

## **HERMISTON PLANNING COMMISSION**

### **Regular Planning Commission Meeting**

**July 13, 2022**

Vice-Chairman Fialka called the meeting to order at 7:02PM. Present were Commissioners Caplinger, Doherty, Hamm, and Kirkpatrick. Chairman Saylor and Commissioners Burns and Sargent were excused. Staff in attendance included Planning Director Clinton Spencer, City Attorney Richard Tovey and Heather La Beau. Youth Advisory Members Jeannine Heredia and Elizabeth Doherty were also excused.

### **Election of Chair & Vice-Chair**

Due to the number of commissioners absent, Commissioner Hamm moved and Commissioner Caplinger seconded to postpone the election of a chair and vice-chair until the next scheduled meeting. Motion passed unanimously.

### **Minutes**

Commissioner Caplinger moved and Commissioner Hamm seconded to approve the minutes of the June 8, 2022, regular meeting. Motion passed unanimously.

### **Hearing- Annexation Pena 120 E Oregon Ave/1650 NE North St 4N2802CB Tax Lots 5400 & 5500**

There were no conflicts of interests declared. Vice Chairman Fialka opened the hearing at 7:05PM and read the hearing guidelines.

Planning Director Spencer presented the staff report. The applicant is requesting annexation to connect to city sewer services. The septic system on the property is failing and a sewer line is available within 300 feet to service the property. Additionally, NE North St right of way between Oregon and it's south boundary and the alley adjacent to the properties are proposed for annexation.

Commissioners discussed the road history of NE North St, city limits boundaries, and the street improvements. The development on the west side of NE North St will be required to install a half street plus 10 feet, curb, gutter, and sidewalk. The annexation conditions of approval include the signing of a street improvement agreement for both of the property's street frontages.

Vice-Chairman Fialka closed the hearing at 7:18PM.

### **Findings of Fact**

1. The City has received consent to annexation from the property owner for approximately 0.45 acres of land.
2. Notice of public hearing was published in the local newspaper for two consecutive weeks prior to the planning commission hearing on June 22 and 29, 2022. Notices were also posted in four public places in the city for a like period. Comments or remonstrances received have been incorporated into the record.
3. Notice of public hearing was physically posted on the property on June 22, 2022.
4. Affected agencies were notified.
5. A public hearing of the planning commission was held on July 13, 2022. Comments received at the hearing are incorporated into the planning commission record.
6. Notice of public hearing of the city council was published in the local newspaper for two consecutive weeks prior to the city council hearing on June 29 and July 6, 2022. Notices were also posted in four public places in the city for a like period. Comments or remonstrances received have been incorporated into the record.
7. A public hearing of the city council was held on July 25, 2022. Comments received at the hearing are incorporated into the record.
8. The proposal is consistent with all applicable state annexation requirements in ORS 222.
  - a. The city has received consent from the property owners within the affected area
  - b. An election has been deemed not necessary since consent from more than half the owners has been received

- c. The property is contiguous with the existing city limits
  - d. All statutorily required notices have been published and posted
9. Since the property is contiguous to the existing city limits, the annexation is in accord with Comprehensive Plan Policy 4 which promotes compact urban development within and adjacent to existing urban areas to ensure efficient utilization of land resources and facilitates economic provision of urban facilities and services.
  10. The annexation is consistent with the requirements of Comprehensive Plan Policy 5 relating to annexation.
  11. The property is located within the urban portion of the urban growth boundary (UGB) as identified on the comprehensive plan map.
  12. Sewer is available to service this property in NE North St and E Oregon Ave. At the time of connection, the applicant is responsible for all connection fees.
  13. Water is available to service this property in E Oregon Ave. At the time of connection, the applicant is responsible for all connection fees.

### **Findings on Zoning Designation**

1. The property lies within the urban portion of the urban growth boundary and has a comprehensive plan map designation of Medium Density/Mobile Home Residential (MH).
2. The proposed Multi-Structure Residential (R-4) zoning designation corresponds with the underlying comprehensive plan map designation.

### **Conditions of Approval**

1. Applicant shall sign a street improvement agreement agreeing to future improvement of E Oregon Ave adjacent to the frontage of the property.
2. Applicant shall sign a street improvement agreement agreeing to future improvement of NE North St adjacent to the frontage of the property.

