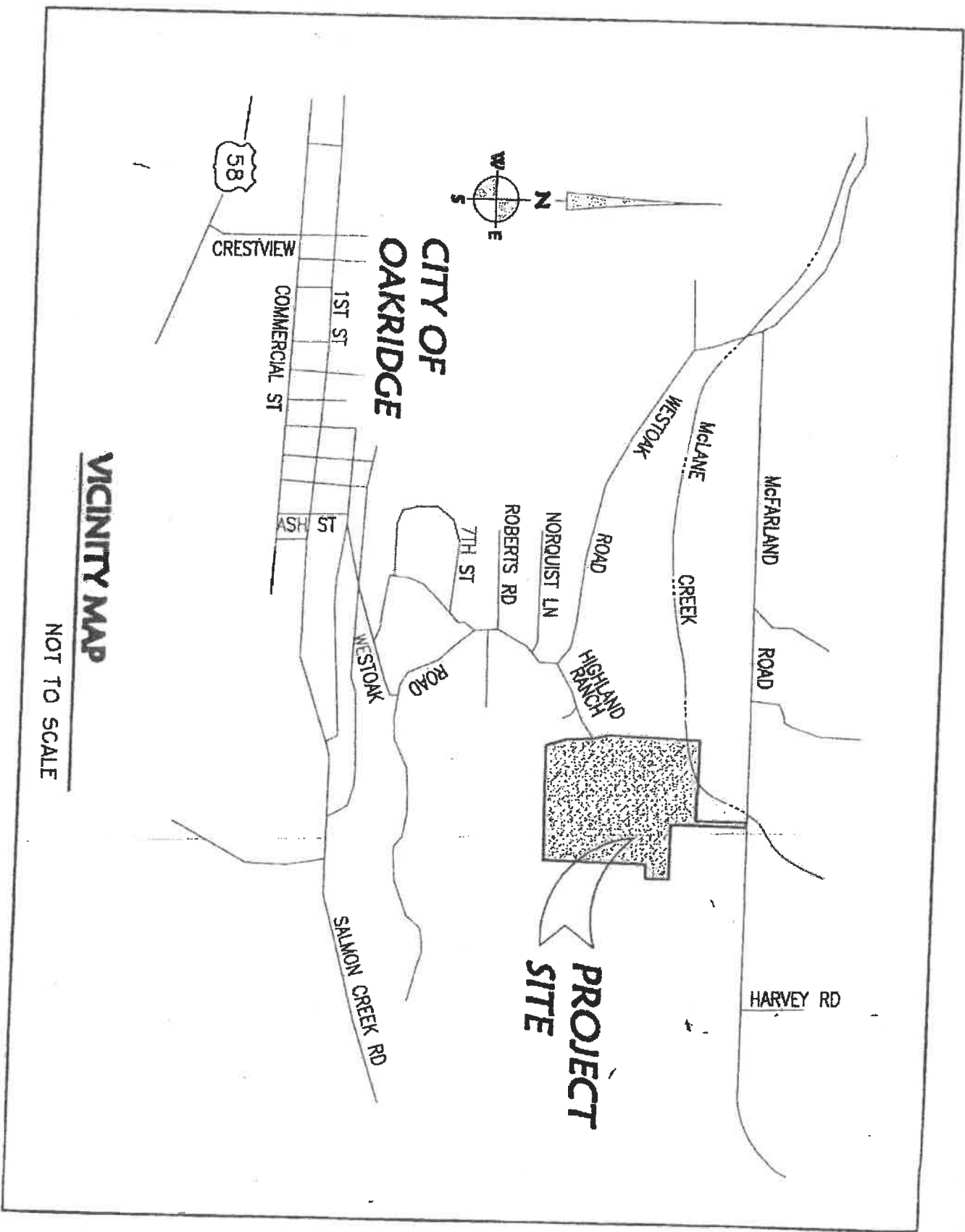
### Primary Owner

LEAVITT FAMILY TRUST  
REINDOLLAR ANN J DAVIS  
WASSILY BARI L & ROY H  
HANGARTNER ERIC  
HANGARTNER ERIC  
KECK SHERILYN L  
BARBER JACOB WAYNE & ASHLEY LEA ANN  
BARBER JACOB WAYNE & ASHLEY LEA ANN  
HERNANDEZ DAVID & CATHERINE  
HERNANDEZ DAVID & CATHERINE  
MAGNUSON DAVID  
BOSWORTH MICHELLE Q  
HONOR JEREMY  
BROWN JOSEPH E  
ENGEHOLM GERARD M  
CITY OF OAKRIDGE  
EDUARD & MARIE A WEBER REV TRUST  
EDUARD & MARIE A WEBER REV TRUST  
EDUARD & MARIE A WEBER REV TRUST  
EDUARD & MARIE A WEBER REV TRUST  
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EDUARD & MARIE A WEBER REV TRUST  
EDUARD & MARIE A WEBER REV TRUST  
EDUARD & MARIE A WEBER REV TRUST  
LOSE SHARON K  
NICHOLS CHARLES A & ALICIA M  
HANEKE LARRY E  
ARCHER ANTHONY HAYDEN  
FOX SIR H  
FOX SIR H  
FOX SIR H  
FOX SIR H  
FOX SIR H  
EARLEY JAMES V & ORTEGA JANICE M  
EARLEY JAMES V & ORTEGA JANICE M  
FOX SIR H  
BENNER ADAM  
HAND BRAEDON & CHELSEA  
KARPER TREVIS & KIMBERLY  
CHANDLER TAWNIA  
BEEBE DEVIN & G DENISE  
US DEPT OF AGRICULTURE FORESTRY SERVICE  
FC LANDS LLC

