

**PLANNING COMMISSION
FINDINGS OF FACT
REPLAT R22-001**

REQUEST: To replat approximately 3.8 acres by moving a lot line to the west.

APPLICANT/OWNER: City of Boardman
Post Office Box 229
Boardman, Oregon 97818

PROPERTY DESCRIPTION: Tax Lots 4600 and 4900 of Assessor's Map 4N 25 9DB.

ZONING OF THE AREA: Commercial/Highway Sub District (Tourist Commercial)

PROPERTY LOCATION: North of Interstate 84 and east of Main Street, on the north side of Northeast Front between 2nd and 3rd Streets.

- I. **GENERAL INFORMATION:** The City of Boardman seeks to sell a lot to the Boardman Community Development Association (BCDA) to allow development of retail and other commercial opportunities.
- II. **APPROVAL CRITERIA:** The application has been filed under the City of Boardman Development Code Chapter 4 Applications and Review Procedures 4.3 Land Divisions and Lot Line Adjustments 4.3.200 Replatting and Vacation of Plats. The criteria are identified below in **bold** type with responses in regular type.

4.3.200 Replatting and Vacation of Plats

- A. **Replatting and Vacations. Any plat or portion thereof may be replatted or vacated upon application signed by all of the owners as appearing on the deed.**
This request is moving a property line between the BMCC Replat and lot 4 of the Knudsen Commercial Park, also defined as tax lots 4600 and 4900 of Assessor's Map 4N 25 9DB. The owners of the property are the City of Boardman, applicant for this request.
- B. **Procedure. All applications for a replat or vacation shall be processed in accordance with the procedures and standards for a subdivision or partition (i.e., the same process used to create the plat shall be used to replat or vacate the plat). The same appeal rights provided through the subdivision and partition process shall be afforded to the plat vacation process. (See Chapter 4.1 - Types of Applications and Review Procedures.)**
This action could be approved through the Type II process. Because the applicant is the City of Boardman it was determined to place the decision before the Planning Commission following the requirements for a Type III process for transparency.
- C. **Basis for denial. A replat or vacation application may be denied if it abridges or destroys any public right in any of its public uses, improvements, streets or alleys; or if it fails to meet any applicable criteria.**
No public uses, improvements, streets or alleys are impacted by this request and approval. All applicable criteria can and are met.
- D. **Recording of vacations. All approved plat vacations shall be recorded in accordance with Section 4.3.190 and the following procedures:**

1. Once recorded, a replat or vacation shall operate to eliminate the force and effect of the plat prior to vacation; and
2. Vacations shall also divest all public rights in the streets, alleys and public grounds, and all dedications laid out or described on the plat.

This is not a vacation. No property or rights are being vacated with this replat.

- E. **After sale of lots.** When lots have been sold, the plat may be vacated only in the manner herein, and provided that all of the owners of lots within the platted area consent in writing to the plat vacation.

No lots that are part of this replat have been sold. This is not applicable.

- F. **Vacation of streets.** All street vacations shall comply with the procedures and standards set forth in ORS Chapter 271.

No street is proposed to be vacated.

- G. **Requirement to Maintain Access.** The City may require accessways, paths or trails as a condition of the vacation of any public easement or right-of-way, in order to establish or maintain a safe, convenient and direct pedestrian and bicycle circulation system.

Access is currently available along NE Front Street and will continue. Upon development of the subject property a variety of other development requirements of the Boardman Development Code will be applicable including, but not limited to, access, pedestrian, and other improvements.

III. **LEGAL NOTICE PUBLISHED:**

April 22, 2022
East Oregonian

IV. **PROPERTY OWNERS NOTIFIED:**

April 22, 2022

V. **AGENCIES NOTIFIED:** Mike Gorman, Morrow County Assessor; Matt Kenny, Morrow County Surveyor; Teresa Penninger and Rich Lani, Oregon Department of Transportation.