Commissioner Caplinger moved and Commissioner Hamm seconded to make the project file a part of the record. Motion passed unanimously. Commissioner Hamm moved and Commissioner Caplinger seconded to adopt the findings of fact. Motion passed unanimously. Commissioner Hamm moved and Commissioner Kirkpatrick seconded to impose conditions of approval. Motion passed unanimously. Commissioner Doherty moved and Commissioner Hamm seconded to recommend approval of annexation to the city council. Motion passed unanimously.

### **Hearing- Conditional Use Hermiston School District Rocky Heights Elementary 650 W Standard Ave 4N2810 Tax Lot 100**

There were no conflicts of interest declared. Vice-Chairman Fialka opened the hearing at 7:20PM. The hearing guidelines were read earlier in the meeting.

Planning Director Spencer presented the staff report. This request is to modify the Conditional Use Permit granted in November of 2020. The plan for the modular classrooms has changed. The current proposal is to retain two modular classrooms and relocate them for use by the on-site preschool. Parking is sufficient to accommodate the additional buildings. The conditions of approval from November 2020 remain in effect.

### **Testimony**

Colin McArthur 160 E Broadway Eugene- Mr. McArthur is with Cameron McCarthy representing the school district. This proposal involves modifying the existing conditional use permit for the purpose of beneficial reuse of the modular buildings and expansion of the pre-school facilities. The proposal is in align with the City's code and comprehensive plan.

Dr. Tricia Mooney 305 SW 11<sup>th</sup> St- The construction timeline is moving forward. The pre-school will not be operational in its attended capacity at the start of the school year. The modular buildings will be moved as

part of the demolition process.

Vice-Chairman Fialka closed the hearing at 7:31PM.

Commissioner Kirkpatrick moved and Commissioner Caplinger seconded to make the project file a part of the record. Motion passed unanimously.

Findings of Fact (as prepared by the applicant)

See attached.

Conditions of Approval

1. All areas used for the standing and maneuvering of vehicles shall be paved prior to occupancy.
2. All storm water drainage shall be retained on site.
3. Developer shall comply with all provisions of §92.12 of the Hermiston Code of Ordinances relating to the control of blowing dust during all phases of construction.
4. Parking lot lighting shall be designed and installed to avoid light pollution on adjacent residential properties.
5. Existing sidewalk on W Standard Ave shall be evaluated for compliance with ADA standards. Sidewalk panels exceeding ADA standards for cross slope shall be replaced.
6. All civil improvements shall be designed in accordance with City of Hermiston standard plans and specifications and approved by the city engineer prior to commencement of construction.
7. Signage shall comply with all provisions in Chapter 155 of the Hermiston Code of Ordinances.

Commissioner Hamm moved and Commissioner Caplinger seconded to approve the findings of fact. Motion passed unanimously. Commissioner Doherty moved and Commissioner Hamm seconded to adopt the conditions of approval. Motion passed unanimously. Commissioner Kirkpatrick moved and Commissioner Hamm seconded to approve the modification of the conditional use permit subject to the conditions of approval. Motion carried unanimously.

**New Business- Replat Campbell 1660 N First St 4N2802CB Tax Lot 5900**

Planning Director Spencer presented the staff report. The subject property has recently received a variance and site plan approval. The next step is a replat of the property to eliminate underlying lot lines and partition the area that is proposed for development. The existing sewer line is required to be abandoned and a new sewer easement is being dedicated on the plat. The existing 395 access will continue to service the larger lot. The smaller lot will be serviced by NE North St and E Oregon Ave. A street improvement agreement is required as the lot may not develop as currently proposed.

Testimony

Tyler Campbell 80492 Sunshine Lane- In response to commissioners' questions, Mr. Campbell responded that Popeye's desired a corner lot and ODOT was opposed to moving the existing Highway 395 access. The jog in the southeast corner is a result of the history between the previous owners. There are not currently plans for the larger lot. Mr. Campbell would like to rest for some time and then do a joint development or lease on the property. There is no plans to use the existing building.

Findings of Fact

Design Standards

§154.15 Relation to Adjoining Street System.

The property is serviced by N First Street, E Oregon Ave and NE North St.

§154.16 Street and Alley Width.