MAY 15, 2000

EXHIBIT A

30



**VICINITY MAP**

NOT TO SCALE

- 1. A S
- 2. L I A T R U A I U R E C I T F P R
- 3. C C S C C C T H A N P R I

LANE COUNTY SURVEYORS OFFICE  
 C.S. FILE NO. 45587  
 FILING DATE: 21 DEC 2021

**LAND PARTITION PLAT NO. 2021-003041**  
 FOR HILAND RANCH PROPERTIES, INC  
 A REPLAT OF REMAINDER OF LOT 38 OF ELK MEADOWS  
 PHASE 2  
 SITUATED IN SW 1/4 SECTION 10, TOWNSHIP 21 SOUTH,  
 RANGE 3 EAST, WILLAMETTE MERIDIAN  
 CITY OF OAKRIDGE, LANE COUNTY, OREGON  
 DATE OF SURVEY: NOVEMBER 1, 2021

RECORDED  
 DATE: 21 DEC 2021  
 COUNTY CLERK  
 BY: *M. Meek*



Lane County Deeds and Records  
 2021-078253  
 \$132.00  
 APPORT: 2021/12/01 09:28:48 AM  
 BOOK 110.00 P.13.00 CL.0000

- LEGEND**
- SET BACK REBAR WITH YELLOW PLASTIC CAP MARKED "WELLS 12385"
  - FOUND 8" IRON ROD - UNLESS OTHERWISE NOTED COMPUTED POINT, NO MONUMENT FOUND OR SET
  - ▲ COUNTY SURVEY FILE NUMBER
  - LANE COUNTY DEEDS AND RECORDS
  - PUBLIC UTILITY EASEMENT
  - MEASURED BEARINGS AND/OR DISTANCE
  - RECORD DATA PER SURVEY REFERENCE
  - RECORD DATA PER OWNERSHIP DEED REFERENCE
  - RIGHT OF WAY
  - LINE NOT TO SCALE