VI. **HEARING DATE:**

May 18, 2022
Boardman City Hall

VII. **PLANNING OFFICIAL RECOMMENDATION:** The Planning Official recommends that the Planning Commission approve this request with the following precedent **CONDITION OF APPROVAL**.

1. The applicant will cause the Replat of the BMCC Repat to be recorded with Morrow County meeting the applicable requirements of the Boardman Development Code and Oregon Revised Statute Chapter 92.

Jacob Cain, Chair
Planning Commission

Date

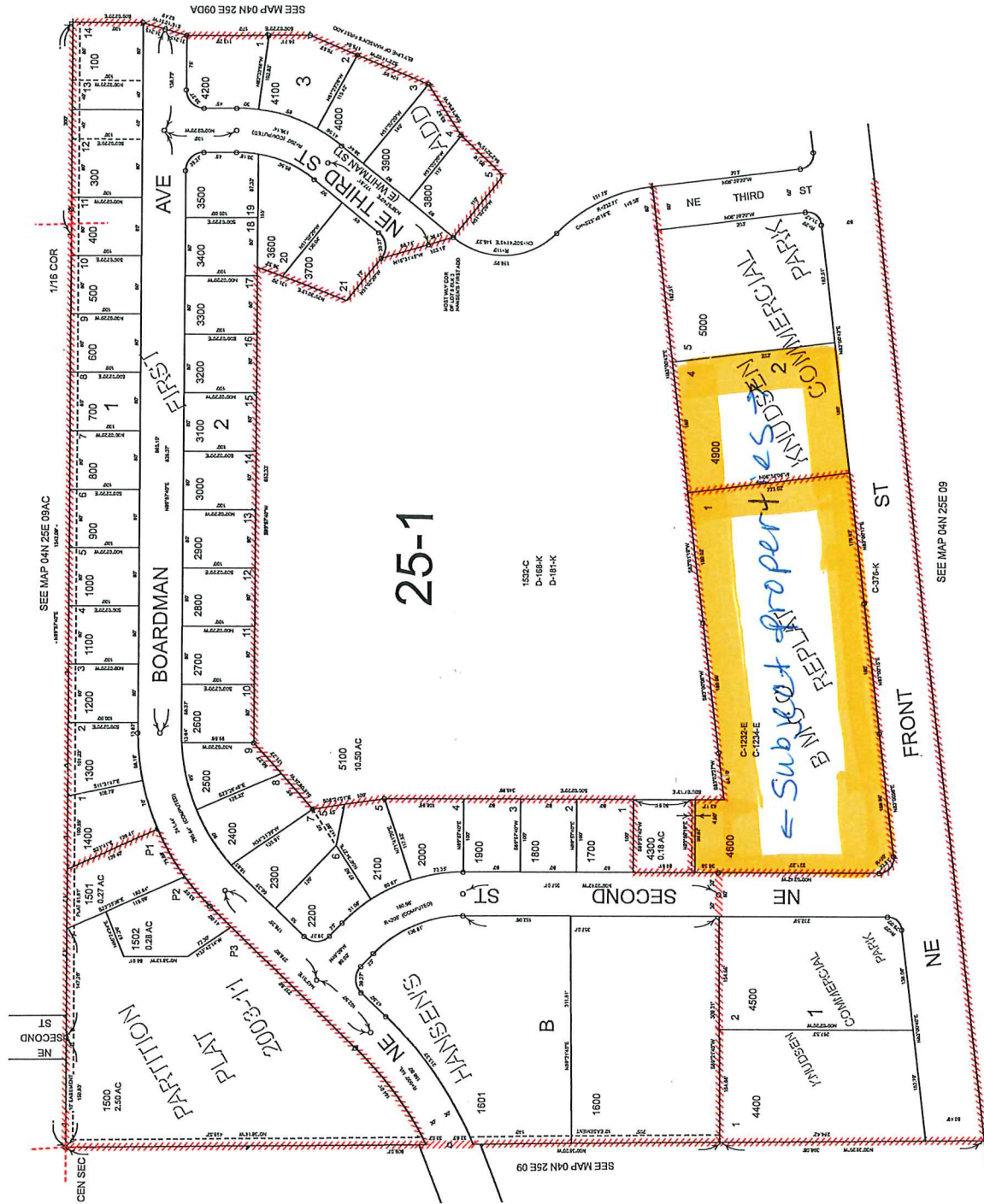
ATTACHMENTS:

Vicinity Map

Tentative Repat of the BMCC Repat

04N25E09DB
BOARDMAN

Cancelled
200
4700
4800



HWMY

1-84

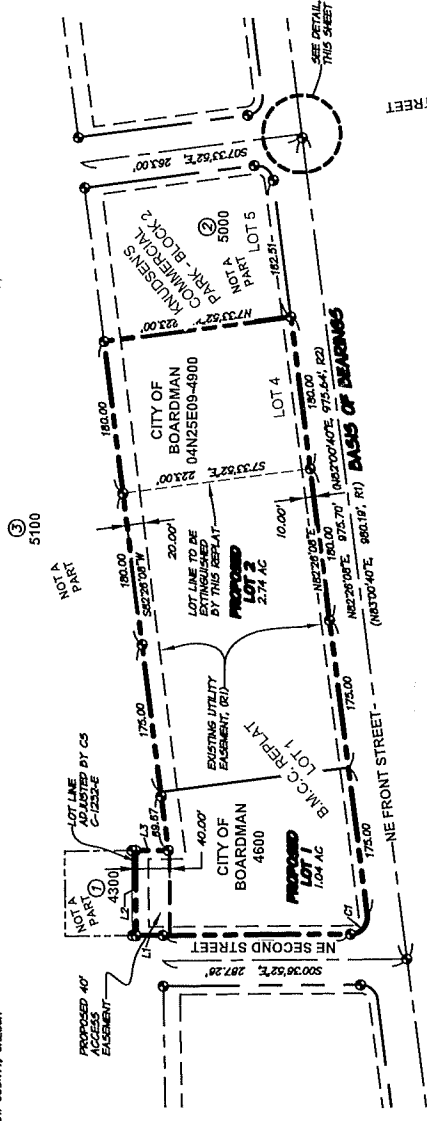
Revised: eb
08/28/2014

INTERSTATE

BOARDMAN
04N25E09DB

TENTATIVE REPLAT OF BMCC REPLAT

LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 8,
TOWNSHIP 4 NORTH, RANGE 23 EAST, WILANETTE MERIDIAN,
MORROW COUNTY, OREGON



LINE TABLE	
LINE	BEARING DISTANCE
L1	S73°44'27\"
L2	S89°23'07\"
L3	N73°35'02\"

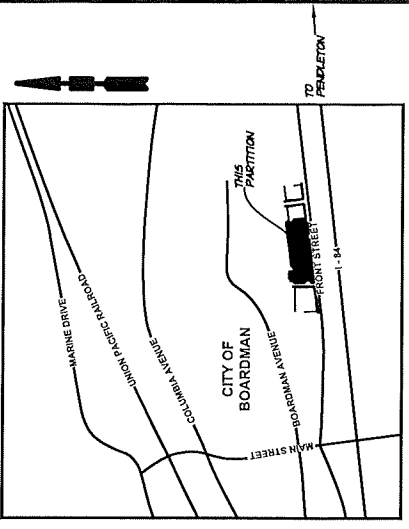
CURVE TABLE			
CURVE #	CHORD BEAR	CHORD DIST	RADIUS LENGTH DELTA
C1	S49°07'29\"	28.85'	20.00' 33.84' 98°57'23"

ADJACENT PROPERTY OWNERSHIP

- 1 STEVEN M. & DIANA L. MCLEARY - 4N25E0908 #4300
- 2 CITY OF BOARDMAN - 4N25E0908 #5000
- 3 OUR LADY OF GUADALUPE CATHOLIC CHURCH - 4N25E0908 #5100