No streets or alleys are proposed as part of the partition. The property is currently serviced by N First St, E Oregon Ave and NE North St. Parcel 1 has 128.24' of N First St frontage and will retain highway access. Parcel 1 has 125.35' of NE North St frontage. Parcel 2 has 100' of N First St frontage, 100' of NE North St frontage and 260' of frontage on E Oregon Ave. Parcel 2 will not access to N First St, driveways are proposed on both NE North St and E Oregon Ave.

#### §154.17 Easements.

There is a 25' utility easement dedicated on this plat for utilities. The easement is intended to accommodate sewer service to both parcels. There is an existing sewer line serving the existing building on Parcel 1. This building is planned for removal and the sewer line will be abandoned. The easement is shown on the plat and the easement requirements are satisfied.

#### §154.18 Blocks.

Block standards in this section are specific to residential development. No block spacing standard is required for this partition.

#### §154.19 Lots.

The proposed partition will create two lots. Parcel 1 contains a vacant sales office and is 45,233 square feet. Parcel 2 is undeveloped and is 35,569 square feet.

The preliminary plat provides for the creation of two lots meeting the design standards in 154.19.

#### §154.20 Character of Development.

The property is zoned C-2. Uses permitted in the C-2 zone are listed in 157.041 of the Hermiston Code of Ordinances. There is no minimum lot size in this zone. The applicant proposes the replat to create a new parcel for development of a restaurant with drive-through.

#### §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 partition.

#### §154.22 Access Management.

Driveways are proposed on E Oregon Ave and NE North St for Parcel 2. Parcel 1 will retain the existing N First St access.

#### §154.35 Preliminary Plat Requirements

This replat contains two lots and is considered a replat removing platted lot lines, but also functions as a minor partition creating two lots from one parent parcel. Under §154.35(B), minor partitions containing three lots or fewer, may be exempt from preliminary plat review and proceed directly to final platting.

#### 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

N First St is a fully improved state highway. E Oregon Ave is a paved city street with full improvements on the north side of the street. NE North St is an unimproved portion of city street adjacent to the property. Parcel 2 will be responsible for constructing street improvements to the respective street frontages of E

Oregon Ave and NE North Street at such time that development occurs on said lot. Parcel 1 will be responsible improvements to NE North Street at such time that development occurs on Parcel 1.

#### §154.62 Water Lines

Water lines exist in N First St, E Oregon Ave and NE North St. No upgrades are necessary. All costs associated with connection to municipal water service shall be borne by the developer.

#### §154.63 Sanitary Sewer System

Sewer lines exist in E Oregon Ave, NE North St and on the west side of N First St. No upgrades are necessary. All costs associated with connection to municipal sewer service shall be borne by the developer.

The sales office located on Parcel 1 is currently served by a private line from E Oregon Ave. Abandonment of this connection is required for replat approval. Without abandonment, the existing sewer line will be located under the proposed restaurant on Parcel 2.

#### Final Plat

Per §154.46 of the Hermiston Code of Ordinances, the final plat shall show:

- (A) The boundary lines of the area being subdivided, with accurate distances and bearings. **Shown as required**
- (B) The lines of all proposed streets and alleys with their width and names. **Shown as required however, correction is needed to label NE North St on the plat**
- (C) The accurate outline of any portions of the property intended to be dedicated or granted for public use. **Shown as required**
- (D) The line of departure of one street from another. **Shown as required**
- (E) The lines of all adjoining property and the lines of adjoining streets and alleys with their widths and names. **Shown as required however, correction is needed to correctly show NE North Street on the plat**
- (F) All lot lines together with an identification system for all lots and blocks. **Shown as required**
- (G) The location of all building lines and easements provided for public use, services or utilities. **Shown as required**
- (H) All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements, and other areas for public or private use. Linear dimensions are to be given to the nearest 1/10 of a foot. **Shown as required**
- (I) All necessary curve data. **Shown as required**
- (J) The location of all survey monuments and bench marks together with their descriptions. **Shown as required**
- (K) The name of the subdivision, the scale of the plat, points of the compass, and the name of the owners or subdivider. **Shown as required**
- (L) The certificate of the surveyor attesting to the accuracy of the survey and the correct location of all monuments shown. **Shown as required.**