- REFERENCES**
- S1) ELK MEADOWS PHASE 1 SUBDIVISION, BY DE COTA, SEE CS# 407730
  - S2) ELK MEADOWS PHASE 2 SUBDIVISION, BY DE COTA, SEE CS# 407730
  - S3) ELK MEADOWS PHASE 3 SUBDIVISION, BY DE COTA, SEE CS# 41321
  - S4) PROPERTY LINE ADJUSTMENT SURVEY FOR HILAND RANCH PROPERTIES, BY KEITH LEAVETT, SEE CS# 2980
  - S5) SURVEY FOR HILAND RANCH PROPERTIES, BY KEITH LEAVETT, DONALD G. NICKELL, OWNERSHIP DEED RECORDED ON DOCUMENT NO. 2015-058663, LDR

- CURVE AND TANGENT DATA**
- A)  $\Delta = 145.00^\circ$ , ARC=13.15', R=400.00' (M)  
 CH=5.38'39.54" W, LC=13.15'
  - B)  $\Delta = 73.93^\circ$ , ARC=58.32', R=400.00' (M)  
 CH=6.31'19.07" W, LC=58.32'
  - C)  $\Delta = 51.2255^\circ$ , E 62.23' (M)
  - D)  $\Delta = 140.00^\circ$ , ARC=79.71', R=325.00' (M)  
 CH=5.44'21.25" E, LC=79.71'
  - E)  $\Delta = 71.0894^\circ$ , W 20.45' (M)  
 CH=4.12'25.54" ARC=65.15', R=300.00' (M)  
 CH=4.45'09.25" W, LC=65.15'
  - F)  $\Delta = 107.3756^\circ$ , ARC=74.20', R=400.00' (M)  
 CH=6.64'40.30" E, LC=74.20'
  - G)  $\Delta = 85.6430^\circ$ , E 30.08' (M)  
 S 69.44'03.00" E 30.08' (M)

REGISTERED PROFESSIONAL  
 DONALD G. NICKELL  
 JANUARY 18, 1983  
 3394

RENEWAL DATE: 12/31/2022

PAGE 1 OF 2  
**NICKELL LAND SURVEYING**  
 33225 CRAIG LOOP  
 COTTAGE GROVE, OR 97424  
 541-968-2905



# LAND PARTITION PLAT NO. 2021-P3041

FOR

## HILAND RANCH PROPERTIES, INC.

A REPLAT OF THE REMAINDER OF LOT 36 OF ELK MEADOWS PHASE 2  
SITUATED IN SW 1/4 SECTION 10, TOWNSHIP 21 SOUTH,  
RANGE 3 EAST, WILLAMETTE MERIDIAN  
CITY OF OAKRIDGE, LANE COUNTY, OREGON  
DATE OF SURVEY: NOVEMBER 1, 2021

RECORDED  
DATE: 21 DEC 2021  
COUNTY CLERK  
BY: [Signature]

LANE COUNTY SURVEYORS OFFICE  
C.S. FILE NO. 425283  
FILING DATE: 21 DEC 2021 **C**

### DECLARATION

KNOW ALL MENORS BY THESE PRESENTS KNOW THAT HILAND RANCH PROPERTIES, INC. IS THE  
OWNER OF THE LAND REFERRED TO IN THIS PARTITION PLAT AND MORE PARTICULARLY DESCRIBED IN  
THE SURVEYORS CERTIFICATE AND HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED INTO  
PARCELS AS SHOWN IN ACCORDANCE WITH THE OREGON REVISED STATUTES, CHAPTER 92.  
A 7' WIDE PUBLIC UTILITY EASEMENT ALONG ALL PRIVATE ROAD EASEMENTS, AS SHOWN ON THE  
FACE OF THE PARTITION PLAT.  
THE FOLLOWING PRIVATE ROAD EASEMENTS ARE BEING CONVERTED FOR THE FOLLOWING PURPOSES  
AND ARE SUBJECT TO THE "PRIVATE EASEMENT STATEMENT" SHOWN ON THE FACE OF THE  
PARTITION PLAT.  
A 32' PRIVATE ROAD EASEMENT ALONG THE NORTH AND WEST SIDES OF LOT 21.  
A 32' PRIVATE ROAD EASEMENT BETWEEN PARCELS 1 AND 2 BEING 25' ON EACH SIDE OF THE  
PROPERTY LINE.