- NOTES:**
- 1. PROPERTY TO BE PARTITIONED IS LOCATED WITHIN THE CITY OF BOARDMAN, MORROW COUNTY, OREGON. IT CONTAINS APPROXIMATELY 3.79 ACRES.
 - 2. THIS PROPERTY IS ZONED COMMERCIAL - HWY SUB DISTRICT
 - 3. THIS PARTITION IS LOCATED WITHIN THE BOUNDARIES OF THE CITY OF BOARDMAN FIRE PROTECTION DISTRICT.
 - 4. THIS PARTITION IS LOCATED WITHIN THE BOUNDARIES OF THE MORROW COUNTY SCHOOL DISTRICT.
 - 5. THIS PROPOSED REPLAT IS LOCATED IN OTHER AREAS - FLOOD ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE OF FLOOD. REFER TO FEMA FLOOD INSURANCE RATE MAP, (FIRM) FIRM00000000, EFFECTIVE DATE DECEMBER 14, 2007.
 - 6. THIS REPLAT IS BEING DONE AT THE REQUEST OF THE CITY OF BOARDMAN FOR THE PURPOSE OF RECONFIGURING LOT 1 OF BLOCK 2 OF KNUDSEN'S COMMERCIAL PARK

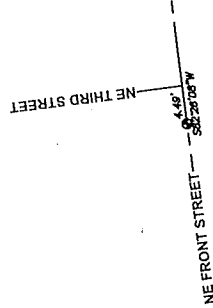
NOT TO SCALE



LOCALITY MAP
NOT TO SCALE

- LEGEND**
- FOUND MONUMENT
 - CITY OF BOARDMAN PROPERTY LINES
 - ADJACENT PROPERTY LINES
 - EXISTING EASEMENT LINES
 - EXISTING RIGHT OF WAY CENTERLINE
 - EXISTING RIGHT OF WAY

DETAIL
SCALE 1" = 10'



REGISTERED PROFESSIONAL LAND SURVEYOR
PRELIMINARY
EXPIRES: 03/13/2008
JERRY A. MADSEN
00000000

SURVEY REFERENCES	
REF. NO.	SURVEY
R1	1976-0004 HANSEN'S FIRST ADDITION TO BOARDMAN
R2	1980-0001 KNUDSEN'S COMMERCIAL PARK
R3	1980-0001 KNUDSEN'S COMMERCIAL PARK
R4	1980-0001 KNUDSEN'S COMMERCIAL PARK
R5	1980-0001 KNUDSEN'S COMMERCIAL PARK
R6	1980-0001 KNUDSEN'S COMMERCIAL PARK
R7	1980-0001 KNUDSEN'S COMMERCIAL PARK
R8	1980-0001 KNUDSEN'S COMMERCIAL PARK
R9	1980-0001 KNUDSEN'S COMMERCIAL PARK
R10	1980-0001 KNUDSEN'S COMMERCIAL PARK
R11	1980-0001 KNUDSEN'S COMMERCIAL PARK
R12	1980-0001 KNUDSEN'S COMMERCIAL PARK
R13	1980-0001 KNUDSEN'S COMMERCIAL PARK
R14	1980-0001 KNUDSEN'S COMMERCIAL PARK
R15	1980-0001 KNUDSEN'S COMMERCIAL PARK
R16	1980-0001 KNUDSEN'S COMMERCIAL PARK
R17	1980-0001 KNUDSEN'S COMMERCIAL PARK

STEVEN M. & DIANA L. MCLEARY
ANDERSON PERRY & ASSOCIATES, INC.
100 N. 7TH STREET
LA GRANDE, OR 97630
PH # 541-863-8009

TENTATIVE REPLAT OF BMCC REPLAT
LOCATED IN THE SE 1/4 OF SECTION 9
T4N, R28E, W4E, CITY OF BOARDMAN, MORROW COUNTY, OREGON
CITY OF BOARDMAN
SCALE: 1" = 100'
DATE: MAR. 21, 2022
JOB NO. 439-73 (000)

Anderson
Perry & Associates, Inc.
100 N. 7TH STREET
LA GRANDE, OR 97630
PH # 541-863-8009