- (M) Private restrictions and trusteeships and their periods of existence. Should these restrictions or trusteeships be of such length as to make their lettering on the plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat. **No restrictions are proposed and none are referenced on the plat**
- (N) Acknowledgment of the owner or owners to the plat and restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon, and the granting of easements required. **Shown as required.**
- (O) Certificates of approval for endorsement by the city council and certificate indicating its submission to the planning commission, together with approval for endorsement by other local, county and/or state authority as required by Oregon statutes. **Shown as required.**

### **Chapter 157: Zoning**

#### **§157.041 Outlying Commercial Zone (C-2)**

There is no minimum or maximum lot size in this zone. Parcel 1 is 45,233 square feet and Parcel 2 is 35,569 square feet. The existing sales office is a permitted use in the C-2 zone. The proposed redevelopment of Parcel 2 into a restaurant with drive-through is also a permitted use in the C-2 zone.

#### **§157.101 Development Hazard Overlay**

Figure 12 of the Hermiston Comprehensive Plan indicates that this property is subject to development hazards due to excessively well drained soils. Therefore as a condition of approval the city shall prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels.

#### **Conditions of Approval**

1. The applicant shall work with and receive certification from the Hermiston Irrigation District prior to obtaining city signature on the final plat.
2. Sewer and water connections shall be approved by City Staff. All costs associated with permits and installation shall be borne by the property owner.
3. The existing sewer line from E Oregon Ave serving the sales office shall be abandoned.
4. Comprehensive Plan Figure 12 identifies this site as an area subject to development hazards due to excessively well drained soils. Therefore, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels.
5. The applicant shall sign a street improvement agreement to participate in the future improvement of E Oregon Ave with curb, gutter, sidewalk, paving, and drainage improvements.
6. The applicant shall sign a street improvement agreement to participate in the future improvement of NE North St with curb, gutter, sidewalk, paving, and drainage improvements.
7. NE North Street shall be labeled and mapped on the plat as required by §154.46 of the Hermiston Code of Ordinances.

Commissioner Hamm moved and Commissioner Caplinger seconded to make the project file a part of the record. Motion passed unanimously. Commissioner Caplinger moved and Commissioner Hamm seconded to adopt the findings of fact. Motion passed unanimously. Commissioner Hamm moved and Commissioner Doherty seconded to approve the final plat with the conditions. Motion passed unanimously.

#### **Planner Comments and Unscheduled Communications**

There will not be a meeting in August. September's meeting will include a presentation on the proposed

Urban Renewal Agency for the Prairie Meadows development.

The developer continues to work on remediation of the large amount of standing water in the Highland Meadows subdivision.

Commissioners noted the landscape improvements proposed with the E Elm Ave Storage project have not been installed.

**Adjourn**

Vice-Chairman Fialka adjourned the meeting at 7:57PM.

# HERMISTON SCHOOL DISTRICT HERMISTON ROCKY HEIGHTS ELEMENTARY PORTABLE BUILDINGS CONDITIONAL USE PERMIT APPLICATION

## WRITTEN STATEMENT

### 1.0 PROJECT INFORMATION

<b>Applicant's Request:</b>	Hermiston School District #8R requests Conditional Use Permit application approval to relocate two existing portable buildings on the Hermiston Rocky Heights Elementary School site.
<b>Property Owner:</b>	Hermiston School District #8R 305 SW 11 <sup>th</sup> St. Hermiston, OR 97838 541.667.6000
<b>Applicant:</b>	Tricia Mooney, Superintendent Hermiston School District #8R 305 SW 11 <sup>th</sup> St. Hermiston, OR 97838 541.667.6000
<b>Applicant's Representative:</b>	Colin McArthur, AICP Cameron McCarthy 160 E. Broadway, Eugene OR 97401 541.485.7385 <a href="mailto:cmcarthur@cameronmccarthy.com">cmcarthur@cameronmccarthy.com</a>
<b>Project Name:</b>	Hermiston Rocky Heights Elementary Portable Buildings
<b>Subject Property:</b>	Assessor's Map No. 4N281000 Tax Lot 00100
<b>Location:</b>	650 W Standard Avenue
<b>Property Size:</b>	21.12 acres (919,987.2 square feet)
<b>Development Area:</b>	1.07 acres (46,428 square feet)
<b>Zoning Designation:</b>	R-2 Duplex Residential
<b>Overlay Zoning Designation:</b>	None
<b>Plan Designation:</b>	Medium Density Residential
<b>Plan Overlay Designation:</b>	None



## 2.0 DESCRIPTION OF PROPOSAL

Hermiston School District #8R (the Applicant) requests Conditional Use Permit application approval to relocate two existing portable buildings on the Rocky Heights Elementary School site. The development area is located at the southeast corner of the Rocky Heights Elementary School site at 650 W Standard Avenue.