BY: [Signature]  
HILAND RANCH PROPERTIES, INC.  
BY: STEVEN NESS, AS PRESIDENT

### APPROVALS & ACCEPTANCES

LANE COUNTY APPROVALS

[Signature]  
LANE COUNTY SURVEYOR  
DATE: 12/16/2021

[Signature]  
LANE COUNTY ASSESSOR  
DATE: 12-21-21

CITY OF OAKRIDGE APPROVALS

[Signature]  
CITY OF OAKRIDGE  
DATE: 12/16/2021

[Signature]  
CITY OF OAKRIDGE PUBLIC WORKS DIRECTOR  
DATE: 12-16-2021

[Signature]  
MAYOR OF THE CITY OF OAKRIDGE  
DATE: 12-16-21

### ACKNOWLEDGEMENT

STATE OF OREGON )  
 ) S.S.  
COUNTY OF LANE )

ON THIS 14<sup>th</sup> DAY OF December, 2021, THERE APPEARED BEFORE ME, A  
NOTARY PUBLIC FOR THE STATE OF OREGON, COUNTY OF LANE THE HEREBY NAMED  
STEVEN NESS AS PRESIDENT OF HILAND RANCH PROPERTIES, INC. BEING KNOWN TO  
ME OR PROVED TO ME ON A SATISFACTORY BASIS TO BE THE SAME PERSON WHO  
EXECUTED THE DECLARATION HEREON AND ACKNOWLEDGED THE SAME TO BE HIS  
VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY  
HAND AND AFFIXED MY SEAL.

ACKNOWLEDGED BEFORE ME THIS 14<sup>th</sup> DAY OF December, 2021.

NOTARY PUBLIC FOR OREGON

[Signature]  
NOTARY PRINTED NAME  
COMMISSION NO. 9989102

MY COMMISSION EXPIRES ON: July 2, 2023

### NARRATIVE

THE OWNERS HAVE REQUESTED AND RECEIVED APPROVAL OF A 3 PARCEL  
PARTITION FROM THE CITY OF OAKRIDGE PLANNING DEPARTMENT. SEVERAL  
OF THE CONDITIONS OF APPROVAL FOR THE PRELIMINARY PARTITION ARE TO  
PLACE SET BACK MONUMENTS ON THE EXTENDED BOUNDARY CORNERS OF  
PARCELS 1, 2 AND 3. THE OWNERS HAVE USED THE FOLLOWING MONUMENTS  
THAT WERE SET IN ELK MEADOWS PHASE 2 TO BE CONSIDERED ON THE BASIS OF  
THE SURVEY OF THIS PARTITION USED IN THE CONVERSION OF ELK MEADOWS  
PHASE 3. MORE PARTICULARLY, THE EAST LINE OF LOT 21 AND THE  
EAST AND SOUTH LINE OF LOT 18. ALSO, THE NORTH AND EASTERLY  
MONUMENTS OF LOT 36 OF ELK MEADOWS PHASE 2. I FOUND THE ABOVE  
MENTIONED MONUMENTS IN GOOD CONDITION AND IN THEIR TRUE LOCATION  
RESPECT THE BEARINGS AND DISTANCES OF SAID PLATS. I SET THE MONUMENTS OF  
FACTOR AND EITHER THE LOCATION THAT WAS APPROVED BY THE CITY OF  
OAKRIDGE IN THE PRELIMINARY PROCESS.