The subject site is comprised of one parcel identified on Assessor's Map No. 4N281000, Tax Lot 00100. The property is zoned R-2 Duplex Residential. The subject property is located within Hermiston city limits, and accordingly within Hermiston's UGB. The subject site is owned by the Applicant.

The Rocky Heights Elementary School site is 21.12 acres in a primarily residential area near downtown Hermiston. The site is bordered by Northwest 7th Street to the west, West Standard Avenue to the south, and residential development to the north and east. A replacement elementary school is currently under construction in the northwest corner of the site. Athletic fields and open lawn area are located to the east and south of the new elementary school. The site is relatively flat, with only about five feet of elevation change. The site also contains three existing portables and a parking lot in the southeast corner of the site, which is adjacent to the development area.

As shown on Sheet L100 Existing Conditions & Demo Plan and Sheet L200 & 204 Site Plans (Exhibit B), the site design proposes the relocation of two existing portable buildings from the north side of the former elementary school building to the southeast corner of the site, where they will be adjacent to three existing portable buildings. The existing parking stalls in the west portion of the parking lot will be restriped and will provide 2 ADA stalls adjacent to the relocated portable buildings. A new curb and sidewalk are proposed along the north edge of the existing parking lot to serve the new portables. A fenced lawn area will be located on the northern edge of the development area. In addition, a relocated shed and trash service area is proposed to the northeast of the relocated portable buildings. The relocated portables will be accessible via a proposed concrete sidewalk and ramp. The existing sidewalk and driveways along W Standard Avenue, south of the relocated portables, will be replaced and improve to meet ADA compliance.

The portable buildings will be used to house a childcare/preschool program that will expand capacity to what is currently being offered in the Hermiston community. The proposal will enhance the overall design of the site by organizing all the portable buildings in one location and improving the southeast corner of the property. The relocation of the portable buildings, and the accompanying site improvements, is also complementary to the design of the replacement elementary school building and landscape resulting in a cohesive design for the entire site.

As shown in Exhibit C Portable Building Photographs, both existing portable buildings have a rectangular footprint and gable roofs. The portables are painted light gray with dark gray trim. The building exterior is clad in wood siding. Each portable building has a footprint of 1,792 square feet.

In summary, the applicant requests Conditional Use Permit approval per HC §157.208. Findings of compliance with applicable approval criteria are provided in Section 4.0.

### **3.0 SUBMITTAL REQUIREMENTS**

Described below are each of the required procedural and informational requirements necessary for the submittal of a Conditional Use Permit application. Findings of compliance with applicable provisions are provided in Section 4 Approval Criteria and Standards.

#### **3.1 Conditional Use Permit**

##### **.1 Filing Fee**

The required filing fee for the CUP is provided with the initial submittal.

##### **.2 Written Statement**

A written statement is provided as part of the initial application submittal. Findings of compliance with applicable criteria in HC §157.208 are provided in Section 4.0.

##### **.3 Evidence that the applicant is the owner or purchaser of the property or has written permission of such owner to make an application for the proposed use.**

A deed is included in Exhibit A.

##### **.4 Two copies (one digital copy) of a site plan (11" x 17") drawn to scale, showing the location of the property concerned, the location of all proposed or existing building(s), highways, streets and alleys.**

A site plan is included in Exhibit B.

## 4.0 APPROVAL CRITERIA & STANDARDS

As noted previously, Hermiston School District #8R (the Applicant) requests Conditional Use Permit application approval to relocate two existing portable buildings on the Rocky Heights Elementary School site.

As shown on Sheet L100 Existing Conditions & Demo Plan and Sheet L200 Site Plan (Exhibit B), the site design proposes the relocation of two existing portable buildings from the north side of the former elementary school building to the southeast corner of the property, where they will be adjacent to three other existing portable buildings. The parking stalls on the west side of the existing parking lot will be restriped and to provide 2 ADA stalls adjacent to the relocated portable buildings. A fenced lawn area is located on the northern edge of the development area, and a relocated shed and trash service area are in the northeast corner of the development area. The relocated portables will be accessible via a proposed concrete sidewalk and ramp. Existing sidewalks and driveways along W Standard Avenue, south of the relocated portables, will be replaced and improved to meet ADA compliance.

The subject site is zoned R-2 Duplex Residential and is in accordance with standards and procedures outlined in Title XV – Land Usage – of the municipal code and the Comprehensive Plan. The applicability of the development criteria necessary for a Conditional Use Permit per HC §157.208 is outlined below.

**1. The proposal is in conformance with the comprehensive plan and zoning ordinance. Explain fully:**

This Conditional Use Permit application is in accordance with the applicable criteria listed below from the Hermiston Comprehensive Plan. The applicable policies and implementing actions are provided in **bold** text. Findings addressing compliance with each policy are provided in plain text. The findings demonstrate that the proposal is in conformance with the applicable comprehensive plan policies and standards outlined in the R-2 zone.

**POLICY 26: Schools**

**The City of Hermiston will support and facilitate the provision of high-quality elementary and secondary education in the community.**

**Implementing Actions:**

- 1) \*\*\*
- 2) **May engage in joint planning activities with the school district and county intermediate educational district to:**
  - a. **Identify future facility needs;**
  - b. **Acquire appropriate sites;**
  - c. **Utilize school facilities during non-school hours for community educational and recreational activities.**

The Applicant proposes the relocation of two existing portable buildings at the Rocky Heights Elementary School site. The proposed relocation allows the District to continue to serve the growing youth and future student population by providing childcare and preschool programming in the portable buildings. The proposal will also enhance the experience of the childcare users by

relocating the use to an area adjacent to other portables which provide added convenience and cohesion to the site. The relocation also includes site improvements, such as circulation, ADA accessibility, and lawn areas, around the portable buildings. These site improvements heighten the quality of the development site and a use that is necessary to meet childcare and educational needs of the community.

The proposed relocation enables the provision of high-quality educational facilities, which directly aligns with Policy 26. The relocation ensures that the District can continue to meet the community's needs for early education and childcare services since these portable buildings will add capacity to the current childcare and preschool options in Hermiston. This Policy is satisfied.

### **Hermiston Zoning Code**

The proposed development is also in accordance with the Hermiston Zoning Code given a school is a conditional use in the R-2 zone per §157.026(B)(1). In a R-2 zone, a use permitted as a conditional use in a R-1 zone and their accessory uses are permitted (§157.025 (B-10)). The proposed development includes the relocation of two existing portable buildings, restriping of parking stalls, a fenced lawn area, relocated shed and trash service area, and accessible sidewalks and ramps and improved driveways.

§157.026(C) states that in a R-2 zone, minimum lot depth shall be 80 feet, and the minimum lot width shall be 60 feet. As shown on Exhibit B, the lot exceeds these requirements.

§157.210(A) of the Hermiston Code of Ordinances establishes that conditional uses must have setbacks that are at least two thirds the height of the principal structure. In this case, the principal structure is 12 feet and 0 inches at the highest point, necessitating an 8-foot setback from all lot lines. Provided setbacks are over 124 feet on all sides.

§157.026(E) states that in a R-2 zone, no building shall exceed a height of 35 feet. The maximum height of each existing portable building is 12 feet and 0 inches. §157.026(F) states in a R-2 zone, buildings shall not occupy more than 45% of the lot area. Tax Lot 4N281000 00100 is 21.12 acres (919,987.2 square feet). The two existing portable buildings proposed for relocation are 1,792 square feet each (3,584 total square feet), and therefore are 0.4% of the lot area.

Per §157.175 Off-Street Parking Requirements and Table 157.176, elementary schools require 1.5 spaces per teacher. In this context, 7.5 spaces would be required. Parking spaces are illustrated in Exhibit B L204 and provided below:

- 1.5 spaces x (5 teachers) = 7.5 spaces
- Total = 7.5 spaces required (47 provided)

Proposed parking numbers total 47 spaces, as shown in Exhibit B, and provided below:

- Restriped Southeast Parking Lot: 47 total parking spaces (2 ADA)

§157.179 Design Requirements outline the following design standards for Off-Street Parking:

**(A) Hard surfaces required; maintenance. Areas used for standing and maneuvering of vehicles shall have a hard surface and be maintained adequately for all-weather use and so drained as to avoid flow of water across a property line.**

**(B) Minimal resident disturbance.** Except for parking to serve single or duplex residential uses, parking and loading areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents by the erection between the uses of a sight-obscuring fence of not less than five or more than six feet in height except where vision clearance is required.