### SURVEYOR'S CERTIFICATE

I, DONALD G. NICKELL, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE  
OF OREGON, DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED  
WITH PROPER MONUMENTS THE LAND DESCRIBED HEREON AND THAT THE INITIAL  
POINT IS A 5/8 INCH BY 3/4 INCH REBAR MARKING THE SOUTHEAST CORNER OF LOT 17,  
ELK MEADOWS PHASE THREE SUBDIVISION AS PLATTED AND RECORDED NOVEMBER 21,  
2007. I HAVE BEEN EMPLOYED BY LANE COUNTY SURVEYORS OFFICE, THE  
COUNTY SURVEYOR IN OREGON SINCE 1984. LANE COUNTY DEED RECORDS, ALSO FILED IN  
THE LEGAL DESCRIPTION OF THIS PARTITION IS 2007-08208. THIS PHASE 2  
SUBDIVISION WAS PLATTED AND RECORDED OCTOBER 2, 2007. RECEPTION NO.  
2007-082321, LANE COUNTY DEED RECORDS, ALSO FILED ON COUNTY SURVEY FILE NO.  
40724. EXCEPTING ELK MEADOWS PHASE 3 SUBDIVISION AS PLATTED AND RECORDED  
NOVEMBER 21, 2006. RECEPTION NO. 2009-082068 LANE COUNTY DEED RECORDS.



PAGE 2 OF 2 RENEWAL DATE: 12/31/2022

**NICKELL LAND SURVEYING**  
35225 CRAIG LOOP  
COTTAGE GROVE, OR 97424  
541-968-2905

COVENANTS, CONDITIONS, & RESTRICTIONS (CC&R'S)  
COURS RECORDED ON DOCUMENT NO. 2021-070256 LCDR

# ATTACHMENT C



## PUBLIC HEARING NOTICE

**THE CITY OF OAKRIDGE PLANNING COMMISSION  
WILL HOLD A PUBLIC HEARING  
TUESDAY SEPTEMBER 13, 2022 AT 7:00 P.M.  
OAKRIDGE CITY HALL CONFERENCE ROOM  
OR VIA ZOOM TO DISCUSS  
A MINOR PARTITION PERMIT SUBMITTED BY STEVE NESS**

***THIS REQUEST IS A HEARING FOR A LAND PARTITION  
LOCATED AT MAP/TAX LOT 21-35-10-00 01303***

**Topic: Planning Commission Public Hearing  
Time: September 13, 2022 07:00 PM Pacific Time (US and Canada)**

### **Join Zoom Meeting**

**<https://us02web.zoom.us/j/3664311610>**

**Meeting ID: 366 431 1610**

**One tap mobile**

**+16699009128,,3664311610# US (San Jose)**

**+12532158782,,3664311610# US (Tacoma)**

### **Dial by your location**

**+1 669 900 9128 US (San Jose)**

**+1 253 215 8782 US (Tacoma)**

TESTIMONY MAY BE PRESENTED AT THE HEARING OR BY SUBMITTING A WRITTEN STATEMENT TO THE CITY RECORDER AT OAKRIDGE CITY HALL BEFORE 5:00 P.M. SEPTEMBER 13, 2022. OR AT THE HEARING. FAILURE TO RAISE AN ISSUE AT THIS HEARING, IN PERSON OR BY LETTER, OR FAILURE TO PROVIDE SUFFICIENT SPECIFICITY TO AFFORD THE DECISION-MAKER AN OPPORTUNITY TO RESPOND TO THE ISSUE PRECLUDES APPEAL TO THE STATE OF OREGON LAND USE BOARD OF APPEALS BASED ON THAT ISSUE. FOR FURTHER INFORMATION ABOUT THIS NOTICE, PLEASE CONTACT JACKIE TAYLOR (541) 782-2258

***The City of Oakridge is an equal opportunity, affirmative action institution committed to cultural diversity and compliance with the Americans with Disabilities Act. For the hearing impaired the City's TDD number is (541) 782-4232.***

# ATTACHMENT D

**HEARLEY Henry O**

---

**From:** Edward Hodges <eph@curran-mcleod.com>  
**Sent:** September 1, 2022 8:58 AM  
**To:** HEARLEY Henry O  
**Cc:** DARNIELLE Gary L; Robeart Chrisman  
**Subject:** RE: Referral Comments Requested for Proposed Partition in Oakridge, OR - Ness Partition MP-001-22

**Importance:** High

**CAUTION:** This email originated from outside the organization. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Henry/Gary:

I have reviewed the requested partition and it appears in compliance with all previous agreements between the property owner and the City concerning this subdivision. Please include the following comment in the staff report, "The new watermain segment constructed shall be 6-inch C900 PVC type. Prior to construction an engineered set of plans including but not limited to the proposed water main's construction, valving, hydrants, trench detail and connection to the existing system shall be submitted to the City. All design and construction shall comply with OHA Drinking Water and AWWA regulations, and construction of the proposed water main shall be inspected by the City along with watermain being pressure tested and disinfected prior to acceptance."

Thanks and let me know if you have any questions about this matter.

Ed

.....  
**Edward P. Hodges, P.E.**

**CURRAN-McLEOD, INC.**

6655 S.W. Hampton St., Ste. 210

Portland, OR 97223

T: (503) 684-3478

C: (503) 869-7849

F: (503) 624-8247

E: [eph@curran-mcleod.com](mailto:eph@curran-mcleod.com)

Upload files: <https://www.hightail.com/u/Curran-McLeod>

---

**From:** Edward Hodges

**Sent:** Wednesday, August 31, 2022 2:23 PM

**To:** 'HEARLEY Henry O' <HHEARLEY@Lcog.org>

**Cc:** DARNIELLE Gary L <GDARNIELLE@lco.org>; Robeart Chrisman <robeartchrisman@ci.oakridge.or.us>

**Subject:** RE: Referral Comments Requested for Proposed Partition in Oakridge, OR - Ness Partition MP-001-22

Hi Henry!

I will get those out today or by tomorrow am at the latest.

Thanks!

Ed

---

**Edward P. Hodges, P.E.**  
**CURRAN-McLEOD, INC.**  
6655 S.W. Hampton St., Ste. 210  
Portland, OR 97223  
T: (503) 684-3478  
C: (503) 869-7849  
F: (503) 624-8247  
E: [eph@curran-mcleod.com](mailto:eph@curran-mcleod.com)  
Upload files: <https://www.hightail.com/u/Curran-McLeod>

---

**From:** HEARLEY Henry O <[HHEARLEY@lcog.org](mailto:HHEARLEY@lcog.org)>  
**Sent:** Wednesday, August 31, 2022 11:39 AM  
**To:** Edward Hodges <[eph@curran-mcleod.com](mailto:eph@curran-mcleod.com)>  
**Cc:** DARNIELLE Gary L <[GDARNIELLE@lcog.org](mailto:GDARNIELLE@lcog.org)>; Robeart Chrisman <[robeartchrisman@ci.oakridge.or.us](mailto:robeartchrisman@ci.oakridge.or.us)>  
**Subject:** RE: Referral Comments Requested for Proposed Partition in Oakridge, OR - Ness Partition MP-001-22

Hi Ed:

If you have comments on the proposed Oakridge Partition, please get your comments to Gary ASAP. He will be publishing the staff report soon.

Henry

---

**From:** HEARLEY Henry O  
**Sent:** August 24, 2022 8:33 AM  
**To:** Edward Hodges <[eph@curran-mcleod.com](mailto:eph@curran-mcleod.com)>; Robeart Chrisman <[robeartchrisman@ci.oakridge.or.us](mailto:robeartchrisman@ci.oakridge.or.us)>; Oakridge City Manager <[cityadministrator@ci.oakridge.or.us](mailto:cityadministrator@ci.oakridge.or.us)>; Dave Mortier <[DaveM@nwcodepros.com](mailto:DaveM@nwcodepros.com)>; ODOTR2PLANMGR@odot.state.or.us; EICHNER Lindsey A <[Lindsey.EICHNER@lanecountyor.gov](mailto:Lindsey.EICHNER@lanecountyor.gov)>; ROSS Trevor J <[Trevor.ROSS@lanecountyor.gov](mailto:Trevor.ROSS@lanecountyor.gov)>; [scotthollett@ci.oakridge.or.us](mailto:scotthollett@ci.oakridge.or.us)  
**Cc:** DARNIELLE Gary L <[GDARNIELLE@lcog.org](mailto:GDARNIELLE@lcog.org)>; [jackiesims@ci.oakridge.or.us](mailto:jackiesims@ci.oakridge.or.us)  
**Subject:** FW: Referral Comments Requested for Proposed Partition in Oakridge, OR - Ness Partition MP-001-22  
**Importance:** High