**(C) Extension beyond property line prohibited.** Parking spaces within a parking lot shall be designed and constructed so that no portion of a parked vehicle, including an opened door, will extend beyond the property line.

**(D) Glare from lighting prohibited.** Artificial lighting which may be provided shall not create or reflect substantial glare in a residential zone or on any adjacent dwelling.

**(E) Access aisles.** Access aisles shall be of sufficient width for all vehicle turning and maneuvering.

**(F) Driveways required.** All parking spaces, except single-family and duplex residential, shall be served by a driveway so that no backing movements or other maneuvering within a street other than an alley will be required.

**(G) Safety for traffic and pedestrians required.**

**(1) Off-street parking areas.** Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site. The number of service drives shall be limited to the minimum that will allow the property to accommodate and service the traffic to be anticipated. Service drives shall be clearly and permanently marked and defined through use of rails, fences, walls or other barriers or markers on frontage not occupied by service drives.

**(2) Minimum vision clearance area.** Service drives shall have a minimum vision clearance area formed by the intersection of the driveway center-line, the street right-of-way line and a straight line joining the lines through points of ten feet from their intersection.

The existing Southeast parking lot is currently a durable asphalt surface. The proposed development includes restriping the existing parking lot, with current asphalt paving to remain, and adding a curb and sidewalk in front of relocated portable buildings. The new striping will provide ADA parking stalls adjacent to the relocated portable buildings. The number of stalls included in the restriping design exceeds the required parking spaces. The existing parking lot driveways are to be replaced with ADA-compliant driveways.

As such, the parking lot will maintain and include hard surfaces per criterion A. The parking lot restriping will result in minimal resident disturbance per the plan and setbacks shown on Exhibit B L204, as the parking lot footprint is unaltered from its current design, therefore, creating no disturbance per criterion B. Per criterion C, no parked vehicle will extend beyond the property line, and lighting will not create or reflect substantial glare per criterion D. Access aisles are of sufficient width for vehicle turning and maneuvering as shown in Exhibit B, per criterion E. Driveways are existing and will be replaced with ADA-compliant driveways in their current locations, per criterion F,

and safety for traffic and pedestrians is illustrated in Exhibit B with designated pedestrian concrete and landscape.

In sum, the proposed development is in accordance with the Hermiston Zoning Code, as summarized on Sheet L200 and L204 Site Plans (Exhibit B).

**2. The property is adequate in size and shape to accommodate the proposed use, together with all other zoning requirements and any additional conditions imposed by the planning commission. Explain fully:**

The property is owned by the Applicant. The site is fully contained within the Urban Growth Boundary (UGB). The total site area is 21.12 acres and the subject site is capable of accommodating the proposed development, which is 1.07 acres. As shown on Sheet L200 and L204 Site Plan (Exhibit B), the proposed site development includes the relocation of two existing portable buildings, restriping of parking stalls at the existing Southeast parking lot, a fenced lawn area, relocated shed, and trash service area, improved driveways, and accessible sidewalks and ramps.

The site is zoned R-2 and the proposed use is for childcare and preschool. This use complies with the current zoning, as specified in the Hermiston Code sections 157.026(B)(1) & 157.025 (B)(10). Given the acreage of the site, and its current use, the site is physically capable of continuing to accommodate the existing portable buildings, the landscape improvements, the restriping of the existing southeast parking lot, and the sidewalk and driveway improvements along W Standard Avenue. §157.026(F) states in a R-2 zone, buildings shall not occupy more than 45% of the lot area. Tax Lot 4N281000 00100 is 21.12 acres (919,987.2 square feet). The two existing portable buildings proposed for relocation are 1,792 square feet each (3,584 total square feet), and therefore are 0.4% of the lot area.