Hello everyone:

Just a reminder to please send me your referral comments on the proposed partition in Oakridge by August 29.

The Planning Commission public hearing date has been changed to September 13.

Henry

---

**From:** HEARLEY Henry O  
**Sent:** August 18, 2022 3:46 PM

**To:** Edward Hodges <[eph@curran-mcleod.com](mailto:eph@curran-mcleod.com)>; Robeart Chrisman <[robeartchrisman@ci.oakridge.or.us](mailto:robeartchrisman@ci.oakridge.or.us)>; Oakridge City Manager <[cityadministrator@ci.oakridge.or.us](mailto:cityadministrator@ci.oakridge.or.us)>; Dave Mortier <[DaveM@nwcodepros.com](mailto:DaveM@nwcodepros.com)>; ODOTR2PLANMGR@odot.state.or.us; EICHNER Lindsey A <[Lindsey.EICHNER@lanecountyor.gov](mailto:Lindsey.EICHNER@lanecountyor.gov)>; ROSS Trevor J <[Trevor.ROSS@lanecountyor.gov](mailto:Trevor.ROSS@lanecountyor.gov)>; [scotthollett@ci.oakridge.or.us](mailto:scotthollett@ci.oakridge.or.us)  
**Cc:** DARNIELLE Gary L <[GDARNIELLE@lcog.org](mailto:GDARNIELLE@lcog.org)>  
**Subject:** Referral Comments Requested for Proposed Partition in Oakridge, OR - Ness Partition MP-001-22  
**Importance:** High

All:

The City of Oakridge is respectfully requesting your review and comment on a proposed Land Partition at Map and Tax Lot 21-35-10-00 TL 1303. Please see the attached materials. Please return your comments to me by August 29, 2022. Please copy Gary Darnielle (CC'ed here) on any correspondence.

Henry

Henry O. Hearley  
Associate Planner  
Lane Council of Governments  
[hhearley@lcog.org](mailto:hhearley@lcog.org)  
541-682-3089

# **ATTACHMENT E**

## **FINAL ORDER AND DECISION OF THE CITY OF OAKRIDGE PLANNING COMMISSION**

### **NESS PARTITION**

- A. The Oakridge Planning Commission finds the following:
1. The Oakridge Planning Commission has reviewed all materials relevant to the Ness Partition that has been submitted by the applicant and staff regarding this matter for Assessor's Map 21-35-10-00, Tax Lot 1303, including the criteria, findings and conclusions with the staff report.
  2. On September 13, 2022, the Oakridge Planning Commission reviewed the application and record after giving the required notice as per the Oakridge Development Code and held a public hearing and accepted oral testimony from those persons in favor and in opposition to the proposal.
  3. At its September 13, 2022 meeting, the Oakridge Planning Commission voted to close the record and entered into deliberations. A motion to approve the application and supporting conclusions, findings and conditions as contained in the staff report, was adopted by the Planning Commission.
  4. This approval is subject to a 10-day appeal period that begins after the Planning Commission renders its written decision. Notice of the decision will be mailed out to the applicant and any parties of record. An appeal is heard by the Oakridge City Council.

Signed this \_\_\_\_\_ day of September.  
Mr. Kevin Gobelman, Planning Commission Chair