§157.210(A) of the Hermiston Code of Ordinances establishes that conditional uses must have setbacks that are at least two-thirds the height of the principal structure. In this case, the principal structure is approximately 12 feet and 0 inches at the highest point, necessitating an 8-foot setback from all lot lines. Provided setbacks are over 124 feet on all sides. As such, the proposed development is adequate in size and shape to accommodate the proposed use, as summarized on Sheets L200 and L204 Site Plan (Exhibit B). This criterion is satisfied.

**3. Public facilities are of adequate size and quality to serve the proposed use. Explain fully:**

As previously noted, the proposed site development includes the relocation of two existing portable buildings, restriping of parking stalls at the existing Southeast parking lot, a fenced lawn area on the north side of the development area, a relocated shed and trash service area on the northeast corner of the development area, and accessible sidewalks, driveways, and ramps that connect the relocated portable buildings to the site and adjacent parking lot.

Currently, 41 parking stalls exist (2 ADA stalls). The parking lot restriping will result in an additional 6 stalls for a total of 47 parking stalls (2 ADA stalls). The site is already served by municipal water and sewer lines. Additional findings pertaining to electrical and utility capacity are provided below.



### Electrical

The proposal involves reconnecting the two portables with a new electrical utility service and fiber from RHES. No new lighting is proposed in the existing parking lot area.

### Sanitary Sewer

A 4-inch lateral will be extended to the portables from the existing sewer main in Standard Ave.

### Water System

A 1-inch service will be extended to the portables from the existing water main in Standard Avenue.

### Storm System

The existing grade of the southeast parking lot directs runoff to the adjacent lawn area along 7<sup>th</sup> Street. Building roof runoff will drain and infiltrate within drywells located adjacent to the portable buildings and northern lawn area.

### Erosion and Sediment Control

Onsite erosion and sediment control measures will be required. The District will obtain coverage under an Oregon DEQ 1200-C Permit.

### Offsite Improvements

The sidewalk and driveways along W Standard Avenue are to be replaced and meet ADA compliance.

In summary, public facilities are of adequate size and quality to serve the proposed use.

#### **4. The proposed use will prove reasonably compatible with surrounding properties. Explain fully:**

The development area is within the Rocky Heights Elementary School site. The proposed development is to relocate two existing portable buildings to the southeast corner of the site, provide landscape improvements adjacent to the portables, restripe parking stalls in the western half of the southeast parking lot, fence the northern lawn area adjacent to the portables, relocate a shed and trash service area to the northeast corner of the portables, and improve circulation with accessible concrete sidewalks and ramps that connect the relocated portable buildings to the site and adjacent parking lot. Existing sidewalk, ramps, and driveways along W Standard Avenue will be replaced and improved to meet ADA compliance. The proposed relocation and related improvements are designed to complement the design of the replacement elementary school and will enhance the user experience of these childcare and early educational facilities.

As shown in Exhibit C Portable Building Photographs, both existing portable buildings have a rectangular footprint and gable roofs. The portable buildings are painted light gray with dark gray trim. The building exterior is clad in wood siding. Each portable building has a footprint of 1792 square feet. The building size and architectural style align with the design of the three existing portables to the east of the development area in the southeast corner of the site.

## **4.2 Conclusion**

Based on the preceding findings, and the evidence incorporated herein, this request for Conditional Use Permit and Site Plan Review approval establishes compliance with all applicable approval criteria and standards.



# *HERMISTON IRRIGATION DISTRICT*

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July 5, 2022

City of Hermiston  
Planning Director  
Attn: Planner Spencer  
235 E Gladys Ave  
Hermiston OR 97838

**RE: HERMISTON SCHOOL DISTRICT 8R:  
ROCKY HEIGHTS ELEMENTARY SCHOOL, Dr. Tricia Mooney  
4N2810 100**

Planner Spencer,

The Hermiston Irrigation District has reviewed the application for conditional use permit for the removal and relocation of modular buildings at Rocky Heights Elementary School, located at 650 Standard Avenue. An internal review of this property revealed that it has 19.1 acres of water rights and is entitled to irrigate from HID's system.

There is a 25' x 25' easement along the Northern border of the property. Although the irrigation line is no longer in use, this easement has not been released by the Bureau of Reclamation.

This Property contains water rights. HID will work with the Hermiston School District to process a transfer through Oregon Water Department to get them moved.

HID has no objection to this conditional use permit. Thank you for the opportunity to be part of the planning process.

Respectfully,

  
Annette Kirkpatrick  
District Manager